

allows that. Officers are also given discretion as to when to enforce a specific law based on the facts that they see as well and that all interplays, but, yes, you're correct, there is a law that does that.

SENATOR CHAMBERS: So why couldn't we state this as intent language? And this might sound a little odd coming from me but we're talking now about law enforcement as an activity and not specific peace officers. I would rather we not put in the law something that gives the impression that the Legislature thinks these officers will not do the job that they're called on to do and that if there's some part of the law we really want them to enforce then we have to put language which says, officer, we've said other places this is your duty but we really mean it with reference to this one, which might mean we don't quite mean it with reference to the other things. That's kind of what I'm getting at. I don't think it adds anything significant to the legal duty of the officer. In fact, it adds nothing in my opinion, but I think it narrows the officer's discretion and could open one up for some kind of action against him or her. You could even have a particular officer that a colonel, who is the superintendent of the Patrol, may not particularly care for and could have that officer watched, even though no others are being watched, and go after that officer based on this language. And the reason I say it, I've seen the chief in Omaha selectively go after individual officers for doing things that didn't rise at all to the level of other things he knew other officers had done and would not take issue with. So, rather than put something in the law that does not really have legal meaning but it can serve to skew the existing law, I wish we would just strike this. You already have emphasis, emphasis and additional emphasis on what an officer's duty is. And if you go again to page 4, I'm going to read it into the record, "All peace officers are hereby specifically directed and authorized," then we become redundant, "and it shall be deemed and considered a part of the official duties of each of such officers to enforce the provisions of the Nebraska Rules of the Road, including the specific enforcement of maximum speed limits and any other law regulating the operation of vehicles or the use of the highways." Why don't we just pick out every part of the Rules of the Road that we think is important and then say, even though it's the duty to enforce it already, that the duty to enforce this shall include the duty to enforce this? That's what we're saying. With this language, and I'm saying it for