

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Floor Debate  
March 19, 2015

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[LB15 LB23 LB31 LB33 LB34 LB35 LB37 LB46 LB70 LB76 LB105A LB129 LB139A  
LB139 LB146 LB155 LB164 LB179 LB207 LB227 LB279 LB324 LB542 LB574 LB591  
LR127 LR128 LR129 LR130 LR131 LR132]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FORTY-EIGHTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR LANCE BURCH FROM THE REALITY CHURCH IN LA VISTA, NEBRASKA, SENATOR KINTNER'S DISTRICT. PLEASE RISE.

PASTOR BURCH: (PRAYER OFFERED.)

SPEAKER HADLEY: THANK YOU. I CALL TO ORDER THE FORTY-EIGHTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SPEAKER HADLEY: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS.

SPEAKER HADLEY: THANK YOU. ARE THERE ANY MESSAGES, REPORTS OR ANNOUNCEMENTS?

CLERK: YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB15, LB139, LB139A, LB33 TO SELECT FILE. ENROLLMENT AND REVIEW ALSO REPORTS LB324 TO SELECT FILE WITH AMENDMENTS. REVENUE COMMITTEE CHAIRED BY SENATOR GLOOR, LB76 TO GENERAL FILE; LB542, GENERAL FILE; LB591, GENERAL FILE WITH AMENDMENTS; LB574 INDEFINITELY POSTPONED. COMMUNICATION FROM THE GOVERNOR. (READ RE LB23, LB34, LB35, LB37, LB46, LB129, LB146, LB155, LB164, LB179, LB207, AND LB279.) SENATOR CRAIGHEAD OFFERS LR127, LR128; BOTH WILL BE LAID OVER. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 905-907.) [LB15 LB139 LB139A LB33

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LB324 LB76 LB542 LB591 LB574 LB23 LB34 LB35 LB37 LB46 LB129 LB146 LB155  
LB164 LB179 LB207 LB279 LR127 LR128]

SPEAKER HADLEY: THANK YOU, MR. CLERK. WE WILL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA. MR. CLERK.

CLERK: MR. PRESIDENT, LB31, OFFERED BY SENATOR BLOOMFIELD. (READ TITLE.) INTRODUCED ON JANUARY 8, REFERRED TO THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS PENDING. (AM359, LEGISLATIVE JOURNAL PAGE 765.) [LB31]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED TO OPEN ON YOUR BILL. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I'M PROUD TO BE INTRODUCING LB31 TO ALL OF YOU FOR YOUR CONSIDERATION. UNDER CURRENT NEBRASKA LAW, AS YOU KNOW, ALL MOTORCYCLE OPERATORS AND PASSENGERS ARE REQUIRED TO WEAR PROTECTIVE HELMETS ON STATE HIGHWAYS. LB31, AS AMEND BY COMMITTEE AMENDMENT, AM359, WOULD GIVE MOTORCYCLE OPERATORS AND PASSENGERS WHO ARE AT LEAST 21 OR OLDER THE CHOICE ON WHETHER OR NOT TO WEAR A HELMET WHILE OPERATING A MOTORCYCLE. THE OPERATOR WOULD IN ALL SITUATIONS BE REQUIRED TO HAVE EYE PROTECTION. ALL MOTORCYCLE OPERATORS OR PASSENGERS UNDER THE AGE OF 21 WOULD STILL BE REQUIRED TO WEAR A HELMET. I AM ONCE AGAIN ADDING MY NAME TO A DISTINGUISHED LIST OF SENATORS WHO HAVE COME BEFORE ME IN AN ATTEMPT TO RESTORE THE FREEDOM TO DECIDE FOR THEMSELVES TO THIS SEGMENT OF OUR POPULATION. WITHOUT A DOUBT, THERE WILL BE THOSE THAT WILL SPEAK AGAINST THIS BILL WITH HEART-WRENCHING STORIES. I WOULD ENCOURAGE YOU TO LISTEN TO THE DEBATE, LOOK AT THE FACTS THAT ARE PRESENTED. I APPRECIATE THE TIME THE COMMITTEE PUT INTO THIS BILL AND THE COMMITTEE AMENDMENT. I WOULD ASK THAT AS YOU LISTEN TO THE GRIM STATISTICS ON WHAT COULD OR MIGHT HAPPEN THAT YOU WOULD KEEP IN MIND THAT NO STATE SURROUNDING NEBRASKA, WITH THE EXCEPTION OF MISSOURI, REQUIRES THAT HELMETS BE WORN BY ADULTS. SOME OF THOSE STATES AT ONE TIME HAD REQUIREMENTS BUT HAVE REPEALED THEM. WHILE I AM NOT A FAN OF DOING SOMETHING BECAUSE OTHER STATES HAVE DONE IT, NONE OF THE STATES AROUND US HAVE REPEALED THESE...THAT HAVE

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REPEALED THESE LAWS HAVE EVER FOUND IT NECESSARY TO REINSTATE THEM. WE, AS A STATE AND AS LAWMAKERS IN THIS STATE, I THINK YOU HAVE A DUTY AND AN OBLIGATION TO PROTECT AND NOT INFRINGE ON THE PRINCIPLES OF LIBERTY AND THE PURSUIT OF HAPPINESS. LB31 REFLECTS MY STRONG BELIEF THAT AS FREE AMERICANS AND FREE NEBRASKANS, ADULTS SHOULD BE ABLE TO MAKE DECISIONS THAT AFFECT THEIR LIVES AND DO NOT INTERFERE WITH THE LIVES OF OTHERS. WE HAVE BY LAW DENIED A PARTICULAR SEGMENT OF OUR POPULATION AND CERTAIN INDIVIDUALS FROM OUTSIDE OUR STATE THAT ABILITY. THERE WERE OVER 97,000-PLUS LICENSED MOTORCYCLE OPERATORS IN NEBRASKA IN 2014. YOU, WITH A NO VOTE ON THIS BILL, CAN SIMPLY SAY TO ALL OF THEM THAT YOU KNOW BETTER THAN THEY DO WHAT THEY SHOULD DO. WITH A YES VOTE, YOU CAN GIVE THEM THE CHANCE TO REGAIN THEIR FREEDOM TO CHOOSE. NINETY-SEVEN THOUSAND IS NOT A NUMBER TO BE TAKEN LIGHTLY IN NEBRASKA. I WOULD REMIND YOU PRESIDENT JOHN KENNEDY SAID, I QUOTE, IN GIVING RIGHTS TO OTHERS WHICH BELONG TO THEM, WE GIVE RIGHTS TO OURSELVES AND OUR COUNTRY, UNQUOTE. I THINK IT IS TIME THAT WE GIVE THESE FREE MEN AND WOMEN BACK THEIR RIGHT TO DECIDE WHETHER OR NOT WEARING A HELMET IS SOMETHING THEY WANT TO DO. WE'RE NOT TALKING ABOUT CHILDREN HERE. WE ARE DISCUSSING MATURE, THINKING ADULTS. MANY OF THESE FOLKS MADE THE DECISION WHEN THEY WERE YOUNGER TO SERVE OUR NATION IN THE MILITARY, PUTTING THEM IN HARM'S WAY TO PROTECT AND DEFEND OUR RIGHTS. NOW WE'RE TELLING THEM THAT THEY DO NOT HAVE SENSE ENOUGH TO DECIDE WHETHER OR NOT TO WEAR A PROTECTIVE DEVICE AND THAT WE, THE STATE, KNOW BETTER THAN THEY DO AND WE MUST PROTECT THEM FROM THEMSELVES. GIVE ME A BREAK. NO, LET'S GIVE THEM A BREAK. THE DECLARATION OF INDEPENDENCE SAYS LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS, NOT CONFORMITY, CONTROL, AND A SAFE COCOON. I'M GOING TO WIND UP MY OPENING WITH THE WORDS OF PRESIDENT RONALD REAGAN, QUOTE, GOVERNMENT EXISTS TO PROTECT US FROM EACH OTHER. WHERE GOVERNMENT HAS GONE BEYOND ITS LIMITS IS IN DECIDING TO PROTECT US FROM OURSELVES, UNQUOTE. THANK YOU. [LB31]

SPEAKER HADLEY: (DOCTOR OF THE DAY INTRODUCED.) AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE. SENATOR SMITH AS CHAIR OF THE COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE AMENDMENTS. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. LB31 REPRESENTS AN ISSUE THAT IS CERTAINLY CONTROVERSIAL AND THAT HAS BEEN BEFORE THE TRANSPORTATION AND

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TELECOMMUNICATIONS COMMITTEE MANY TIMES. THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE ADOPTED THE PENDING AMENDMENT THAT SUBSTITUTES FOR THE BILL AND THEY ADOPTED IT IN A 6-2 VOTE. THE AMENDMENT RETAINS THE REQUIREMENT THAT OPERATORS AND PASSENGERS UNDER THE AGE OF 21 WEAR AS HELMET...THAT PASSENGERS UNDER THE AGE OF 21 WEAR HELMETS ON MOTORCYCLES AND MOPEDS. OPERATORS AND PASSENGERS 21 YEARS OF AGE AND OLDER WILL BE EXEMPT FROM THE REQUIREMENT THAT AN APPROVED HELMET MUST BE WORN. ADDITIONALLY, THE COMMITTEE AMENDMENT REQUIRES THAT AN OPERATOR OF A MOTORCYCLE OR MOPED SHALL WEAR EYE PROTECTION. AND THE COMMITTEE AMENDMENT DEFINES EYE PROTECTION AS GLASSES THAT COVER THE ORBITAL PORTION OF THE FACE, A PROTECTIVE FACE SHIELD ATTACHED TO A HELMET, GOGGLES, OR A WINDSHIELD ATTACHED TO THE MOTORCYCLE OR MOPED. THAT IS THE ESSENCE OF THE PENDING AMENDMENT. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB31]

SPEAKER HADLEY: IN THE QUEUE ARE SENATORS KRIST, SCHNOOR, CAMPBELL, GLOOR, AND BLOOMFIELD, AND BOLZ. SENATOR KRIST, YOU'RE RECOGNIZED. [LB31]

SENATOR KRIST: GOOD MORNING, MR. PRESIDENT. GOOD MORNING, COLLEAGUES, AND HELLO, NEBRASKA. WE ONCE AGAIN...I THINK THIS IS MY FOURTH TIME WITH THIS BILL, A COUPLE TIMES ACTUALLY INTRODUCING IT. AND I HAVE TO SAY THAT SENATOR BLOOMFIELD PUT MY PERSPECTIVE VERY WELL IN THE FACT THAT THIS IS A PERSONAL FREEDOM. WHERE I COME DOWN ON THIS--AND I'VE SAID IT MANY TIMES AND MY MOTORCYCLE FRIENDS DON'T NECESSARILY LIKE IT WHEN I SAY IT--BUT LIFE'S TOUGH AND IT'S TOUGHER IF YOU'RE STUPID. IF YOU'RE NOT WEARING A HELMET, PARTICULARLY ON THE INTERSTATE, PARTICULARLY AT HIGH SPEEDS, YOU MAY BE TAKING YOUR LIFE AND YOUR FAMILY'S WELL-BEING IN YOUR OWN HANDS. HOWEVER, I STILL BELIEVE THAT IT IS A PERSONAL FREEDOM. I MISS SENATOR LATHROP ON THIS FLOOR BECAUSE HE AND I WOULD GO AT EACH OTHER QUITE A BIT OVER THIS ISSUE. HE WOULD TELL ME ABOUT ALL THOSE THAT HAVE TRAUMATIC BRAIN INJURIES, TELL ME THAT THE FAMILIES...HE'S BEEN WITH THE FAMILIES AT THE BEDSIDE, AND HE REPRESENTED THE OTHER SIDE OF THIS ARGUMENT, OH, SO WELL. BUT YOU KNOW, MY ENTIRE TIME IN THE AIR FORCE WHEN I WAS FLYING AIRPLANES, I WAS REQUIRED TO WEAR A HELMET IN CERTAIN SITUATIONS AND NOT WEAR A HELMET IN CERTAIN SITUATIONS AND I DID WHAT I WAS TOLD. WHEN I GOT ON MY WAVERUNNER, I COULD MAKE A CHOICE WHETHER OR NOT I WANTED TO WEAR HEAD GEAR OR ANY OTHER PROTECTION. WHEN I RODE THE

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MOTORCYCLE, I COULD CHOOSE IN THE STATE OF MINNESOTA WHERE I WENT TO SCHOOL FOR FOUR YEARS AT THE UNIVERSITY OF SAINT THOMAS, I COULD CHOOSE WHETHER I WANTED TO WEAR A HELMET OR NOT. BUT I CROSSED THAT BORDER COMING BACK IN NEBRASKA AND I HAD NO CHOICE BECAUSE IT IS THE LAW. I HAD FRIENDS THAT BYPASSED THE STATE GOING TO DIFFERENT RALLIES AROUND THE COUNTRY. I HAD FOLKS, FRIENDS, REAL FRIENDS, THAT LEAVE THE STATE ON THEIR SUNDAY AND SATURDAY RIDES AND THEY FUEL UP IN OTHER STATES. I'VE HEARD ALL THE ARGUMENTS ON BOTH SIDES AND I STILL COME DOWN TO ONE CLEAR PRINCIPLE--THIS IS A PERSONAL RIGHT. IT SHOULD BE A...THE FREEDOM OF CHOICE SHOULD APPLY HERE AS IT DOES MANY OTHER PLACES. MANY OF YOU KNOW MY L.A. SUFFERED A CATASTROPHIC BRAIN INJURY, A HEAD-ON COLLISION WITH A CEMENT TRUCK. AND I'M NOT SURE WHETHER A HELMET IN HIS CAR WOULD HAVE BEEN REQUIRED, BUT I DO KNOW THAT WE HAVE A DIFFERENT STANDARD FOR CARS. MOSTLY BECAUSE IF YOU'RE NOT WEARING A SEAT BELT IN A CAR, IT'S NOT HOLDING YOU IN PLACE SO THE AIR BAGS CAN PROTECT YOU. SO IF YOU INTEND TO GET UP AND SAY, WELL, YOU HAVE TO WEAR A SEAT BELT SO YOU HAVE TO WEAR HELMETS, TWO ENTIRELY DIFFERENT PRINCIPLES. I'LL ENJOY THIS DEBATE, PROBABLY BECAUSE I MIGHT HEAR SOMETHING NEW AFTER FOUR TIMES OF DEBATING IT. I ALWAYS DO AND I ALWAYS APPRECIATE THAT NUANCE. BUT, AGAIN, IT COMES FROM ME ON ONE SIMPLE FACT OF FREEDOM, A FREEDOM TO CHOOSE AND A FREEDOM TO DO WHAT I FOUGHT FOR MY ENTIRE TIME IN THE MILITARY, WHICH IS PERSONAL RIGHTS, THE RIGHT TO DO WHAT THE INDIVIDUAL HIMSELF OR HERSELF WOULD CHOOSE; FREEDOM OF CHOICE. I SUPPOSE I COULD LAUNCH INTO FREEDOM OF CHOICE OF EDUCATION NOW AND DIVERT YOUR ATTENTION IN A DIFFERENT DIRECTION, BUT I WON'T DO THAT. LET'S STAY ON THE POINT. WHAT I WILL SAY ABOUT THE COMMITTEE AMENDMENT--AND I WILL NOT SUPPORT THE COMMITTEE AMENDMENT--IS SIMPLY THIS: THE AGE OF CONSENT, THE LEGAL AGE IN THE STATE OF NEBRASKA IS 19. WHERE DID 21 COME FROM? IF YOU'RE AN ADULT, YOU'RE AN ADULT. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR KRIST: THANK YOU, MR. SPEAKER. I'D LIKE TO HAVE SOMEONE EXPLAIN FROM TRANSPORTATION'S PERSPECTIVE WHY THE AGE 21 WAS CHOSEN. AND, AGAIN, I WILL LISTEN TO THE DEBATE AND HOPE I HEAR SOME NUANCE THAT WOULD CONVINC ME THAT 21 IS THERE. BUT RIGHT NOW I CAN'T SUPPORT AM359 AND I'M CURRENTLY IN SUPPORT OF LB31 AND HAVE BEEN FOR THE ENTIRE TIME THAT I'VE BEEN PART OF THIS LEGISLATURE. THANK YOU. [LB31]

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SPEAKER HADLEY: SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB31]

SENATOR SCHNOOR: THANK YOU, SIR. GOOD MORNING, EVERYONE. I'VE RIDDEN A MOTORCYCLE MY ENTIRE LIFE, GREW UP AS A KID ON ONE. UP UNTIL I WENT INTO THE MILITARY, I NEVER ONCE WORE A HELMET AND WE DID SOME PRETTY STUPID STUFF BUT I'M STILL HERE, PROBABLY MORE SO BY THE GRACE OF GOD THAN ANYTHING. WHEN I WENT IN THE MILITARY, I, LIKE SENATOR KRIST, WAS REQUIRED TO WEAR A HELMET FOR MANY THINGS, FOR PARACHUTING, YOU KNOW, HIGH ALTITUDE, LOW ALTITUDE, ALL KINDS OF STUFF. WE ALSO USED MOTORCYCLES IN MY JOB AND WE WERE REQUIRED TO WEAR HELMETS. AND IN SOME CASES, IN ONE CASE IN PARTICULAR, I CAN REMEMBER IT DEFINITELY SAVED THE LIVES OF TWO GUYS AS THEY HAD A HEAD-ON COLLISION IN THE MIDDLE OF THE NIGHT ON A RUNWAY. BUT I LOOK AT THIS AS A PERSONAL CHOICE AND MY CHOICE WILL BE TO WEAR ONE. MY OPINION DIFFERS A LITTLE BIT WITH SENATOR KRIST THAT I THINK IF YOU'RE RIDING DOWN THE INTERSTATE AND YOU'RE IN A HIGH SPEED ACCIDENT, THERE'S NO HELMET EVER GOING TO SAVE YOU. AND THAT'S KIND OF WHY BIKERS CALL THEM BRAIN BUCKETS, BECAUSE OF THAT REASON. BUT I DO FEEL IT'S VERY IMPORTANT. I DO LIKE THE AMENDMENT. THE ONLY THING, I GUESS I WOULD DISAGREE THAT I THINK, YES, A WINDSHIELD HELPS ON A MOTORCYCLE, BUT THAT DOES NOT STOP...A SIMPLE THING...IF RIDING A MOTORCYCLE YOU GET A MOSQUITO IN YOUR EYE, A WINDSHIELD DOESN'T STOP THAT. BUT IT'S THE FIRST THING THAT WILL CAUSE YOU TO WRECK WHEN YOU CAN'T SEE ANYTHING, SO I WOULD DIFFER WITH THAT A LITTLE BIT. BUT I THINK OVERALL THE AMENDMENT IS GOOD. AND OBVIOUSLY I HAVE SIGNED ONTO THIS BILL WITH SENATOR BLOOMFIELD AND I AM IN STRONG SUPPORT OF THIS MERELY BECAUSE THIS IS A PERSONAL CHOICE. AND MY CHOICE WILL BE TO WEAR A HELMET. SO THANK YOU. [LB31]

SPEAKER HADLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB31]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. YESTERDAY SENATOR BLOOMFIELD WALKED THE FLOOR WITH A VERY IMPORTANT RESOLUTION AND I THINK A GREAT NUMBER OF US SIGNED THAT RESOLUTION. AND AS HE CAME TO MY DESK HE SAID, I JUST WANT YOU TO KNOW THAT THIS IS REALLY A PETITION TO REPEAL THE MOTORCYCLE HELMET LAW. AND I TOLD SENATOR BLOOMFIELD THAT I DON'T OFTEN READ EVERY SINGLE WORD, BUT I WOULD READ EVERY SINGLE WORD OF HIS AND I WOULD ALSO PAY VERY CLOSE ATTENTION IF THERE WAS A SPECIAL LINE FOR SENATOR CAMPBELL TO SIGN. AND EVEN THOUGH WE JOKED ABOUT THIS AND HAD A

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VERY COLLEGIAL DISCUSSION, BOTH OF US ARE VERY SERIOUS ABOUT THE STANCE THAT WE TAKE ON THIS BILL. I AM OPPOSED TO LB31 AS I HAVE BEEN EACH TIME THE ISSUE HAS COME UP. FOR MY FIRST FOUR YEARS IN THE LEGISLATURE, I SERVED ON THE TRANSPORTATION COMMITTEE AND I KNOW I HEARD THE TESTIMONY I BELIEVE TWICE, MAYBE THREE TIMES, ON SIMILAR BILLS. AND IT IS IN SITTING THROUGH THAT TESTIMONY AND LISTENING TO PEOPLE ON BOTH SIDES OF IT THAT I BEGAN TO BE VERY, VERY MUCH CONCERNED ABOUT THIS EFFORT TO REPEAL THE HELMET LAW. I WOULD SAY THAT I'LL PROBABLY SPEAK A NUMBER OF TIMES ON THE BILL AS WE GO THROUGH THE DISCUSSION. BUT I WANT TO DRAW YOUR ATTENTION IF YOU HAVE NOT OPENED YOUR MORNING, OMAHA WORLD-HERALD. BUT TODAY THERE IS AN EDITORIAL BY THE OMAHA WORLD-HERALD AND THE HEADLINE READS "REQUIREMENT WORKS, HELMET LAW IS STILL NEEDED." AND I WOULD HOPE THAT YOU WOULD TAKE TIME TO READ THE EDITORIAL. BUT INSIDE THAT EDITORIAL IS THIS COMMENT THAT I WANT TO READ TO YOU: THE HEARING ON LB31 FEATURED TESTIMONY FROM NEBRASKA MEDICAL PERSONNEL WHO EXPLAINED THE HEALTHCARE COSTS AND RAMIFICATIONS. THE AVERAGE ESTIMATED TREATMENT COST FOR A LIFELONG BRAIN INJURY IS \$4.4 MILLION, SAID LORI TERRYBERRY-SPOHR, BRAIN INJURY PROGRAM MANAGER AT MADONNA REHABILITATION HOSPITAL, ONE OF THE PREMIERE REHABILITATION HOSPITALS IN OUR REGION. A LARGE CHUNK OF THAT COST FALLS ON SOCIETY, SINCE AS INSURANCE EXPERTS TOLD THE COMMITTEE, IT'S RARE FOR THE COST TO BE FULLY COVERED BY INSURANCE. IT IS IN THAT STATEMENT THAT IS THE CRUX OF MY OPPOSITION TO LB31. THIS IS A SOCIETAL ISSUE. THIS IS AN ISSUE THAT WE, AS THE LEGISLATURE, NEED TO TAKE VERY SERIOUSLY AND BE THOUGHTFUL AS WE LISTEN TO THE DEBATE. THIS IS NOT JUST ABOUT CHOICE, BUT IT IS ALSO ABOUT THE HEALTH OF NEBRASKANS AND THE TREMENDOUS COST OF WHAT MAY HAPPEN IN A MOTORCYCLE ACCIDENT. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: THOSE IN THE QUEUE ARE SENATORS GLOOR, BLOOMFIELD, BOLZ, LARSON AND OTHERS. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB31]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. GOOD MORNING, MEMBERS. I USUALLY MAKE THE SAME SPEECHES ON THIS BILL AND NO LONGER HAVE THE NOTES BECAUSE I DON'T NEED THEM BECAUSE I'VE MADE THEM OFTEN ENOUGH. I UNDERSTAND PERSONAL LIBERTIES. BUT I ALSO WORKED IN HEALTHCARE FOR ALMOST MY ENTIRE PROFESSIONAL LIFE. I ALSO SERVED AS A MEDIC IN THE MILITARY. TRAINED AS A MEDIC IN THE MILITARY, DROVE AMBULANCES, PICKED UP ACCIDENT VICTIMS, AND UNDERSTAND THAT THERE

