

that is a good policy and that what we need to do, not bring LB 863 out but encourage the locals to do a better job in terms of making the right decisions with regard to those types of pursuits. There is nothing right now...

SPEAKER WITHEM: One minute.

SENATOR HALL: ...that says that they cannot choose to change their policy. As a matter of fact, I was looking at a handout that was passed out by Senator Chambers with regard to a decision by the Nebraska Supreme Court and the issue deals with whether or not the city may have to go back in terms of Omaha and look at their pursuit policy. I don't want the police not to be able to pursue people, but I think they need to do it in a safe manner, as safe as possible. And the fact of the matter is that is not what is going on right now, in some cases. I think, for the most part, the police do a good job. I think they're very well trained. I think they use their head. But some of the times that does not happen, and when that does not happen and a third party is injured, the city ought to be liable to the extent that their liability extends. I don't think that we should bring 863 out of committee.

SPEAKER WITHEM: Time.

SENATOR HALL: I would urge you to vote no on the motion to place on General File. Thank you, Mr. President.

SPEAKER WITHEM: Senator Maurstad.

SENATOR MAURSTAD: Thank you, Mr. Speaker. I appreciate the comments that have been made up to this point in time. I would like to refer the body to a handout that I have placed before you that is a recap of LB 863. I won't go through that item by item but would encourage people to take a look at it. I will start in reverse order and address some of the concerns that have been raised. Senator Hall indicated that many times right decisions are being made relative to police pursuits and I agree with that. In fact, I think the statistics bear out that decisions are...the right decisions are being made far more often than not. When those right decisions are not made, LB 863 will not change what the city's responsibility or the state's responsibility would be. They are negligent now. If LB 863 were to come to pass, they would still be negligent and they would still have to respond. So this does not reduce the