

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

Floor Debate
March 20, 2015

[LB21 LB31 LB89 LB242A LB254 LB264 LB265 LB268 LB320A LB356 LB362 LB367
LB414 LB489A LB498 LB547 LR41 LR133 LR134 LR135 LR136 LR137 LR138]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FORTY-NINTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR PERRY GAUTHIER OF CAPITOL MINISTRIES IN LINCOLN, NEBRASKA, A GUEST OF SENATOR KINTNER. PLEASE RISE.

PASTOR GAUTHIER: (PRAYER OFFERED.)

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

ASSISTANT CLERK: THERE IS A QUORUM PRESENT, MR. PRESIDENT.

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

ASSISTANT CLERK: NO CORRECTIONS THIS MORNING.

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

ASSISTANT CLERK: THERE ARE, MR. PRESIDENT. YOUR COMMITTEE ON JUDICIARY REPORTS LB362, LB254, LB265. HEALTH AND HUMAN SERVICES REPORTS LR41, LB21, LB264, AND LB547. YOUR COMMITTEE ON REVENUE REPORTS LB414 TO GENERAL FILE. AMENDMENTS TO BE PRINTED: SENATOR HADLEY TO LB498. NEW RESOLUTIONS: LR133, LR134, AND LR135 OFFERED BY SENATOR STINNER. THOSE WILL BE LAID OVER. I HAVE A LIST OF REGISTERED LOBBYISTS FOR THE CURRENT WEEK, ALONG WITH AN ANNOUNCEMENT THAT VARIOUS AGENCY REPORTS HAVE BEEN FILED ELECTRONICALLY AND ARE AVAILABLE THROUGH THE LEGISLATURE'S WEB SITE. THAT'S ALL I HAVE THIS MORNING. (LEGISLATIVE JOURNAL PAGES 917-926.) [LB362 LB254 LB265 LR41 LB21 LB264 LB547 LB414 LB498 LR133 LR134 LR135]

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

ASSISTANT CLERK: MR. PRESIDENT, FIRST BILL FOR CONSIDERATION IS LB31 WHICH WAS INTRODUCED BY SENATOR BLOOMFIELD. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 8, REFERRED TO THE TRANSPORTATION COMMITTEE, WHICH REPORTED THE BILL TO GENERAL FILE WITH COMMITTEE AMENDMENTS. THE BILL WAS CONSIDERED YESTERDAY AT WHICH TIME THE COMMITTEE AMENDMENTS WERE OFFERED. (AM359, LEGISLATIVE JOURNAL PAGE 765.) [LB31]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED TO HAVE A SHORT SUMMARY OF YOUR BILL. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. LB31 WITH TRANSPORTATION AM359 SIMPLY AND RIGHTLY GIVES PEOPLE OVER THE AGE OF 21 THE RIGHT TO DECIDE FOR THEMSELVES WHETHER OR NOT THEY WISH TO WEAR A MOTORCYCLE HELMET WHEN THEY RIDE THEIR MOTORCYCLE. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN ON THE COMMITTEE AMENDMENT. JUST A SHORT OPENING. [LB31]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND COLLEAGUES, THE AMENDMENT RETAINS THE REQUIREMENT THAT OPERATORS AND PASSENGERS UNDER THE AGE OF 21 WEAR HELMETS ON MOTORCYCLES AND MOPEDS. HOWEVER, OPERATORS AND PASSENGERS 21 YEARS OF AGE AND OLDER WOULD BE EXEMPT FROM THIS REQUIREMENT. ADDITIONALLY, THE COMMITTEE AMENDMENT REQUIRES THAT AN OPERATOR OF A MOTORCYCLE OR MOPED SHALL WEAR EYE PROTECTION. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: MR. CLERK. [LB31]

ASSISTANT CLERK: MR. PRESIDENT, I DO HAVE AN AMENDMENT TO THE COMMITTEE AMENDMENTS FROM SENATOR BAKER, AM870. (LEGISLATIVE JOURNAL PAGES 926-927.) [LB31]

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

SENATOR BAKER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE HOUSE. LIKE MANY OF YOU, I'VE HAD CONSTITUENTS TALK TO ME, THIS FOR SEVERAL MONTHS NOW. SOME VERY, VERY MUCH WANT THE HELMET LAW REPEALED AND OTHERS, EQUAL NUMBER OF PEOPLE, ARE VEHEMENTLY AGAINST IT. AND I'VE BEEN FAIRLY CONSISTENT IN WHAT I'VE TOLD PEOPLE AND THAT IS I HAVE A HARD TIME SUPPORTING THE REPEAL OF THE HELMET LAW FOR A NUMBER OF REASONS. ONE, I HAVE A SISTER WHO IS RETIRED NOW WHO IS A NURSE WHO WORKED IN THE HEAD TRAUMA UNIT IN MADONNA HOSPITAL. AND SHE WOULD GIVE THE MANY SAD TALES OF YOUNG PEOPLE, MOSTLY MEN, WHOSE LIVES WERE SERIOUSLY ALTERED. I DID SAY THAT I WOULD OFFER--IF IT LOOKED LIKE THIS THING DID NOT HAVE ENOUGH FIREPOWER TO GO THROUGH IN TERMS OF REPEALING THE HELMET LAW--THAT I WOULD INTRODUCE AN AMENDMENT WHICH I'M NOW DOING. AND IT SAYS ESSENTIALLY THAT A PERSON OPERATING A MOTORCYCLE WHO IS AT LEAST 21 YEARS OF AGE SHALL NOT BE SUBJECT TO THE REQUIREMENTS--SUBSECTION 1 OF THIS SECTION--IF THE MOTORCYCLE IS BEING OPERATED NOT IN EXCESS OF 30 MILES PER HOUR IN A PARADE OR EXHIBITION AND THE PARADE OR EXHIBITION IS BEING CONDUCTED IN ACCORDANCE WITH APPLICABLE STATE LAW AND LOCAL ORDINANCES AND RESOLUTIONS. WITH THAT, I'LL TURN MY TIME BACK. THANK YOU. [LB31]