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ARE PERSONAL LIBERTIES AND THEN THERE ARE SOCIETAL RESPONSIBILITIES. AND THE SOCIETAL RESPONSIBILITIES IN THIS CASE FOR ME ARE THE COSTS ASSOCIATED WITH PEOPLE WHO ARE INJURED AND ESPECIALLY THOSE WITH HEAD INJURIES, HAVING SEEN THOSE IN MY CAREER AND LIFE AND HAVE SEEN SOME OF THE DOLLARS AND CENTS ASSOCIATED WITH THOSE INJURIES. AND SO FOR ME, IT'S ALWAYS BEEN AN ISSUE OF COST TO THE STATE. WE'LL BE TALKING ABOUT MEDICAID EXPANSION. AND WHAT ALWAYS PUZZLES ME WHEN WE TALK ABOUT HEALTHCARE AND TRYING TO DO SOME THINGS ABOUT BOTH ACCESS OR CONTROLLING THE EXPENSE OF HEALTHCARE IS THAT WE CAN QUICKLY DISMISS OUR CONCERNS ABOUT THAT BECAUSE PERSONAL LIBERTY IS MORE IMPORTANT THAN WHAT I CONSIDER TO BE A SOCIETAL RESPONSIBILITY TO CONTROL THE COST OF HEALTHCARE IN SIMPLE WAYS, WHETHER IT'S SEAT BELTS, WHETHER IT'S IMMUNIZATIONS, OR WHETHER IT'S WEARING HELMETS ON MOTORCYCLES. THIS IS A HEALTHCARE COST ISSUE. AND I BELIEVE SOME OF THE TESTIMONY THAT WAS GIVEN DURING THE HEARING SAID THAT THE LIFETIME COST OF CARE FOR SOMEBODY INJURED WITH HEAD INJURIES CAN BE UPWARDS OF \$4 MILLION TO \$5 MILLION DURING THEIR LIFETIME. THAT COST IS NOT PAID BY INSURANCE COMPANIES. THAT COST IS PAID BY TAXPAYERS. NOW, SOMEONE WILL SAY, WE HAVEN'T HAD ONE OF THOSE IN THE STATE OF NEBRASKA IN TWO YEARS, THREE YEARS, FOUR YEARS, FIVE YEARS. COULD HAPPEN TOMORROW, COULD HAPPEN TWO TIMES IN THE NEXT TWO MONTHS. WE DON'T KNOW WHEN THAT'S GOING TO HAPPEN. WE KNOW THAT THERE ARE AN INCREASING NUMBER OF PEOPLE WHO RIDE CYCLES IN THIS DAY AND AGE. WHETHER IT'S A THROWBACK TO THE DAYS WHEN SOME OF US WHO ARE MY AGE HAD HAIR TO FEEL THE WIND FLOW THROUGH OR NOT, I'M NOT SURE. BUT CLEARLY ALL YOU HAVE TO DO IS DRIVE BY A HARLEY DEALER AND LOOK AT THE SIZE OF THOSE FACILITIES TO RECOGNIZE THAT THIS IS A GOING CONCERN. I DON'T THINK IT'S A HUGE INFRINGEMENT ON PEOPLE'S RIGHTS TO ASK THEM TO TAKE CARE OF THEMSELVES IN SIMPLE WAYS THAT ARE PROVEN TO BE EFFECTIVE AND HELMET LAWS ARE PROVEN TO BE EFFECTIVE. IT'S AS SIMPLE AS THAT FOR ME. IT'S AN IMPORTANT ISSUE. THIS HAS NEVER BEEN SUCCESSFULLY REPEALED. AND IT'S BECAUSE I THINK AS WE SHAKE THINGS OUT, WE COME TO THE REALIZATION THAT SIMPLE LAW, SIMPLE PROTECTIVE DEVICE, LET'S DO IT AND PROTECT NEBRASKA TAXPAYERS, INCLUDING OURSELVES, FROM THE LONG-TERM EXPENSE ASSOCIATED WITH IT. I WOULD ALSO POINT OUT THAT IN THE THREE TIMES THIS HAS COME UP HERE, WE HAVE HAD THE BILL IPPed IN COMMITTEE. THAT WAS IN 2011, 2012, I BELIEVE, 2011 OR '12. IN 2010 THE MOTION TO INVOKE CLOTURE FAILED AND IN... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]



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SENATOR GLOOR: ...2013, THE MOTION TO INVOKE CLOTURE FAILED WITH ONLY 25 VOTES IN FAVOR. I DON'T THINK WE SHOULD CARRY OUT THIS DEBATE FOR A PROLONGED PERIOD OF TIME. I THINK SENATOR BLOOMQUIST (SIC) AND THE COMMITTEE AMENDMENT DESERVE SOME DISCUSSION AND DEBATE ABOUT IT. I THINK THE GENERAL PUBLIC NEEDS TO HEAR SOME OF OUR CONCERNS ABOUT THIS BILL, EITHER FOR OR AGAINST. BUT I THINK AFTER A BRIEF DIALOGUE, WE OUGHT TO SEE WHERE WE STAND ON THIS SO THAT WE DON'T SPEND EIGHT HOURS ON SOMETHING--AND MAYBE MORE--EIGHT HOURS ON SOMETHING FOR WHICH MULTIPLE TIMES OVER PAST YEARS THERE'S PROVEN NOT TO BE ENOUGH INTEREST TO MOVE FORWARD. THANK YOU, MR. PRESIDENT. THANK YOU, MEMBERS. [LB31]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I STAND IN FAVOR OF THE COMMITTEE AMENDMENT. THE AGE 21 IS WHERE WE HAD THE BILL A YEAR AGO. I PRESENTED THE BILL TO THE COMMITTEE CLEAN AND ASKED THE COMMITTEE TO DECIDE WHAT AMENDMENTS THEY WOULD LIKE TO PUT ON IT. THEY CAME BACK AND SAID THEY WOULD LIKE TO HAVE EYE PROTECTION AND AN AGE LIMIT. WE WROTE TWO AMENDMENTS AND GAVE TO THE COMMITTEE: ONE WITH EYE PROTECTION AND 19; THE OTHER WAS EYE PROTECTION AND 21. THEY OPTED FOR THE 21. I'M FINE WITH THAT. IT'S A COUPLE MORE YEARS OF DEVELOPMENT, IT'S A COUPLE MORE YEARS OF EXPERIENCE. AGE 19 IS THE AGE OF MAJORITY IN NEBRASKA, BUT WE ALL KNOW THAT YOU MATURE AFTER YOU'RE 19, AFTER YOU'RE 18. YOU KNOW, THERE'S A BILL THAT CAME OUT OF COMMITTEE THAT WOULD ALLOW YOU TO BE A GOVERNOR AT THE AGE OF 18 WHERE YOU COULD DECIDE HOW YOU'RE GOING TO AFFECT OTHER PEOPLE'S LIVES, YET WE WANT TO DEPRIVE PEOPLE 21 AND OVER OF HOW THEY'RE GOING TO RUN THEIR OWN LIVES. THINK ABOUT THAT A LITTLE BIT. WHAT IS THIS BODY DOING? THERE ARE OTHER EFFECTS OF THIS BILL, FINANCIAL EFFECTS ON THE STATE OF NEBRASKA. YOU'RE GOING TO HEAR REPEATEDLY THE NEGATIVE SIDE OF THAT. I HAVE A STACK OF E-MAILS FROM OUT-OF-STATE PEOPLE THAT WOULD RIDE THROUGH NEBRASKA IF WE REMOVED THIS HELMET LAW. THEY DO NOT NOW. THEY REFUSE TO RIDE IN OUR STATE BECAUSE OF OUR REQUIREMENT TO HAVE HELMETS. SENATOR CAMPBELL IS RIGHT. SHE SIGNED MY RESOLUTION, AS DID EVERY SENATOR IN THE BODY AND, AGAIN, I THANK YOU FOR THAT. IN THIS CASE, SHE'S WANTING TO LEGISLATE FOR WHAT MAY OR MIGHT HAPPEN. FORTY-SEVEN PERCENT OF TRAUMATIC BRAIN INJURIES LEADING TO HOSPITALIZATION IS FROM UNINTENTIONAL FALLS. DO WE WANT TO MAKE PEOPLE WEAR A HELMET IN

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THEIR HOME? COLLEAGUES, THIS BILL HAS COST THE STATE OF NEBRASKA...OR THIS LAW HAS COST THE STATE OF NEBRASKA A LOT OF MONEY OVER THE YEARS. ARE WE GOING TO FAIL TO GIVE THESE PEOPLE BACK THEIR RIGHT TO DECIDE BECAUSE WE ARE AFRAID OF WHAT MIGHT HAPPEN? COLLEAGUES, LET'S NOT OPERATE ON THE MODE OF FEAR AND OH, MY GOD, THE SKY IS FALLING, FOR THE SKY WILL CERTAINLY FALL IF WE GIVE MATURE ADULTS THE OPPORTUNITY TO DECIDE... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR BLOOMFIELD: ...THANK YOU, MR. PRESIDENT...HOW THEY WANT TO PROCEED WITH THEIR OWN LIVES. THIS IS AN INFRINGEMENT ON INDIVIDUAL RIGHTS AND WE SHOULD DO AWAY WITH IT. AGAIN, I STAND IN SUPPORT OF THE COMMITTEE AMENDMENT. I WANT TO THANK THE COMMITTEE FOR THE WORK THEY DID ON THIS AND I'M WILLING TO WORK WITH ANYONE ELSE ON THIS AS WE GO FORWARD. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: SENATOR BOLZ, YOU'RE RECOGNIZED. [LB31]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. MY OPPOSITION TO LB31 COMES DOWN TO DOLLARS AND CENTS. THE JOURNAL OF EMERGENCY MEDICINE REPORTED THAT 41 PERCENT OF MOTORCYCLISTS IN NEBRASKA LACKED INSURANCE OR HAD MEDICAID OR MEDICARE WHEN THEY WERE ENTERED INTO THE HOSPITAL WITH AN INJURY, 41 PERCENT. THE COST OVER A LIFETIME FOR A BRAIN INJURY FOR A MODERATE INJURY IS \$85,000. IT CAN BE UP TO \$3 MILLION FOR A SEVERE BRAIN INJURY. COLLEAGUES, TO ME, THIS IS ABOUT THE FISCAL NOTE AND IT MAY NOT APPEAR ON THE FORMAL FISCAL NOTE THAT'S FILED WITH THE BILL AND IS ON YOUR CHAMBER VIEWER, BUT THERE IS A FISCAL NOTE RELATED TO THIS CHANGE. THERE'S A FISCAL NOTE NOT ONLY IN MEDICAID, WHICH IS CLEAR BECAUSE WE KNOW THAT THERE IS A PORTION OF THE POPULATION THAT DOES NOT HAVE INSURANCE, BUT ALSO IN THE UTILIZATION OF OTHER PUBLIC BENEFITS AND OTHER SERVICES. AND, COLLEAGUES, I'M THE LAST PERSON TO SAY THAT WE SHOULDN'T PROVIDE APPROPRIATE SERVICES WHEN NECESSARY. HOWEVER, I DON'T THINK THAT WE SHOULD PASS POLICIES THAT INCREASE THE UTILIZATION IF THAT'S NOT NECESSARY. AND SHOULD YOU THINK THAT UTILIZATION OF OTHER SERVICES DOESN'T GO UP RELATED TO TRAUMATIC BRAIN INJURY, I WOULD POINT YOU TO STATISTICS AND INFORMATION FROM OUR OWN BRAIN INJURY OMBUDSMAN. JUST A COUPLE OF EXAMPLES: ONE YOUNG WOMAN WHO HAD SEVERAL

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TRAUMATIC BRAIN INJURIES AND IS THE MOTHER OF TWO GIRLS WHO IS NOW SEEKING ASSISTANCE FROM THE OMBUDSMAN BECAUSE SHE HAS INTERACTIONS WITH CPS. HER BRAIN INJURY IS AFFECTING HER ABILITY TO PARENT HER CHILDREN. A 51-YEAR-OLD SPOUSE WHO CALLED BECAUSE HER SIGNIFICANT OTHER CANNOT GET EMPLOYMENT AND IS NOW WORKING THROUGH VOCATIONAL REHABILITATION. A 71-YEAR-OLD WITH A BRAIN INJURY WHO HAS BEEN IN THE NURSING HOME FOR 20 YEARS. A MOTHER WITH A SON AWAITING TRIAL AND SEEKING INFORMATION ABOUT THE LINCOLN REGIONAL CENTER. COLLEAGUES, MOTORCYCLE ACCIDENTS HAVE A HIGH PROBABILITY OF RESULTING IN TRAUMATIC BRAIN INJURY. AND COLLEAGUES, TRAUMATIC BRAIN INJURIES HAVE A SIGNIFICANT COST TO OUR STATE BUDGET. NOT ONLY DO THEY HAVE A SIGNIFICANT COST TO OUR STATE BUDGET, AS AN INDIVIDUAL WHO PAYS HER HEALTH INSURANCE PRIVATELY, OUT OF POCKET, I WOULD ALSO ARGUE THAT SUCH DRAMATIC INJURIES INCREASE THE COST OF OUR INSURANCE AS A WHOLE. AND I DON'T WANT MY INSURANCE BILL TO GO UP. THE LAST POINT I WOULD LIKE TO MAKE IS THAT...WELL, TWO MORE POINTS. ONE IS THAT WHEN WE REINSTATED OUR NEBRASKA LAW THE LAST TIME THAT THIS DISCUSSION OCCURRED, ACUTE MEDICAL HOSPITAL CHARGES FOR MOTORCYCLE ACCIDENTS INCREASED 38 PERCENT. THERE IS A CORRELATION, COLLEAGUES, AND IT'S REAL. THE FINAL POINT THAT I WANT TO MAKE SURE COMES THROUGH IN THIS DIALOGUE AND IN THIS CONVERSATION IS THAT BRAIN INJURY IS A DIFFICULT CHALLENGE BECAUSE BRAIN INJURY BEGETS BRAIN INJURY. WHEN AN INDIVIDUAL HAS A BRAIN INJURY, THEY LOSE COGNITIVE ABILITIES AND THAT CAN RESULT IN ADDITIONAL WAYS THAT THEY CAN INJURE THEMSELVES AND HAVE DIFFICULTY IN DECISIONMAKING, WHETHER THAT'S AN INCREASE IN POOR DECISIONMAKING THAT LEADS TO AN ADDITIONAL BRAIN INJURY OR WHETHER IT'S A DIFFICULTY WITH PHYSICAL ABILITIES THAT RESULTS IN MORE FALLS OR MORE PHYSICAL CHALLENGES. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR BOLZ: AN INDIVIDUAL WHO HAS A BRAIN INJURY TENDS TO, OR WE SEE A CORRELATION WITH, INCREASES IN THEIR HEALTHCARE NEEDS OVER TIME BECAUSE BRAIN INJURIES HAVE A SIGNIFICANT EFFECT ON PHYSICALITY AND QUALITY OF LIFE. SO COLLEAGUES, I RESPECT THE ARGUMENT THAT IS BEING MADE REGARDING FREEDOM AND CHOICE. HOWEVER, I THINK IF I REALLY LOOK AT WHAT THE FISCAL IMPACT OF THIS CHANGE MEANS TO ME, I SIMPLY CANNOT STAND BEHIND A CHANGE THAT WILL COST THE STATE SO

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MUCH NOT ONLY IN DOLLARS AND CENTS, BUT IN QUALITY OF LIFE. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: SENATOR LARSON, YOU'RE RECOGNIZED. [LB31]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. FIRST I'D LIKE TO SAY THAT I STAND IN SUPPORT OF LB31 AS A BILL. AND TODAY I KNOW MY COLLEAGUES WILL BE HAPPY TO HEAR YOU DON'T HAVE TO HEAR ME TALK ABOUT EDUCATION AND DRY BEANS, THOUGH I APPRECIATE THE FREEDOM THAT EDUCATION, WE NEED IN OUR MARKET. BUT AS SENATOR KRIST MENTIONED, THAT THAT IS NOT MY OBJECTIVE TODAY. THERE ARE THINGS THAT I TRULY BELIEVE IN AND THAT IS THE CONCEPT OF PERSONAL FREEDOM AND THE GOVERNMENT'S ROLE IN AN INDIVIDUAL'S LIFE. AND THAT ROLE IS SOMETHING WHERE I BELIEVE THAT THE GOVERNMENT IS IN PLACE TO PROTECT CITIZENS FROM OTHER CITIZENS, BUT THEY'RE NOT THERE TO PROTECT CITIZENS FROM THEMSELVES. AND I KNOW WE'VE HEARD THE FISCAL NOTE DEBATE. WE'VE HEARD THAT FROM THREE SENATORS SO FAR, CAMPBELL, GLOOR AND BOLZ. AND I KNOW SENATOR CAMPBELL IS OVER HERE TO MY LEFT, BUT I'LL ASK HER TO YIELD TO A QUESTION AND WHILE SHE WORKS BACK OVER TO THE MIKE I'LL KEEP TALKING. WE HEAR THE CONCEPT THAT BRAIN INJURIES ARE GOING TO DRIVE THE FISCAL NOTE UP AND DRIVE THE COST UP FOR THE STATE. WELL, I'D ALMOST ARGUE AS WE HEAR ABOUT THESE TRAUMATIC BIKE ACCIDENTS, YOU'D ALMOST ASSUME THOSE WITHOUT A HELMET ARE MORE LIKELY THE ONES THAT AREN'T SURVIVING AND THOSE THAT DO WEAR THE HELMET HAVE A BETTER CHANCE OF SURVIVING AND HAVING THAT TRAUMATIC BRAIN INJURY. AND I SEE SENATOR CAMPBELL IS GETTING BACK TO HER MIKE AND IF SHE'D YIELD, I'D APPRECIATE IT. [LB31]

SPEAKER HADLEY: SENATOR CAMPBELL, WOULD YOU YIELD? [LB31]

SENATOR CAMPBELL: CERTAINLY. [LB31]

SENATOR LARSON: THANK YOU, SENATOR CAMPBELL. YOU COMMENTED ON THE COST OF A BRAIN INJURY. WERE THOSE BROKEN DOWN TO...AND I DON'T KNOW IF THEY WERE SPECIFICALLY TOWARDS MOTORCYCLE BRAIN INJURIES, BUT DURING YOUR TIME ON TRANSPORTATION OR EVEN AS CHAIR OF HHS, DO YOU KNOW IF ANY OF THOSE...HOW MANY OF THOSE BRAIN INJURY COSTS WERE PEOPLE WEARING A HELMET VERSUS THOSE WEREN'T WEARING A HELMET, BY ANY CHANCE? [LB31]

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SENATOR CAMPBELL: SENATOR LARSON, WHEN WE DEBATED THIS BILL LAST YEAR, WE WERE ABLE TO BRING UP SOME OF THE COSTS, I BELIEVE FROM THE STATE OF FLORIDA. AND WHAT I'LL DO FOR YOU IS, I'LL TAKE A LOOK AT ALL OF THE MATERIALS AND FIND THAT FOR YOU. [LB31]

SENATOR LARSON: I APPRECIATE THAT. AND THE SECOND THING THAT I HEARD YOU SAY, THE LIFETIME COSTS AND HOW OFTENTIMES THIS GETS PUT BACK ON THE STATE. AND THIS IS MORE OF A QUESTION TO YOU AS CHAIR OF HEALTH AND HUMAN SERVICES. DID THE ACA REMOVE LIFETIME INSURANCE OR LIFETIME MAXIMUMS FOR INSURANCE AND YEARLY MAXIMUMS FOR INDIVIDUALS WHEN THEY HAVE INSURANCE? [LB31]

SENATOR CAMPBELL: YOU DO NOT HAVE A LIFETIME LIMIT ANYMORE. [LB31]

SENATOR LARSON: ANYMORE WITH ACA, CORRECT? SO THE ACA TOOK AWAY THE LIFETIME LIMIT AND THE YEARLY LIMIT THAT INSURANCE COMPANIES USED TO BE ABLE TO PLACE ON POLICIES? [LB31]

SENATOR CAMPBELL: EXACTLY. BUT AT THIS POINT, SENATOR LARSON, A POINT TO REMEMBER IS THAT IT MAY BE VERY DIFFICULT TO GET A VERY LARGE POLICY TO COVER YOU. [LB31]

SENATOR LARSON: YET THE CONCEPT...THE ACA ALSO TOOK AWAY PREEXISTING CONDITIONS ON THINGS OF THAT NATURE. SO YOU WILL HAVE CERTAIN THRESHOLDS THAT YOU HAVE TO HIT IN TERMS OF \$10,000 OR \$13,000 IN TERMS OF YOUR OUT-OF-POCKET MAXIMUM. BUT OVERALL THERE ARE NO PREEXISTING CONDITIONS ANY LONGER. THERE ARE NO LIFETIME LIMITS. AND GOING THROUGH THE CENTRAL HEALTH BENEFITS THAT EVERY HEALTH INSURANCE PLAN MUST COVER, IT'S REHABILITATIVE SERVICES AND DEVICES. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR LARSON: SO TECHNICALLY, IF SOMEONE IS COVERED THROUGH THE ACA AND CONTINUES TO HAVE THAT HEALTH INSURANCE AND THEIR FAMILY PROVIDES THAT HEALTH INSURANCE, THEY'RE NOT GOING TO HAVE THOSE VERY EXPENSIVE ASPECTS TO THE STATE. CORRECT? [LB31]

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SENATOR CAMPBELL: SENATOR LARSON, AT SOME POINT, THOUGH, DEPENDING UPON WHAT YOUR POLICY SAYS, AT SOME POINT IN YOUR LIFE YOU'RE GOING TO RUN OUT OF RESOURCES TO DO IT. WHAT THE... [LB31]

SENATOR LARSON: YOU'RE NOT...BUT THE POLICY WOULD STILL HAVE TO COVER YOU. I MEAN, YOU'RE ASSUMING AN INDIVIDUAL HAS RUN OUT OF RESOURCES. BUT THE POLICIES THEMSELVES COVER AND THERE ARE NO MORE LIFETIME MAXIMUMS AND THERE ARE NO MORE YEARLY MAXIMUMS. THERE ARE OUT-OF-POCKET LIMITS, THOUGH. I UNDERSTAND THAT. [LB31]

SENATOR CAMPBELL: OH, NO. THERE STILL WOULD BE SOME POLICIES THAT, AT SOME POINT, YOU WOULD RUN OUT OF RESOURCES AND YOU WOULD MOST LIKELY BE ON... [LB31]

SENATOR LARSON: WELL, LIKE I SAY, I'M LOOKING ON HEALTHCARE.GOV AND THEY SAY... [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR LARSON: THANK YOU. [LB31]

SPEAKER HADLEY: SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. GOOD MORNING, NEBRASKA. I RISE TO OPPOSE LB31. I DO THIS...I WANT YOU TO KNOW THAT I AM A CARD CARRYING MOTORCYCLE LICENSED...I'VE OWNED TWO MOTORCYCLES WHICH I HAVE ENJOYED IMMENSELY. MY WIFE ENJOYED THEM MORE IMMENSELY WHEN I SOLD THOSE MOTORCYCLES. I AM AN INSTRUMENT-RATED PILOT AND MY WIFE ALSO DID SOMERSAULTS THE DAY THAT I SOLD MY AIRPLANE. AND I AM A LONGTIME CYCLIST AND I ENJOY THE FREEDOM OF BEING OUT ENJOYING OUR WONDERFUL STATE OF NEBRASKA, AS I DO BRAN RIDES AND I RIDE AS MUCH AS POSSIBLE. SO I INVOLVE MYSELF IN RATHER HIGH-RISK SPORTS. I WOULD NEVER IN MY LIFE THINK ABOUT RIDING MY BICYCLE WITHOUT A HELMET ON. I WOULD NEVER HAVE GOTTEN ON MY MOTORCYCLE WITHOUT HAVING MY HELMET ON. I WOULD NEVER HAVE THOUGHT ABOUT FLYING MY PLANE WITHOUT DOING AN EXTENSIVE PREFLIGHT CHECK AND TRYING TO MAKE MYSELF AS FREE OF POSSIBLE RISK AS POSSIBLE. THAT'S THE RESPONSIBILITY THAT I TOOK BY BUYING A MOTORCYCLE, BY FLYING AN AIRPLANE, AND IN

