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LB 1064

going to loan the money unless he has the first lien. But it is my understanding that beyond that, then if it is the feed store or the agister, whoever files it first is the one that is going to be next in line, that is my understanding.

SENATOR BEUTLER: And so by virtue of the chain of transactions, though, it will always be the feed store person who has the first opportunity to file a lien if you are assuming a situation where the rancher feeds for awhile and then contracts out for the remaining feeding. I am not arguing with you. I am just trying to get the example straight so...I am not sure in my own mind how I am going to vote on this but I want to be sure I understand correctly what we are changing in the law with this.

SPEAKER NICHOL: Excuse me, your time is up but I would allow Senator Lamb to answer if he would.

SENATOR LAMB: Well, Mr. President and members, the bill came about as I understand it because the feed dealers did want some protection and, of course, when you start into this thing, you wonder who is going to be unprotected in order to protect the feed supplier. So that is why we have had several days here of frantic working on an amendment to make it fair so that everybody has a fair shot at whatever assets are left when somebody does go broke in this chain. Now my...as I explained before...my real interest in the thing is to see that there is not a double jeopardy situation set up where the owner of the cattle may pay the agister for taking care of the cattle and supplying feed and then at a later time also be liable from the feed dealer or the elevator who supplied the grain to the agister. I think this amendment takes care of that situation but I really believe that the person that files the first lien and I will assume that the banker is always going to be first because he is not going to loan the money unless he has the first lien. So then after that point whichever person files first is going to be first in line it is my understanding.

SPEAKER NICHOL: Time is up. Senator Carsten had some students in the north balcony. They were 21 kindergarten through eighth grade students from Manley and Hile