SPEAKER HADLEY: IN THE QUEUE IS SENATOR KRIST, SENATOR GLOOR, AND SENATOR KEN HAAR. SENATOR KRIST, YOU'RE RECOGNIZED. [LB31]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES AND GOOD MORNING, NEBRASKA. AND TO BE HONEST, I HAVE NOT LOOKED AT AM870, SENATOR BAKER, SO I WILL SIT DOWN AND DO THAT RIGHT NOW. BUT LAST NIGHT I WAS ABLE TO TAKE A LOOK AT AND TALK TO SENATOR BLOOMFIELD ABOUT AM359. YESTERDAY I SAID ON THE RECORD THAT I WOULD NOT BE ABLE TO SUPPORT IT. TODAY I'M TELLING YOU I WOULD SUPPORT AM359 AND OBVIOUSLY LB31. AND I WILL TAKE A REALLY GOOD LOOK AT AM870, SENATOR BAKER, AND BE BACK UP TO TALK ABOUT THAT AGAIN. THANK YOU, MR. PRESIDENT. [LB31]

SPEAKER HADLEY: (DOCTOR OF THE DAY INTRODUCED.) SENATOR GLOOR, YOU'RE RECOGNIZED. [LB31]

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SENATOR GLOOR: GOOD MORNING, MEMBERS. AND THANK YOU, MR. PRESIDENT. CARRYOVER FROM OUR DISCUSSION YESTERDAY, FIRST OF ALL, I WANT TO SAY I APPRECIATE SENATOR...DR. HILKEMANN FOR HIS LEADERSHIP AND HIS PASSION ON THIS ISSUE. OBVIOUSLY, HE BRINGS A DEGREE OF EXPERTISE AND CONCERN FROM A CLINICIANS' POINT OF VIEW THAT I THINK THE BODY IS WISE TO PAY ATTENTION TO. AND AGAIN, I APPRECIATE HIS LEADERSHIP AS WE WORK OUR WAY THROUGH THE AMENDMENTS ON THIS BILL BECAUSE WE'RE GOING TO BE ON IT FOR A WHILE. THERE WAS A COMMENT MADE YESTERDAY ABOUT THE DOLLARS AND THE ECONOMIC IMPACT AND THE DOLLARS FLOWING THROUGH CITIES THAT SUPPOSEDLY WE'RE WAVING GOOD-BYE TO BY CONTINUING TO HAVE A HELMET LAW IN EFFECT. AND IT WAS MENTIONED THAT GRAND ISLAND WOULD BE ONE OF THOSE COMMUNITIES. AND CERTAINLY AS PEOPLE HEAD UP THE ROAD TOWARDS STURGIS AND WE SEEM TO MAKE QUITE A BIG DEAL OUT OF THE ONE EVENT A YEAR THAT IS USED CONTINUALLY AS JUSTIFICATION FOR WHY WE OUGHT TO REPEAL THE HELMET LAW. BUT NEVERTHELESS, PEOPLE DO GO THROUGH GRAND ISLAND ON CYCLES. QUITE A FEW OF THEM ANYMORE ARE ALSO IN PICKUPS PULLING TRAILERS WITH MOTORCYCLES HIDDEN IN ENCLOSED TRAILERS BECAUSE THE ABILITY TO SIT ASTRIDE A MOTORCYCLE BECOMES MORE AND MORE CHALLENGING FOR CERTAIN MOTORCYCLE RIDERS. BUT I HAVE AN APPRECIATION FOR THAT AS I HAVE GROWN A LITTLE OLDER. BUT I HEAR THOSE MOTORCYCLES ROARING BY IN LATE JULY AND AUGUST AND I KNOW, OH, YEAH, NOW IS THE TIME THAT STURGIS IS IN PLACE. AND I ALSO KNOW, SINCE I'VE BEEN HERE ANYWAY, ONE OF THESE DAYS WE'RE GOING TO BE TALKING ABOUT THE HELMET LAW AGAIN. IT ALWAYS PROVES TO BE SOMEWHAT TRUE, UNFORTUNATELY. BUT THE MENTION WAS MADE ABOUT THE DOLLARS, THE ADDITIONAL DOLLARS THAT WOULD BE BROUGHT INTO THE COMMUNITY IF WE WERE ONLY TO REPEAL THE HELMET LAW. AND HAVING RUN THE HOSPITAL, MY IMMEDIATE REACTION TO THAT IS, I CAN ONLY IMAGINE HOW EXCITED THE STAFF OF THE HOSPITAL WOULD BE TO THINK ABOUT THE ADDED CHARITY CARE BURDEN THEY'RE GOING TO HAVE, IN ADDITION TO THE BATTLE THAT THEY'RE HAVING RIGHT NOW WITH BLUE CROSS BLUE SHIELD, TO HAVE THE POTENTIAL OF THAT ADDED CHARITY CARE HIT THEM SHOULD THE HELMET LAW BE REPEALED. I KNOW THE ER STAFF HAVE NOT BEEN QUIET IN BEING IN CONTACT WITH ME IN PAST YEARS AND I ASSUME I'LL HEAR FROM THEM EVENTUALLY THIS YEAR ABOUT PLEASE, PLEASE, PLEASE, GIVEN WHAT WE SEE COME THROUGH OUR EMERGENCY ROOM, PLEASE DON'T REPEAL THE HELMET LAW. WITH THAT IN MIND, I'D ALSO LIKE TO GO BACK AND REVIEW WHAT HAPPENED TO US YESTERDAY AT THE END OF THE DAY IN THIS CHAMBER. FIRST, A HISTORICAL REVIEW: THAT IS, IN 2013, THE MOTION TO INVOKE CLOTURE FAILED ON A VOTE OF 25 IN FAVOR, 22 NAYS, AND 2 NOT VOTING; 25 IN