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RIDING A BIKE. THERE'S A PRICE TO BE PAID FOR SOME OF THE SPORTS THAT WE INVOLVE OURSELVES IN. AND ONE OF THOSE PRICES IS, I BELIEVE, IS THAT IT REQUIRES US, JUST AS WE WOULDN'T THINK ABOUT GETTING INTO A CAR TODAY WITHOUT PUTTING OUR SEAT BELT ON, WE SHOULD NOT BE GETTING ON OUR MOTORCYCLES WITHOUT HAVING A HELMET ON. I UNDERSTAND THE WHOLE IDEA OF THIS FREEDOM OF CHOICE. WHILE I ENJOY HIGH-RISK PROFESSIONS, I'M ALSO A HEALTHCARE PRACTITIONER. I HAVE SEEN THE DEVASTATIONS OF PEOPLE WHO HAVE HAD HEAD INJURIES AND THEIR LIVES ARE ALTERED FOREVER. UNFORTUNATELY, A LOT OF THESE PEOPLE ARE YOUNG PEOPLE. NOW, I'M LUCKY. AS A PODIATRIST, I NEVER HAD A PRACTICE WHERE I SPENT A LOT OF TIME IN ERs. I SAW A LOT OF THESE FOLKS AFTER THE INJURY. I'VE HEARD SO MANY OF MY COLLEAGUES, ANESTHESIOLOGISTS AND TRAUMA SURGEONS WHO SAY, HOW COULD THEY EVEN THINK ABOUT TAKING AWAY THAT REQUIREMENT, TO TAKE THAT HELMET AWAY? THEY SEE FIRSTHAND PEOPLE BROUGHT IN ON TRAUMA. THEY SPEND HOURS TRYING TO SAVE PEOPLE'S LIVES BECAUSE OF THE HEAD INJURIES THAT ARE CAUSED BY NOT...OR IF THEY DON'T HAVE THEIR HELMET IN PLACE. ARE THEY PERFECT? NO. BUT THEY CERTAINLY SAVE LIVES; THAT'S DOCUMENTED. I HAD POSTED OUT HERE SOME STATISTICS. WE'RE GOING TO HEAR LOTS OF STATISTICS. YOU CAN READ THROUGH THEM AS WELL AS I'M READING THEM TO YOU. BUT AT EITHER RATE, WE NEED TO...WELL, WE HAVE CHOICES BUT WHEN YOU TAKE CERTAIN THINGS, SENATOR BLOOMFIELD, I THINK THAT THERE ARE TIMES WHEN WE NEED... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR HILKEMANN: ...TO TAKE THE RESPONSIBILITY THAT GOES ALONG WITH THIS. AND I WANT TO TAKE ONE EXCEPTION. YOU SAID JUST A LITTLE BIT AGO THAT FALLS WERE THE MOST...THE INJURIES HAPPEN IN THE HOME. SHOULD WE REQUIRE PEOPLE TO...YOU KNOW, SENATOR, A LOT OF THOSE PEOPLE ARE VERY ELDERLY PEOPLE THAT FALL AND HURT THEIR HIPs. AND THAT'S WHY THOSE FALLS ARE HIGH. AND, OF COURSE, PEOPLE DO DUMB THINGS LIKE STEPPING UP TOO HIGH ON LADDERS AND THINGS OF THAT SORT. I THINK TO EQUATE LIVING IN YOUR HOME WITH WHEN YOU GO INTO A HIGH-RISK TYPE OF A SPORT LIKE RIDING A MOTORCYCLE, I DON'T THINK YOU CAN COMPARE THOSE TWO AT ANY TIME. THANK YOU, MR. SPEAKER. I'LL BE BACK. [LB31]

SPEAKER HADLEY: MR. CLERK FOR AN ANNOUNCEMENT. [LB31]

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CLERK: THANK YOU, MR. PRESIDENT. THE NATURAL RESOURCES COMMITTEE WILL MEET IN EXECUTIVE SESSION AT 10:00 IN ROOM 2022, NATURAL RESOURCE, 10:00, ROOM 2022. [LB31]

SPEAKER HADLEY: THOSE IN THE QUEUE ARE SENATOR SCHUMACHER, SENATOR GARRETT, SENATOR HARR, SENATOR CAMPBELL, AND OTHERS. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. NOT SEEING SENATOR SCHUMACHER, WE WILL SKIP OVER SENATOR SCHUMACHER AND, SENATOR GARRETT, YOU'RE RECOGNIZED. [LB31]

SENATOR GARRETT: THANK YOU, MR. SPEAKER. MEMBERS OF THE BODY, I VOTED THIS OUT OF COMMITTEE. I THINK THE WORLD OF SENATOR BLOOMFIELD. WE'VE GROWN TO BE PRETTY GOOD FRIENDS OVER THE LAST COUPLE OF YEARS. BUT WHILE I VOTED THIS OUT OF COMMITTEE, I CANNOT IN GOOD CONSCIENCE SUPPORT THIS BILL. AS FAR AS THE FREEDOM OF CHOICE ARGUMENT GOES, GIVE ME A BREAK. SHOULD WE REPEAL THE SEAT BELT LAW FOR CARS? SHOULD WE REPEAL THE REQUIREMENT TO HAVE A CHILD SAFETY SEAT FOR OUR CHILDREN? JUST THROW THE LITTLE URCHINS IN THE BACK SEAT AND LET THEM BOUNCE AROUND? THERE'S GOT TO BE A MINIMUM LEVEL OF PROTECTION. I GOT TO TELL YOU, 26 YEARS IN THE AIR FORCE, I LOVED IT. I HAD SOME REAL TOUGH TDYs. I'VE BEEN TO SOME TERRIBLE PLACES BEFORE. BUT THE ABSOLUTE WORST JOB IN MY 26 YEARS IN THE AIR FORCE IS A JOB KNOWN AS CASUALTY NOTIFICATION DUTY. AND AS A FIELD GRADE OFFICER, WHEN YOUR TIME IS UP TO DO CASUALTY NOTIFICATION DUTY, WHEN A MEMBER OF THE ARMED FORCES--ANY OF THE ARMED FORCES--DIES AND THEY HAVE A FAMILY MEMBER WITHIN THE LOCALITY OF YOUR BASE, WHEN YOU HAVE THIS DUTY YOU HAVE TO GO OUT AND NOTIFY THE FAMILY MEMBERS OF THE LOSS OF THEIR LOVED ONE. YOU NORMALLY TAKE A CHAPLAIN WITH YOU. THE ABSOLUTE WORST JOB IN THE WORLD. AND I WILL GUARANTEE YOU, I WILL GUARANTEE YOU, IF WE REPEAL THIS HELMET LAW THERE ARE GOING TO BE AN INCREASE IN MOTORCYCLE FATALITIES. YOU DON'T HAVE TO BE AN INSURANCE ACTUARY TO TALK ABOUT NUMBERS, THROW THESE NUMBERS OUT. THE FACT IS--MOTORCYCLE RIDING IS A HAZARDOUS ACTIVITY. I'VE BEEN RIDING MOTORCYCLES SINCE I WAS EIGHT OR NINE. THE FACT IS MOTORCYCLISTS DIE REGULARLY EVEN WITH HELMETS. BUT IF YOU REPEAL THE HELMET LAW, I WILL GUARANTEE YOU THAT THERE IS GOING TO BE AN INCREASE IN FATALITIES. THERE IS GOING TO BE AN INCREASE IN TRAUMATIC HEAD INJURIES. I HAD A CONSTITUENT IN MY OFFICE A COUPLE OF WEEKS AGO. HE AND HIS WIFE GO UP TO STURGIS ALL THE TIME. THE FIRST TIME IN STURGIS HE SAID, THEY WEREN'T THERE FOR 15 MINUTES, A GUY WAS PARKING HIS MOTORCYCLE,



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A BIG OLD HARLEY, DIDN'T HAVE HIS HELMET ON. LOST BALANCE, FELL OVER, HIT HIS HEAD ON A CURB AND DIED. THE MOST VULNERABLE PART OF YOUR ANATOMY IS YOUR MELON, IS YOUR HEAD. YOU CAN JUST TAKE A CANTALOUPE FROM FOUR FEET UP AND DROP IT ON THE PAVEMENT AND SEE WHAT HAPPENS AND THINK ABOUT THAT BEING YOUR HEAD. I SHOULDN'T SAY THIS, MY WIFE IS GOING TO GET REAL MAD AT ME, BUT SHE HAS A THEORY. SHE'S SEEN ALL THE STUPID PET TRICKS I'VE DONE ON MOTORCYCLES. SHE SAID YOU PUT ANY MAN ON A MOTORCYCLE AND AUTOMATICALLY DEDUCT 100 POINTS FROM HIS IQ. FOR THOSE OF US WHO HAVE LESS THAN 100 IQ TO BEGIN WITH, KIND OF LEAVES US IN A HURTING STATUS. BUT I'M SERIOUS, MOTORCYCLES ARE SO TERRIBLY DANGEROUS. AND I DON'T THINK THIS IS TOO HARSH A THING TO SAY. FOR THOSE WHO WANT TO VOTE FOR THIS BILL, ARE YOU ALSO WILLING TO GO ON THAT CASUALTY NOTIFICATION...WILLING TO GO WITH A DEPUTY SHERIFF TO GO NOTIFY A FAMILY MEMBER THAT THEIR LOVED ONE HAS PASSED BECAUSE HE WAS IN A MOTORCYCLE ACCIDENT AND PERISHED, WASN'T WEARING A HELMET? ARE YOU WILLING TO DO THAT? THIS IS ONE OF THOSE THINGS...SO FEW THINGS THAT WE ARGUE ABOUT IN THIS BODY ACTUALLY CAN HAVE EFFECT ON PEOPLE'S LIVES, LIFE OR DEATH. YOU VOTE FOR THE REPEAL OF THIS AND I'M TELLING YOU, YOU MIGHT AS WELL HAVE BLOOD ON YOUR HANDS BECAUSE PEOPLE ARE GOING TO DIE. I UNDERSTAND THE PERSONAL CHOICE, THE FREEDOM OF CHOICE THING. BUT AGAIN, YOU DON'T THROW THE LITTLE URCHINS IN THE BACK SEAT WITHOUT STRAPPING THEM INTO A CAR SEAT. YOU DON'T GET INTO YOUR CAR WITHOUT A SEAT BELT. I READ THE PAPER EVERY DAY. EVERY DAY THERE'S FATALITIES IN AUTOMOBILE ACCIDENTS. AND ALMOST GUARANTEE YOU THAT EVERY TIME THERE IS A FATALITY, THE PERSON WASN'T WEARING A SEATBELT. THE DEATH RATE IS GOING TO GO UP. AND I DON'T CARE WHAT KIND OF NUMBERS, IT GOES AGAINST...DEFIES ALL LOGIC. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR GARRETT: EVERYONE COMES UP WITH...THANK YOU, MR. SPEAKER...COMES UP WITH ALL THESE CONFLICTING NUMBERS. THE FACT IS, DEATH RATE IS GOING TO GO UP IF YOU REPEAL THE HELMET LAW, PERIOD, DOT, END OF STORY. AGAIN, I UNDERSTAND THE PERSONAL FREEDOM ARGUMENT AND LET'S NOT GET INTO THE ECONOMICS OF THIS ABOUT HOW GUYS RIDE AROUND THE STATE TO GO TO STURGIS. IF THEY WANT TO DO THAT, FINE, LET THEM DO IT. BUT I THINK THE COST TO THIS STATE WOULD BE MUCH HIGHER DEALING WITH PEOPLE WITH TRAUMATIC BRAIN INJURIES AND DEATHS. THANK YOU, MR. SPEAKER. [LB31]

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SPEAKER HADLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB31]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, I WANT TO RETURN TO THE EDITORIAL THAT WAS IN THE OMAHA WORLD-HERALD BECAUSE IT CITES A STUDY THAT SEVERAL PEOPLE HAVE SENT TO ME, BUT IT'S SYNTHESIZED AND I THINK A LITTLE BIT EASIER TO UNDERSTAND. AND IT WOULD SAY WHY I WOULD NOT SUPPORT THE AMENDMENT THAT THE TRANSPORTATION COMMITTEE HAS PUT FORWARD. BUT A STUDY DONE FOR THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION LOOKED AT PRECISELY WHAT HAPPENED IN STATES THAT ADOPTED SUCH A POLICY OF SAYING THAT UNDER 21 YOU HAD TO WEAR A HELMET. ITS FINDINGS ARE TROUBLING. THERE IS INCREASING EVIDENCE--THAT PARTICULAR AGE-SPECIFIC YOUTH DOES...HELMET LAWS DO NOT WORK WELL, THE REPORT STATED. A CENTRAL FINDING IS THAT HELMET USE FOR THE UNDER 21 AGE GROUP FELL IN STATES THAT ADOPTED SUCH A POLICY. EXAMPLES INCLUDED TEXAS, FLORIDA, AND NORTH DAKOTA. IN TEXAS, HELMET USAGE FELL TO ONLY 29 PERCENT OF YOUNG RIDERS. IN STATES THAT ADOPTED THE UNDER 21 POLICY, FEWER THAN 40 PERCENT OF YOUNG RIDERS KILLED IN MOTORCYCLE CRASHES WERE WEARING A HELMET. DUE TO THE DECREASE IN HELMET USE FOR THE UNDER 21 GROUP, THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION FOUND THE INCIDENCE OF SERIOUS TRAUMATIC BRAIN INJURY FELL FOR RIDERS IN THAT AGE GROUP WAS 38 PERCENT HIGHER THAN IN STATES WITH A UNIVERSAL HELMET REQUIREMENT. THERE'S MORE. IN 1998, KENTUCKY SWITCHED TO AN UNDER-21-ONLY HELMET REQUIREMENT. IN THE TWO YEARS AFTER THAT CHANGE, 76 MOTORCYCLISTS WERE KILLED COMPARED WITH 48 IN THE TWO PREVIOUS YEARS PRIOR TO THE CHANGE. THAT'S AN INCREASE OF 58 PERCENT. THE NUMBER OF INJURY CRASHES INVOLVING MOTORCYCLES INCREASED FROM 1,146 IN THE TWO YEARS BEFORE THE CHANGE TO 1,571, AN INCREASE OF 37 PERCENT. NEBRASKA LAWMAKERS NEED TO PONDER THESE FINDINGS BEFORE MAKING ANY MOVE TO CHANGE THE STATE'S HELMET LAW. THE POINT BEING HERE, FOLK, IS THAT WHEN A PERSON UNDER THE AGE OF 21 IS GOING DOWN THE HIGHWAY, IT'S AWFULLY HARD TO DETERMINE--IS THAT PERSON 21? ARE THEY 19? ARE THEY 22? ARE THEY 25? AND SO, AT SOME POINT YOUNG PEOPLE-- AND I'M SURE THAT'S WHAT HAPPENED IN THE STATES I'VE QUOTED--IS THAT THEY WENT, I'M NOT GOING TO WEAR A HELMET. AND SO I STAND IN OPPOSITION TO THE TRANSPORTATION AMENDMENT. WE WILL GET BACK TO SENATOR LARSON'S POINTS, BUT I WANT TO REMIND YOU ALL THAT HIS QUESTION HAD TO DO WITH A HEALTH POLICY. AT SOME POINT, THE HEALTH POLICY WILL PAY FOR YOU TO BE OUT OF THE HOSPITAL. AND THEN YOU'RE EITHER GOING TO GO HOME OR YOU'RE GOING TO GO TO A NURSING CARE

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FACILITY. AND UNTIL YOUR RESOURCES RUN OUT, AT SUCH POINT IN THAT NURSING CARE FACILITY, YOU WILL BE ON MEDICAID. SO THERE IS WHERE THE LONG-TERM COSTS COME IN. YOUR HEALTH INSURANCE... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR CAMPBELL: ...WILL PAY FOR YOU IN THE HOSPITAL...THANK YOU, MR. PRESIDENT...BUT IT'S THE LONG-TERM LOOK AT THIS THAT WE NEED TO KEEP IN MIND. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: THOSE IN THE QUEUE ARE SENATORS GLOOR, SCHNOOR, PANSING BROOKS, LARSON, SCHUMACHER, AND OTHERS. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB31]

SENATOR GLOOR: THANK YOU AGAIN, MR. PRESIDENT. ONE OF THE COMMENTS THAT WE'VE BEEN HAVING OUT HERE IN THE CHAMBER THAT CAME FROM ONE OF THE SENATORS, AS WE DISCUSSED THIS, WAS A COMMENT THAT, WELL, CAN YOU MAKE THE ARGUMENT...OR YOU CAN MAKE THE ARGUMENT THAT SOMEBODY WEARS A HELMET IS NOT AS LIKELY TO DIE, BUT, IN FACT, MORE LIKELY TO BE INJURED SERIOUSLY THAT WOULD REQUIRE LONG-TERM CARE. SO LET'S JUST TAKE AWAY HELMETS AND THAT WAY WE'RE NOT HAVING THE STATE HAVING TO PROVIDE REHABILITATIVE CARE FOR NEARLY AS MANY MOTORCYCLISTS. OKAY, THERE'S THAT ARGUMENT. THE PROBLEM IS THAT WE'RE NOT TALKING ABOUT INJURIES, BOTH IN CARS AS WELL AS MOTORCYCLES, THAT USUALLY HAPPEN AT HIGH RATES OF SPEED. WE KNOW MOST MOTOR VEHICLE ACCIDENTS AND EVEN DEATHS, AS I RECALL, HAPPEN WITHIN A CERTAIN NUMBER OF MILES OF TOWN, A SMALL NUMBER LIKE 10 MILES OR 15 MILES OF TOWN AND AT LOWER RATES OF SPEED. HERE'S MY STORY. I'VE HAD A CHANCE TO TELL IT ON MIKE TWICE NOW IN MY CAREER HERE; I'LL TELL IT A THIRD TIME. IT HAS TO DO WHEN I WAS A MEDIC IN THE MILITARY WORKING A LATE-NIGHT SHIFT. AND AS I WENT OUT TO CHECK ON THE CONDITION OF SOME OF OUR AMBULANCES, IN THE BACKGROUND--AND THIS IS A MILITARY BASE IN GERMANY--NOISE IN THE RELATIVE STILL OF THE NIGHT WAS THE WHINING OF A MOTORCYCLE THAT WAS RACING UP AND DOWN THE STREET SOMEWHERE. NOT A BIG MOTORCYCLE FROM THE PITCH OF ITS ENGINE, BUT A MOTORCYCLE NONETHELESS. AND IT WENT ON FOR ABOUT TEN MINUTES. AND ALL OF A SUDDEN I HEARD THE ENGINE REV UP LOUDLY AND THEN IT WAS CALM AND THOUGHT THAT UNUSUAL. AND WITHIN ABOUT 20 MINUTES WE GOT A PHONE CALL TO RESPOND TO A MOTORCYCLE ACCIDENT

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AND I KNEW EXACTLY WHAT WAS GOING ON HERE. IT TURNED OUT THAT IT WAS A GERMAN NATIONAL WHO WAS ON PROPERTY THAT BORDERED THE MILITARY BASE. BUT WE COULD GET AN AMBULANCE TO THIS INDIVIDUAL SOONER THAN THE GERMANS COULD SO WE WERE THE FIRST ONES ON THE SCENE. AND THERE WERE A GERMAN POLIZEI IN ATTENDANCE. AND THERE WAS A MOTORCYCLE ILLUMINATED BY HEADLIGHTS OFF ON A GRASSY PATCH OFF TO THE SIDE OF THIS HARD-PACKED ROAD WHERE THE YOUNG GERMAN WITHOUT A HELMET LAYING NEARBY. I GUESS HE WAS IN HIS 20s, AS I RECALL. AND AS WE TRIED TO CARE FOR HIM--HE DID NOT APPEAR TO BE BRUISED, NOT SCRAPED--AS BEST WE COULD TELL, ALL THAT HAD HAPPENED IS HE WAS UNCONSCIOUS. SO CLEARLY HE HAD HIT HIS HEAD SOMEWHERE. MIND YOU, THERE WAS SOFT GROUND AROUND. IT WAS CLEAR THE MOTORCYCLE, FROM THE TRACKS, HAD GONE OFF INTO THE SOFT GROUND, HAD DUG IN, AND HE'D BEEN FLUNG OFF. BUT IN THE SHADOWS AROUND THE HEADLIGHTS THAT WERE ILLUMINATING THE ACCIDENT SCENE WAS A RABBIT, A BUNNY ACTUALLY, THAT WAS BOUNDING AROUND. AND IT KEPT COMING UP TO THE ACCIDENT SCENE WHICH I THOUGHT A LITTLE BIZARRE SINCE WE CONSIDER MOST RABBITS TO BE WILD ANIMALS. ONE OF THE GERMAN POLIZEI EXPLAINED IT WAS HIS PET--IT WAS THE PET OF THE MOTORCYCLE RIDER--AND IT HAD BEEN ON THE BACK OF THE MOTORCYCLE AND IT ALSO HAD BEEN FLUNG OFF. AND IT WAS UNINJURED. THIS BUNNY THAT WAS SITTING ON THE BACK, APPARENTLY, OR IN THE LAP OF THE MOTORCYCLE RIDER HAD BEEN FLUNG OFF UNINJURED, YET THIS YOUNG MAN HAD SUFFERED SOME SORT OF HEAD INJURY THAT HAD RENDERED HIM UNCONSCIOUS. SO WHEN WE LOADED HIM INTO AN AMBULANCE--AND IT ENDED UP THE GERMAN AMBULANCE SHOWED UP, HE WENT TO A GERMAN HOSPITAL--I DIDN'T THINK MUCH ABOUT IT AND FIGURED THAT HE WOULD PROBABLY RECOVER. WE FOUND OUT THE NEXT DAY HE DIED, HE DIED OF HEAD INJURIES, HEAD INJURIES THAT WERE AT A RELATIVELY LOW RATE OF SPEED. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. HEAD INJURIES THAT, ALTHOUGH IT KILLED HIM, IT WAS A SPEED NOT GREAT ENOUGH TO INJURE A BUNNY RABBIT ON THE BACK OF THE MOTORCYCLE. STRANGE THINGS HAPPEN. IN MY LIFETIME, AS I'VE THOUGHT BACK ON THIS ACCIDENT--I'VE BEEN FORCED TO AS A RESULT OF HELMET LAWS, FRANKLY--I'VE THOUGHT THERE'S NO DOUBT IN MY MIND THIS YOUNG MAN WOULD HAVE WALKED AWAY FROM THAT ACCIDENT SCENE HAD HE WORN A HELMET. AS SIMPLE AS THAT. YET HE DIDN'T, AND HE DIED. HELMETS CAN MAKE A DIFFERENCE. THAT'S ONE EXAMPLE I CAN

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GIVE YOU OF MY PERSONAL INTERACTION AT AN ACCIDENT SCENE WHERE I KNOW IT'S THE CASE. THANK YOU, MR. PRESIDENT. THANK YOU, MEMBERS. [LB31]

SPEAKER HADLEY: SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB31]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. I'D LIKE TO POINT OUT A COUPLE THINGS HERE. I GOT SOME INFORMATION THROUGH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. IN 2013, THERE WERE 14,796 MOTOR...AUTOMOBILE ACCIDENTS THAT HAD MEDICAL CLAIMS. AND THERE WERE 555 MOTORCYCLE ACCIDENTS. THE...THERE WAS A...I BELIEVE IT WAS SENATOR BOLZ, I'M NOT SURE, TALKED ABOUT THE COST THAT THIS GOES... WILL GO TOWARDS MEDICAID AND BASICALLY FOR GOVERNMENT HEALTHCARE. OF THESE 555 MOTORCYCLE ACCIDENTS, 33 OF THEM WERE MEDICAID ELIGIBLE; THAT'S 33. THE OVERALL COST...LET'S SEE, LET ME BACKTRACK A LITTLE BIT, OF THE AUTOMOBILE ACCIDENTS, NEARLY 15,000, 3,108 WERE MEDICAID ELIGIBLE. AND THAT COST ALONE, JUST IN MOTOR VEHICLE, WAS IN EXCESS OF \$43 MILLION. AND THE MOTORCYCLE ACCIDENTS, OF 555 THERE WERE ONLY 33 THAT WERE MEDICAID ELIGIBLE AND THE COST WAS JUST SHORT OF \$1.1 MILLION, WHICH IS STILL A LOT OF MONEY. BUT WHEN WE TALK ABOUT THE EXCESSIVE AMOUNT OF MONEY THAT IT IS COSTING THE STATE OF NEBRASKA, I WOULD HAVE TO ARGUE THAT. IT WAS ALSO BROUGHT UP EARLIER THAT THE CONCERNS ABOUT HEALTHCARE COSTS AND SOCIETY RESPONSIBILITY, HOW SIGNIFICANT IS THIS, PROVES THAT IT IS NOT SIGNIFICANT AS COMPARED TO AUTOMOBILE ACCIDENTS. BUT ALSO, LET'S NOTE THAT IF SOMEBODY HAS AN ACCIDENT OUTSIDE OF THE STATE OF NEBRASKA, IF THEY'RE A NEBRASKA RESIDENT, THEY'RE GOING TO BE BACK HERE ANYWAY GETTING HEALTHCARE AND IT'S STILL GOING TO BE AT A COST. SO ARE WE RESPONSIBLE FOR THAT OR DOES THAT THEN GET BILLED TO THE OTHER STATES? YOU KNOW, NO, WE'RE NOT. NO, IT DOESN'T GET BILLED, WE'RE RESPONSIBLE FOR THEM. BUT I GUESS MY POINT IS THE ARGUMENT THAT THIS IS GOING TO COST US AN EXCESSIVE AMOUNT OF MONEY, I WOULD SAY, IS NOT TRUE BASED ON THESE FIGURES THAT WE HAVE FROM...DIRECTLY FROM HEALTH AND HUMAN SERVICES. SO THAT'S ALL I HAVE. THANK YOU. [LB31]

SPEAKER HADLEY: SENATOR PANSING BROOKS? [LB31]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I RISE IN OPPOSITION TO LB31. I JUST WANTED TO ADD A COUPLE OF THINGS TO TODAY'S DISCUSSION.

