

borrower is going to defraud him by borrowing from bank B and saying he owes nothing to bank A. So, despite what everybody has said here, the fact of the matter still is that it enables a lender to loan money and get a first lien on anything that he loans against if the farmer or the borrower is willing to lie. If you are not going to deal with a dishonest borrower, what do you need the bill for? Nobody has answered that.

SENATOR BEUTLER: Fifteen seconds.

SENATOR CHAMBERS: The borrower has to be dishonest in such cases to tell the truth would prevent him from getting the loan. So I still want somebody to explain where my evaluation is wrong. But in the meantime I'm opposed to Senator Haberman's amendment, regardless of what else is done with the bill.

SENATOR BEUTLER: Senator Nichol.

SPEAKER NICHOL: Mr. President, members of the Legislature, one of two things happen when you get too strong with your penalty. I learned a long time ago when I was coming into this legislative body if you make it too stiff three things don't happen, arresting officer doesn't arrest, prosecutor doesn't prosecute, and the judge doesn't judge. Now a Class I misdemeanor is one year in prison, \$1,000 fine, or both, and no minimum. The Class IV felony is five years in prison, \$10,000 or both, no minimum. I suggest to the two people that are interested in this bill, come in somewhere in between maybe and maybe you'll have a good deal. Members of the Legislature, I'd like to have your attention for one minute. Mr. President, may I have order please. It's kind of loud.

SENATOR BEUTLER: The Speaker needs order, members of the Legislature.

SPEAKER NICHOL: I'm thinking right now, when we are trying to protect people's money, of the time when we handled the situation having to do with NDIGC. It slipped by with not much discussion in here. I don't even remember it, and I voted for it, and I'm ashamed of it ever since. But here we are doing the same thing. In a way we are saying to people you put up a sign. What does the sign mean? Some people think it means everything, I am protected 100 percent. And