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FAVOR, 22 NAYS AND 2 NOT VOTING, FAR SHORT OF THE 33 NEEDED TO INVOKE CLOTURE. YESTERDAY WE HAD A TRIAL CLOTURE VOTE. AND THIS IS THE EDUCATIONAL BEGINNING OF THE DAY BECAUSE A BRACKET MOTION GIVES US...I MEAN PEOPLE COULD ARGUE THAT WE SHOULD HAVE...THERE SHOULD HAVE BEEN A MOTION TO INDEFINITELY POSTPONE THE BILL, BUT SOME FOLKS FEEL THAT IS HARSH. I CERTAINLY AGREED WITH THAT. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR GLOOR: I THINK SENATOR BLOOMFIELD NEEDED AN OPPORTUNITY TO MAKE HIS CASE AND DID SO FOR ALMOST THREE HOURS YESTERDAY. AND INDEFINITELY POSTPONE USUALLY STRIKES FOLKS AS A SOFTER GLOVE. WE HAD 21 VOTES IN FAVOR OF THE BRACKET MOTION, 19 OPPOSED, 6 PRESENT AND NOT VOTING, AND 3 EXCUSED. AND IF YOU ADD TOGETHER THE NAYS AND THE PRESENT NOT "VOTINGS" AND THE 3 MEMBERS EXCUSED, YOU STILL FALL SHORT OF THE 33 NEEDED FOR CLOTURE. THERE AREN'T THE VOTES OUT THERE FOR CLOTURE ON THIS BILL. SO WE'LL CONTINUE TO TALK ABOUT IT AND MAYBE WE'LL HAVE ANOTHER TEST VOTE. BUT I WOULD ASK MEMBERS TO THINK ABOUT THE FACT THAT YESTERDAY'S BRACKET MOTION MADE IT CLEAR THAT THERE AREN'T THE VOTES OUT THERE TO KEEP...TO GET THIS BILL TO THE POINT WHERE IT CAN BE VOTED ON. [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

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

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

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I HAD A MOTORCYCLE UNTIL I WAS PROBABLY ALMOST 50. AND LET ME TELL YOU, THERE IS NOTHING BETTER ON A HOT SUMMER EVENING THAN TO GET ON A MOTORCYCLE AND GO OUT ON A HIGHWAY AND DRIVE. WELL, THERE MAY BE A FEW THINGS BETTER BUT I MEAN IT'S REALLY A HIGH POINT. BUT IN ALL MY YEARS OF RIDING, I DID HAVE A VERY SERIOUS ACCIDENT. AND I WANT TO TELL YOU ABOUT THAT AND IT'S THE REASON...THE UNDERPINNING REASON THAT I CAN'T SUPPORT LB31. I WAS GOING TO A CAMPAIGN MEETING FOR THE TIME...WELL, NOW YOU COULD SAY MAYOR COLEEN SENG, BUT AT THE TIME SHE WAS RUNNING FOR CITY COUNCIL. AND I WAS GOING TO A MEETING, IT WAS DUSK, IT WAS A LITTLE BIT RAINY OUT, A SPRING DAY. AND A WOMAN WHO HAD HAD A LET'S GET

