

negligence on the part of the cop?

SENATOR MAURSTAD: 'Cause the economic damages are assumed by the remaining party that has the ability to pay.

SENATOR CHAMBERS: Even in the presence of negligence...

SENATOR MAURSTAD: That's correct.

SENATOR CHAMBERS: ...by the cop.

SENATOR MAURSTAD: Yes.

SENATOR CHAMBERS: So then the economic damage, which would consist of those things you listed off to Senator Bromm,...

SENATOR MAURSTAD: Right.

SENATOR CHAMBERS: ...in effect would be all this person would recover even though the cop was 2 percent negligent.

SENATOR MAURSTAD: That's correct.

SENATOR CHAMBERS: And you feel that that is a fair trade-off to what a person who is injured under the present law will receive under the same situation?

SENATOR MAURSTAD: Given the fact that I believe in the absence of negligence that we would provide remedy of recovery that's not available now, there is some trade-off involved.

SENATOR CHAMBERS: Wait a minute, Senator Maurstad. You don't have to establish negligence now. It's not necessary to establish negligence now and you get the full amount. What you're doing is putting in hoops that don't exist now and that's what I want to make clear, that's why I say the bill is not being honestly presented. And if the city of Omaha told you that negligence must be proved, they are lying to you and you are repeating an untruth.

SENATOR MAURSTAD: They have not indicated that to me.

SENATOR CHAMBERS: Oh, okay.