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THE AMERICAN JOURNAL OF SURGERY, IN 2014, HAS AN ARTICLE FROM THE MIDWEST SURGICAL ASSOCIATION ON THE REPEAL OF THE MICHIGAN HELMET LAW AND SOME OF THE EARLY CLINICAL IMPACTS. MICHIGAN REPEALED A 35-YEAR MANDATORY HELMET LAW IN APRIL OF 2012. AND I JUST WANT TO ECHO WHAT SENATOR GARRET SAID THAT I BELIEVE THAT WE WILL ALL HAVE BLOOD ON OUR HANDS IF WE LET THIS GO FORWARD. AS SENATOR GARRET SAID, PEOPLE ARE GOING TO DIE AND THIS ARTICLE BEARS THAT OUT. THE ARTICLE TALKS ABOUT THE STUDY AFTER THE REPEAL OF THE HELMET LAW. AND THAT THEY FOUND THAT THERE WERE HIGHLY NEGATIVE RAMIFICATIONS. NONHELMETED MOTORISTS INCREASED SIGNIFICANTLY IN THE SHORT TIME AFTER REPEAL OF THAT LAW. SO THERE WERE WAY MORE NONHELMETED MOTORCYCLISTS IN THE STATE OF MICHIGAN AFTER THE LAW WAS REPEALED. FURTHER, NONHELMETED MOTORCYCLISTS MORE FREQUENTLY DIED ON THE SCENE, THE ARTICLE SHOWS. ADDITIONALLY, NONHELMETED MOTORCYCLISTS SPENT MORE TIME IN THE ICU, IN THE INTENSIVE CARE UNITS. ALSO, NONHELMETED MOTORCYCLISTS REQUIRED LONGER VENTILATION SUPPORT AND HAD MUCH HIGHER COSTS. I WANT TO READ YOU A COUPLE OF THINGS FROM THERE. THE REPEAL OF MANDATORY HELMET LAWS CONTINUES TODAY DESPITE AN ESTABLISHED BODY OF EVIDENCE DEMONSTRATING THE CLEAR SAFETY BENEFIT OF MOTORCYCLE HELMETS. MULTIPLE STUDIES HAVE SHOWN THAT NONHELMETED MOTORCYCLISTS HAVE A HIGHER MORTALITY RATE THAN HELMETED MOTORCYCLISTS. OTHERS FOUND A HIGHER INCIDENCE OF LETHAL AND NONLETHAL HEAD INJURIES IN NONHELMETED MOTORCYCLISTS. FURTHERMORE, THE FINANCIAL IMPACT OF THE INJURED NONHELMETED MOTORCYCLISTS HAS BEEN CONSISTENTLY HIGHER THAN HELMETED MOTORCYCLISTS. THE ARTICLE GOES ON TO STATE THAT THIS STUDY REVEALS SIX SIGNIFICANT FINDINGS AFTER THE REPEAL OF THE MANDATORY HELMET LAW IN MICHIGAN. THE INCIDENCE OF NONHELMETED MOTORCYCLES AND ON-SCENE FATALITIES INCREASED. THE SURVIVING NONHELMETED MOTORCYCLISTS REQUIRED A LONGER TIME ON THE ICU STAY AND MORE TIME ON THE VENTILATOR. THIS POPULATION WAS MORE FREQUENTLY UNDER THE INFLUENCE OF ALCOHOL AND USED MORE HOSPITAL RESOURCES. THE ARTICLE GOES ON TO SAY, QUOTE, IN MICHIGAN WE OBSERVED AN INCREASE IN THE NUMBER OF NONMEDICAL...NONHELMETED MOTORCYCLISTS ARRIVING TO OUR TRAUMA CENTER ALMOST IMMEDIATELY AFTER INSTITUTION OF THE REPEAL. IN THE YEAR BEFORE THE REPEAL, 7 PERCENT OF OUR PATIENTS WERE NONHELMETED MOTORCYCLISTS AND IN THE SEVEN MONTHS AFTER THE REPEAL, THIS ROSE TO 29 PERCENT. IN SEVEN MONTHS, IT ROSE FROM 7 PERCENT TO 29 PERCENT. THE ARTICLE FURTHER STATES: IT HAS BEEN WELL DOCUMENTED THAT INJURED, NONHELMETED MOTORCYCLISTS INCUR A

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HIGHER COST OF STAY. A 35 PERCENT INCREASE IN HEALTHCARE COSTS WAS FOUND FOR THE NONHELMETED MOTORCYCLISTS IN OUR STUDY, \$32,700 VERSUS \$21,300. WE ATTRIBUTE THIS FINDING TO THE INCREASED ICU, LOS, AND VENTILATOR TIME AMONG THE NONHELMETED MOTORCYCLISTS. AN ANALYSIS OF ILLINOIS LAW--THIS IS ANOTHER STATE THAT THEY LOOKED AT... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR PANSING BROOKS: THANK YOU. TIME? NO. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR PANSING BROOKS: OKAY. AN ANALYSIS OF ILLINOIS MOTORCYCLISTS REPORTED A 23 PERCENT INCREASE IN HEALTHCARE COSTS AMONG NONHELMETED MOTORCYCLISTS. SO THAT SHOWS IN MICHIGAN, THEY HAD A 29 PERCENT INCREASE; IN ILLINOIS, THEY HAD A 23 PERCENT INCREASE. THE ECONOMIC IMPACT OF NONHELMETED MOTORCYCLISTS IS ONE THAT CANNOT BE REVERSED. THIS IS SOMETHING WE DO NOT HAVE THE FUNDS OR THE FREEDOM TO ALLOW THESE COSTS TO BE INCURRED UPON OUR STATE. AND I WOULD HOPE THAT YOU WILL ALL AGREE TO VOTE DOWN SENATOR...AND NOT VOTE FOR SENATOR BLOOMFIELD'S BILL. THANK YOU, MR. PRESIDENT. AND I (INAUDIBLE) MY TIME TO SENATOR HILKEMANN IF HE HAS SOMETHING TO ADD. [LB31]

SPEAKER HADLEY: THERE'S ONLY 5 SECONDS LEFT. [LB31]

SENATOR PANSING BROOKS: OH. [LB31]

SPEAKER HADLEY: WE WILL GO ON TO SENATOR LARSON. [LB31]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. YOU KNOW, WE CONTINUE TO HEAR A LOT ABOUT THE COST AND FREEDOM AND I'M STILL REALLY RESISTING MY TANGENT ON CHARTER SCHOOLS HERE. IT GETS MORE AND MORE DIFFICULT EVERY TIME I STAND UP. BUT THIS IS AN ISSUE OF PERSONAL CHOICE. WE TALK ABOUT MOTOR VEHICLE ACCIDENTS AND I TALKED ABOUT WHAT I THOUGHT THE ROLE OF THE STATE SHOULD BE IN GOVERNMENT. I DISAGREE WITH THE SEAT BELT LAW. AGAIN, I BELIEVE IN THAT PERSONAL CHOICE. AND WE HEARD THAT, YES, INDIVIDUALS THAT...THE FINANCIAL CONCERNS THAT WE'RE GOING

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TO SEE HERE IS THAT EVENTUALLY THESE INDIVIDUALS THAT HAVE TRAUMATIC HEAD INJURIES ARE GOING TO END UP IN NURSING HOMES AND THEN THE MEDICAID SYSTEM WILL PAY FOR THEM. WELL, YOU COULD MAKE THE SAME ARGUMENT...OFTENTIMES, WE HAD THE DISCUSSION ON A BILL THAT DEALT WITH MEDICAID AND UPPING THE DISCRETIONARY INCOME, IF YOU WANT TO CALL IT THAT, THAT THEY COULD SPEND. AND WE TALKED ABOUT THE LOOKBACK OF FIVE YEARS AND A NUMBER OF OTHER THINGS THAT ELDERLY INDIVIDUALS ARE GOING TO END UP IN NURSING HOMES EVENTUALLY AND ON MEDICAID. IS THERE ANY WAY THAT WE PREVENT THEM FROM GETTING OLD? WELL, IS THAT AN OPTION? NO. AND FRANKLY, WHETHER YOU AGREE WITH THE ACA OR NOT, IT GOT RID OF INSURANCE COMPANIES' ABILITY TO PUT LIFETIME MAXIMUMS ON POLICIES AND YEARLY MAXIMUMS ON POLICIES FOR INDIVIDUALS THAT CARRY HEALTH INSURANCE, MEANING THEY ARE LESS LIKELY TO COME ONTO THAT MEDICAID. AND WHEN I LOOK AT MEDICAID EXPENDITURES FOR MOTORCYCLE ACCIDENT VICTIMS YEAR AFTER YEAR IN THE STATE OF NEBRASKA, STATISTICS FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES...AND MIND YOU, THAT THESE STATISTICS ARE INFLATED BECAUSE THEY INCLUDE ATV AND DIRT BIKE ACCIDENTS THAT MAY HAPPEN OUTSIDE, NOT JUST DMV ACCIDENTS ON THE HIGHWAY. IN 2013, THERE WERE 555 MOTORCYCLE ACCIDENT VICTIMS. OF THOSE, ONLY 33 WERE ELIGIBLE FOR MEDICAID AT ANY TIME DURING THAT WHOLE YEAR DURING THE ACCIDENT PROCESS. THE TOTAL SPENDING WE SPENT ON THOSE MEDICAID VICTIMS OR THOSE PEOPLE THAT HAD MEDICAID THAT WERE INVOLVED IN MOTORCYCLE-TYPE ACCIDENTS--THAT LIKE I SAY, THAT COULD HAVE BEEN DIRT BIKES. THERE'S A NUMBER OF THINGS THAT CONSTITUTE WITHIN HHS--WAS JUST OVER \$1 MILLION. SENATOR GLOOR BROUGHT THE CONCEPT AND SAID CERTAIN SENATORS HAD MENTIONED ON THE FLOOR THAT THOSE THAT ARE (SIC-NOT) WEARING A HELMET ARE GOING TO BE MORE LIKELY TO DIE, WHICH IS TRUE. I THINK THAT'S PROBABLY STATISTICALLY TRUE THAT THOSE NOT WEARING A HELMET WOULD BE MORE LIKELY TO DIE. THAT'S COMMON SENSE. AND THAT THOSE THAT ARE WEARING THE HELMET ARE MORE LIKELY TO LIVE. AGAIN, IT'S A COMMON SENSE ONE, TWO, THREE. AND THOSE THAT ARE MORE LIKELY TO LIVE...IF YOU'RE GOING DOWN THE INTERSTATE AT 75 MILES AN HOUR, YOU'RE PROBABLY GOING TO HAVE HEAD INJURIES. NOW, I PERSONALLY WOULD WEAR A HELMET IF I RODE MOTORCYCLES. I THINK THAT IS A DECISION THAT I PERSONALLY WOULD MAKE. BUT I ALSO BELIEVE THAT THE GOVERNMENT SHOULDN'T TELL ME THAT I SHOULD WEAR A HELMET. WE CAN TALK ABOUT THE OTHER ECONOMICS IF ... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]



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SENATOR LARSON: ...THIS IS COSTING THE STATE \$1 MILLION. MAN, I MISS WHEN I'M TALKING ABOUT EDUCATION. I KNOW I'D BE NEXT IN THE QUEUE AFTER PRESSING MY LIGHT. I SHOULD HAVE THAT CHOICE TO DO WHAT I WANT. IT IS NOT THE GOVERNMENT'S ROLE TO PROTECT ME FROM MYSELF. UNDER THIS LOGIC, WE SHOULD GO FIND OUT HOW MANY PEOPLE WERE INJURED IN HORSE RIDING ACCIDENTS AND HOW MANY OF THOSE PEOPLE WERE ON MEDICAID AND REQUIRE THEM TO WEAR A HELMET. BUT NO, WE DON'T DO THAT BECAUSE I'M GUESSING THERE'S PROBABLY A SIMILAR NUMBER OF PEOPLE THAT WERE INVOLVED IN WESTERN ACCIDENTS OR HORSE ACCIDENTS AND PROBABLY A SIMILAR NUMBER ON MEDICAID AND IT COULD EVEN BE A HIGHER TOTAL PROPORTION THAT THEY COST THE SYSTEM. DO WE NEED TO HAVE THEM WEAR A HELMET? IS THAT THE STATE'S RESPONSIBILITY? WHERE DO WE STOP... [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR LARSON: THANK YOU. [LB31]

SPEAKER HADLEY: (VISITORS INTRODUCED.) THOSE IN THE QUEUE ARE SENATOR SCHUMACHER, KINTNER, BOLZ, RIEPE, GLOOR, AND OTHERS. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB31]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER. MEMBERS OF THE BODY, I THINK I'LL SPEAK ONCE ON THIS TOPIC AND ADDRESS TWO ISSUES. WE'VE HEARD ABOUT THE EXTENSIVE AMOUNT OF TRAUMATIC BRAIN INJURIES, HOW TERRIBLE THEY ARE. AND I SPENT A LITTLE TIME ON THE INTERNET THIS MORNING LOOKING AT WHAT THE CAUSES OF THESE THINGS ARE. THERE ARE APPARENTLY 2 MILLION OF THEM A YEAR. HALF A MILLION REQUIRE HOSPITAL ADMISSION AND EVERY FIVE MINUTES SOMEONE DIES FROM A HEAD INJURY. OVER HALF OF THE DEATHS OCCUR AT THE TIME OF THE INCIDENT OR WITHIN TWO HOURS OF THE HOSPITALIZATION. EVERY FIVE MINUTES, SOMEONE BECOMES PERMANENTLY DISABLED DUE TO A HEAD INJURY. SEVENTY THOUSAND TO 90,000 OF THOSE WHO SURVIVE WILL HAVE LIFELONG DISABILITIES. TWO THOUSAND MORE WILL LIVE IN PERSISTENT VEGETATIVE STATES. OVER 50 PERCENT OF THOSE WHO SUSTAIN BRAIN INJURY HAVE BEEN INTOXICATED AT THE TIME OF THE INJURY. THE COST OF THE BRAIN INJURIES IN THE UNITED STATES IS \$48 BILLION A YEAR. WHAT CAUSES THEM? WELL, I EXPECTED AFTER LISTENING TO THIS CONVERSATION THAT ON THE TOP OF THE LIST WOULD BE MOTORCYCLE ACCIDENTS. WELL, 51 PERCENT ARE AUTOMOBILE ACCIDENTS OR MOTOR VEHICLE ACCIDENTS, ONLY A SMALL

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PERCENTAGE OF WHICH ARE MOTORCYCLE. TWENTY-ONE PERCENT, ACCORDING TO THIS SURVEY, ARE FROM FALLS; TWELVE PERCENT FROM ASSAULT AND VIOLENCE; TEN PERCENT FROM SPORTS AND RECREATION; AND SIX PERCENT FROM OTHERS. AND LIKE ALL GOOD THINGS ON THE INTERNET, IF YOU CLICK ON ANOTHER PAGE YOU GET DIFFERENT NUMBERS BUT THE SAME GIST. THIS ONE HAS FALLS AT 40.5 PERCENT; CAR ACCIDENTS AT 14 PERCENT; HEAD COLLISIONS WITH PEOPLE OR OTHER THINGS, 15 PERCENT; ASSAULTS, 10 PERCENT; PERSONAL FIREARM AND MILITARY WEAPONS, 19 PERCENT. SO ALL KINDS OF THINGS CAUSE TRAUMATIC BRAIN INJURY. ONE WOULD THINK THAT PERHAPS A SOLUTION IS THAT WE ALL WEAR HELMETS EVERYWHERE. AND THAT CERTAINLY WOULD BE A BIG SAVINGS. IN FACT, IF YOU REMEMBER THE STAR TREK SERIES, THEY HAD ALL THOSE WEIRD HEADS. THOSE WEREN'T SOMETHING THAT EVOLUTION DESIGNED, THOSE WERE HELMETS IN AN ADVANCED SOCIETY BECAUSE THEY REALIZED THEY NEEDED TO WEAR A HELMET FOR EVERYTHING. WE ARE INAPPROPRIATELY PICKING ON THE MOTORCYCLE DRIVER. WHY AREN'T WE, IN ANOTHER NOTE HERE, PICKING ON THE BICYCLISTS. ABOUT 75 PERCENT OF ALL BICYCLISTS WHO DIE EACH YEAR ARE OF HEAD INJURIES. EIGHT-FIVE PERCENT OF HEAD INJURIES ON A KID ON A BICYCLE CAN BE PREVENTED BY WEARING A HELMET. WHY DON'T WE HAVE THEM? WELL, WE KNOW WHY, BECAUSE WE ALL RODE A BICYCLE AS A KID. WE'VE GOT KIDS WHO RIDE BICYCLES, MAYBE GRANDKIDS WHO RIDE BICYCLES. WE'D GET SHOT IF WE MANDATED HELMETS EVERY TIME A KID GOT ON A BICYCLE EVERYWHERE. IT'S EASY TO TAKE THE MINORITIES' LIBERTY. AND THE REASON WE DON'T MANDATE HELMETS IN CARS--BECAUSE THAT'S WHERE A LOT OF THESE THINGS OCCUR--IS BECAUSE IT'D INFRINGE UPON THE LIBERTY OF OURSELVES OR SOMEBODY THAT WE KNOW. IT'S EASY TO DENY THE MOTORCYCLE HELMET. THE SECOND ISSUE IN MY REMAINING TIME IS THE CULTURAL INFLUENCE THAT OUR AVERSION TO RISK HAS. I LOOKED UP ON THE EDGE OF THE WOOD UP ON TOP OF THIS CHAMBER. AND LOOK AT ALL THE TERRIBLY RISKY BEHAVIOR THERE IS UP THERE: RIDING HORSES WITHOUT HELMETS; RIDING IN A COVERED WAGON WITHOUT AIR BAGS; RUNNING ACROSS THE PRAIRIE INTO THE... TRYING TO GO 3,000 MILES TO CALIFORNIA TO FIND SOME GOLD. OUR SOCIETY,... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR SCHUMACHER: ...IN FACT, EFFECTIVE SOCIETIES ARISE OUT OF THE ACCEPTANCE OF RISK AND THE FREEDOM TO PURSUE IT. AND IN THIS CASE, OUR AVERSION TO THAT FREEDOM, OUR WANTING TO MAKE EVERYTHING RISK FREE, IS REFLECTIVE OF A SOCIETY THAT HAS NOW BECOME SO SOFT WITH RESPECT

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TO RISK THAT ITS ECONOMIC VIABILITY IS, IN FACT, THREATENED. THIS IS A BIGGER ISSUE THAN JUST HELMETS. BUT BY SAYING WE CAN JOIN THE STATES THAT HAVE ALLOWED LIBERTY OVER PROTECTIONISM, YEAH, THERE MAY BE A FEW MORE INJURIES BUT MINOR IN THE CONTEXT OF ALL OF THE INJURIES THERE ARE. AND THE INJURY TO OUR SOCIETY FROM RISK AVERSION WILL MORE THAN MAKE UP FOR THE COST OF INJURIES IN A FEW OF THE MOTORCYCLE CASES. [LB31]

SPEAKER HADLEY: TIME. [LB31]

SENATOR SCHUMACHER: THANK YOU. [LB31]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE RECOGNIZED. [LB31]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. YOU KNOW, I SPEND...I'VE GOTTEN TO THE POINT WHERE I THINK I SPEND 80 PERCENT OF MY TIME, SOMETIMES, DOWN HERE FIGHTING FOR OUR LIBERTY. AND YOU WOULDN'T THINK I'D HAVE TO SPEND THAT MUCH TIME. WE KEEP SAYING WE'VE GOT THIS BIG REPUBLICAN MAJORITY HERE. WELL, YOU KNOW WHAT WE DON'T HAVE? WE DON'T HAVE A MAJORITY OF LIBERTY LOVERS. WE DON'T HAVE A MAJORITY OF PEOPLE THAT RESPECT THE CONSTITUTION. WE DON'T HAVE A MAJORITY DOWN HERE THAT RESPECTS AN INDIVIDUAL'S RIGHT TO MAKE DECISIONS ABOUT HOW THEY WANT TO LIVE THEIR LIFE. AND I THINK THAT'S A BIG PROBLEM. WE HAVE A BUNCH OF PEOPLE, NOT JUST IN THIS CHAMBER, BUT ACROSS THE STATE, THEY'RE NOSEY, THEY'RE NOSEY. THEY WANT TO STICK THEIR NOSE IN YOUR BUSINESS AND TELL YOU HOW TO LIVE YOUR LIFE. AND SENATOR SCHUMACHER WAS ABSOLUTELY RIGHT. THERE IS A...IT'S JUST A MENTALITY THAT WE CANNOT ALLOW ANY RISK. WELL, I DIDN'T HEAR EVERYTHING SAID. I WAS DOWN SPEAKING TO THE NEBRASKA FIREARMS OWNER'S ASSOCIATION, AND THERE I'M WORKING TO PROTECT THEIR LIBERTY TOO TO HAVE FIREARMS AND WITHOUT HAVING THEM UNDULY RESTRICTED. SO, I MEAN, I'VE NOW BECOME THE GUY DOWN HERE SPENDING MOST OF MY TIME TRYING TO STOP BAD LEGISLATION, IN THIS CASE, TRYING TO STOP A FILIBUSTER AND PROMOTE GOOD LEGISLATION. NOW, EARLIER, I HEARD A SENATOR SAY, I UNDERSTAND THE FREEDOM OF CHOICE, BUT I SUPPORT HELMETS. WELL, THAT SCARES THE DICKENS OUT OF ME. AT LEAST IF YOU DIDN'T UNDERSTAND IT, I COULD UNDERSTAND YOU, YOU OPPOSE. I DON'T REMEMBER WHO SAID IT, BY THE WAY, BUT IF YOU DIDN'T UNDERSTAND FREEDOM OF CHOICE, THEN I CAN KIND OF UNDERSTAND. BUT IF YOU

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UNDERSTAND FREEDOM OF CHOICE AND YOU SAY I GOT TO HAVE A BIG GOVERNMENT SOLUTION ANYWAY, THAT SCARES ME. SOMEONE EVEN ASKED, WELL, SHOULD WE GET RID OF CHILDREN'S SEATS IN CARS. YOU KNOW, PROTECTING OTHER PEOPLE VERSUS MAKING A DECISION ON HOW MUCH TO PROTECT YOUR LIFE ARE TWO DIFFERENT THINGS. THE STUFF THAT GETS MIXED IN HERE AND USED AS JUSTIFICATION TO TELL YOU HOW TO LIVE YOUR LIFE AND WHAT TO DO, IT ABSOLUTELY AMAZES ME. WE CAN'T JUST TALK ABOUT THE ISSUES AT HAND, WE HAVE TO MUDDY IT UP AND TRY TO MAKE IT CONFUSING. WELL, I WANT TO TELL EVERYONE THAT I'M STANDING SQUARE FOR YOUR RIGHT TO DECIDE HOW YOU WANT TO LIVE YOUR LIFE, THE PRECAUTIONS YOU WANT TO TAKE TO PROTECT YOURSELF. I DON'T SUPPORT THE GOVERNMENT COMING AT EVERY TURN AND TELLING YOU WHAT YOU MUST DO. AND THE LAST THING I'M GOING TO SAY BEFORE I TURN MY TIME OVER TO SENATOR LARSON IS, WE CREATED THIS BIG WELFARE STATE AND PEOPLE ARE NOW SAYING, IT'S AN ECONOMIC ISSUE. WE HAVE TO KEEP PEOPLE FROM HURTING THEMSELVES. THEY'LL BECOME VEGETABLES AND THE GOVERNMENT WILL PAY FOR IT. WELL, YOU CREATE A BIG GOVERNMENT WELFARE STATE AND NOW WE GOT TO TAKE AWAY LIBERTIES TO PROTECT THE WELFARE STATE FROM BLEEDING US OUT OF EVEN MORE MONEY. I THINK THAT'S CIRCULAR LOGIC AND THAT'S WHY WE SHOULDN'T EVEN HAVE THE BIG WELFARE STATE THAT WE DO. I WOULD...THANK YOU, MR. PRESIDENT, AND I YIELD THE REMAINDER OF MY TIME TO SENATOR LARSON. [LB31]