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DIVORCED DISCUSSION WITH HER HUSBAND WENT THROUGH A YIELD SIGN AND BROADSIDED ME. AND, OF COURSE, IT WRECKED MY BIKE, IT PUT ME DOWN ON THE STREET. MY LEFT WRIST STILL TELLS ME I HAD A BROKEN WRIST, STILL TELLS ME WHEN THE WEATHER IS GOING TO CHANGE. AND, OF COURSE, I WAS WEARING A HELMET AND I BELIEVE THE HELMET SAVED MY LIFE. IF IT WOULDN'T HAVE BEEN FOR THE HELMET AT THAT TIME, THE COLLISION WAS SUCH THAT I THINK IF IT HADN'T KILLED ME, IT WOULD HAVE AT LEAST PROBABLY GIVEN ME SOME BRAIN INJURY. SO I'VE HAD THAT PERSONAL EXPERIENCE. I BELIEVE THAT HELMETS SAVE LIVES. AND JUST AS MANY OTHER THINGS THAT WE DO IN OUR SOCIETY AS LEADERS, WE DO PROTECT PEOPLE AND I THINK THAT'S A MATTER OF LEADERSHIP. I DON'T BELIEVE THIS IS A SLIPPERY SLOPE THAT WILL LEAD US TO REQUIRING HELMETS IN CARS AND HELMETS BY PEOPLE OVER THE AGE OF 70--AND I'M NOW 72--HAVING TO WEAR HELMETS IN THEIR HOMES WHEN THEY GO UP AND DOWN THE STAIRS. THAT KIND OF TALK IS RIDICULOUS. AND BY THE WAY, LAST WEEK OR THE WEEK BEFORE, WE DID PASS A BILL THAT REQUIRES CARBON MONOXIDE DETECTORS IN HOMES. IF EVERYBODY IS JUST SUPPOSED TO HAVE A CHOICE AND THE GOVERNMENT ISN'T SUPPOSED TO GET INVOLVED IN SAFETY ISSUES, WHY IN THE WORLD DID WE PASS THAT? I VOTED FOR IT. I THINK IT WAS ALMOST A UNANIMOUS VOTE AND IT WAS A GOOD VOTE. THERE ARE TIMES WHEN, AS LEADERS, WE RECOGNIZE THAT CERTAIN SAFETY THINGS ARE IMPORTANT, LIKE CARBON MONOXIDE CO MONITORS IN HOMES. AND I THINK WEARING HELMETS IS ANOTHER ONE OF THOSE SAFETY ISSUES THAT AS LEADERS, AS ELECTED LEADERS AND REPRESENTATIVES, I FEEL IT'S VERY APPROPRIATE. IT'S NOT A SLIPPERY SLOPE. IT'S DOING EXACTLY WHAT WE'RE SUPPOSED TO BE DOING. I THINK IT SAVES LIVES AND I THINK THAT'S THE IMPORTANT ISSUE. BUT I WANT TO TALK A LITTLE BIT ABOUT THE WHOLE MONEY PART OF IT. AT LEAST IN THE PAST, AND I FRANKLY HAVEN'T EVEN STUDIED THIS BILL AGAIN REALLY CAREFULLY BECAUSE WE'VE GONE THROUGH THIS SO MANY TIMES IN THE PAST. BUT IN THE PAST, IT REQUIRED ADDITIONAL INSURANCE BY PEOPLE WHO DON'T WEAR MOTORCYCLE HELMETS. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR HAAR: THANK YOU. WELL, WE'RE A SOCIETY IN WHICH IF SOMEBODY IS DOWN AND BLEEDING ON THE PAVEMENT, WE DON'T STOP AND LOOK TO SEE IF THEY HAVE AN INSURANCE CARD. WE DON'T STOP TO SEE IF THEY HAVE THAT EXTRA \$100,000 INSURANCE OR NOT. WE TAKE THEM TO THE HOSPITAL AND WE TREAT THEM WHETHER OR NOT THEY HAVE THAT INSURANCE. SO I ALSO BELIEVE THAT THE MONEY ISSUE IS NOT IMPORTANT BECAUSE NO MATTER WHO

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IT IS AND WHAT THE SITUATION, WE'RE GOING TO HELP PEOPLE IN NEED. THAT'S WHO WE ARE AS AMERICANS AND NEBRASKANS. SO WITH THAT, AGAIN, I STAND IN OPPOSITION TO LB31 AS I HAVE IN THE PAST. AND I CONTINUE TO LISTEN BUT I WILL NOT CHANGE MY MIND ON THIS ISSUE. THANK YOU VERY MUCH. [LB31]

