

SENATOR MAURSTAD: ...square one. Once again, I would like to indicate we've dealt...it's my understanding that the Legislature has dealt with this issue virtually every year since the bill was passed in 1981 with no...with no changes. In looking at some of those proposals in the past, I doubt that I would have supported them. And so I want to emphasize again, I believe that this is a reasonable approach to this issue. Quite frankly, the City of Omaha came in and testified some of the things that were mentioned relative to their policy. The City of Omaha wants the whole enchilada. They don't want...they only want to be...to take care of things when they are completely negligent and liable. They're not going to get that. This bill doesn't attempt to do that. This bill is not the whole enchilada. This bill is somewhere in the middle where we make some const.utive changes to this pursuit law that will allow law enforcement to do a better job.

SPEAKER WITHEM: Thank you, Senator Maurstad. Senator Bromm.

SENATOR BROMM: Thank you, Mr. Speaker. I rise in support of Senator Maurstad's motion and I don't recall when I, since I've been here, when I have done that as far as pulling a bill out of committee. I generally support the precept that we...concept that we do have committees, the committees act and trust their judgment, for the most part, and generally am easily able to accept the reasons given for why the bill isn't advanced. And Senator Lindsay gave good rationale and I understand that. But I think this particular subject and the policy that we have in our statute is so far out of the norm and out of what's reasonable that I think it's worthy of discussion and attention between now and next sess on. And I would suggest to the body that it may not get much attention or as much focus if we don't bring the bill out on the floor. I think if we bring it out on the floor, we've got a chance for a serious...some serious work on it this coming summer and a chance to develop a policy that would be a positive change. I don't know where else in our laws that we impose strict liability on people for doing nothing wrong. I think everyone here would admit, that's in the Chamber right now, that vehicle pursuits are necessary under certain circumstances. And when the officer is reasonable and prudent about what he does and if the fleeing vehicle does something completely erratic and causes damage, I find it unacceptable that the municipality or the employer is totally, strictly liable irregardless of the facts of the case. That's not the justice system. That's not the way it works anywhere else. We