

the cities to take some action to get their criminal codes into a decent order, it is not going to happen, and recognizing that, this amendment would strike that portion, would strike that portion of the committee amendments and return it to what Senator Will was, or, excuse me, Senator Bromm had proposed. With the additional thing that it will do is will allow...it adds that language, and it should be on your desk, it would say that a defendant charged in a criminal case arising under a city or village ordinance may demand a jury trial if the defendant could have demanded a jury trial under a similar state law. And what it will do, if we are not going to have them get their criminal codes in order, at least don't let them circumvent state law. When we allow a jury trial, don't let them come around and say we are going to pass the exact same ordinance, which they do, we are going to pass the exact same ordinance and say the state wants you to have a jury trial but the city says, no, we don't want you to have one. What this will do is recognize, recognize the issue that has been brought up, and realize that politically it is simply isn't going to happen, and would provide that at least don't let them circumvent what we do. Don't let them move to impose different procedures for the exact same offenses or for those similar offenses that occur under a state law. With that, I'd be happy to answer questions about the amendment to the amendment, and would urge its adoption.

**SPEAKER WITHEM:** We are now debating the Lindsay amendment to the amendment. Senator Bromm, discussion on the Lindsay amendment.

**SENATOR BROMM:** Thank you, Mr. Speaker. I think Senator Lindsay accurately stated what the original committee amendments would have done and distinguished his amendment to the amendment, which is substantially different. Just so...I think this is a little bit difficult to understand, but let me repeat maybe some of the things that Senator Lindsay said in an effort to try for us to help our understanding this. Originally, my bill, LB 90, was intended to eliminate what I would call jury trials on frivolous or insignificant offenses under state law. For a number of years the statutes have said that you were not entitled to a jury trial for a violation of a city or village ordinance. The committee amendments left my language in the bill but enabled those charged under a city or village ordinance, no matter how insignificant, to request a jury trial, and that was causing substantial concern for cities and