SPEAKER HADLEY: LET'S PLEASE SHOW RESPECT TO THE SPEAKERS AND KEEP OUR CONVERSATIONS AT A LOW LEVEL, PLEASE. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. THANK YOU, MEMBERS OF THE BODY. SENATOR BLOOMFIELD, YESTERDAY YOU SAID WE REALLY HADN'T DISCUSSED ALL THE ISSUES THAT WERE INVOLVED IN THIS YET. AND MY SON POINTED OUT TO ME, BECAUSE HE LIKES TO...HE LISTENS TO THIS ON STREAMING. HE'S PROBABLY OUT THERE IF HE'S GOT A CHANCE, HE MAY BE LOOKING EVEN THIS MORNING. HE SAID, DAD, YOU GOT A LOT OF MEMBERS OF THE LEGISLATURE DON'T EVEN KNOW HOW TO PRONOUNCE YOUR NAME YET, YOU KNOW? SO I THOUGHT MAYBE THIS MORNING WE WOULD DO JUST A LITTLE ENLIGHTENING ON HOW TO PRONOUNCE MY NAME. IT'S NOT THAT DIFFICULT. SO YOU START OFF...IT'S JUST THREE SYLLABLES. YOU START OFF WITH THE WORD "HILL," AND THEN YOU HAVE LIKE A CROW, "CAW," AND YOU END IT WITH "MON," HILKEMANN, HILL-CAW-MON (PHONETICALLY.) WE COULD DO THIS LIKE WE DO IN TEACHING, WE COULD TRY TO DO THAT ALL TOGETHER. BUT AT EITHER RATE, I HOPE THAT HELPS PEOPLE BECAUSE I'VE HAD...I'M 67 YEARS OLD. I'VE HEARD IT PRONOUNCED JUST ABOUT EVERY WAY YOU COULD EVER IMAGINE. HINKLEMAN (PHONETICALLY,) HECKLEMAN (PHONETICALLY,) WHATEVER ELSE. BUT ANYWAY, I JUST WANT TO ENLIGHTEN THE MEMBERS OF THE BODY THAT IT IS HILL-CAW-MON (PHONETICALLY.) AND THEN THERE'S THIS THING ABOUT WHAT DO YOU CALL HIM? DO YOU CALL HIM BOB OR DO YOU CALL HIM ROBERT? WELL, LET ME TELL YOU A LITTLE BIT ABOUT THAT. WHEN I WAS GROWING UP, THERE WAS A YOUNG LADY IN TOWN AND HER NAME WAS BOBBI. AND WE HAD A NEIGHBOR, THE BOY WAS NAMED...THEY CALLED HIM BOBBY. WELL, I DIDN'T WANT TO BE MISTAKEN WHETHER I WAS A BOY, SO I INSISTED THAT PEOPLE CALL ME ROBERT. AND SO ALL OF MY LIFE UNTIL I GOT TO COLLEGE EVERYBODY ALWAYS CALLED ME ROBERT. AND THEN WHEN I GOT TO COLLEGE I TOLD EVERYBODY I WAS ROBERT AND SO EVERYBODY CALLED ME ROBERT. IT WASN'T UNTIL I ACTUALLY GOT OUT IN THE PROFESSION THAT PEOPLE, SOME PEOPLE STARTED CALLING ME BOB. IT REALLY DOESN'T MAKE A DIFFERENCE TO ME. JUST DON'T CALL ME LATE TO DINNER. SO I PREFER ROBERT BUT IF YOU CALL ME BOB, I'LL STILL LOVE YOU ANYWAY. BUT JUST A LITTLE MORE INSTRUCTION HERE THAT WE COULD HAVE HERE FOR THE BODY TODAY,

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SO THANK YOU FOR THAT. IN FACT, ONE OF THE BIG CONVERSATIONS I HAD WITH MY CAMPAIGN MANAGER WAS WHEN I RAN, HE SAID, WE'RE GOING TO RUN YOU AS BOB. WHEN MY KIDS SAW THAT FIRST POSTER THAT CAME OUT SAID BOB HILKEMANN FOR LEGISLATURE, THEY SAID, DAD, YOU CAN'T DO THAT, YOU'VE ALWAYS BEEN ROBERT. IF YOU DO IT BOB, YOU WILL NEVER GO BACK TO ROBERT. WELL, THAT'S A LITTLE STORY ON THAT AND SO AT EITHER RATE, I HOPE THAT THAT HELPS SOME PEOPLE WHEN YOU SAY, HOW DO YOU PRONOUNCE THAT GUY'S NAME? SO I WANT TO HELP OUT WITH IT A LITTLE BIT. WELL, LET'S GET SERIOUS HERE A LITTLE BIT BECAUSE THIS IS A VERY SERIOUS ISSUE. I WANTED TO ADD A LITTLE LEVITY TO WHAT WE'VE GOTTEN GOING ON WITH CONVERSATION. YOU KNOW, THERE'S A UNIVERSITY THAT HAS RATHER...IT'S CONSIDERED RATHER HIGH IN THE ACADEMIC STANDINGS. AND I THINK WE JUST NEED...WE HAVE OUR OPINIONS, WE HAVE OUR THOUGHTS. BUT THERE IS A UNIVERSITY CALLED JOHNS HOPKINS UNIVERSITY. THEY HAVE THE BLOOMBERG SCHOOL OF PUBLIC HEALTH. JOHNS HOPKINS, AS YOU WELL KNOW, IS ONE OF THE MOST RESPECTED MEDICAL CENTERS IN THE UNITED STATES. AND THEY DID A STUDY AND I'M JUST GOING TO READ THE ABSTRACT OF THE STUDY. IT'S ABOUT A 25-PAGE LONG AND WE MAY HAVE TO READ THE WHOLE THING BEFORE IT'S DONE... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR HILKEMANN: ...BUT I'LL START OFF WITH THE ABSTRACT. OH, I CAN GET THROUGH THAT IN A MINUTE. SO ANYWAY, THERE IS EVIDENCE...THE BACKGROUND IS THERE IS EVIDENCE TO SUGGEST THAT MOTORCYCLE HELMETS ARE EFFECTIVE AT REDUCING FATALITIES. OVER THE LAST 40 YEARS, STATES HAVE INCREASED AND DECREASED MANDATORY HELMET USE AT VARIOUS TIMES. THIS PAPER SUMMARIZES THE MAGNITUDE OF THE PROBLEM, ANALYZED VARIOUS HELMET USE LAWS ADOPTED THROUGHOUT THE UNITED STATES, REVIEWS ETHICAL ARGUMENTS OF COMPULSORY HELMET USE, AND MEASURES THE UTILITY OF MOTORCYCLE HELMETS THROUGH A RETROSPECTIVE RESEARCH STUDY. MR. SPEAKER, I WILL PROBABLY BE SPEAKING ON THIS LATER ON. THAT'S THE BACKGROUND OF THE STUDY. I'LL GIVE YOU THE RESULTS OF THE STUDY BECAUSE THEY'RE PRETTY DOGGONE SIGNIFICANT. I THINK THAT THE MORE FACT BASED THAT WE CAN KEEP THIS CONVERSATION, THE BETTER OFF WE WILL BE. THANK YOU, MR. SPEAKER. [LB31]

