

books right now which will prohibit what the Legislature did. I know that argument has never stopped the Legislature from doing various things. The Constitution is of value only when it is used as an argument favoring a given position. But, I think when the record is clear that an act being taken by the Legislature does not comport with the Constitution. And the oath, such as it is, is that we will faithfully discharge our duties of office and uphold the Constitution. It seems to me that even though some type of psychological or even political advantage can be gained by violating the Constitution we ought not fly in the face of that document when we know that is what we are doing. There is no way that I can support LB 940 and I will vote in favor of Senator Johnson's motion. I don't even have to get into the merits of the issue as it is being discussed right now.

SPEAKER MARVEL: Senator Wagner.

SENATOR WAGNER: Mr. Speaker, I call the question.

SPEAKER MARVEL: The question has been called for. Do I see five hands? Okay. All those in favor of ceasing debate vote aye, opposed no. Record.

CLERK: 26 ayes, 1 nay to cease debate, Mr. President.

SPEAKER MARVEL: Okay, debate is ceased. Senator Johnson, do you want to close on your motion?

SENATOR JOHNSON: Mr. Speaker, Senator DeCamp, Mr. Speaker stated that I seemed to espouse a certain degree of sacredness or ascribe I guess a certain degree of sacredness to the federal bankruptcy laws. I don't ascribe any sacredness to the federal bankruptcy laws. I would like to call to your attention that providing for bankruptcy is in our United States Constitution, one of the obligations of Congress, just as making war, minting the coins, establishing and regulating the currency are also obligations of Congress so to back in the late 18th Century did our forebearers provide that it was Congress, not the states, but Congress that was to establish a system of bankruptcy. Very clear back then that Congress saw the need to allow relief to individual debtors. That Congress saw that, you know, being in debt was not necessarily immoral. Being unable to pay ones bills was not necessarily immoral. In fact, they recognized that people needed to have fresh starts. They needed to be able to start their life anew without going to debtors prison. They needed to be able to keep their families together, to go to a new community, to open up new lands and the like. So they provided that Congress shall establish bankruptcy laws. So since 1796