

March 19, 1979

LB 348, 292

amendments are being researched but I am not going to say that I have amendments to clear up all the problems that have been raised. I am not going to claim that at all and I wouldn't oppose any sort of kill motion claiming that I have amendments to work these problems out. What I did raise with him were some issues that should be looked at out of courtesy since actually Senator Simon is just presenting the bill for Senator Newell who is gone today on behalf of the Miscellaneous Subjects Committee. I didn't want to give Neil a bad time. I was willing to wait until Select File and see if language could be worked out with regards to the question of liability, who is responsible, with regards to whether or not you can find out who called the car in, questions with regard as to when in fact that car becomes the possession of the tow company and when you could still get it back. These are all sorts of questions that should be looked at and maybe they should be looked at in an interim study. My suggestion is, you know, that we do look at those questions. I am not saying at all that I have the answers and my recollection is that when the criminal code was up, there had been court cases in other states that questioned this whole procedure with regards to notice and so on and, therefore, I think it was the feeling then that we should strike this section. Now it does raise an interesting question. If you have had your car towed since January 1st whether or not that has been done legally or if you have your car towed subsequent to now without passage of this bill whether or not there is any authority to do that. Maybe that is something that could be looked at in interim study as well. So I have no problems with seeing the bill killed. If it is not, I am certainly willing to try and work on amendments in those areas.

SPEAKER MARVEL: The fifteen minutes are up so the bill will revert to the bottom of this file and we will go to the next one which is LB 292. Mr. Clerk.

CLERK: Mr. President, LB 292. Title read. The bill was first read on January 16. It was referred to the Judiciary Committee. It was advanced to General File. There are no amendments, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Clark, 292. Do you move advancement of the bill?

SENATOR CLARK: This bill was brought to me by Judge Tom Dorwart from Sidney. The only reason this bill is in here at all is because he would like to put some of these kids