

April 6, 1979

LB 348

SENATOR DUIS: Oh, they're going to come back and look for the vehicle, and if it's in the wrong place it's sort of trespassing, and out our way if you open a gate and you go through and you come out hunting sometimes we never find them, but we always look at the gate when they come back out to find out if they're coming back out again.

SENATOR STONEY: Thank you, Senator Duis. Well, down our way, which is Omaha, the problem is a little more complex than what Senator Duis explains with opening and closing a gate. Take for instance a large corporation that employs three thousand employees and they provide parking for those individuals in parking lots that are adjacent to their particular buildings, those are assigned parking stalls. Those individuals pay for those particular stalls each month, and what if someone who knows because it is well posted, that they are parking in an area where they should not park but they do so, and they enter a building that is twelve stories high and might be in there for anywhere from a few minutes to eight hours in a day's time. Now I'm wondering how we would address that in waiting for that individual. Do we assign someone that works for the company to sit by that vehicle until the individual returns? I'm just attempting to express some of the problems and complications that you can have in a metropolitan area.

SENATOR DUIS: I guess that was sort of a question, but you see we've got the same problem out our way. We have someone that comes out from the urban area that wants to hunt a few coyotes, or badgers, or something, and they go right on through the gate and they leave the gate open and we've got it posted that they shouldn't, and so on and so forth, but we haven't got any right to haul the vehicle away if we find it there. We just have to charge them with trespassing, and I think you could charge anybody with trespassing, but you wouldn't necessarily bust the muffler off of the car, or bumper, and they don't know where the car is. They've got to go in and ask whoever it is, and so on down the line and I...I...it's a little bothersome and I think at times, I know several instances where someone was going to go to the store to buy something and the store wasn't open. By the time they got back fifteen minutes later, the car's gone, and I guess we just don't...I guess we're not used to that sort of thing, and it does make it a little difficult.

SPEAKER MARVEL: The time is up, and the time is expired,