

February 11, 1974

PRESIDENT: O.K. are there other amendments to 293.

CLERK: Yes, I have another Goodrich amendment to to 293 on page 7, line 17 and 19 strike the words or and substitute the word

(End Belt #8)

(Start Belt #9)

and substitute the word and. I'm sure of that page 7 is that the white copy of the green one.

PRESIDENT: Now, Senator Goodrich.

SENATOR GOODRICH: It's the white copy, but I don't care if this amendment gets adopted or not. We can just forget it, I'll just pull this amendment off. Is

PRESIDENT: Is that what you are doing now, Senator Goodrich.

SENATOR GOODRICH: I ask unanimous consent--to withdraw it.

PRESIDENT: All right, he's asking unanimous consent to withdraw the motion. Are there any objections. Hearing none. So ordered the amendment is withdrawn. Are there other amendments to the bill.

CLERK: None. None, Mr. President.

PRESIDENT: Senator Simpson, it looks like we are back to you with the amended bill.

SENATOR SIMPSON: Mr. President and members of the Legislature. I would move to advance LB 293 to E & R for Review as amended. Many times. I hope that I can explain the bill satisfactorily some things in here might take a lawyer to get to explain fully because they are legal terms, but I would in essence say that the bill is an attempt to put down into law what has been the practice and through the court cases has been settled by case law, where coming from an area of years of years ago when a tenant rented a piece of property and it was incidental that it had a house on it, maybe if he signed a lease for a period of time and the house burned down he was still liable for the rent for the property for the rest of the lease. And from that we've come to a point that if this would happen today that he probably could get out of all or part of the rent if the rent if the property was only partly destroyed he could use the portion that was not hurt or he could move completely out and he would owe no further rent even though he was under lease because the place should be habitable for humans. And so we use the minimum codes of sanitation and safety etc. in this to describe what should be the unit for rental. Now we are affecting probably a third of the families at least in Nebraska who are in rental units. I think other than some disagreements on what the law has said. That good tenants and good landlords in the past have not had many problems. And I would assume under this bill even the amount we have had will be greatly reduced. The attempt in this bill is to get at poor landlords and poor tenants. And there are both. And to make them comply with something that we have written into law. Now as this bill originally came from the work of the national commissioners as a model bill, it didn't fit into Nebraska.