

Conway moved to indefinitely postpone the bill. Senator Weihing exercised his option to lay the bill over. That option is now before us.

SPEAKER BARRETT: Senator Conway.

CLERK: I have got a motion to indefinitely postpone on 335 by Gerry Conway.

SENATOR CONWAY: Mr. Speaker, I would like to withdraw that kill motion.

SPEAKER BARRETT: It is withdrawn.

CLERK: Senator, did you withdraw? I'm sorry. You withdrew your kill motion?

SPEAKER BARRETT: It's withdrawn, yes.

CLERK: All right. Mr. President, the next motion I have on 335 is by Senator Vard Johnson. Senator Johnson is excused.

SPEAKER BARRETT: Pass over it.

CLERK: The next amendment I have...the next amendment I have is by Senator Schmit. Senator Schmit's amendment, Mr. President, is on page 1778 of the Journal.

SPEAKER BARRETT: Senator Schmit.

SENATOR SCHMIT: Mr. President and members, the amendment we have before us is an amendment which I have asked to be added to 335. It provides that in the event of a forced sale of assets that any excess property, any excess resources that are left after the sale has been completed, are returned to the borrower. You will recall there have been a number of instances where there have been worked out agreements and where the individual has turned over the property to the lender and after the lender has accepted the property the resources have been disposed of in various ways and have resulted in resources or money being delivered to the lender in excess of the original loan and expenses. This amendment would say that in the event that that sort of action took place that the excess funds in excess of the amount owed to the creditor would be returned to the borrower. Now, there are those who will say, well, this was a worked out settlement and, therefore, should not be part of the agreement,