

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

January 31, 2000 LB 175

14, strike "five" and insert "one". (FA279, Legislative Journal page 503.)

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. Senator Chambers, you're recognized to open on your amendment to FA275 to LB 175.

SENATOR CHAMBERS: Thank you, Mr. President. Now I am into the amendment itself, the committee amendment. And for the record, this that I'm dealing with is on page 3 of the committee amendment. In line 5, on page 3, the committee amendment would strike "one thousand" and insert "five hundred". What I would do is insert instead "one hundred". That's the amendment that I would make. What we're dealing with in this provision is property that the landlord can keep, and I don't think the landlord should be able to keep it. But before I go into that, I'd like to further badger "Baron" Tyson. Oh, he's gone, but he might be listening, so I think I'll wait until he comes back before I do this. It's too good for him not to hear. The current law allows the landlord to filch property which the landlord reasonably believes has a total resale value of less than \$250. The committee amendment...the bill wants to raise that amount to \$1,000. The committee amendment would not raise it from \$250 to \$1,000, but rather from \$250 to \$500. I would amend the committee amendment to strike the word "five" and insert "one", which means you're dealing with \$100 of value. And the reason I'm doing that, among others, is that the current law allows the landlord to keep this property. What is being discussed in the first part of the amendment is a notice that is to be posted, because this is allegedly unclaimed property. This is some of the language that must be in the notice, "because the property is believed to be worth less than five hundred dollars, it may be kept, sold or destroyed without further notice, if you fail to reclaim it within the time indicated in this notice". And that notice is to be run in some newspapers which a tenant may not read, anybody else with an interest in the property may not read, so it can be posted somewhere. The second provision where this amount comes into play is found in Section 69-2308. And that section says, "Subsection (1) If the personal property is not released pursuant to Section 69-2307, it shall be sold at public sale by competitive bidding, except that if the landlord reasonably believes that the total resale value of the property not