

new Lindsay amendment. (FA78 appears on pages 1058-59 of the Legislative Journal.) Are you ready to open on that, Senator Lindsay?

SENATOR LINDSAY: I have...well, thank you, Madam President, and members, the language is what we talked about. It makes two changes. One is that it refers to what Senator Bromm brought up on the same or substantially the same offense, to get away from the ambiguity or potential ambiguity of the term "similar". The second thing it adds at the end of the sentence, in the current amendment, and it adds the language "if the penalty under city or village ordinance includes imprisonment." Those changes that Senator Bromm suggested are certainly acceptable to me and I think do improve the...at least get to what our intent is on it. And I would urge the adoption of the amendment to the amendment.

SENATOR BOHLKE: Senator Kristensen, on the Lindsay amendment.

SENATOR KRISTENSEN: Thank you, Madam President, and members of the Legislature. Senator Lindsay, I just want to make sure that, and obviously as people are getting a chance to read this, if the village ordinance or the city ordinance has imprisonment to it less than six months, by this, that's an and you also get the jury trial? In other words, you've got a substantially same offense on the state level, does it also then have to have a jail term at the city level to get to the jury trial? I know I'm not being...

SENATOR LINDSAY: Yeah, I think what you're saying, yeah, in order to get the jury trial there has to be...has to be...

SENATOR KRISTENSEN: There are two elements then?

SENATOR LINDSAY: Similar to a state offense and punishment includes possibility of imprisonment.

SENATOR KRISTENSEN: Okay, so let's...let's take the offense of being ugly in public and let's say that ugly in public in a state offense is six months in jail and a thousand dollar fine,...

SENATOR LINDSAY: Well, you would plead though, wouldn't you?

SENATOR KRISTENSEN: Well, yeah, I...I would be guilty of that, but if being ugly in public on a city offense is just a thousand