

livestock? Are you leaving that in? I don't have your amendment in front of me. But if you say that it's a Class IV felony when the thing involved is livestock, regardless of the value of the livestock, then you also are precluding then charging a Class III felony when the value of the thing is over \$1,000.

SENATOR BERNARD-STEVENS: No, Senator, and I appreciate your concern on that. The section of law is 28-518, and basically it does clarify, I think rather clearly, a Class III felony is when the value of the thing involved is over \$1,000. The section that we're clarifying is the one that simply talks about the Class IV. And basically what the bill itself does is take the \$300 minimum, for the most part, and puts no value on that one, on that particular thing and a Class IV. So there would be no value set on the Class IV. When the value got up to \$1,000, at that point, that would be the Class III, if the bill were agreed to.

SENATOR PIRSCH: Okay. Well, depending on the wording, because I think that's just another provision.

PRESIDENT MOUL: Thank you, Senator Pirsch. Senator Dierks.

SENATOR DIERKS: Thank you, Madam Chairman and members of the body. I think I want to ask Senator Bernard-Stevens another question.

SENATOR BERNARD-STEVENS: I'd be delighted, Cap.

SENATOR DIERKS: When you get to...when you cross out "livestock" and put "cattle" in there, we exclude then horses which can also have a value of over \$1,000, which I think is very likely today, or is that taken care of in subsection (1) of Section 1?

SENATOR BERNARD-STEVENS: Basically, Senator Dierks, to be quite candid about what happens, the no value portion and the livestock would deal with the Class IV felony under...which was traditionally under \$300, or the misdemeanor that was under \$300.

SENATOR DIERKS: Okay.

SENATOR BERNARD-STEVENS: What we basically then ran into,