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

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SENATOR GROENE: I'M GOING TO MAKE IT EASY ON MYSELF, I'M GOING TO CALL ROBERT THE SENATOR FROM DISTRICT 4. I CAN PRONOUNCE THAT CORRECTLY. I'VE TOLD A LOT OF THE AIDES AND THE LOBBYISTS AROUND HERE, INSTEAD OF REMEMBERING THEIR NAMES, SINCE THEY CALL ME SENATOR WHEN I MEET THEM IN THE HALL, I'M GOING TO CALL THEM LOBBYIST OR AIDE. IT'S EASIER TO REMEMBER THAT. EVENTUALLY I'LL GET TO THE POINT WHERE I KNOW NAMES. BUT I WANT TO REPEAT A COUPLE OF WELL-MADE POINTS YESTERDAY. GOVERNMENT SHOULD PROTECT OUR FREEDOM BY PROTECTING US FROM EACH OTHER. IT HAS NO RESPONSIBILITY TO PROTECT US FROM OURSELVES. WELL-MEANING PEOPLE SHOULD ADVISE THEIR NEIGHBOR ABOUT WHAT BEHAVIOR THEY LIKE, WHAT RELIGION IS RIGHT, WHO THE RIGHT GOD IS, WHO THE GOOD DOCTOR IS IN AMERICA. CROSSES THE LINE WHEN WE START TELLING PEOPLE WHAT CHURCH TO BELONG TO, HOW WE SHOULD TAKE CARE OF OUR PERSONAL HEALTH, NOT WHEN WE DICTATE IT TO THEM, IF WE RIDE A MOTORCYCLE WITH A HELMET OR NOT. THAT IS A PERSONAL FREEDOM THAT AFFECTS NO ONE ELSE. I'M SURE IN THIS BODY OVER THE YEARS BEFORE "OBAMACARE" THE BIG ARGUMENT WAS IT DRIVES UP EVERYBODY'S HEALTH INSURANCE. WELL, THAT'S GONE. THAT'S GONE. OBAMACARE HAS TAKEN CARE OF THAT. IT'S DRIVING UP OUR HEALTHCARE COSTS AND OUR INSURANCE COSTS. IT WAS SAID BY A WELL-MADE POINT BY SENATOR LARSON, LIFETIME LIMITS ARE GONE. SO AUTOMATICALLY IN THE PAST IF SOMETHING HAPPENED TO YOU AND YOU HIT YOUR LIFETIME LIMIT WITH YOUR POLICY, YOU PROBABLY WENT TO MEDICAID. IT'S GONE. THAT ARGUMENT IS GONE. WE ARE ALSO...ANOTHER POINT, WE ARE IN THE MINORITY WITH OUR PRESENT HELMET LAW. MAYBE WE NEED TO CHANGE NEBRASKA TO NICE TO NEBRASKA TO NANNY STATE. "N" FOR NANNY, NOT "N" FOR NICE. WE'RE IN THE MINORITY. ALL OF OUR NEIGHBORS EXCEPT MISSOURI DO NOT HAVE A RESTRICTIVE HELMET LAW. NINETEEN STATES HAVE A HELMET LAW, TWENTY-EIGHT HAVE A LIMITED REQUIREMENT, WHICH SENATOR BLOOMFIELD'S LAW WILL CHANGE OURS TO, THREE HAVE NO REQUIREMENT WHATSOEVER AND THAT INCLUDES IOWA. THE POINT IS FREEDOM IS FREEDOM. I WILL ARGUE AGAIN ECONOMICS. MY LOCAL TOURISM BUREAU ASKED ME TO SUPPORT SENATOR BLOOMFIELD'S LAW BECAUSE WE SIT--AS YOU KNOW, NORTH PLATTE, LINCOLN COUNTY--HALFWAY BETWEEN DENVER AND CHEYENNE AND OMAHA. WE HAVE A STRIVING HOTEL BUSINESS. AND DON'T TELL ME WHAT SOMEBODY SAID, FROM AN ORGANIZATION, THAT THIS WON'T MAKE A DIFFERENCE. IN MY OCCUPATION, I TRAVEL WESTERN KANSAS, EASTERN COLORADO, WYOMING, AND I SEE IT EVERY SUMMER. EVERY SUMMER WHEN I GO TO COLBY, KANSAS; HAYS, KANSAS; SALINA, KANSAS; ALONG I-70, FORT MORGAN, COLORADO; BURLINGTON, COLORADO; WHEN I TRAVEL IN MY CAREER, IN THE SUMMER I HAVE TO GET A RESERVATION A MONTH OR SO IN

