

SENATOR WILL: I would yield my time to Senator Chambers.

SENATOR BERNARD-STEVENS: Senator Chambers.

SENATOR CHAMBERS: Thank you, Senator Will. Mr. President, members of the Legislature, I'd like to ask Senator Maurstad a question or two.

SENATOR BERNARD-STEVENS: Senator Maurstad.

SENATOR CHAMBERS: Senator Maurstad, I had mentioned that included in this packet of information I handed out was an article showing that Omaha had gotten a judgment against a fleeing driver. Did you happen to see that article? It's on page 11 of the handout on Roman Numeral I.

SENATOR MAURSTAD: I'm aware of the circumstance.

SENATOR CHAMBERS: Okay. Now, here's...it...the article is dated February 23, 1993, and was written by Leslie Belsdorff (phonetic). Ten days after agreeing to pay an Omaha woman and her family \$1.55 million for injuries she received during a police chase, the city of Omaha, Monday, obtained a judgment for the same amount from the driver of the car that officers were pursuing. Even without this language that you're talking about, the city can go after the driver, isn't that true?

SENATOR MAURSTAD: As I indicated, I think in some cases they can, but it would depend upon whether or not that particular judgment was appealed or not, and then whether or not that would be upheld, as to whether or not they would have a right of recovery.

SENATOR CHAMBERS: Well, that would exist with any...with your bill, if somebody wanted to appeal it, because the driver might want to challenge it. So that wouldn't change anything, would it, by putting it in your bill? Let me ask it a different way. If the city, right now, without this language that you're putting in this bill, can get and has gotten a judgment against a driver, what does your putting it in this bill add to the city's right to recover?

SENATOR MAURSTAD: I'm sorry, Senator, I did not hear you.