SPEAKER HADLEY: SENATOR LARSON, YOU'RE YIELDED 1:35. [LB31]

SENATOR LARSON: THANK YOU, SENATOR KINTNER. AND I'M GOING TALK REALLY QUICK AND THIS...THE TIME YIELDED TO ME FROM SENATOR KINTNER ABOUT THE ISSUE THAT SENATOR PANSING BROOKS BROUGHT UP IN TERMS OF THE CASE IN MICHIGAN WHERE IT WAS QUOTED: THE INCREASE IN MOTORCYCLE FATALITIES. THERE'S ONE GLARING FLAW IN HER ARGUMENT, IN HER STATISTICS. THE GREATEST CONCERN AND PROBLEM WITH MOTORCYCLE FATALITIES, AS SHE SAID, THAT 58 PERCENT OF ALL THE MOTORCYCLE FATALITIES IN 2012 INVOLVED RIDERS WITHOUT A VALID MOTORCYCLE LICENSE, SO, THEREFORE, A MAJORITY OF THEM WERE RIDING ILLEGALLY AND WEARING A HELMET. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

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SENATOR LARSON: OF THE STUDY THAT SHE QUOTED, 58 PERCENT OF THE FATALITIES WERE RIDING ILLEGALLY WITHOUT A MOTORCYCLE LICENSE AND WEARING A HELMET. SO, BEFORE WE CONTINUE ON WITH STATISTICS AND WHAT HAPPENED AFTER ONE STATE REPEALS A HELMET LAW, WE HAVE TO UNDERSTAND THE WHOLE STORY. AND WE'VE ALREADY HEARD ABOUT HOW MUCH THIS IS GOING TO COST. WE'VE HEARD THAT THIS IS GOING TO COST MORE LIVES, OR THIS IS GOING TO PUSH MORE PEOPLE INTO NURSING CARE, OR HOSPITAL COSTS ARE GOING TO RISE, OR IT'S GOING TO BE HARDER... [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR LARSON: THANK YOU. [LB31]

SPEAKER HADLEY: (VISITORS INTRODUCED.) SENATOR BOLZ, SENATOR RIEPE, SENATOR GLOOR, SENATOR PANSING BROOKS, SENATOR CAMPBELL, AND OTHERS IN THE QUEUE. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB31]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. SENATOR BLOOMFIELD, WOULD YOU YIELD TO A QUESTION? [LB31]

SPEAKER HADLEY: SENATOR BLOOMFIELD, WILL YOU YIELD? [LB31]

SENATOR BLOOMFIELD: YES, I WOULD. [LB31]

SENATOR BOLZ: THANK YOU, SENATOR. SENATOR, I...ONE OF THE THINGS THAT I KNOW ABOUT YOU IS THAT YOU HAVE BACKGROUND IN DRIVING TRUCKS AND YOU HAVE IT...I DON'T KNOW IF YOU CURRENTLY HAVE A COMMERCIAL DRIVER'S LICENSE OR IF THAT'S SOMETHING THAT YOU'VE DONE IN THE PAST, BUT IS THAT CORRECT? [LB31]

SENATOR BLOOMFIELD: YES, AND I DO CURRENTLY HAVE A CDL. [LB31]

SENATOR BOLZ: VERY GOOD. I DO NOT HAVE A CDL. DO YOU THINK THAT I SHOULD DRIVE A GRAIN TRUCK OR A SEMITRAILER DOWN HIGHWAY 2? [LB31]

SENATOR BLOOMFIELD: I DON'T KNOW YOUR CAPABILITIES, SENATOR, AS TO WHETHER OR NOT YOU COULD DO THAT. THERE ARE A GREAT NUMBER OF

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WOMEN DRIVERS OUT THERE, SO I HAVE NO REASON TO THINK THAT YOU COULD NOT. [LB31]

SENATOR BOLZ: YEAH. WELL, THAT'S KIND AND DIPLOMATIC OF YOU. I HAVEN'T PASSED THE TEST AND JUST TO LET YOU OFF THE HOOK, SENATOR BLOOMFIELD. [LB31]

SENATOR BLOOMFIELD: YOU HAD ME ON NO HOOK, SENATOR. [LB31]

SENATOR BOLZ: TO LET YOU OFF THE HOOK, THE ANSWER IS NO. I WOULD BE A TERRIBLE SEMITRUCK DRIVER. I DON'T HAVE GOOD SPATIAL RECOGNITION. I, YOU KNOW, I DRIVE A HONDA ACCORD FOR A REASON. THANK YOU. I WAS JUST KIND OF MAKING SOME LIGHT BECAUSE THE POINT I'M TRYING TO MAKE IS THAT PEOPLE HAVE CERTAIN SKILL SETS AND WE HAVE CERTAIN REQUIREMENTS OF PEOPLE WHEN THEY'RE OPERATING VEHICLES. AND SOME OF THOSE ARE RELATED TO YOUR SKILLS AND YOUR SAFETY AND MAKING SURE THAT THE VEHICLE THAT YOU'RE DRIVING HAS THE APPROPRIATE EQUIPMENT. AND I GUESS THE POINT I'M TRYING TO MAKE IS THAT WE'RE NOT...I DON'T NECESSARILY SEE MOTORCYCLE HELMETS AS THAT MUCH DIFFERENT THAN, SAY, HAZARDOUS MATERIAL PLACARDS ON A SEMITRAILER. THOSE PLACARDS ARE REQUIRED NOT ONLY FOR THE SAFETY OF THE PERSON WHO IS HAULING THOSE MATERIALS SO THAT THEY KNOW CLEARLY WHAT THEY ARE HAULING, BUT ALSO FOR THE DRIVERS AROUND THEM SO THAT THEY KNOW TO PAY SPECIAL ATTENTION TO THAT VEHICLE THAT IS CARRYING HAZARDOUS MATERIALS. SENATOR LARSON, WILL YOU YIELD TO A QUESTION? [LB31]

SPEAKER HADLEY: SENATOR LARSON, WILL YOU YIELD TO A QUESTION? [LB31]

SENATOR LARSON: YES. [LB31]

SENATOR BOLZ: SENATOR LARSON, I CAN'T RECALL, ARE YOU SOMEONE WHO ENJOYS HUNTING? [LB31]

SENATOR LARSON: I SUPPORT THE SECOND AMENDMENT AND EVERY INDIVIDUAL'S RIGHT TO HUNT AND FISH AND I DID VOTE FOR THE CONSTITUTIONAL AMENDMENT IN 2012. IT IS AN IMPORTANT RIGHT TO THE PEOPLE IN NEBRASKA AND A RIGHT THAT I WILL CONTINUE TO PROTECT IN THE NEBRASKA LEGISLATURE, BUT I DON'T PARTICIPATE. [LB31]

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SENATOR BOLZ: OKAY. OKAY. VERY GOOD. WELL, I RESPECT PEOPLE WHO DO PARTICIPATE. THERE ARE LOTS OF PEOPLE IN MY FAMILY WHO ARE HUNTERS. I...I HAVE EXPERIENCE WITH SHOOTING. I'M NOT A VERY GOOD SHOT. BUT, NONETHELESS, I UNDERSTAND THAT THERE ARE RULES AND REGULATIONS AROUND PARTICIPATING IN THE SPORT OF HUNTING. STATUTE 37-527 IS HUNTER ORANGE DISPLAY REQUIREMENTS, EXEMPTIONS, VIOLATIONS, AND PENALTIES. FOR PURPOSES OF THIS SECTION, HUNTER ORANGE MEANS A DAYLIGHT FLORESCENT ORANGE COLOR WITH A DOMINATE WAVELENGTH BETWEEN 595 AND 605 NANOMETERS WITH THE EXCEPTIONAL PURITY OF NOT LESS THAN 85 PERCENT, AN A LUMINOUS FACTOR OF NOT LESS THAN 40 PERCENT. SO, BASICALLY, THE STATUTE IS SAYING THAT IF YOU ARE HUNTING DURING CERTAIN PERIODS OF THE YEAR, YOU HAVE TO WEAR ORANGE. YOU HAVE TO WEAR HUNTER ORANGE. I THINK THAT'S A REASONABLE REQUIREMENT FOR PEOPLE WHO ARE PARTICIPATING IN A PUBLIC SPACE OUT IN THE WORLD... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR BOLZ: ...AND TO PROTECT THEMSELVES FROM BEING SHOT DURING HUNTING SEASON AND TO PROTECT OTHERS FROM CAUSING THEM HARM. I DON'T THINK THAT REQUIRING A HAZARDOUS MATERIAL PLACARD OR REQUIRING HUNTER ORANGE IS AN INAPPROPRIATE REQUEST TO PEOPLE WHO ARE PARTICIPATING IN THOSE ACTIVITIES. AND SIMILARLY, I THINK IT'S AN APPROPRIATE REQUEST THAT WE ASK MOTORCYCLISTS TO WEAR A HELMET BECAUSE THEY HAVE A SPECIFIC VEHICLE THAT HAS DIFFERENT CAPABILITIES OF MY HONDA ACCORD THAT MAKES IT MORE IMPORTANT THAT THEY HAVE THE EFFECTIVE EQUIPMENT TO PROTECT THEMSELVES BECAUSE IT IS DIFFERENT DRIVING ON THE ROAD WITH A MOTORCYCLIST. SO, I UNDERSTAND THE ARGUMENTS THAT ARE BEING MADE AROUND PERSONAL CHOICE AND PERSONAL FREEDOM. HOWEVER, I ALSO RECOGNIZE THAT IN CERTAIN CIRCUMSTANCES, IT'S APPROPRIATE TO REQUIRE CERTAIN SAFETY EQUIPMENT. [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: SENATOR RIEPE, YOU'RE RECOGNIZED. [LB31]

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SENATOR RIEPE: MR. PRESIDENT, MEMBERS OF THIS CHAMBER, AND NEBRASKANS, I WANT TO FIRST SAY I APPRECIATE SENATOR BOLZ POINTING OUT THAT SHE'S NOT A GOOD SHOT, SO I WON'T BE GOING HUNTING WITH HER. I ALSO...I WILL BE BRIEF. I THINK MOST OF THE PEOPLE IN THIS CHAMBER UNDERSTAND THAT I AM CONCERNED, VERY CONCERNED, ABOUT MEDICAID COSTS AND THE FACT THAT THEY ARE UNSUSTAINABLE. HEALTHCARE COSTS IN GENERAL ARE UNSUSTAINABLE AND WE MUST ADDRESS THESE COSTS. THE POINTS THAT SENATOR CAMPBELL POINTED OUT IN THE ARTICLE OF THE OMAHA WORLD-HERALD, THE DAY OF THE FOUR-POINT-SOME MILLION DOLLARS IS A RISK TO THE STATE, A RISK THAT WE DON'T NEED TO TAKE. AND I ALSO, A SECOND POINT. SO I STAND IN OPPOSITION TO LB31, ALTHOUGH I AM, IN FACT, A BIG FAN OF INDIVIDUAL RIGHTS AND LIBERTIES, I STILL HAVE TO HAVE THIS CONCERN OVER MEDICAID. SECOND, I THINK WE GIVE A MESSAGE TO THE CHILDREN THAT ARE RIDING THEIR BICYCLES WITH THE EXPECTATION THAT THEY WEAR HELMETS. I THINK IT'S JUST WISE BUSINESS. AND WITH THAT, I WOULD YIELD ANY TIME BACK TO YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: (VISITORS INTRODUCED.) THOSE IN THE QUEUE ARE SENATORS GLOOR, PANSING BROOKS, CAMPBELL, LARSON, AND OTHERS. SENATOR GLOOR, THIS IS YOUR THIRD TIME. [LB31]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. I DO A LOT OF READING AND ESPECIALLY ENJOY READING ON ISSUES THAT I KNOW ARE COMING BEFORE US. AND BACK IN FEBRUARY, SENATOR STINNER'S FAVORITE NEWSPAPER, I'M SURE, IS THE SCOTTSBLUFF STAR-HERALD, AND I USED TO LIVE IN SCOTTSBLUFF FOR A WHILE. AND SO WHEN I SEE THINGS THAT COME FROM THE STAR-HERALD, I ALWAYS THOUGHT THEIR EDITORIALS WERE INTERESTING, INSIGHTFUL, AND SO WHEN THIS CROPPED UP, I MADE A COPY AND PUT IT IN MY FILE HOPING THAT I WOULD GET AN OPPORTUNITY TO USE IT TODAY BECAUSE I THINK IT'S WELL-WRITTEN AND EXPRESSES MY FEELINGS AND OPINIONS ABOUT WHY THIS IS NOT GOOD LEGISLATION. SO, I'LL READ FROM AT LEAST PORTIONS OF THE EDITORIAL: IN NEBRASKA, AS IN VIRTUALLY EVERY OTHER STATE, VEHICLE DRIVERS AND PASSENGERS ARE REQUIRED TO WEAR SEAT BELTS. CHILDREN ARE REQUIRED TO BE IN SAFETY SEATS. MANY PLACES REQUIRE HELMET AND ATV RIDERS TO WEAR HELMETS. PARTICIPANTS IN RACING IN EXTREME SPORTS STRAP ON AS MUCH PROTECTIVE SAFETY EQUIPMENT AS THEY CAN. YET, MOTORCYCLISTS HAVE BEEN PERSISTENT IN THEIR EFFORTS TO GET RID OF NEBRASKA'S REQUIREMENT TO WEAR A HELMET WHEN ABOARD A MOTORCYCLE. LATELY, THEY FRAMED IT AS A TOURISM ISSUE SAYING ALL THE STATES SURROUNDING NEBRASKA DON'T REQUIRE HELMETS AND THAT



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MOTORCYCLISTS GO OUT OF THEIR WAY TO AVOID PASSING THROUGH THIS STATE. AND I WOULD CORRECT THAT BY WAY OF SAYING, WE KNOW MISSOURI DOES HAVE A HELMET LAW. SOME INSIST THAT THEY'RE SAFER NOT WEARING HELMETS BECAUSE OF VISION OBSTRUCTIONS OR OTHER CONCERNS. THE APPEAL OF RIDING BAREHEADED IN THE OPEN WIND IS EASY TO UNDERSTAND. FOR MANY, IT'S A MATTER OF FREEDOM AND WE CERTAINLY HEARD THAT TIME AND TIME AGAIN TODAY. THEY SAY THAT THOSE WHO CRASHED ON MOTORCYCLE WHILE NOT WEARING HELMETS PUT ONLY THEMSELVES AT RISK, BUT IT'S MORE COMPLICATED THAN THAT. IF A LAW COULD BE WRITTEN THAT REQUIRED ANYONE NOT WEARING A HELMET TO BE FULLY INSURED, THE FREEDOM ARGUMENT MIGHT HOLD WATER, BUT THAT'S RARELY, IF EVER, IN PART OF THE DISCUSSION. AND WE, IN FACT, DID SEE IF WE COULDN'T SLAP AN AMENDMENT ON A COUPLE OF YEARS AGO AND FOUND THAT WAS NOT POSSIBLE, LESS FOR THE HEALTH INSURANCE SIDE AND MORE FOR THE DISABILITY SIDE. I DON'T REMEMBER THE SPECIFICS. I KNOW IT WAS ONE OF SENATOR CARLSON'S AMENDMENTS AND, ULTIMATELY, IT PROVED NOT TO BE WORKABLE. THE FACT IS, MOTORCYCLES ARE INHERENTLY MORE RISKY THAN OTHER VEHICLES. THAT INCLUDES BICYCLES, BY THE WAY, AS A BICYCLE RIDER, THOSE WHO DIE IN MOTORCYCLE CRASHES OFTEN LEAVE BEHIND LOVED ONES, INCLUDING CHILDREN. WHO ASSUMES THE RESPONSIBILITY OF SUPPORTING THEM IF ONE OR MORE PARENT IS KILLED? AND THERE'S AN EXPENSE THAT'S NOT BEEN TALKED ABOUT IN THIS BODY SO FAR. AND IT IS CERTAINLY ONE OF THE EXPENSES TO SOCIETY. BACK TO THE ARTICLE: IF A RIDER SURVIVES, WHO SHOULDERS THE COST OF EXPENSIVE EMERGENCY CARE THAT MIGHT HAVE BEEN AVOIDED IF THE RIDER HAD ACTED RESPONSIBLY? THE ANSWER IS: FAMILY MEMBERS, HOSPITALS, INSURANCE COMPANIES, ULTIMATELY, TAXPAYERS. THE ARGUMENT THAT NO ONE ELSE IS AFFECTED SIMPLY ISN'T VALID. THAT'S THE MAIN REASON, ALONG WITH THE DESIRE TO SAVE LIVES, THAT RESPONSIBLE LAWMAKERS SUPPORT SAFETY REGULATIONS. EVERY ORGANIZED SPORT IN WHICH HEAD INJURIES OR A HAZARD REQUIRES HELMETS, MEDICAL PROFESSIONALS ARE VIRTUALLY UNANIMOUS IN THEIR SUPPORT FOR HELMET LAWS. EFFORTS TO REPEAL THE LAW HAVE BEEN DEFEATED EVERY TIME THEY'VE COME UP IN THIS LEGISLATURE. ISN'T IT TIME FOR LAWMAKERS TO TREAT THE ISSUE AS A MATTER OF SETTLED NEBRASKA LAW AND MOVE ON TO MORE IMPORTANT MATTERS. SCOTTSBLUFF STAR-HERALD, FEBRUARY 22... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR GLOOR: ...2015. AMEN. THANK YOU, MR. SPEAKER. [LB31]

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SPEAKER HADLEY: SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB31]

SENATOR PANSING BROOKS: OKAY. THANK YOU, MR. PRESIDENT. I JUST WANTED TO TALK A LITTLE BIT. SENATOR SCHNOOR MADE SOME COMMENTS THAT ONLY 33 OF THE PEOPLE WERE MEDICAID ELIGIBLE. AND, OF COURSE, THAT'S ELIGIBLE AT THE TIME OF THE ACCIDENT. WHEN YOU LOOK AT THE COST, THERE'S AN NCBI ARTICLE THAT SHOWED THAT THE MEAN TOTAL HOSPITAL CHARGE FOR HELMETED PATIENTS WAS \$4,184.26 COMPARED TO \$7,383.31 FOR UNHELMETED PATIENTS. AND, OF COURSE, IF YOU MULTIPLY THAT \$7,383 TIMES THE 33 NUMBER OF MEDICAID-ELIGIBLE PATIENTS THAT SENATOR SCHNOOR HAPPENED TO MENTION, WE GET TO A FIGURE OF ABOUT A QUARTER OF A MILLION PER YEAR. AND I WOULD ESTIMATE THAT THOSE NUMBERS ARE LOW. AND THAT DOESN'T INCLUDE THE LONG-TERM CARE. THAT'S JUST THE HOSPITAL STAY. AND IT ALSO DOESN'T INCLUDE THE PEOPLE THAT BECOME MEDICAID ELIGIBLE AS THEIR INJURIES LINGER ON AND THEIR CARE LINGERS ON AND ON. I'D ALSO LIKE TO TALK TO MY COLLEAGUE...OR REFER TO A COMMENT MY COLLEAGUE, SENATOR SCHUMACHER, MADE. HE TALKED ABOUT THE ACCEPTANCE OF RISK. AND HE TALKED ABOUT VARIOUS ICONS WITHIN THE HOSPITAL...WITHIN THE CAPITOL, AND THE FACT THAT WE HAVE BECOME A SOCIETY THAT IS UNWILLING TO ASSUME RISK. AND I WOULD JUST LIKE TO SAY IN RESPONSE THAT, OF COURSE, OUR NONACCEPTANCE OF RISK IS...IS PARTIALLY DUE TO THE RESPONSIBILITY THAT WE HAVE TO OUR CITIZENS TO BECOME...TO MAKE FISCALLY SOUND DECISIONS. WE CANNOT JUST SAY, SURE, DO WHATEVER YOU WANT FULLY KNOWING THAT THERE ARE COSTS TO OUR...TO OUR STATE THAT WE HAVE TO PROVIDE THROUGH MEDICARE AND MEDICAID AND ALL OTHER SORTS OF COSTS THAT WE HAVE. SO, YES, WE HAVE A SOCIETY THAT'S MORE CAREFUL ABOUT THE RISKS THAT WE CAN ASSUME. BUT THAT'S TOTALLY BASED IN FISCAL DECISIONS THAT WE MAKE AS A UNICAMERAL AND AS A STATE. ADDITIONALLY, SENATOR SCHNOOR TALKED ABOUT...OR EXCUSE ME, SENATOR SCHUMACHER TALKED ABOUT KIDS ON BICYCLES AND WE DON'T FORCE THE KIDS TO WEAR HELMETS ON BICYCLES. AND, OF COURSE, THERE ARE SOME MAJOR DIFFERENCES THERE IN, NUMBER ONE, THE SPEEDS IN WHICH THEY'RE GOING. OF COURSE, I DON'T THINK THESE ARE THE SAME KIND OF DISCUSSION AT ALL WE'RE TALKING APPLES AND ORANGES. AND, YES, CHILDREN DO HAVE HORRIFIC FALLS ON BICYCLES, AND THEN AGAIN YOU HAVE TO WEIGH THE RISK AS SENATOR SCHUMACHER TALKED ABOUT. BUT WE HAVE DETERMINED AS A SOCIETY TO ALLOW CHILDREN TO BE CHILDREN AND HOPE THAT THEY ARE NOT GOING TO SUCH A LEVEL OF...THAT THEY CAN GET SIGNIFICANT BRAIN INJURIES UPON WHICH THE STATE WILL HAVE TO BE...UPON...AND THEN THEY BECOME DEPENDENT UPON THE STATE AT SOME

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POINT. AGAIN, I'M IN FAVOR OF PROTECTING INDIVIDUAL RIGHTS AND LIBERTIES. WE'RE IN...IN FAVOR OF PROTECTING FREEDOM OF CHOICE AND PEOPLE TO BE ABLE TO MAKE THEIR OWN CHOICES. BUT WHEN IT BEGINS TO AFFECT THE STATE, AND IT AFFECTS THE MINIMAL DOLLARS THAT WE HAVE TO DO THE WORK THAT WE ARE REQUIRED TO DO, BOTH CONSTITUTIONALLY, TO EDUCATE THE CHILDREN IN THE PUBLIC SCHOOLS, AND WITH THE OTHER MONEY THAT WE DETERMINE THAT WE NEED TO PRIORITIZE ALL SORTS OF DIFFERENT MATTERS... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR PANSING BROOKS: ...WE CANNOT JUST DETERMINE THAT, OKAY, WELL, WHATEVER YOU WANT TO DO IS FINE AND WE'LL PAY FOR WHATEVER THE RESULT IS FROM THAT DECISION. AGAIN, I WOULD HOPE THAT ALL OF YOU WOULD VISIT MADONNA REHABILITATION HOSPITAL IN LINCOLN. IT'S ONE...IT HAS ONE OF THE FINEST BRAIN TRAUMA CENTERS IN THE COUNTRY. AND AGAIN, I KNOW THAT THEY WOULD BE HAPPY...MARSHA LOMMEL WILL BE HAPPY TO TAKE YOU AROUND TO VISIT THE CENTER AND SEE THE HORRIFIC AND MAGNIFICENT EFFECTS OF BRAIN INJURY AND WHAT KIND OF...WHAT KIND OF RESULTS WILL RESULT FROM UNHELMETED MOTORCYCLE ACCIDENTS. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB31]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, I JUST WANT TO MAKE A COUPLE OF COMMENTS BASED ON OUR DISCUSSION THIS MORNING, WHICH I THINK HAS BEEN VERY GOOD. AND I DRAW YOUR ATTENTION TO THE PACKET THAT I BELIEVE SENATOR HILKEMANN HAS DISTRIBUTED FOR US TO TAKE A LOOK AT. AND ON THE VERY FIRST PAGE, WE GET BACK TO THE AMENDMENT FROM THE TRANSPORTATION COMMITTEE. AND IF YOU'LL LOOK THERE, ONE OF THE STATISTICS IS ONLY 1 PERCENT OF LICENSED NEBRASKA MOTORCYCLISTS ARE UNDER THE AGE OF 21. I HAVE TO SAY THAT I'M VERY DISAPPOINTED IN THE AMENDMENT, NOT ONLY BECAUSE IT DOESN'T SEEM TO WORK, BUT IT ALSO DOES NOT MAKE ANY MENTION OF ALLOWING CHILDREN TO RIDE ON MOTORCYCLES. I WAS JUST TALKING TO MY LEGAL COUNSEL TO THE HHS COMMITTEE AND SHE TALKED ABOUT TRANSPORTATION TESTIMONY WHEN SHE SERVED AS THE LEGAL COUNSEL THERE IN WHICH A MOTHER HAD TO WATCH A FATHER PICK UP, FOR HIS TIME WITH CHILDREN, AND THE

