

night. Madam President, three basic objectives guided the drafting of this legislation. First, it is good public policy that law enforcement should, in accordance with predetermined department procedure, be allowed to pursue criminals in order to protect the health, safety, and general well-being of Nebraska citizens. Second, assurance should be established that innocent third parties of law enforcement pursuits be protected, consistent with statutes governing other emergency vehicle responses, by allowing recovery from all responsible parties and all potential sources. Third, the new policy should foster sound fiscal management by state and local government. I think it will be useful, as we begin to debate this issue, to provide a brief historical perspective. In 1981, Senator Chambers introduced LB 414, a measure to establish procedures for and regulation of law enforcement vehicular pursuits and emergency responses. Following the March 2nd hearing, the bill was held by the Judiciary Committee. Demonstrating the tenacity for which he is still famous, Senator Chambers moved, on May 11th of that year, to return a bill which created the state's Risk Management Program, LB 273, from Final Reading to Select File for a specific amendment. Senator Chambers spoke for less than two minutes in support of his motion, indicating that an agreement had been reached with the principal introducer of LB 273. After Senator John DeCamp, the principal introducer of the bill, expressed no objection to the Chambers amendment, Senator Beutler requested that the Chair rule on the question of germaneness. When the Chair ruled that the amendment was in fact germane, Senator Chambers' motion to return prevailed without further discussion. The specific amendment was adopted without further discussion and the bill was readvanced to E & R. When LB 273 passed with the emergency clause, on May 21st, 1981, Nebraska became the only state in the nation to establish a standard of strict liability for law enforcement vehicular pursuits. Fifteen years later, to Senator Chambers' credit and due primarily to his steadfast opposition to each and every proposed change, Nebraska continues to stand alone in requiring state and local governments be solely responsible for the outcomes of this government-sanctioned activity. In other words, current pursuit statutes make the governmental units the insurer of the fleeing motorist, and therefore the fleeing motorists' own insurance company. This creates a situation where the individual breaking the law gets off the hook for the financial responsibility of their illegal actions. In contrast to current law, LB 952 provides that all responsible parties,