

works. If you have a fleeing driver who is 80 percent at fault and a police offer was 20 percent at fault, and damages which are \$500,000 economic and \$500,000 noneconomic, that 80...the only part, if assuming the fleeing driver is judgment proof, which is generally the case, that the only part of that \$500,000 noneconomic damage, which is going to be reimbursed by the city then, is 20 percent of that, that 20 percent that they initially are liable for. Because the balance of that, that...what would it be, \$400,000, the balance of that goes away when we move to our comparative fault statutes. When we implement the other sections referred to in the statute, 25-21,185.07 and the following statutes, when we implement those, we only apply the joint liability, joint and several liability, in noneconomic...or, excuse me, in economic damages. On noneconomic damages we only use several liability. So when we look at LB 952, we have to look back at how our comparative fault statutes work. And that's what I'm trying to do. So when I offer this I am in no way trying to absolve the fleeing driver, and I make that absolutely crystal clear in floor debate that the fleeing driver is still responsible. But what we are doing is taking that fleeing driver out of that allocation formula. That is the goal and that is the intent of this amendment, is simply to make sure that that amount of damages is not then used to reduce the final amount that gets paid to the injured victim. With that, I'd be happy to try to answer any questions regarding the amendment and urge its adoption.

SENATOR BERNARD-STEVENS: Thank you, Senator Lindsay. There are a number of lights that were on, on the previous Maurstad amendment. We're now on the amendment to the amendment. I'll go through quickly and ask senators if they wish to speak on the Lindsay amendment. I'll go through the whole list first. Senator Robak, on the Lindsay amendment, did you wish to speak?

SENATOR ROBAK: Mr. Speaker, I'll give my time to Senator Chambers.

SENATOR BERNARD-STEVENS: Senator Chambers, if you hold on just a second. Senator Pedersen, were you going to speak on the Lindsay amendment? Senator Maurstad, on the Lindsay amendment? Senator Will, on the Lindsay amendment? Okay. Senator Chambers, you're recognized with Senator Robak's time.

SENATOR CHAMBERS: Mr. President, members of the Legislature,