

Punishment was left to the judiciary. And as a prosecutor, I didn't deal with that sort of issue in punishment, and so the answer to your question is, following that, no, I wouldn't do that, and that wouldn't make any difference to me, but...

SENATOR CHAMBERS: Okay, now here is the follow-up, and I will ask you quickly, so you can answer quickly. Do you think by making this a harsher offense, it will cause prosecutors who were not prosecuting the way people wanted to now prosecute under the harsher provision?

SENATOR KRISTENSEN: No.

SENATOR CHAMBERS: Thank you.

SPEAKER BAACK: Time. Thank you, Senator Chambers. Senator Beutler. Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. Speaker, members. I would like to pick up a little bit where Senator Chambers left off, and that is in the area of the logic of what we are doing. Right now, if this bill passes and you go out and you blackmail somebody and you get \$290 from this blackmail, you are charged with a Class VI, or excuse me, a Class I misdemeanor. If you extort from somebody and get \$290, you are charged with a Class I misdemeanor. If you go out and embezzle \$290, you are charged with a Class I misdemeanor. If you go out and shoplift \$290, the charge is a Class I misdemeanor, but if you go out and steal a calf that is worth \$290, it is a Class IV felony. Why? It doesn't make any sense. Every other part of our statute deals with value, except for one thing. The golden calf is up there, it is the one thing that is going to end up being a felony. I guess the thing that bothers me most about this is it is not going to accomplish the goals that the cattlemen are looking for. It is just not going to do what they want. There are all sorts of other problems that enter into the reasons for prosecuting or not prosecuting. Can you prove the offense? Do you have any problems with proving that offense? All of these types of things are going to come in and determine whether a prosecutor is going to prosecute. If a prosecutor is going to plea bargain, he or she is going to plea bargain it regardless of whether you have got a Class IV felony or a Class I misdemeanor. You can always, when you are plea bargaining, always get that down to a misdemeanor and it is whatever deal the prosecutor wants to cut on that. If you have got a problem