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MOTORCYCLIST WOULD TAKE THEIR 4-YEAR-OLD AND PUT HER ON THE BACK OF HIS MOTORCYCLE AND RIDE AWAY. I'M VERY SORRY THAT WE'VE NOT ADDRESSED THIS ISSUE AT ALL. THE SECOND STATISTIC THAT YOU WOULD SEE ON THE FIRST PAGE IS THAT ACCORDING TO A MAY, 2014, SURVEY OF 950 NEBRASKANS CONDUCTED BY RESEARCH ASSOCIATES, 77 PERCENT INDICATED THE NEBRASKA LAW REQUIRING MOTORCYCLE HELMETS SHOULD BE CONTINUED; 19 PERCENT SAID IT SHOULD BE REPEALED; AND 5 PERCENT HAD NO OPINION. THAT'S A VERY LARGE PERCENTAGE OF NEBRASKANS WHO HAVE SPOKEN. I ALSO WANT TO TALK A LITTLE BIT ABOUT THIS COST AND WITH THE INSURANCE. AND I'M GOING TO DRAW ON A FAMILY EXPERIENCE. MANY PEOPLE IN THIS ROOM KNOW THAT OUR FAMILY, LAST YEAR IN 2014, WENT THROUGH A VERY DIFFICULT PERIOD. OUR DAUGHTER CONTRACTED A VERY SERIOUS SYNDROME THAT ONE IN 100,000 PEOPLE GET. IN THE COURSE OF THAT, SHE SPENT THREE WEEKS IN A NEURO ICU, AND THEN SPENT THREE MONTHS IN A REHABILITATION HOSPITAL THAT DEALT WITH BRAIN INJURIES, AS WELL AS DISEASES THAT AFFECT THE NEUROLOGICAL SYSTEM. AFTER TWO MONTHS IN THAT FACILITY, THE INSURANCE COMPANY SAID, I THINK THIS IS MAYBE ALL THAT CAN BE DONE FOR YOU, AND WE WOULD LIKE TO SEE YOU RELEASED FROM THE HOSPITAL. IT WAS WITH A TEAM OF DOCTORS AND PHYSICAL THERAPISTS CONVINCING THE INSURANCE COMPANY THAT SHE NEEDED MORE TIME, AND IN THAT SPACE OF TIME, SHE REGAINED THE ABILITY TO WALK. I TELL YOU THIS BECAUSE IF WE THINK THAT INSURANCE IS GOING TO COVER ALL THESE COSTS AND THEY'RE GOING TO BE BEHIND YOU HOWEVER LONG YOU NEED IT, THAT'S NOT TRUE. THEY WILL REACH A POINT IN WHICH THEY SAY, THAT'S IT, THAT'S ALL WE CAN DO FOR YOU. AND AT THAT POINT, KERRY'S CHOICE WOULD HAVE BEEN TO GO HOME OR GO TO A CARE FACILITY... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT...AND COVER THAT COST BY SHE AND HER FAMILY. THIS IS VERY SERIOUS, FOLKS. AND I UNDERSTAND THE PERSONAL LIBERTY. I UNDERSTAND ALL OF THAT. BUT IF YOU'RE A FAMILY THAT IS FACED WITH THIS IN A LONG TERM, YOU WOULD BE VERY MUCH APPRECIATIVE OF THE FACT THAT WE KEEP IN PLACE A LAW THAT PROTECTS NEBRASKANS. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: SENATOR LARSON, YOU'RE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB31]

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SENATOR LARSON: THANK YOU, MR. PRESIDENT. I GET READY TO TALK ABOUT CHOICE AND FREEDOM AND CHARTERS CONTINUE TO POP INTO MY HEAD. BUT, THAT IS NOT TODAY. I'M SURE IT WILL COME VERY SOON. HOWEVER, I WANT TO TALK A LITTLE BIT ABOUT ECONOMICS AND I THINK SENATOR GLOOR READ SOMETHING FROM THE SCOTTSBLUFF HERALD ON HOW WE SHOULD SHELVE THIS ISSUE. AND YOU KNOW WHAT? I KNOW A FORMER STATE SENATOR FROM SCOTTSBLUFF THAT RAN THIS BILL A NUMBER OF TIMES AND I LEARNED ABOUT THE ISSUE FROM HIM. AND HE WAS...HE'S GONE ON TO BE SUCCESSFUL IN OTHER WAYS, WE'LL SAY, BUT ONE OF THE FIRST THINGS THAT WE TALKED ABOUT WAS THE ECONOMICS, AND WHAT THAT WOULD DO FOR RURAL NEBRASKA AND WHY HE SUPPORTED THE REPEAL OF THE HELMET LAW. SO, WE'LL USE VERY BASIC ECONOMICS. I MEAN, JUST SIMPLE RAW NUMBERS. IT IS ESTIMATED THAT THERE'S PROBABLY CLOSE TO 100,000 PEOPLE, AT THE VERY MINIMUM, THAT CIRCUMVENT NEBRASKA TO GO TO STURGIS. NOW, THE NUMBER IS ACTUALLY PROBABLY HIGHER CONCERNING THERE'S ALMOST THREE QUARTERS OF A MILLION PEOPLE THAT GO TO STURGIS, BUT FOR MATH SAKE, WE'LL SAY A HUNDRED THOUSAND. NOW, FOR MORE SIMPLE MATH, WE CAN ASSUME, FAIRLY EASILY, THAT THOSE 100,000 PEOPLE CIRCUMVENTING OUR STATE, WOULD SPEND \$20 GOING THROUGH OUR STATE TO SOUTH DAKOTA, AND \$20 COMING BACK. THAT'S FAIRLY SIMPLE MATH. THAT'S \$40 PER PERSON AT 100,000, IF MY MATH IS RIGHT. I THINK THAT'S FOUR MILLION DOLLARS. LET ME...\$40 TIMES... YES, FOUR MILLION. I WAS RIGHT. FOUR MILLION DOLLARS AND THAT'S NOT DOLLARS INTO OMAHA AND LINCOLN, THAT'S DOLLARS TRAVELLING ON HIGHWAY 275. THAT'S DOLLARS TRAVELLING ON U.S. HIGHWAY 183. THAT'S DOLLARS GOING THROUGH KEARNEY. THAT'S DOLLARS GOING THROUGH GRAND ISLAND. AND WHAT NOW CONGRESSMAN ADRIAN SMITH REALLY CARED ABOUT WAS DOLLARS GOING THROUGH SCOTTSBLUFF. FOUR MILLION DOLLARS...JUST IN NEBRASKA'S TAX BASE, THAT'S \$220,000 IN TAX REVENUE. AND IF YOU LOOK AT THE MEDICAID STATISTICS OF WHAT WAS ACTUALLY PAID OUT DUE TO MOTORCYCLE ACCIDENTS, THAT WAS ONE MILLION DOLLARS. NOW, YOU CAN MAKE THE ARGUMENT THAT'S ONLY A QUARTER OF WHAT THE STATE SPENT THAT WE'RE MAKING UP IN TAX REVENUE, BUT OBVIOUSLY I'M BEING VERY CONSERVATIVE AND WE'RE TALKING OUTSIDE DOLLARS COMING INTO RURAL NEBRASKA. WE'RE NOT TALKING ABOUT COMMUNITIES SPENDING THE DOLLARS WITHIN THEMSELVES. AND WE HAVE ALL HEARD THAT DOLLARS FROM OUTSIDE OF THE COMMUNITY ARE WORTH FIVE TO ONE. THOSE ARE TRUE DOLLARS. THAT'S TRUE RURAL ECONOMIC DEVELOPMENT THAT WE ARE IGNORING. NOW MOST CITIES EVEN HAVE AN EXTRA SALES TAX. I KNOW O'NEILL DOES. IT'S CALLED LB840. I KNOW SENATOR CRAWFORD HAS HAD SOME ISSUES WITH LB840 THIS YEAR, BUT I WOULD LIKE TO TAKE THAT EXTRA CENT

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AND A HALF ON TOP OF WHAT THE STATE IS COLLECTING AND USE THOSE INDIVIDUALS TO PAY FOR ECONOMIC DEVELOPMENT IN RURAL NEBRASKA. IF WE'RE GOING TO TALK ABOUT ECONOMICS, WE DON'T JUST TALK ABOUT, OH, THESE PEOPLE ARE GOING TO BE ON MEDICAID... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR LARSON: ...AND IT'S GOING TO COST US MORE MONEY. WHAT WE'RE GOING TALK ABOUT IS THE TRUE ECONOMIC INVESTMENT AND RURAL DEVELOPMENT THAT CAN HAPPEN. WE'RE MISSING OUT ON MILLIONS OF DOLLARS THAT CIRCUMVENT THIS STATE. AND NOT ONLY WILL THEY GO TO ECONOMIC INVESTMENT, IT WILL COME BACK INTO THE KITTY AND IT WILL, ASSUMING THAT THE DIRE STRAITS OF THEIR IMPLICATIONS ARE TRUE, COST THE STATE MORE MONEY. AND WE TALKED ABOUT THE FISCAL NOTE THAT WE DON'T SEE. YEAH, THIS IS ANOTHER FISCAL NOTE THAT WE DON'T SEE. WE DON'T SEE THE LOST REVENUE THAT LEAVES THIS STATE ON ITS WAY TO SOUTH DAKOTA OR ON ITS WAY TO KANSAS OR IOWA OR ANYWHERE ELSE. YES, THERE IS A FISCAL NOTE AND IT'S NOT IN HERE, AND IT'S A POSITIVE FISCAL NOTE. IT'S ECONOMIC GROWTH, IT'S TOURISM, AND IT'S WHAT NEBRASKA NEEDS, AND IT'S WHAT RURAL NEBRASKA NEEDS TO CONTINUE TO GROW. [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR LARSON: THANK YOU. [LB31]

SPEAKER HADLEY: THOSE IN THE QUEUE ARE SENATOR BLOOMFIELD, SENATOR MURANTE, SENATOR KRIST, SENATOR HILKEMANN, SENATOR GROENE, AND OTHERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. SENATOR LARSON MENTIONED A LITTLE BIT ABOUT THE ECONOMICS OF KEEPING PEOPLE RIDING THROUGH NEBRASKA. THE ACTUAL NUMBER ESTIMATED FOR STURGIS THIS YEAR IS ONE MILLION PEOPLE. WHAT WOULD HAPPEN IF WE GOT 10 PERCENT OF THEM TO COME THROUGH NEBRASKA? AND SENATOR LARSON, BEING A CONSERVATIVE, WAS WAY TOO CONSERVATIVE ON THE AMOUNT OF MONEY BIKERS SPEND. THEY WILL SPEND ROUGHLY A HUNDRED DOLLARS A DAY COMING THROUGH NEBRASKA. TAKE 10 PERCENT OF A MILLION, MULTIPLY IT BY A HUNDRED. THERE'S WHAT YOU'RE LOOKING AT FOR NEBRASKA ECONOMIC IMPROVEMENT. WE SPEND A GREAT DEAL OF MONEY IN THE STATE OF

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NEBRASKA TRYING TO GET TOURISM INTO THIS STATE. YET, WE THROW UP A ROADBLOCK, SAY IF YOU'RE RIDING A MOTORCYCLE, GO OUT AROUND US, WE DON'T WANT YOUR MONEY. WE'RE WAY TOO GOOD TO HAVE YOU COME THROUGH HERE AND SPEND YOUR DOLLARS FROM IOWA, OR YOUR DOLLARS FROM TEXAS, OR YOUR DOLLARS FROM FLORIDA IN NEBRASKA. WE DON'T NEED YOUR MONEY, SPEND IT IN IOWA. COLLEAGUES, WE'RE SHOOTING OURSELVES IN THE FOOT HERE CONSTANTLY. I'M GOING TO READ A COUPLE OF THE E-MAILS THAT I GOT FROM OUT OF STATE. DEAR SENATOR, I LIVE IN SIOUX CITY, IOWA, AND I HAVE BEEN RIDING MOTORCYCLES FOR MANY YEARS. I ALWAYS PLAN MY TRIPS AROUND STATES WITH TOTALITARIANISM TENDENCIES. IF I CANNOT CHOOSE WHETHER OR NOT TO WEAR A HELMET, A PAIR OF JEANS, BOOTS, GLOVES, ETCETERA, THEN I CHOOSE NOT TO SPEND MY TIME AND MY MONEY IN THAT STATE. WE CAN MAKE ARGUMENTS FOR AND AGAINST WEARING HELMETS, BUT WHETHER THE HELMET IS A GOOD OR A BAD MAKES NO DIFFERENCE. THE POINT IS THAT IT'S NOBODY ELSE'S BUSINESS WHAT KIND OF APPAREL I WEAR WHEN RIDING MY MOTORCYCLE. TRY WEARING A HELMET WHEN YOU'RE DRIVING YOUR CAR AND THEN TELL ME IF YOU FEEL SAFER. IF YOU THINK I WILL SOME DAY BECOME A BURDEN TO SOCIETY IF I CRACK MY NOGGIN, THEN WE SHOULD REQUIRE HELMETS FOR ANYONE WHO TAKES A SHOWER. THERE ARE WAY TOO MANY HEAD INJURIES FROM FALLING IN THE SHOWER. THE SAME WOULD APPLY TO PEDESTRIANS CROSSING THE STREET. WAY TOO MANY INJURIES THERE. WHERE DO YOU STOP WHEN ATTEMPTING TO CONTROL THE LIVES OF FREE AMERICANS? DOES THE GOVERNMENT KNOW WHAT IS BEST FOR EVERYONE IN EVERY SITUATION? IT SEEMS THAT WAY. PLEASE BE A TRUE AMERICAN PATRIOT AND VOTE THE WAY OUR FOUNDING FATHERS WOULD HAVE. THANK YOU. DR. ROD CASHEL, (PHONETIC) SIOUX CITY, IOWA. DEAR SENATOR BLOOMFIELD; ON BEHALF OF THE AMERICAN LEGION RIDERS...AND THIS IS AN INSTATE ONE...CHAPTER #34 IN GORDON, NEBRASKA, I'M WRITING TO EXPRESS THE APPRECIATION OF OUR MEMBERS TO YOU AND SENATOR DAVIS, SMITH, MURANTE, McCOY, GARRETT, AND FRIESEN FOR INTRODUCING AND VOTING TO MOVE FORWARD WITH THE ABOVE REFERENCED LEGISLATION. AND HE'S REFERRING TO LB31. WE BELIEVE THIS LEGISLATION REPRESENTS A MUCH-NEEDED MOVE BY THE LEGISLATURE IN RECOGNIZING THE FREE-CHOICE RIGHTS OF ALL NEBRASKANS. WE'RE ALSO IN AGREEMENT WITH THE AMENDED LANGUAGE TO REQUIRE THOSE NOT YET 21 YEARS OF AGE TO WEAR PROTECTIVE HELMETS WHEN RIDING MOTORCYCLES OR MOPEDS, AND FOR ALL TO HAVE TO WEAR SOME FORM OF EYE PROTECTION WHETHER THAT BE A WINDSHIELD ATTACHED TO THE MOTORCYCLE... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

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SENATOR BLOOMFIELD: ...OR GLASSES OR GOGGLES, ETCETERA. WE SINCERELY HOPE THE REST OF THE SENATORS IN THE LEGISLATURE WILL RECOGNIZE OUR RIGHT TO FREE CHOICE IN THIS MATTER AND WILL VOTE TO PASS THIS LEGISLATION. FOR THE CHAPTER, DOUG WOODBECK, AMERICAN LEGION RIDERS, POST #34, GORDON, NEBRASKA. COLLEAGUES, AS I MENTIONED BEFORE, I HAVE A STACK OF, I'M GUESSING 200, 250, POSSIBLY 300 E-MAILS FROM OUTSIDE THE STATE OF NEBRASKA TELLING US THAT THEY WILL NOT RIDE THROUGH NEBRASKA AS LONG AS WE MAINTAIN THIS RIDICULOUS POLICY. WE ARE CHASING AWAY THE VERY TOURISM WE SPEND MONEY TRYING TO GET HERE. ONE OF THE ARGUMENTS WE GOT AGAINST REMOVING THE HELMET... [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: MR. CLERK. [LB31]

CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR HILKEMANN WOULD MOVE TO BRACKET LB31 UNTIL JUNE 5 OF 2015. [LB31]

SPEAKER HADLEY: SENATOR HILKEMANN, YOU'RE RECOGNIZED TO OPEN ON YOUR BRACKET MOTION. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. I RISE TO BRACKET THIS MOTION. I THINK WE'VE HAD GOOD DISCUSSION. THIS IS AN ISSUE THAT HAS BEEN DEBATED IN NEBRASKA FOR YEARS. I HAVE A VERY GOOD FRIEND. HE'S AN ANESTHESIOLOGIST AT CREIGHTON UNIVERSITY WHO CHAMPIONED, WHEN THIS BILL WAS BACK IN THE '80s, WHEN WE WERE FIRST PUTTING THIS INTO PLACE. AND I REMEMBER THE...THE ENERGY THAT HE PUT IN TO GETTING THIS HELMET BILL IN PLACE BECAUSE HE HAD SEEN TOO MANY PEOPLE AT THE EMERGENCY ROOM AT THE CREIGHTON ST. JOE HOSPITAL AND THAT WAS HIS...THAT WAS HIS PASSION THAT BILL GOT IN PLACE LARGELY BECAUSE OF...BECAUSE OF DR. JAMES MANION. WE ARE STILL GREAT FRIENDS TODAY. WE'VE HEARD NO REALLY...FROM WHAT I'VE READ THROUGH THE TRANSCRIPTS OF PREVIOUS, WE'RE HEARING ABOUT THE SAME ARGUMENTS THAT WE'VE HEARD BEFORE ON THIS. SO I THINK LET'S...LET'S SEE HOW THIS BODY REALLY FEELS ABOUT THIS. I'VE BEEN HEARING SOME THINGS TODAY I...SENATOR SCHUMACHER, I APPRECIATE THAT YOU SPENT SOME TIME THIS MORNING LOOKING AT THE INTERNET TO FIND OUT ABOUT THIS. I'VE SPENT A



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LIFETIME SEEING PEOPLE FROM QLI AND SIMILAR-TYPE AREAS THAT HAVE HAD THE BRAIN INJURIES. IT IS ABSOLUTELY DEVASTATING WHAT IT DOES TO THE INDIVIDUAL, THE FAMILIES THAT ARE INVOLVED IN IT. I WANT TO TELL YOU ABOUT A PHONE CALL THAT I GOT SOME YEARS AGO. MY WIFE AND I HAD HAD A...WE HAD A FEW DAYS OUT IN BRECKENRIDGE, COLORADO, AND I GOT THIS CALL FROM MY SON. AND HE SAID, DAD, WHAT WOULD YOU THINK IF I GOT A MOTORCYCLE? AND I SAID, WELL, SON, IF YOU'RE EVER GOING TO OWN A MOTORCYCLE, THIS IS THE TIME IN YOUR LIFE TO HAVE IT. YOU'RE OVER 25 YEARS OF AGE. YOU HAVE NO FAMILY. YOU'VE COMPLETED YOUR... YOU'RE NOT MARRIED. YOU HAVE NO DEPENDENTS. AND SO IF YOU'RE EVER GOING TO DO IT, THIS IS PROBABLY THE TIME IN YOUR LIFE TO HAVE IT. BUT IF YOU EVER GET...IF THAT STATUS CHANGES, THEN I THINK YOU'D BETTER SERIOUSLY CONSIDER NOT HAVING A MOTORCYCLE. AND I ALSO SAID HAVING HAD...HAVING OWNED A MOTORCYCLE, YOU MAKE SURE THAT YOU KNOW THAT YOU ALWAYS HAVE TO WEAR A HELMET. AND SO THAT ACTUALLY...IT WAS HIS...THE VERY NEXT DAY AFTER HAVING THAT LITTLE CONVERSATION, I GOT THE CONVERSATION FROM MY SON, HE SAID, DAD, I BOUGHT A MOTORCYCLE. SO, I MEAN, HE HAD ALREADY MADE UP IN HIS MIND, BUT HE WAS AT A PERFECT...THERE'S A TIME IN YOUR LIFE, BUT THERE'S THE TIME IN YOUR LIFE FOR RESPONSIBILITY. AND A LOT OF PEOPLE, UNFORTUNATELY, DON'T ALWAYS TAKE THAT RESPONSIBILITY. WE SEE TOO MANY WIVES THAT ARE LEFT AS WIDOWS; CHILDREN THAT ARE LEFT WITH ONE OR BOTH PARENTS GONE. IT'S IMPORTANT THAT WE KEEP THIS HELMET BILL IN PLACE. THERE IS NO QUESTION. ALL OF THE RESEARCH DATA, SHOW ME DATA THAT IT DOES NOT SAVE LIVES TO HAVE A HELMET ON. THERE'S... YOU CAN'T FIND IT, IT'S NOT THERE. I HEARD EARLIER ALSO THAT BECAUSE OF THE NUMBER OF HOW FAR DOWN THE LIST THAT WE WERE FROM FALLS IS HEAD INJURIES. SENATOR SCHUMACHER, I CHECKED. AT THE PRESENT TIME THERE ARE 1,178,474 AUTOMOBILES REGISTERED IN THE STATE OF NEBRASKA. CONTRAST THAT TO 74,428 MOTORCYCLES. THE ODDS ARE A LITTLE BIT MORE. WE PROBABLY HAVE MORE HEAD INJURIES IN A CAR ACCIDENT THAN WE WOULD IN A MOTORCYCLE ACCIDENT. THEY ARE DEVASTATING. THIS IS...THIS IS...AGAIN, I GO BACK TO THAT THIS IS A SPORT. IT'S PART OF THE RESPONSIBILITY WHEN YOU TAKE ON THIS TYPE OF A DEAL. I BOUGHT MY AIRPLANE AND DID MY FLYING AFTER MY CHILDREN WERE GONE AND MY RESPONSIBILITIES AS A FATHER WERE OVER. NOT EVERYBODY DOES THAT. AND THOSE...YOU THINK ABOUT THE ECONOMIC COST OF THESE INJURIES IS DEVASTATING IN THE LOSS OF...NOT ONLY THE COST OF CARE. AND I'M SURPRISED TO SEE SOME OF OUR PEOPLE WHO ARE...WHO ARE ADAMANTLY, OR SAY THAT WE OUGHT TO GIVE PEOPLE THIS FREEDOM OF CHOICE WERE THE SAME PEOPLE THAT JUST SEVERAL WEEKS AGO SAID WE DON'T HAVE ENOUGH

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MONEY IN THE MEDICAID BUDGET FOR TEN DOLLARS FOR PEOPLE, OUR ELDERLY PEOPLE. WELL, I WOULD MAINTAIN THAT WE DON'T HAVE THE COST IN OUR MEDICAID BUDGET FOR WHATEVER NUMBER OF PEOPLE THAT END UP ON THE MEDICAID, AND IF THE ACA TAKES CARE OF SOMEONE, WHO'S ACA? WE'RE ALL ACA. ALL OF THESE INJURIES COST US MONEY BECAUSE THEY DO IT FROM...EVEN IF THEY'RE COVERED BY PRIVATE INSURANCE, IT'S A POOL. THAT RAISES THE WHOLE...I MEAN, WE DON'T LIVE IN A VACUUM. AND THERE ARE SOME...JUST SOME THINGS THAT WE COME ACROSS THAT WE REALLY NEED TO PROTECT SOMETIMES SOCIETY FROM THEIR OWN SELVES. AND I WOULD SAY THAT THAT'S WHAT IT IS WITH THE HELMET BILL. SO WE'VE HAD DEBATE ON THIS. I'M NOT SEEING ANYTHING TO CHANGE HERE. OTHERS I'VE TALKED WITH SAID, WE, FOR THREE YEARS WE'VE TALKED ABOUT THIS. NOTHING HAS CHANGED. SO I WOULD MOVE THAT WE BRACKET THIS BILL, LB31...LB31 UNTIL 6-5-2015. THANK YOU, MR. SPEAKER. [LB31]

SPEAKER HADLEY: THOSE IN THE QUEUE ARE SENATORS MURANTE, SENATOR KRIST, HILKEMANN, GROENE, SCHILZ, AND OTHERS. SENATOR MURANTE, YOU'RE RECOGNIZED. [LB31]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD MORNING. I RISE IN OPPOSITION TO THE BRACKET MOTION AND IN CONTINUED SUPPORT OF LB31. I VOTED FOR LB31 IN THE TRANSPORTATION COMMITTEE AND CONTINUE TO SUPPORT IT NOW. IT'S BEEN SUGGESTED ON THE FLOOR, ON SEVERAL DIFFERENT OCCASIONS, THAT THE SUPPORTERS OF LB31 OUGHT TO VISIT MADONNA OR OTHER FACILITIES SO THAT WE CAN SEE THE IMPACT OF TRAUMATIC BRAIN INJURIES ON INDIVIDUALS. SO, I'D LIKE TO TELL YOU A LITTLE STORY OF MY FAMILY AND MY BACKGROUND. I HAD A COUSIN NAMED DANNY, WHO WHEN HE WAS IN HIGH SCHOOL AT MILLARD SOUTH AND WAS DRIVING HOME, WEARING A SEAT BELT, NOT DOING ANYTHING WRONG. AS HE WAS DRIVING DOWN GILES ROAD, THE POLICE WERE IN A HIGH-SPEED PURSUIT WITH SOMEONE WHO WAS FLEEING A CRIME. THE CAR THAT WAS COMING IN THE DIRECTION THAT DANNY WAS DRIVING IN COLLIDED WITH HIS. THE PASSENGER IN THE CAR DIED INSTANTLY. DANNY SURVIVED, SURVIVED FOR ABOUT TEN YEARS, BUT HE NEVER WALKED AGAIN, AND HE NEVER TALKED AGAIN. HE WAS IN A WHEELCHAIR, PARALYZED FROM THE NECK DOWN, AND FOR THE REMAINDER OF HIS LIFE, HIS PARENTS BECAME FULL-TIME CUSTODIANS OF A CHILD AND NEEDED TO LEARN HOW TO TAKE CARE MEDICALLY OF A PERSON WHO IS NO LONGER ABLE TO HELP HIMSELF. SO, I'VE SEEN THE VERY WORST TRAUMA THAT A PERSON CAN ENDURE, FIRST HAND. BUT I STILL SUPPORT LB31 AND I UNDERSTAND THE IMPACT THAT IT MAY HAVE.

