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SENATOR CHAMBERS: ...him or her.

SENATOR CUDABACK: Thank you, Senator Chambers. Senator Bromm, on the Chambers amendment.

SENATOR BROMM: Thank you, Senator Cudaback, and my take on this is that when the charge is filed, and if there is a record check or if by some way the prosecutor becomes aware of prior convictions, that maybe they've...maybe they're aware of this individual's background, I don't know, but the conviction will have show up, I think, most likely on a driver record check in order for it to come to the attention of the prosecutor. I think that's going to be the most likely way that it is going to happen. Now, then I think in order for the prosecutor to use this law, he is going to have to introduce probably a certified or authenticated record from the court where that individual was convicted, and whether that be the district court of Pottawattamie County, Iowa, or whether it be the municipal court of Des Moines, or the county court of some other county, I don't...I don't think that's going to...I don't think that should affect the impact of that conviction. I think what the judge will have to do, what the prosecutor will have to do is to evaluate that information, that conviction, and ascertain to the best of their ability whether or not that would have been a conviction under Nebraska law, a violation of Nebraska law at the time of that conviction. And the burden of proof is always on the state when it comes to the enhancement. It's always on the state. If they fail to meet that burden of proof, that enhancement will not...will not occur. Now I would say this right out, and I would go along with striking villages because I just don't have any idea of what...where villages might have such laws or how you'd even get a hold of them, that sort of thing, but when it comes to cities, I'm not...I haven't heard a compelling reason to strike all of that and, particularly, I don't even know, I guess, like in Omaha where you undoubtedly have tremendous traffic between Omaha and Council Bluffs. You have people from Council Bluffs coming over. I mean I don't...I could try to find this out, but as we stand here, I do not know if people in Council Bluffs, if they have three priors over there, if they are convicted under Council Bluffs ordinances or if they are convicted under state of Iowa law, but if I