

get enforcement, you do not get the real effects of a good criminal system. A criminal system is designed to prevent certain conduct and it does that by having you punished, reasonably punished, if you commit that prohibited conduct. If you destroy the enforcement ability, you destroy the whole system. That is what Rex is trying to do with his amendment. There are the other additional criminal penalties already in law, from mortgaging, or for selling mortgaged property fraudulently, for doing these things. The offense involved here is essentially perjury or the equivalent thereof I would use the word, it is lying when you say there is no lien, or there is no first lien, there is nothing. That is what the offense involved here is. I think the penalty provision will render it difficult for the buyer and the seller to deal with each other. Now let's get to Senator Chambers's argument on this. Senator Chambers's arguments would suggest that somehow all the financing institutions and all the buyers and all the sellers are going to spend full time trying to figure ways to cheat each other. That is the essence of his argument. The system is based and functions pretty much on the idea that the average person borrows money and intends to repay it, that the average person sells a product, expects to get a fair price for it, and sells it in an honest fashion. All this bill is trying to do is make the financing of products, agricultural products, the marketing of those products, more efficient, more effective, more functional. If somebody is out to deliberately cheat the system, and is really going to try to do it, the odds are they are going to get her done. All the laws I can pass, or you can pass, ain't going to make no difference. You are not going to stop that individual. Yes, we have a criminal penalty because it is wrong to deliberately lie on something important, such as whether your products are mortgaged, and that is what makes this system work with a penalty and enforcement system. Other than that, we are simply trying to make the system of loaning money, selling products, getting paid for them, more functional. I think that Senator Nichol is right, you should read it carefully. If it does get advanced today you should study it carefully, you should check with your people, your financing people, your people who are fertilizer dealers. But I think to fail to seize this opportunity to solve this most thorny, thorny problem that is really heavy among the agricultural people, to fail to do it today would really be missing the bet.