

city of Omaha, I believe, by the way, has chosen not to insure themselves, chosen not to insure themselves. And they...and when we talk about these numbers is that a small price to pay? And in the scheme of things, \$4.5 million over budget years that cover I'm sure more than a billion, is that much too much for spreading the cost of those necessary, evil police chases? And that's what we're doing, we're spreading that cost. Instead of it being Senator Avery, on his way home tonight,...

SENATOR BERNARD-STEVENS PRESIDING

SENATOR BERNARD-STEVENS: One minute.

SENATOR LINDSAY: ...getting rammed by a state trooper, or Senator Janssen, on his way home, getting turned into a quadriplegic by a police vehicle, neither one having any fault, we're spreading that cost over society, because who benefits when that police chase takes place? Society. If we do take Senator Wehrbein's drunk driver off the road, if we do take that fleeing felon off the road, who benefits? All of us do, so all of us should bear the cost. That's, I think, what the sound public policy behind the police chase liability is.

SENATOR BERNARD-STEVENS: Thank you, Senator Lindsay. Senator Beutler.

SENATOR BEUTLER: Senator Bernard-Stevens, members of the Legislature, I'm trying to follow how the bill works. And I'm going to tell you how I think it works for part one up there and why I can't support it, if this is correct. And, Senator Maurstad, if it's not accurate, you...I would like to give you an opportunity to respond because I want to be sure I'm being accurate. But I picked up on the example that Senator Bohlke used, of the police vehicle that's chasing a motorcyclist down the street, loses control, the car rolls into the front yard and let's say hits a couple kids instead of misses them, in this particular instance. Motorcycle gets away, gets away both uncaught and unidentified, so it never is known who the driver of the motorcycle is. The policeman is found to be negligent. So they go to court and under the comparative fault law they would first make an award, let's say it's \$100,000, and then they would apportion it between the fleeing vehicle and the police officer. And let's say they found that the fleeing vehicle was 70 percent at fault and the police officer was