

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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SENATOR CHAMBERS:    And so...

SENATOR BRASHEAR:    Or you can even elect to disregard or ignore.

SENATOR CHAMBERS:    And you expect me to believe what you're saying now is the fact of the matter?

SENATOR BRASHEAR:    I'm telling you the statute book was laying back here. I didn't elect to act on it.

SENATOR CHAMBERS:    Senator Brashear, I want to ask you this question: Do you place equal value on the holdings by the Nebraska Supreme Court with reference to whatever issue the Court is ruling on?

SENATOR BRASHEAR:    I'm sorry, Senator Chambers, I honestly don't understand. What you mean...

SENATOR CHAMBERS:    Well, let me...

SENATOR BRASHEAR:    ..."equal value".

SENATOR CHAMBERS:    Yeah. Do you think that an opinion by the Supreme Court is as valid on other subjects on which it has ruled, as you claim it is on the one you just cited?

SENATOR BRASHEAR:    Well, I think I know where we're going, but...

SENATOR CHAMBERS:    No, you don't.

SENATOR BRASHEAR:    ...let's go there.

SENATOR CHAMBERS:    No, you don't. Do you think that there is equal validity in a Supreme Court holding on other subjects as you accord to the holding of the Supreme Court on the subject you read about?

SENATOR BRASHEAR:    Well, as you know Senator Chambers, the value of precedent is dependent upon its application to the facts, its age, the number of times its been reaffirmed, or the dissents