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ADVANCE. AND THE ONLY THING THAT FRUSTRATES ME IS THE MOTORCYCLE GUYS PARK UNDER THE CANOPY BECAUSE THEY'RE AFRAID OF HAIL. THE BIKES ARE EVERYWHERE IN THOSE HOTEL LOTS. THEY'RE EVERYWHERE. WHEN I GO BACK TO NORTH PLATTE... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR GROENE: ...I DO NOT SEE THAT. I DO NOT SEE THOSE MOTORCYCLES PARKED IN OUR HOTEL LOTS. THAT'S ECONOMIC DEVELOPMENT, BIG TIME, WITHOUT A SPECIAL PROGRAM. JUST GIVE PEOPLE THEIR FREEDOM. SO ALL OF A SUDDEN YOUR CONCERNS DISAPPEAR WHEN WE CROSS AN IMAGINARY LINE CALLED THE STATE LINE. YOU DON'T CARE ABOUT THEIR HEALTHCARE. YOU DON'T CARE ABOUT THEIR HELMETS THERE; JUST HERE. IF YOU'RE WORRIED ABOUT...IF A PERSON FROM PENNSYLVANIA, NEW YORK, FLORIDA COMES THROUGH OUR STATE AND HAS AN ACCIDENT, HOW DOES THAT AFFECT US? THEY GO BACK HOME. THEY GO BACK HOME IN ASSISTED LIVING CARE IF THEY HAVE A PROBLEM. THAT'S WHERE THEY GO. SO DO WE TAKE PEOPLE'S RIGHTS AWAY FROM THEM? HOW FAR DO YOU WANT TO TAKE THIS? I DON'T DRIVE A MOTORCYCLE. I HAVE NO PLANS TO. I DON'T EVEN DRIVE A BICYCLE AND I'D LIKE TO PUT A LAW THAT THEY'RE OFF THE ROAD. LET'S JUST GET THEM OFF THE ROAD. PEOPLE GET HURT. LET'S GET THEM MOTORCYCLES OFF THE ROAD. LET'S GET THESE BICYCLES OFF THE ROAD. [LB31]

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

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I HAVEN'T ENGAGED IN THIS CONVERSATION THUS FAR, NOT BECAUSE I'M NOT INTERESTED IN IT OR CONCERNED ABOUT IT. AND THE FACT THAT I DON'T LIKE MOTORCYCLES IS NO EXCUSE EITHER. I CAN PROBABLY COUNT ON ONE HAND THE TIMES THAT I'VE BEEN ON A MOTORCYCLE. AND THIS WILL DATE ME BECAUSE I'M QUITE SURE THAT I DIDN'T HAVE A HELMET ON WHEN I WAS RIDING THE MOTORCYCLE WITH MY BOYFRIEND IN HIGH SCHOOL WHO, I WOULD UNDERSCORE, IS NOT MY HUSBAND NOW. BUT MY HUSBAND KEPT ASKING ME DURING THIS DEBATE, WELL, HOW MANY STATES HAVE LAWS REGARDING MOTORCYCLES? HOW MANY HELMETS? HOW MANY DON'T? AND SO I ACTUALLY USED SENATOR HILKEMANN'S INFORMATION TO DELVE IN THAT A LITTLE BIT DEEPER. AND AGAIN, THIS WILL DATE ME AND TELL YOU WHEN I WAS IN HIGH SCHOOL BECAUSE IT WAS IN 1967 WHEN STATES WERE REQUIRED

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BY OUR CONGRESSIONAL OFFICE TO ENACT HELMET USE LAWS IN ORDER TO QUALIFY FOR CERTAIN FEDERAL SAFETY PROGRAMS AND HIGHWAY CONSTRUCTION FUNDS. SO AT THAT TIME, THE MAJORITY OF THE STATES DID HAVE A LAW SIMILAR TO OURS, A UNIVERSAL HELMET LAW. BUT THEN THE CONVERSATION BEGAN AND CONGRESS WAS LOBBIED TO CHANGE IT. SO EVENTUALLY, IN 1976, CONGRESS CHANGED TO STOP THE DEPARTMENT OF TRANSPORTATION FROM ASSESSING FINANCIAL PENALTIES ON STATES WITHOUT HELMET LAWS. SO THIS CONVERSATION HAS BEEN GOING ON A LONG TIME. CURRENTLY, ACCORDING TO AGAIN THE INFORMATION THAT SENATOR HILKEMANN HAS PROVIDED US, WE ARE AMONG 19 STATES THAT HAVE UNIVERSAL HELMET LAWS. IF WE WERE TO ADOPT AM359, WHICH INSTIGATES A 21-YEARS-OF-AGE LIMITATION ON REQUIRING A HELMET, WE WOULD JOIN 28 STATES WITH WHAT'S CALLED A PARTIAL HELMET LAW. NOW, AS I THOUGHT THROUGH THIS, I DON'T THINK THAT'S NECESSARILY A BAD THING. AND, OF COURSE, WE ARE IN MANY SITUATIONS DOWN HERE, INVOLVED IN COMPROMISE. SO I THINK THAT WOULD PROBABLY BE AN ACCEPTABLE THING. AND I'M TAKING A CLOSE LOOK ALSO AT AM870 OF SENATOR BAKER'S, BECAUSE I SEE A LOT OF FREEDOM RIDERS GO TO MANY OF THE CELEBRATIONS IN DISTRICT 41. AND THEY ARE SUCH GOOD PEOPLE THAT USE THEIR MOTORCYCLES AND REPRESENT THE MILITARY AND DO IT SO ADMIRABLY IN ALL OF THESE SITUATIONS AND AS I READ SENATOR BAKER'S AMENDMENT, IT WOULD APPLY TO THEM. SO I'M LISTENING. I THINK YOU PROBABLY FROM MY COMMENTS CAN SEE THAT I AM IN SUPPORT OF AM359 AND ALSO LB31. THANK YOU, MR. PRESIDENT. [LB31]

