

life-threatening felony, according to the Police Department statistics." Ninety plus 52 is 142, plus that one makes 143.

SENATOR BERNARD-STEVENS: One minute.

SENATOR CHAMBERS: In 1993, there were 28 chases, the following year there were 143, from 28 to 143, most of them traffic. Omaha is chasing more. And because they've loosened the rules there are more chases for trifling causes, more injuries and more deaths. They come down here and tell the Legislature, instead of correcting Omaha's chase policy, take away the liability of the city for the harm it's doing to these innocent citizens. I support Senator Lindsay's amendment because it will bring a measure of truthfulness to this untruthful, dishonest bill.

SENATOR BERNARD-STEVENS: Thank you, Senator Chambers. Senator Maurstad.

SENATOR MAURSTAD: Thank you, Mr. President. First, I would like to indicate that I think there's certainly a potential difference of opinion on whether or not the negligent person can be subrogated against. I believe the Nebraska appellate courts have generally limited the general principles of subrogation in the absence of a special contract or statutory language. In those situations the subrogator or self-insured has no right of subrogation against the negligent person until the injured person has been made whole. So I think that there...while it might not be in all cases, there are certainly cases where the self-insured can't subrogate back against the fleeing driver or the negligent driver. I oppose the Lindsay amendment. That section talks about, and the whole idea of that section is to try to allocate the fault and the responsibility between all of those who are involved. It says, including but not limited to, and then it indicates some of the possibilities that might exist where the fault could be allocated and recovery assisted. So I think that we certainly need to leave that in, especially if we're going to continue to be consistent with the statutes that are mentioned in that particular section. So I would ask the membership to oppose the Lindsay amendment, it runs contrary to what the good faith attempt is in Section 1.

SENATOR BERNARD-STEVENS: Thank you, Senator Maurstad. Senator Will.