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LR 98

wine being sold by way of the Internet, but through construction and interpretation, the present U.S. Supreme Court was able to outlaw certain laws that state's had enacted which restricted that kind of activity. Now, the Nebraska Supreme Court has also said that where a right exists, even if the Legislature has not provided a remedy, the Supreme Court will fashion a remedy. All of these things are known...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...by those who study the law, who know the law, and are familiar with what courts have done ever since they have existed. There's an entire area of authority that courts have under the rubric of inherent powers. That means courts have arrogated to themselves the power and authority to do anything and everything necessary to carry out the functions of a court, whether they're found in the constitution or statutes, or not found there. So it would not be a stretch for the Nebraska Supreme Court to say that the words "in office" also include in connection with obtaining the office. That's all I'll say on that. I support Senator Bourne's amendment. And since I've had so much to say, I will also answer any questions anybody would like to put to me. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers. You heard the opening on the Bourne amendment by Senator Bourne and Senator Chambers. On with discussion. There are 11 lights on. Senator Schrock, you're number one.

SENATOR SCHROCK: Mr. President, members of the Legislature, in the interest of time, this will be my last comments before I get to close on this resolution. I would thank Senator Bourne for bringing this amendment. It seems reasonable. It seems like a compromise. It...the main thrust of this amendment will leave LR 98 into place, and that is for asking Regent Hergert to resign. That was my mission when I started on this, was this body should send a clear message to this gentleman that he should resign from the Legislature. The part about leaving some options open I think is very, very good. It also means that we do have options. If the Foley amendment would have passed and it would have advanced as is, that means we have no teeth left.