

which I think a message, and I would say it very bluntly, needs to be sent. But this is not one of them. The power, the judicial power of this state is placed in the State Supreme Court. The Supreme Court behaved in a way that some senators and many lawyers, not only didn't expect, but don't like. Only, the only thing available to the Legislature is to pass a law. And that's what the Legislature is doing. Obviously, I cannot stop 25 people or more from voting for this bill...for this amendment, unless we run out of time, but I meant that aside. So the Legislature can go through the process of attaching this amendment to this bill, putting it over to Final Reading, and giving enough votes ostensibly to enact it into law. The Governor may or may not sign it. But if he does, then it is presumed to be the law, and as Senator Lindsay said, it's presumed to be constitutional. But what this Legislature had done in the past was to say that anybody who graduated from a law school in Nebraska could practice law without taking the Bar exam. And the Supreme Court said, oh no, it cannot, that's not the case. The Legislature can pass laws with reference to a Bar exam, but all they can do is set minimum requirements and the court can go beyond that. And for the Legislature to step into that area is to intrude into or trespass on the inherent judicial powers of the court, and these are powers not found in or derived from the constitution or the statutes, but they flow from the nature of the judiciary itself. If you take these powers away, you don't have a judiciary. So these inherent powers cannot be affected, they cannot be added to or minimized or subtracted from by the Legislature. What is being attempted here is something that the Supreme Court quickly can say goes to the inherent powers of the Supreme Court. There is nothing in the constitutional amendment that created this appellate court, that talked about what status its opinions would be accorded. If that were in the constitutional provision, the issue would never have arisen. But you want to challenge the court, and I think you found a way to do it. And this is a direct challenge to the court, but the court can circumvent it by striking all this down without even getting to what you're trying to offer as a challenge. Senator Lindsay, you believe in your heart of hearts that this, if this amendment is adopted it will have complied with all the requirements of the constitution...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...and the statutes as far as being made a