

Committee. It was advanced to General File. There are no amendments, Mr. President.

SPEAKER MARVEL: Senator Johnson.

SENATOR JOHNSON: Yes, Mr. Speaker, members of the body, this act, the uniform fraudulent conveyance act has long-standing ancestors. In 1594 the Parliament in England passed the first uniform...I'm sorry, not the first uniform act, but they passed the first fraudulent conveyance act and the function of a fraudulent conveyance act essentially is to protect creditors who extend money or goods or things to debtors on reliance of the debtors assets and it then turns out at a later date that the debtor conveys away some of those assets when the debtor is insolvent and for less than fair consideration. In any event, the fraudulent conveyance law has been with us for many many years. Nebraska adopted fraudulent conveyance acts in the late 1800s and early 1900s and they are basically a hodgepodge. Now in 1917 the commissioners on uniform state law promulgated the uniform fraudulent conveyance act which is designed to set uniform standards for fraudulent conveyances and that act has been adopted now in twenty-four states. The new bankruptcy law that took effect in 1978 makes numerous references to state fraudulent conveyance laws and several months ago when I was in the bankruptcy court our bankruptcy judge, David Crawford, suggested to me that the State of Nebraska would be better off if it had the uniform fraudulent conveyance act than it is right now with a hodgepodge of statute that it does has. So I took a look at it and I concluded that he was correct and that is the reason for this bill. The bill itself though...one of the things that will happen when this bill is adopted is that Nebraska will then be a part of the developing decisional law on fraudulent conveyances which of course are a product of the uniform fraudulent conveyance act being adopted in the other states. Now as you and I well know many many business and credit transactions are interstate transactions rather than intrastate transactions and it is very helpful to credit extenders and to their attorneys and their accountants and the like if they know that a given state is operating under what is called a uniform act rather than operating under a local deviations or what have you. It is for that reason that I bring to you today the uniform fraudulent conveyance act for your consideration and your adoption.

SPEAKER MARVEL: Senator Murphy.

SENATOR MURPHY: A question of my good friend, Senator Johnson. Senator Johnson, I vote in the dark in here quite often without