

people we can to serve as a judge. They're still human. They still have their same biases that they may have but institutionally and constitutionally, by the rule of law that we work in, in this country, is you do have the right not to have a jury trial. What the issue here is, what policy does the state want to adopt for city ordinances? This is an issue of local concern. Do you want the state to tell the cities what they're going to have a jury trial over and what they're not going to have one over that is more restrictive than what the United States Supreme Court has? This has nothing to do with all of the other side issues. This is an issue of what are we going to tell the cities they can and can't do.

SENATOR BOHLKE: One minute.

SENATOR KRISTENSEN: And if you're at the conclusion of Senator Chambers that if you have the possibility of any imprisonment that you ought to have a jury trial, that's a legitimate position. But you also legally are correct that you can tell the cities they don't need a jury trial for things under six months. That also is legally correct. It's a matter of your policy, not of what's legally right or wrong. So when Senator Chambers and I have that discussion, what we're talking about is a policy issue of do the cities have the right and should we tell the cities what they can and can't do on that issue? Do you think the cities need that direction? I would vote for this amendment. If you don't, you vote the other way on it. But in terms of are you going to get justice, Senator Lindsay may be correct, but it still comes down to you're still getting a trial, the rules of evidence apply, your appeal rights apply if you've been wronged, and we're not talking about the quality of justice issue here, we're talking about a city...

SENATOR BOHLKE: Time.

SENATOR KRISTENSEN: ...and do they have the opportunity to limit those people who are going to have jury trials.

SENATOR BOHLKE: Senator Chambers.

SENATOR CHAMBERS: Madam President, members of the Legislature, Senator Kristensen did, in my mind, correctly frame the issue from the standpoint at least that I'm viewing it. This is a policy decision that we're making. At the state level, we have made it, and we made that policy determination based on what is