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BUT I HEAR A DANGEROUS LOGIC THAT'S USED ON THIS FLOOR. THE LOGIC THAT IT IS OUR RESPONSIBILITY TO REGULATE PEOPLE'S LIVES IF THEY'RE ENGAGING IN ACTIVITY WHICH MAY, AT SOME POINT, PUT THEM ON MEDICAID, WELFARE, OR OTHERWISE BECOME THE RECIPIENT OF STATE BENEFITS. FOLKS, THAT IS A BLANK CHECK. THAT MEANS WE HAVE NO LIMITATIONS IN THIS CHAMBER ON WHAT WE CAN AND CANNOT REGULATE IN THE LIVES OF THE PEOPLE OF NEBRASKA. BECAUSE I CAN MAKE AN ARGUMENT THAT ANY HUMAN ACTIVITY CAN RESULT IN A PERSON RECEIVING STATE BENEFITS AT SOME POINT IN THEIR LIVES. AND THERE ARE GOING TO BE TRAGIC SITUATIONS. BELIEVE ME, I UNDERSTAND. I'VE LIVED IT. MY FAMILY'S LIVED IT. I GET IT. BUT WE HERE AS POLICYMAKERS NEED TO DO AND ENACT POLICY WHICH DOES THE MOST AMOUNT OF GOOD FOR THE MOST AMOUNT OF PEOPLE IN THIS STATE. AND IN REGULATING ACTIVITY WHICH DOES NOT IMPACT THE LIVES, WHICH DOES NOT PROTECT PEOPLE FROM OTHERS, BUT PROTECTS THEM FROM THEMSELVES, IS BEYOND THE SCOPE OF WHAT WE ARE HERE TO DO. SO I APPRECIATE THE CONCERNS OF SENATOR HILKEMANN, I DO. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR MURANTE: EXCUSE ME, MR. SPEAKER. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR MURANTE: THANK YOU. I APPRECIATE IT, BELIEVE ME, I DO. BUT OUR FUNDAMENTAL GOAL HERE IN THIS CHAMBER IS TO PROTECT PEOPLE FROM OTHERS, NOT FROM THEMSELVES. SO I STRONGLY ENCOURAGE YOU TO VOTE AGAINST THE BRACKET MOTION, VOTE FOR LB31. WE CAN GIVE JUST A LITTLE BIT BACK TO PEOPLE WHO ARE PASSIONATE ON THIS ISSUE, BUT TO THOSE WHO DISAGREE, I RESPECT YOUR OPINION, BUT BELIEVE ME WHEN I SAY I UNDERSTAND WHAT COULD HAPPEN. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: SENATOR KRIST, YOU'RE RECOGNIZED. [LB31]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. SORRY FOR THE DELAY, COLLEAGUES. AND AGAIN, GOOD MORNING, NEBRASKA. I STAND IN OPPOSITION TO THE BRACKET MOTION. I DON'T BELIEVE THAT THE ISSUE ITSELF HAS HAD ENOUGH DEBATE, NUMBER ONE. AND NUMBER TWO, I THINK THIS IS ONE OF THOSE ISSUES THAT EVERYONE SHOULD BE ABLE TO VOTE UP OR DOWN ON AND SO I WOULD HOPE THAT WE WOULD GET TO THAT POINT. AT SOME POINT THIS

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MORNING, MAYBE, OR IN PROTRACTED DEBATE IF WE NEED TO, I HAVE TO SAY THAT IN RESPONSE TO WHAT I'VE HEARD SO FAR THIS MORNING, I'VE REALLY HEARD NO NEW ISSUES. THE SAME ISSUES THAT WE'VE DISCUSSED FOR THE PAST FOUR YEARS, FIVE YEARS, KEEP COMING UP. AND IT IS ONE OF THOSE THINGS, COLLEAGUES, WHERE YOU MAY BE EITHER FOR OR AGAINST SOMETHING AND NO AMOUNT OF DEBATE IS GOING TO CHANGE YOUR MIND. AND IF THAT'S THE CASE, WE DON'T HAVE TO GO EIGHT HOURS. WE CAN JUST MOVE INTO A VOTE. IF YOU BELIEVE HONESTLY THAT YOU'RE NOT GOING TO CHANGE YOUR MIND, YOU KNOW, IF I COULD ASK FOR A SHOW OF HANDS, I WOULDN'T DO THAT, EVER, BUT IF YOU'RE NOT GOING TO CHANGE YOUR MIND, YOU KNOW WHERE YOU ARE ON THIS ISSUE. WE DON'T HAVE TO FILIBUSTER OR EXTEND DEBATE ON EVERY ISSUE THAT IS CONTENTIOUS OR IS DIFFICULT. ON THIS PARTICULAR BILL, I DO WANT TO THROW A COUPLE OF THINGS IN THAT I'VE SAID BEFORE IN PAST YEARS. THERE WERE SEVERAL ATTEMPTS BY SENATOR HAAR AND...SORRY, SENATOR HARMS AND OTHERS TO RESTRICT PEOPLE FROM USING MOBILE COMMUNICATION DEVICES IN YOUR VEHICLES. WE DON'T WANT TO GO THERE. NO, LET'S NOT DO THAT. HOW MANY PEOPLE READ THE PAPER AND SEE THE YOUNG PERSON OR THE ELDERLY PERSON WHO IS DOING SOMETHING THEY SHOULDN'T HAVE BEEN DOING, OR TRYING TO REACH DOWN FOR THEIR CELL PHONE, PARTICULARLY IN NORTH OMAHA, JUST RECENTLY, WHERE A WOMAN WAS TRYING TO DO SOMETHING WITH HER COMMUNICATION DEVICE AND RAN INTO A WOMAN AND TOOK HER LEGS OFF, AND SHE EVENTUALLY DIED A FEW DAYS LATER. DISTRACTED DRIVING IS IMPORTANT TO US, BUT WE HAVE NOT MOVED IN THAT DIRECTION IN THE PAST FEW YEARS. ANOTHER BILL...I BELIEVE IT WAS SENATOR HARMS AGAIN. LET'S NOT LET KIDS RIDE IN THE BACK OF PICKUP TRUCKS. HOLY COW, THE RANCHERS AND THE FARMERS CAME OUT OF THE WOODWORK. YOU KNOW HOW MANY KIDS ARE KILLED OR HOW MANY FARM HANDS ARE KILLED IN THE BACK OF THE PICKUP TRUCK? IT'S ALMOST AN INEVITABILITY THAT IF YOU'RE RIDING IN THE BACK OF A PICKUP TRUCK AND YOU SMACK INTO SOMETHING, YOU'RE NOT GOING TO BE WEARING A SEAT BELT IN THE BED. WE DON'T WANT TO MOVE ON THAT ONE. THAT'S SOMETHING WE DON'T WANT TO RESTRICT. AND I ALSO PUT IN MY LAST WORD ON THE OTHER RESTRAINT DEVICES IN THE VEHICLE. COMPARING SEAT BELTS OR INFANT SEATS TO MOTORCYCLE HELMETS IS LUDICROUS. A SEAT BELT IS MADE TO HOLD YOU IN PLACE SO THE AIR BAG CAN PROTECT YOU, UNLESS YOU'RE DRIVING A CAR LATER THAN ABOUT THE 1970s, LATE '70s, EARLY '80s. A SEAT BELT IS A VERY IMPORTANT GADGET TO KEEP YOU IN PLACE SO THAT BAG CAN PROTECT YOU. OUR CHILDREN CANNOT BE BOUNCING AROUND IN THE BACK OF CARS EVEN IF THEY'RE RESTRAINED IN THE OLDER VEHICLES. THAT'S REALLY THE ONLY THING I WANTED TO ADD THIS MORNING. THAT, AND THE

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FACT THAT I DON'T BELIEVE THAT THE BRACKET MOTION IS IN ORDER AT THIS POINT. THANK YOU. [LB31]

SPEAKER HADLEY: SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I RISE AGAIN TO SAY I THINK IT'S TIME TO BRACKET THIS BILL. LET'S TALK...WE'VE HAD A LOT OF TALK. YOU KNOW, SENATOR BLOOMFIELD, AT THE BEGINNING OF THIS CONVERSATION, YOU SUGGESTED THAT WE WERE GOING HEAR A LOT OF STORIES OF GRIEF. THERE ARE A LOT OF STORIES OF GRIEF IN FLORIDA WHERE THEY'VE REPEALED THIS BILL. SINCE THEY'VE REPEALED IT, THERE ARE DEFINITELY AN INCREASE IN A NUMBER OF INJURIES. THERE'S BEEN MORE HEAD INJURIES. THERE'S BEEN MORE DEATH. THERE'S BEEN MORE PAIN AND SUFFERING. I REMEMBER THE CONVERSATION I HAD WITH A PERSON FROM THE ORGANIZATION THAT WOULD LIKE US TO LIFT THIS LAST YEAR, WHEN I WAS A CANDIDATE. AND I SAID, YOU KNOW, I CAN'T IMAGINE A CONVERSATION THAT WE COULD HAVE THAT WOULD CHANGE ME TO WANT TO GET RID OF THE MANDATORY HELMET BILL. AND I SUGGESTED THAT I DID RIDE MOTORCYCLES. I LOVED RIDING A MOTORCYCLE. I LOVED THAT SENSE OF FREEDOM. I LOVED BEING OUT THERE, BUT I ALWAYS WORE THE HELMET, NOT BECAUSE IT WAS THE LAW, BUT BECAUSE I WANTED TO TRY TO KEEP MYSELF AS SAFE AS POSSIBLE IN WHAT I CONSIDERED A RATHER HIGH-RISK SPORT. IT WAS A HIGH-RISK SPORT. THEN I SAID, BUT I'M AN ACTIVE CYCLIST AND I RIDE MY BIKE AT LOT. I DO THE BRAN. I DO...I'VE DONE SOME SEGMENTS OF RAGBRAI. IF I WEREN'T IN THIS BODY, I'D PROBABLY BE OUT RIDING 20, 25 MILES TODAY IN A...AND I WOULD NEVER CONSIDER GETTING ON MY BICYCLE WITHOUT HAVING MY HELMET ON. AND A GUY SAID--WELL, YOU DON'T GET THE POINT. MOST OF THE TIME WHEN WE HAVE AN ACCIDENT, WE'RE GONE ANYWAY. AND I THOUGHT, WOW. WHAT A...YOU KNOW, I GUESS THAT IF THAT IS THE SPIRIT OF THAT, WELL THEN, SO BE IT. BUT I KNOW THERE ARE A LOT OF PEOPLE THAT DON'T GET KILLED IN THOSE ACCIDENTS, THEY STILL END UP WITH HEAD INJURIES. AND THERE'S JUST NO...THERE'S NOT ONE STATEMENT OF FACT GIVEN HERE TODAY THAT I'VE HEARD THAT HELMETS DON'T SAVE LIVES. THREE TIMES MORE EFFECTIVE THAT PREVENTING INJURIES IF PEOPLE ARE WEARING A HELMET. IN THE STATES WHERE THEY HAVE REPEALED THE HELMET LAW, THEY'VE GONE FROM ALMOST 100 PERCENT USAGE TO WITHIN A FAIRLY SHORT PERIOD OF TIME, DOWN TO AS MUCH AS 50 PERCENT USAGE WHEN IT'S LEFT FOR THEMSELVES. THAT WILL HAPPEN IN NEBRASKA. THERE WILL BE MORE PEOPLE, IF WE REPEALED THIS, THAT WILL DIE FROM MOTOR VEHICLE ACCIDENTS THAN DO TODAY. THERE WILL BE MORE FAMILIES THAT

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WILL GO THROUGH THE PAIN AND SUFFERING OF LOSING SOMEONE THAT THEY LOVE. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR HILKEMANN: MEMBERS OF THIS BODY, WE'VE HAD THIS DISCUSSION. WE ALL HAVE OUR OPINION. I DON'T SEE WHERE WE SHOULD NOT JUST GO AHEAD AND HAVE A VOTE. SO, I WOULD URGE ALL OF YOU TO MOVE TO BRACKET THIS BILL UNTIL 6-5-2015. THANK YOU. [LB31]

SPEAKER HADLEY: SENATOR GROENE. [LB31]

SENATOR GROENE: THANK YOU, MR. SPEAKER. I DON'T KNOW WHERE TO START. JUST REALLY SITTING HERE FRUSTRATED WITH THE TONE OF THE NANNY STATE DEBATE THAT WE'RE HAVING HERE, AND THE HONOR IT IS TO BE A FREE PERSON IN THE UNITED STATES OF AMERICA. BESIDES, IF I WOULDN'T HAVE STOOD UP, MY SON WHO IS 6'5" AND MY SON-IN-LAW WHO IS 6'4" WHO PLAYED FOR NEBRASKA AND ARE PART OF ABATE WOULD TOSS ME AROUND A LITTLE BIT. SO, AND THEY RIDE MOTORCYCLES AND THEY DON'T WANT TO RIDE WITH HELMETS. THEY'RE VERY SAFE INDIVIDUALS. IN MY CASE, I WOULDN'T OWN A MOTORCYCLE IF YOU GAVE ME ONE. I DON'T LIKE THE NOISE. I ROLL THE WINDOWS UP AND LISTEN TO NPR OR SOMETHING, BUT THAT'S CHOICE. THAT'S CHOICE. YOU KNOW, HOW FAR DO WE GO WITH THIS MEDICAID THING? IF THIS AIN'T A FOREWARNING OF WHERE OBAMACARE IS GOING, FOLKS, TAKE HEED. HOW LONG BEFORE WE CAN'T DO ANYTHING BECAUSE IT'S COSTING TOO MUCH IN FEDERAL PAYMENTS FOR HEALTHCARE? HOW LONG IS EVERYTHING WE DO TIED TO THAT? SOMETIMES, THE ABSURD IS THE BEST EXAMPLE ARGUMENT. TO THOSE OF US WHO ARE MONOGAMOUS, COULD WE MANDATE THE PURITAN VIEW THAT YOU HAVE TO HAVE...BE MONOGAMOUS? DO YOU KNOW HOW MUCH MONEY WE WOULD SAVE IN MEDICAID PAYMENTS? WE'D WIPE OUT STDs. WE'D WIPE THEM OUT IN A GENERATION. SHOULD WE DO THAT? SHOULD WE GO BACK TO THE PURITAN DAYS? HOW ABOUT STAPH INFECTION IN OUR HOSPITALS? IT'S RAMPANT. I KNOW MORE FRIENDS WHO HAVE DIED FROM STAPH INFECTION AFTER COMMON OPERATIONS THAN THEY EVER DID RIDING A MOTORCYCLE OR IN A CAR. SHOULD WE START MANDATING THAT CERTAIN MEDICAL PROCEDURES ARE NOT...YOU CAN'T HAVE THEM IF THE RISK IS TOO HIGH FOR STAPH INFECTION? HEY, FOLKS, WHERE DO WE STOP? WHERE DO WE STOP? I'VE SEEN CITIZENS SINCE I'VE BEEN HERE, AT LEAST ONCE A WEEK, WHERE MY FELLOW SENATORS FALL ON THESE STEPS. SHOULD WE LET OSHA COME IN HERE

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AND RUIN THE AESTHETICS OF THIS BUILDING AND PUT ORANGE STRIPS ON ALL THE STEPS? HEY, WHAT'S THE TRADE-OFF? ON OUTSIDE THE STEPS, SHOULD WE MANDATE A HELMET BEFORE YOU WALK UP THE STEPS OUT HERE? I'VE SEEN PEOPLE FALL DOWN THE STEPS FROM THE FIRST AND SECOND FLOOR. WE'VE ALL SEEN IT. SHOULD WE MANDATE THAT? WHERE DO WE DRAW THE LINE? WHERE DO WE STOP MANDATING TO OUR NEIGHBOR WHAT WE THINK IS BEST FOR US. I ADMIRE SENATOR HILKEMANN. HE GAVE ADVICE...HIS SON WISE ADVICE ABOUT A HELMET. HE WEARS IT HIMSELF. I GAVE MY SON WISE ADVICE ABOUT WEARING A HELMET WHEN HE BOUGHT HIS MOTORCYCLE. TWO THINGS I TOLD HIM HE COULDN'T OWN AS LONG AS HE WAS IN MY HOUSE WAS A MOTORCYCLE AND HE COULDN'T GET A TATTOO. THE MOMENT HE GOT OUT, HE GOT BOTH. (LAUGH) BUT, THAT'S FREEDOM. THAT'S FREEDOM. I HAD A NEIGHBOR AT ONE TIME WHERE I LIVED; HE WAS BUILDING HIS OWN HOUSE. HE FELL OFF OF A SEVEN-FOOT SCAFFOLD, MAJOR CONCUSSION. SHOULD HE BE WEARING A HELMET? HE WAS TOLD--NOW THIS IS HEARSAY BECAUSE HE RELAYED IT TO ME--THE DOCTOR TOLD HIM ANYTHING OVER SEVEN FOOT, YOU MIGHT AS WELL BE THIRTY FOOT BECAUSE THE ODDS OF HAVING HEAD INJURIES ARE THERE. SHOULD EVERYBODY WEAR A HELMET? FREEDOM HAS A PRICE. I LOVE IT. I LOVE TO GET OUT OF BED EVERY MORNING AND WONDER WHAT'S GOING TO HAPPEN. I LOVE GETTING IN THAT CAR AND ALL THOSE VEHICLES AROUND ME AND THAT LITTLE BIT OF RISK TO GET TO WORK. WHERE DO WE STOP THAT? WHEN DO I START TELLING MY NEIGHBOR HE CAN'T DRIVE? [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR GROENE: WHEN DO WE TELL HIM WHEN HE REACHES A CERTAIN AGE THE STATISTICS GOES UP AND HE CAN'T DRIVE ANYMORE? WHAT ABOUT...WE'VE HEARD THAT ELDERLY PEOPLE FALL. AT WHAT AGE DO WE TELL THEM THEY NEED A HELMET TO WALK AROUND? YOU KNOW, IT'S WHAT'S BEST FOR YOU. FREEDOM IS WHAT'S BEST FOR ME. IT'S INDIVIDUAL FREEDOMS. AND LIKE I SAID, IF YOU DON'T FEAR OBAMACARE AND WHERE IT'S HEADED, LISTEN TO THIS DEBATE. WHEN ARE THEY GOING TO TELL YOU, YOU CAN'T HAVE MORE THAN ONE SEXUAL PARTNER IN YOUR LIFE BECAUSE YOU MIGHT SPREAD STDS AND IT COSTS MORE. THAT'S MY VIEWPOINT. SHOULD I MANDATE IT TO EVERY HUMAN OUT THERE IN THE UNITED STATES? CHANGE THE VIEW. MY TOURISM BUREAU IN NORTH PLATTE WANTS THIS BILL...THIS LAW REPEALED. [LB31]

SPEAKER HADLEY: TIME, SENATOR. SENATOR SCHILZ. [LB31]

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SENATOR SCHILZ: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY, GOOD MORNING. YEAH, WE'VE HAD THIS BILL ON THE FLOOR A NUMBER OF TIMES. YEAH, WE'VE HEARD MOST OF THE ARGUMENTS. COMING FROM WESTERN NEBRASKA AND UNDERSTANDING THE KIND OF OPPORTUNITIES THAT GETTING RID OF THIS LAW WOULD HAVE, I THINK PEOPLE DON'T REALLY UNDERSTAND THE IMPACTS THAT WOULD GO ON. YOU KNOW, IT'S INTERESTING, I LISTENED TO THE OPPONENTS TALK ABOUT HOW THEY'RE ALL FOR PERSONAL FREEDOM AND ALL THAT. SENATOR HILKEMANN GAVE ADVICE TO HIS SON TO TEACH HIM ABOUT PERSONAL RESPONSIBILITY, AND THAT'S GREAT. WE NEED MORE OF THAT. WE GOT NO PROBLEM WITH THAT. THE QUESTION BECOMES--AT WHAT POINT DO YOU DRAW THAT LINE WHEN YOU'RE TALKING ABOUT WHERE THE STATE SHOULD BE, AND WHERE IS THAT LINE OF RESPONSIBILITY OF THE STATE TO TELL IT'S PEOPLE WHAT TO DO AND WHAT THEY CAN...WHAT THEY SHOULD WEAR AND HOW THEY SHOULD DO THINGS FOR SAFETY? SO WHILE THEY ALL TELL ABOUT THEIR FOR FREEDOM...INDIVIDUAL FREEDOM AND THINGS LIKE THAT, MAYBE WE NEED TO ASK THE QUESTION, WELL, HOW FAR DOES THAT LINE GO? WHERE DOES IT STOP? WHEN DOES THAT PERSON HAVE THE RIGHT TO CHOOSE FOR THEMSELVES? AND GUYS, IT IS A SLIPPERY SLOPE WHEN WE START TALKING ABOUT RESTRICTING ONE'S ACTIONS FOR THE BETTERMENT FOR EVERYONE, BECAUSE I'M SURE THAT EVERYBODY IN HERE HAS DONE SOMETHING THAT PUTS THEMSELVES OR OTHERS AT RISK. I BELIEVE, WHOLEHEARTEDLY, THAT PEOPLE SHOULD HAVE THE RIGHT TO CHOOSE FOR THEMSELVES, WHETHER IT'S HOW THEY RUN THEIR BUSINESS, WHETHER IT'S...WHETHER THEY SHOULD WEAR A HELMET OR NOT WHEN THEY'RE RIDING MOTORCYCLES. I THINK IT'S ALL PART OF THE SAME THING, ALL PART OF THE SAME QUESTION. AND THE GOVERNMENT NEEDS TO BE VERY CAREFUL WHERE IT TREADS ON THIS AND WHERE IT INTRUDES INTO THE PEOPLE'S PERSONAL FREEDOMS. YOU'VE HEARD THE OPPONENTS REALLY KIND OF POOH-POOH THAT AND SAY, NO, THAT DOESN'T...THAT'S NOT REALLY WHAT WE'RE TALKING ABOUT HERE. WELL, IT IS. AND IT'S EXACTLY THAT THAT WE'RE TALKING ABOUT. I'VE NEVER CHANGED MY POSITION ON THIS ISSUE, NEVER CHANGED MY POSITION ON THIS BILL. AND MY TIME IN THE LEGISLATURE, I HAVE LOOKED FOR WAYS EVERY SINGLE TIME ON THE FLOOR TO FIND WAYS TO HELP BUILD THE TAX BASE, BROADEN THE TAX BASE, AND BRING THOSE ADVANTAGES TO THE PEOPLE OF THE STATE OF NEBRASKA. LB31 DOES THAT. AND IT WILL BE A BIGGER IMPACT THAN YOU CAN IMAGINE. THE SALES TAX THAT WILL BE GARNERED, FUEL TAXES THAT WILL BE PAID, ALL OF THAT WILL GO INTO THE STATE COFFERS AND ALL OF THAT WILL HELP US ANSWER SOME OF THE QUESTIONS THAT EVERY SINGLE ONE OF OUR CONSTITUENTS HAS AND THAT'S HOW DO WE GROW OUR STATE AND HOW DO WE LOWER TAXES? SO LOOK AROUND THE



