

February 14, 1996 LB 952

strictly liable for the damages that occur as a result of a law enforcement pursuit. LB 952 proposes to hold all negligent parties responsible for their share of the cost that arise from a law enforcement pursuit. In the absence of negligence on the part of law enforcement, 952 would indicate that the innocent victims are to be protected and compensated for their economic damages in equal proportions by all the political entities involved. And, finally, the last component of the bill, the collateral source doctrine is applied to the amount collected by an injured party. The intent of the current statutes was targeted to reduce unnecessary pursuits. LB 952 doesn't change this. Nothing in this bill encourages law enforcement to pursue in a reckless manner or intentionally put the public at risk. I want to emphasize that vehicle pursuits occur now and they will continue to occur with or without the enactment of LB 952 and, unfortunately, people will be hurt with or without LB 952. LB 952 focuses on changing the method of reimbursement the parties injured by a law enforcement vehicle pursuit. It is certainly a fiscal management issue to both local and state governments. The real question before us this morning is whether this issue merits the complete deliberation of this entire membership. There are only three sections to this bill that are being changed for the political subdivision and for the state. Not a...it is not a particularly complex bill as drafted. There are amendments that I have drafted relative to some of the concerns that various members have brought to me and I appreciate their doing so. Unfortunately, up to this point in time, that same cooperation hasn't...has not developed with the trial attorneys and I believe that's why we have the loggerhead that we have this morning. I think this is an important issue. I believe it should be discussed by the entire membership and I ask for your support for the motion to place LB 952 on General File. Thank you, Madam President.

PRESIDENT ROBAK: Thank you, Senator Maurstad. Senator Abboud.

SENATOR ABOUD: Madam President, I would like to relinquish my time to the Chair of the Judiciary Committee, Senator Lindsay.

PRESIDENT ROBAK: Senator Lindsay.

SENATOR LINDSAY: Thank you, Madam President, members. Thank you, Senator Abboud. I would like to take a moment to defend the action of the Judiciary Committee in the vote on this bill.