

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 15, 1999 LB 835

SENATOR BROMM: Okay. Then I would say that ownership of those cattle hasn't transferred to the packer and the five days hasn't commenced until the packer's...until it's the packer's loss. In fact, I suspect that when the truck is on the way to the packing house, after they're finally delivered, if that truck has a wreck, if that truck has a wreck, you probably have a claim with the trucker. I doubt that the packing company has a claim with the trucker. Would you want to go ahead and comment on that?

SENATOR JONES: I'll comment on that, because I've sold them both ways. When I sell them, a lot of times when I sell them in the beef, well then the cattle are theirs when they leave the place. Now if I sell them alive and they go there to be weighed, they're mine until they get there.

SENATOR BROMM: I see.

SENATOR JONES: So there's two different situations there, too. So I...

SENATOR BROMM: Then I would think that in the case of selling them in the beef, when they leave your place, the packer's ownership and control and five days would start.

SENATOR JONES: It starts...that's the reason I guess I was concerned about the five days. I don't have no problem with the five days, but I don't know of any packing plant that gets cattle and keeps them for five days before slaughter. That's really stretching it a long ways. But I was concerned about if they said they was buying them on a certain day, and they're not going to be delivered until next Tuesday or something like that, that could be five or six days and, like you said, if one could drop over dead during that time, I stand the loss, it's not them. I guess that's the reason I wanted to clarify the five days.

SENATOR BROMM: All right, thank you.

SENATOR JONES: Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Jones. Senator