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ROOM AND SEE WHO IS WORKING TO BUILD OUR ECONOMY AND WHO IS WORKING AGAINST IT AT CERTAIN POINTS. IT BECOMES REALLY FRUSTRATING AFTER A WHILE BECAUSE I KNOW THIS... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR SCHILZ: ...THERE ISN'T ANYBODY IN MY DISTRICT...I SHOULDN'T SAY ANYBODY, BUT EVERY DAY IN MY DISTRICT I HEAR ABOUT HOW TAXES ARE TOO HIGH. I HEAR THE PEOPLE CALLING FOR US, THE LEGISLATURE, TO DO SOMETHING TO HELP THAT. LB31 WOULD HELP THAT. I'M AGAINST THE BRACKET MOTION, I'M FOR THE BILL, AND EVERYBODY REALLY NEEDS TO THINK ABOUT WHAT THE EFFECTS OF CONTINUING ON THE PATH THAT WE'RE ON. THANK YOU VERY MUCH, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: (VISITORS INTRODUCED.) THOSE IN THE QUEUE: SENATOR PANSING BROOKS, SENATOR LARSON, BLOOMFIELD, GLOOR, AND OTHERS. SENATOR PANSING BROOKS. [LB31]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. JUST AS A REMINDER, MANDATORY HELMET LAWS FIRST CAME INTO BEING FOLLOWING THE ISSUANCE OF THE HIGHWAY SAFETY PROGRAM STANDARDS IN '67. OVER THE YEARS, VARIOUS STATES HAVE REPEALED AND REENACTED UNIVERSAL OR ALL RIDER OR ALL SORTS OF DIFFERENT TYPES OF MOTORCYCLE HELMET LAWS. THEN IN 1998, KENTUCKY REPEALED ITS UNIVERSAL MOTORCYCLE HELMET LAW, AND IN 1999, LOUISIANA WAS SOON TO FOLLOW THEREAFTER WITH REPEALING ITS LAW. AN ARTICLE THAT I'VE BEEN...THAT I FOUND FROM THE DEPARTMENT OF TRANSPORTATION TALKING ABOUT THE REPEALED HELMET LAWS IN KENTUCKY AND LOUISIANA STATES THAT MOTORCYCLE HELMET USE DECREASED SUBSTANTIALLY FOLLOWING THE REPEAL OF UNIVERSAL HELMET LAWS. IN KENTUCKY, IN THE LAST FULL YEAR UNDER THE LAW, WHICH WAS 1997, THE OBSERVED HELMET USE WAS AT 96 PERCENT; 96 PERCENT USED HELMETS IN THE LAST YEAR OF KENTUCKY'S LAW. IN THE FIRST YEAR FOLLOWING THE REPEAL IN 1999, HELMET LAW WAS MEASURED AT 65 PERCENT. IT STOOD AT 70 PERCENT IN 2000, AND 56 PERCENT IN 2001. IN LOUISIANA, FULL COMPLIANCE WAS RECORDED IN THE LAST FULL YEAR UNDER THE UNIVERSAL HELMET LAW IN 1998. AND IN 2000 AND 2001, HELMET USE WAS MEASURED AT 52 PERCENT. SO, THERE'S NO QUESTION THAT MORE PEOPLE WILL BE NOT USING THEIR HELMETS. BOTH...IN BOTH, THE RESULTS WERE SIMILAR TO WHAT OCCURRED IN ARKANSAS AND TEXAS. BOTH OF THOSE STATES RECORDED 97

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PERCENT HELMET USE IN THE LAST FULL YEAR OF THEIR LAWS AND THE USE DROPPED TO 52 PERCENT IN ARKANSAS AND 66 PERCENT IN TEXAS FOLLOWING THEIR REPEALS. SO, THEN THE ARTICLE GOES ON TO STATE THAT THE NUMBER OF CRASHES IN WHICH A MOTORCYCLIST WAS KILLED AND THE NUMBER OF RIDERS KILLED INCREASED IN BOTH KENTUCKY AND LOUISIANA FOLLOWING THE REPEAL OF THEIR UNIVERSAL HELMET LAWS. AGAIN, THIS IS A REPORT TITLED--EVALUATION OF REPEAL OF MOTORCYCLE HELMET LAWS IN KENTUCKY AND LOUISIANA IN OCTOBER OF 2002. IN LOUISIANA, THE TWO YEARS PRIOR TO THE APPEAL, AN AVERAGE OF 26 FATAL CRASHES AND FATALITIES TOOK PLACE. IN THE TWO FULL YEARS FOLLOWING THE REPEAL, THERE WERE AN AVERAGE OF 54 FATAL CRASHES AND 55 MOTORCYCLISTS KILLED. SO, AGAIN, KENTUCKY AND ARKANSAS...KENTUCKY HAD AN INCREASE OF 58 PERCENT COMPARED TO THE YEAR BEFORE, AND ARKANSAS HAD AN INCREASE OF 29 PERCENT. SO, WHEN YOU COMPARE THE AVERAGES OF THE MOTORCYCLE FATALITIES AFTER THE LAW CHANGES WITH THE TWO-YEAR AVERAGES BELOW...OR BEFORE...THAT I MENTION BEFORE. SO, ANYWAY, I JUST WANTED TO POINT THIS OUT. THERE IS HISTORIC...WHEN I SPOKE BEFORE I TALKED ABOUT THE CHANGES IN MICHIGAN AND ILLINOIS AND THE FACT THAT DEATHS...FATALITIES AND MOTORCYCLE INJURIES ARE GOING UP FOR THE RIDERS WHO ARE NOT WEARING THEIR HELMETS, AND, AGAIN, THESE ARE ISSUES OF RISK THAT PEOPLE WANT TO ASSUME. AND WE'RE HEARING ARGUMENTS THAT EVERYBODY HAS A RIGHT TO ASSUME WHATEVER THEY WANT TO DO, WHATEVER INJURY...THEY GET TO ASSUME WHATEVER RISK THEY WANT AND HAVE WHATEVER FREEDOMS THEY WANT. WELL, THAT'S JUST NOT TRUE IN THIS SOCIETY. WE HAVE ALL SORTS OF STANDARDS THAT WE UPHOLD... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR PANSING BROOKS ...WHERE WE DO NOT LET PEOPLE ASSUME RISK. THOSE CASES WHERE WE DO NOT ALLOW 100 PERCENT ASSUMPTION OF RISK ARE MOSTLY CONNECTED TO WHEN A STATE HAS SOME FISCAL RESPONSIBILITY TO RESPOND TO THE RESULTS OF THAT ASSUMPTION OF RISK. AND IN THIS CASE, WE HAVE A DUTY TO RESPOND WHEN PEOPLE ARE ON MEDICAID, WHEN PEOPLE ARE INJURED AND HAVE LONG-TERM INJURIES, THEY SPEND DOWN THEIR ASSETS, AND ALL OF A SUDDEN BECOME MEDICAID ELIGIBLE, OR MAY IMMEDIATELY BE MEDICAID ELIGIBLE, AS SENATOR SCHNOOR POINTED OUT, AND THEN OUR SOCIETY, OUR STATE, HAS A VERY LARGE COST. AND THAT COST COMES FROM THE LONG-TERM CARE OF PEOPLE WITH SIGNIFICANT BRAIN INJURIES WHO NEED TO BE CARED FOR AND WHO NEED TO HAVE ONGOING MEDICAL CARE BECAUSE THEY'RE UNABLE TO MOVE THEIR... [LB31]

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SPEAKER HADLEY: TIME SENATOR. [LB31]

SENATOR PANSING BROOKS: THANK YOU VERY MUCH, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: (VISITORS INTRODUCED.) SENATOR LARSON, YOU'RE RECOGNIZED. [LB31]

SENATOR LARSON: THANK YOU, SENATOR HADLEY, OR MR. PRESIDENT, I SHOULD SAY. I JUST... YOU KNOW, SENATOR PANSING BROOKS BRINGS UP AN INTERESTING POINT THAT WE RESTRICT PEOPLE'S FREEDOMS IF THE STATE HAS A FINANCIAL RESPONSIBILITY OR THAT WHEN... THE STATE NEEDS TO RESPOND IF THERE IS GOING TO BE FINANCIAL RESPONSIBILITY BEARED UPON THE STATE. WELL, LET ME TELL YOU ABOUT SOMETHING IN TERMS OF WHERE WE HAVE A FINANCIAL RESPONSIBILITY TO EDUCATE OUR KIDS BECAUSE THEY ARE GOING TO COME BACK ON THE SYSTEM IF WE DO NOT PROVIDE THEM A PROPER EDUCATION AND TAKE UP AND DRAIN MORE OF THOSE RESOURCES THAT SHE IS TALKING ABOUT. THEY SHOULD HAVE THE CHOICE AND THE OPPORTUNITY, AND THE PARENTS SHOULD HAVE THE CHOICE AND OPPORTUNITY TO CHOOSE WHATEVER EDUCATION MODEL BEST FITS THEIR CHILDREN, BECAUSE THE STATE HAS TO RESPOND AND PAY WHEN CHILDREN MAY NOT BE PROPERLY EDUCATED OR SCHOOL SYSTEMS ARE FAILING. IF WE WANT TO FOLLOW THAT LOGIC, YES, WE ARE FAILING. AND THE STATE DOES HAVE A DUTY TO RESPOND, BUT WE HAVEN'T YET DONE THAT. WE HAVEN'T GIVEN PARENTS THE RIGHT TO CHOOSE WHAT IS THE BEST EDUCATIONAL MODEL OR GIVE THEM MORE CHOICES TO EDUCATE THEIR CHILDREN. AND WE ARE CONTINUING THE CYCLE OF POVERTY IN THIS STATE. IF WE TALK ABOUT RESPONDING, IN THAT WAY, LET'S TALK ABOUT IT. I'VE TRIED TO STAY OFF EDUCATION TODAY. AND IF WE REALLY WANT TO RESPOND BECAUSE THIS IS GOING TO COST TOO MUCH, SENATOR BLOOMFIELD ACTUALLY BROUGHT UP THE POINT IN THE SENSE OF THERE MIGHT BE... THERE'S ACTUALLY GOING TO BE CLOSER TO A MILLION INDIVIDUALS GOING UP TO STURGIS AND THAT CONCEPT YOU CAN EASILY ASSUME A QUARTER OF THEM WILL BYPASS NEBRASKA, BUT EVEN IF IT WAS ONLY 100,000, 10 PERCENT OF THOSE INDIVIDUALS BYPASS NEBRASKA AND SPEND \$100 A DAY THAT RESEARCH ACTUALLY SHOWS THEM GOING THROUGH AND COMING BACK, THAT'S \$200, THAT'S \$20 MILLION, AND THAT'S CLOSER TO \$1.5 MILLION, ROUGHLY, IN JUST SALES TAX REVENUE. THAT'S JUST SALES TAX REVENUE, NOT THE ADDED ECONOMIC INVESTMENT INTO RURAL NEBRASKA. AND THAT \$1.5 MILLION, MIND YOU, IN 2013, THE STATE ONLY SPENT A MILLION DOLLARS TOTAL ON ALL MOTORCYCLE-ISH ACCIDENTS; THAT INCLUDES DIRT BIKES ON THE FARM, ATVs, ALL THOSE THINGS ARE CLASSIFIED AS

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MOTORCYCLE ACCIDENTS BY NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND WE ONLY SPENT A MILLION DOLLARS TOTAL. YET ECONOMIC STUDIES SAY WE BRING IN EASILY \$1.5 MILLION JUST IN STATE TAX REVENUE. THAT'S NOT INCLUDING THE ADDED ECONOMIC INVESTMENT TO THE LOCAL COMMUNITIES AND THAT'S NOT INCLUDING THE CITY SALES TAXES THAT ARE GOING TO BE COLLECTED BY O'NEILL. THAT'S FUNDING A NEW COMMUNITY COLLEGE IN O'NEILL. THIS IS AN ISSUE. IF YOU WANT TO BRING ECONOMICS INTO IT, TELL THE WHOLE STORY. WILL SOME PEOPLE BE ON MEDICAID THAT AFTER...GET ON A WRECK? SURE. I UNDERSTAND THAT. BUT TELL THE WHOLE STORY. UNDERSTAND THE TRUE ECONOMICS AND THE INVESTMENT THAT IS GOING TO HAPPEN IN THIS STATE WITH LB31. WE TALK ABOUT THE GOVERNMENT HAS A RIGHT TO TELL PEOPLE THIS. THE GOVERNMENT DOES NOT HAVE THAT RIGHT. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR LARSON: JUST AS THE GOVERNMENT DOESN'T HAVE A RIGHT TO LIMIT EDUCATIONAL OPPORTUNITIES FOR STUDENTS ACROSS NEBRASKA, WHICH THIS LEGISLATURE CONTINUES TO DO ON A PARTISAN MATTER, FOR SUPPOSEDLY BEING AS NONPARTISAN AS WE ARE, IT DIVIDES THAT ISSUE, PARTISAN. AND YET, ALL ACROSS THE NATION, IT'S ONE OF THE MOST BIPARTISAN ISSUES THAT WE SEE. BECAUSE THEY UNDERSTAND THAT THERE NEEDS TO BE INNOVATION AND EDUCATION TO CONTINUE MOVING FORWARD AND THAT'S THE TRUE WAY TO BREAK THE CYCLE OF POVERTY. WE'VE HEARD THE PRESIDENT SAY IT, WE'VE HEARD MAYOR RAHM EMANUEL, SENATOR CORY BOOKER, THE BIGGEST NAMES ON THE LEFT CONTINUE TO SAY THAT, AND WE CONTINUE TO IGNORE THEM HERE IN THE STATE OF NEBRASKA. IF WE...THE STATE HAS A RESPONSIBILITY TO PAY FOR THINGS AND WE REALLY WANT TO BREAK THE CYCLE OF POVERTY... [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR LARSON: ...EDUCATION IS THE WAY. THANK YOU. [LB31]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THIS IS THE FIRST TIME I'VE HAD A CHANCE TO STAND AND OPPOSE THE BRACKET MOTION. SENATOR HILKEMANN TELLS US NOTHING HAS CHANGED IN THREE YEARS. SENATOR

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HILKEMANN, YOU WEREN'T IN THAT CHAIR THREE YEARS AGO. THERE ARE EIGHTEEN OTHER MEMBERS THAT HAVE NEVER HEARD THIS FULL DEBATE BEFORE. SENATOR GLOOR, YOU SAID IT'S TIME TO CONSIDER THIS SETTLED LAW IN NEBRASKA. SENATOR GLOOR, AS LONG AS I'M IN THE CHAMBER, AND THERE ARE NINETY THOUSAND MOTORCYCLISTS OUT THERE THAT WANT TO REGAIN THEIR RIGHTS, THIS WILL NEVER BE A SETTLED ISSUE UNTIL THEIR RIGHTS ARE RESTORED. THERE ARE CHANGES, COLLEAGUES, IN THE BODY. THERE ARE CHANGES IN THE MODE OF HOW PEOPLE FEEL ACROSS NEBRASKA. WHEN WE DEPRIVE THIS GROUP OF INDIVIDUALS OF THEIR RIGHTS TO DECIDE WHAT IS BEST FOR THEM, WE DO DAMAGE TO THE ENTIRE STATE. COLLEAGUES, ONE OF THE TESTIFIERS OPPOSED TO THIS BILL IN COMMITTEE SAID--WE DON'T HAVE THE INFRASTRUCTURE TO CARRY ALL THE PEOPLE THAT WILL COME INTO THE STATE. WE'RE TRYING TO ENCOURAGE TOURISM, BUT THEY'RE TELLING US THAT WITH THE INFLUX OF RIDERS, WE WON'T HAVE THE MOTELS, THE CAFES, AND OTHER THINGS TO HANDLE THE INFLUX OF PEOPLE. WOULDN'T THAT BE A WONDERFUL PROBLEM TO HAVE IN WESTERN NEBRASKA, PEOPLE? THE ARGUMENTS ON THIS, ECONOMICALLY, THAT IT'S GOING TO COST THE STATE DO NOT CARRY WATER. THE INCREASE WE WOULD SEE FROM THE ADDITIONAL RIDERS FAR OUTWEIGHS ANY POTENTIAL COST. SENATORS, IT'S UP TO US TO MAKE THAT DECISION WHEN WE GET TO IT. THE IDEA OF BRACKETING THIS AT THIS TIME WHEN ONE-THIRD OF THE BODY HAS NOT HEARD THE FULL ARGUMENT, IS INCOMPREHENSIBLE TO ME. I ASK YOU TO VOTE AGAINST THIS BRACKET MOTION WHEN IT COMES. THE MOTION IS HERE, BUT WHEN THE VOTE COMES. LET'S CONTINUE THE DEBATE SO THAT EVERYBODY IN THE BODY GETS A CHANCE TO HEAR IT. AS I SAID, SENATOR HILKEMANN HAS NEVER HEARD THE FULL DEBATE. HE HAS JUMPED TO THE CONCLUSION THAT NOTHING HAS CHANGED. LOOK UP AND DOWN THESE FIRST FEW ROWS HOW MANY OF THESE PEOPLE WERE HERE THREE YEARS AGO? HOW MANY OF THEM WERE HERE LAST YEAR? THIS BODY CONTINUALLY CHANGES. MR. PRESIDENT, I'D YIELD THE REMAINDER OF MY TIME TO SENATOR KINTNER, IF HE WOULD USE IT. [LB31]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE YIELDED 1:25. [LB31]

SENATOR KINTNER: OH, FANTASTIC. THANK YOU VERY MUCH. YOU KNOW, WE'VE BEEN TALKING AROUND NUMBERS AND EVERYTHING, AND YOU KNOW, LET ME GIVE YOU THESE NUMBERS FIRST. I GOT A MEDICAL STUDY HERE FROM THE UNIVERSITY OF NORTH CAROLINA, DISCOVERED THAT THE PERCENTAGE OF MOTORCYCLISTS WHO RELIED ON PUBLIC FUNDING FOR MEDICAL TREATMENT WAS 63.4 PERCENT. THE GENERAL PUBLIC WAS 67 PERCENT. [LB31]

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SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR KINTNER: SO, I GUESS FROM THIS IF YOU RIDE A MOTORCYCLE YOU'LL BE LESS LIKELY TO BE ON PUBLIC ASSISTANCE THAN IF YOU DON'T RIDE A MOTORCYCLE. YOU KNOW, THIS COMES DOWN TO, AS SENATOR SCHILZ SAID, THIS COMES DOWN TO THE GOVERNMENT TELLING YOU HOW TO LIVE YOUR LIFE. I WANT TO TELL THE PEOPLE AT HOME WATCHING THIS, I'M AS FRUSTRATED AS YOU WITH THIS BODY SOMETIMES. AND THAT THEY GET DOWN HERE AND THINK THEY CAN TELL YOU HOW TO LIVE YOUR LIFE BETTER THAN YOU. IT'S ONE OF THE MOST FRUSTRATING THINGS I DEAL WITH DOWN HERE ON A DAY-TO-DAY BASIS OF PEOPLE TRYING TO RUN YOUR LIFE AND TELL YOU HOW TO LIVE YOUR LIFE. I JUST...I HAVE A REAL PROBLEM WITH THAT. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: SENATOR GLOOR, YOU'RE RECOGNIZED. THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I SEE FIVE HANDS. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. SENATOR GLOOR, FOR WHAT PURPOSE DO YOU RISE? [LB31]

SENATOR GLOOR: NONE, SIR. THANK YOU. [LB31]

SPEAKER HADLEY: RECORD, MR. CLERK. [LB31]

CLERK: 25 AYES, 11 NAYS TO CEASE DEBATE, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: DEBATE DOES CEASE. SENATOR HILKEMANN, YOU'RE RECOGNIZED TO CLOSE. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. THANK YOU, MEMBERS OF THE BODY. IT'S IMPORTANT WE TAKE A BRACKET VOTE NOW. I KNOW THIS WILL...THIS VOTE IS GOING TO BE CLOSE. EVERYBODY HAS HARD OR STRONG FEELINGS ONE WAY OR THE OTHER. SO, LET'S FIND OUT WHERE WE STAND IN THIS BODY. ARE YOU REALLY WILLING TO TAKE ANOTHER DAY AND A HALF TO TALK ABOUT THIS? I SUGGEST THAT YOU VOTE FOR THE BRACKET. LET'S FIND OUT WHERE WE STAND, AND THANK YOU VERY MUCH. I'D LIKE A CALL OF THE HOUSE WITH A ROLL CALL VOTE. [LB31]

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SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. MR. CLERK. [LB31]

CLERK: 40 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB31]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS CRAIGHEAD, GROENE, KINTNER, SCHILZ, MELLO, THE HOUSE IS UNDER CALL. SENATOR MELLO, SENATOR CRAIGHEAD, THE HOUSE IS UNDER CALL. PLEASE RETURN TO THE CHAMBER. SENATOR CRAIGHEAD, SENATOR MELLO, THE HOUSE IS UNDER CALL, PLEASE REPORT TO THE CHAMBER. SENATOR HILKEMANN, FOR WHAT PURPOSE DO YOU RISE? [LB31]

SENATOR HILKEMANN: I SAID WE CAN BEGIN. [LB31]

SPEAKER HADLEY: MR. CLERK. [LB31]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 908.) 21 AYES, 19 NAYS, MR. PRESIDENT, ON THE BRACKET MOTION. [LB31]

SPEAKER HADLEY: THE BRACKET MOTION PASSES. I'M SORRY, THE BRACKET MOTION FAILS. RAISE THE CALL. ITEMS FOR THE RECORD, MR. CLERK. [LB31]

CLERK: I DO, MR. PRESIDENT, THANK YOU. NEW A BILL: SENATOR WATERMEIER OFFERS LB105A. (READ LB105A BY TITLE FOR THE FIRST TIME.) EDUCATION COMMITTEE CHAIRED BY SENATOR SULLIVAN REPORTS LB227 TO GENERAL FILE WITH AMENDMENTS. I ALSO HAVE A CONFIRMATION REPORT FROM THE EDUCATION COMMITTEE. NEW RESOLUTIONS: LR129, SENATOR BRASCH, AND LR130; LR131, SENATOR COASH; SENATOR SCHNOOR OFFERS LR132; THOSE WILL ALL BE LAID OVER. SENATOR SCHUMACHER WOULD LIKE TO PRINT AN AMENDMENT TO LB70. [LB105A LB227 LR129 LR130 LR131 LR132 LB70]

AND MR. PRESIDENT, A PRIORITY MOTION. SENATOR SCHNOOR WOULD MOVE TO ADJOURN THE BODY UNTIL FRIDAY MORNING, MARCH 20, AT 9:00 A.M.

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SPEAKER HADLEY: YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SIGNIFY  
BY SAYING AYE. OPPOSED, NAY. MOTION PASSES.