

discretionary. It's got to be discretionary, because enforcement of the Rules of the Road includes enforcement of speed limits. But if you're going to specify that and say this is mandatory, then you're indicating that everything else is not, because right now enforcing the speed limits is as much a mandatory duty as any other part of the Rules of the Road. The current language makes no exceptions. This language makes an exception of everything else in the Rules of the Road because this becomes the only thing that is truly mandated. So I hope you will strike all of Section 4 and the reason the entire section would be stricken is because this is the only change made in the section of existing statute that constitutes Section 4 of the committee amendments. That is why I want the language stricken and I hope you will agree with me. Any questions you have, I will answer them.

SPEAKER WITHEM: Thank you, Senator Chambers. Senator Kristensen, to address the Chambers amendment.

SENATOR KRISTENSEN: Thank you, Mr. President, members of the Legislature. Senator Chambers, just as a matter of housekeeping, and I look at Section 9 of the bill too, I think you might want to... I think you might want to include in your amendment there's another section where that phraseology is used, so just so we get the amendment done, so you don't have to do it twice, let's... And if you want to amend that or ask unanimous consent to substitute, I think it just makes it a cleaner amendment, so I'll talk while you do that, but that might make the amendment cleaner. Members, the language that's included here is not, and I think Senator Chambers is correct in one area, it is not going to change the speed limits in the state of Nebraska. It was done as a matter of emphasis, as a matter of emphasizing that the committee, as a package, as part of this, wanted to emphasize not only to the Patrol but to the public that the specific enforcement of speed limits was important; if we're going to increase those speeds that it be done. I don't think, and Senator Chambers' mandamus was a pretty good stroke of legal work, actually it's correct, but I don't think that his mandamus would have been defeated had this language been in there. The fact still goes that you have an affirmative duty to do it. Police officers still take the oath of office to uphold the laws that are passed. It's going to occur, but this is a matter of emphasis. The committee felt that this complemented the rest of the package. In there I