

apply to other sections in other kinds of benefits and pensions and retirements enumerated in the section later on. There is no intention that the \$5,000 cap should apply to any other figure than the cash value of life insurance policies that a bankrupt declares at the time he takes bankruptcy. With that clarification of the legislative intent of the language in 940, I will withdraw the motion and expect that in the event there is a problem in the ensuing year with the interpretation of that language that we will correct it next year and we won't retard the progress of 940 for that technical amendment. With that, Mr. Clerk, I would choose to withdraw the amendment.

CLERK: Mr. President, Senator Johnson moves to return the bill. His motion being to strike the enacting clause.

SENATOR JOHNSON: Mr. Speaker, members of the body, as you know approximately 10 days ago when Senator Murphy graciously yielded his bill, or I should say he sacrificed his bill, 940 to the declination of the federal bankruptcy exemptions and the redrafting of Nebraska's debtor exemptions. At that time, I along with a handful of others opposed the effort. Again, I oppose what is happening with respect to the federal bankruptcy exemptions. In my opinion, this is a bad piece of legislation and it is one that ought to be stopped. Now, I have passed out to you this morning some material from the 1973 study by the Commission on Bankruptcy Laws. It was the 1973 study commission that in effect provided the theoretical basis for the 1978 revisions for the Federal Bankruptcy Code. On page 169 of the study is material regarding federal bankruptcy exemptions. The study commission says as follows, "Of particular importance to the consumer debtor are exemptions and discharge. These are essential features of a system of financial rehabilitation of financially troubled individuals. All of the need for exemptions and discharge is recognized by the present act, its provisions are ineffective as a result of the present acts deference to other federal and state laws after exemptions there is no uniformity of treatment of creditors and debtors and the exemptions available are not the result of reasoned policy but the happenstance of history and location. This said the blue ribbon study commission is intolerable. For what is supposed to be a national uniform system and destructive to the goal of rehabilitation of individual creditors. So, when the 1978 bankruptcy act was proposed, it established a uniform set of bankruptcy exemptions to be applicable throughout the face of this nation. It didn't make any difference what state the debtor resided in. The exemptions would be there and they would be uniform. What happen is