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

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I RISE IN SUPPORT OF LB31 AND WOULD YIELD THE REMAINDER OF MY TIME TO SENATOR MURANTE. [LB31]

SPEAKER HADLEY: SENATOR MURANTE, YOU'RE YIELDED 4 MINUTES AND 45 SECONDS. [LB31]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD MORNING. IT'S PERHAPS A BIT FORTUITOUS THAT I FOLLOW SENATOR SULLIVAN BECAUSE AS YOU KNOW, WE'RE IN THE MIDST OF A FILIBUSTER, SO WE'LL TALK ABOUT VARIOUS THINGS. SO I'M GOING TO TALK FOR THIS TIME AT THE MICROPHONE A LITTLE BIT ABOUT THE LEARNING COMMUNITY. WE JUST HEARD A VERY GOOD

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SPEECH ABOUT THE NEED FOR COMPROMISE AND COMING TOGETHER TO ACHIEVE REFORM AND TO MOVE NEBRASKA FORWARD. AND I BELIEVE ON THIS SUBJECT THAT I HAVE BEEN EXTREMELY PATIENT, PERHAPS MORE THAN I SHOULD BE, AS I SIT WITH A BILL IN THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE IN SUFFICIENT SUPPORT TO ADVANCE IT TO THE FLOOR, TO ACTUALLY REFORM THE LEARNING COMMUNITY. BUT I'VE BEEN PATIENT AND I'VE WAITED AND I'VE WATCHED AS THE EDUCATION COMMITTEE DOES ITS WORK BECAUSE I BELIEVE THAT THERE ARE GOOD PEOPLE ON THAT COMMITTEE WHO UNDERSTAND THAT WE CAN ACCOMPLISH THE GOALS OF PROVIDING ADEQUATE SUPPORT FOR THE SCHOOLS IN EAST OMAHA, THE SCHOOLS THAT NEED IT MOST, AND DO IT WITHOUT OFFENDING TAXPAYERS IN BOTH DOUGLAS AND SARPY COUNTY IN A WAY THAT WOULD BUILD CONSENSUS TO EVERY MEMBER OF THE LEARNING COMMUNITY. SO I'VE BEEN PATIENT AND AS WE SIT HERE ON THE FORTY-NINTH LEGISLATIVE DAY AND I WOKE UP THIS MORNING AND HAD A CUP OF COFFEE WITH MY WIFE, I OPENED THE OMAHA WORLD-HERALD. AND IT TURNS OUT AND I FIND THAT IN THE MIDDLE OF A DEBATE IN THE LEGISLATURE ABOUT HOW TO REFORM THE LEARNING COMMUNITY, THE LEARNING COMMUNITY ANNOUNCES THAT THEY'RE RAISING THEIR PROPERTY TAXES IN THE MIDDLE OF THE DEBATE ON THE FORTY-NINTH LEGISLATIVE DAY. SO I HAVE TO ASSUME THAT EVERYTHING THAT WE'VE TALKED ABOUT, EVERY IDEA THAT I'VE COME UP WITH, EVERY ATTEMPTED COMPROMISE THAT I HAVE TRIED TO MAKE FOR THE LAST TWO YEARS--THAT I ALSO WANT TO COMMEND SENATOR SMITH IN HIS EFFORTS TO IMPROVE THE LEARNING COMMUNITY WITHOUT DESTROYING IT--THAT THAT HAS ALL BEEN A JOKE, BECAUSE THERE APPEARS TO BE NO SERIOUS CONSIDERATION FOR REFORMING THE LEARNING COMMUNITY THAT TAKES INTO CONSIDERATION THE TAXPAYERS...FROM ALL OF THE TAXPAYERS IN DOUGLAS AND SARPY COUNTY. SO WHAT I AM GOING TO ASK RIGHT NOW IS THAT THE LEARNING COMMUNITY RETRACT ITS PLAN TO RAISE PROPERTY TAXES IN THE MIDDLE OF A DISCUSSION ABOUT HOW TO REFORM THE LEARNING COMMUNITY. STOP ANY TALK OF RAISING PROPERTY TAXES UNTIL WE FIGURE OUT WHAT WE'RE DOING DOWN HERE, BECAUSE THERE WILL BE A DISCUSSION ON HOW TO REFORM THE LEARNING COMMUNITY BY THIS NEBRASKA LEGISLATURE ONE WAY OR THE OTHER. BUT IN MY VIEW, THE ANNOUNCEMENT TODAY, THE TIMING WAS TOTALLY TONE DEAF. IT WAS A SLAP IN THE FACE TO THOSE OF US WHO ARE GENUINELY TRYING TO DO WHAT'S RIGHT FOR KIDS IN NEED WHILE PROTECTING THE INTEREST OF EVERY TAXPAYER, AND IT CAN BE DONE. THOSE TWO GOALS ARE NOT IN CONFLICT WITH EACH OTHER AND IF WE CAN'T COME TO A COMPROMISE, IT'S BECAUSE WE HAVEN'T TRIED HARD ENOUGH. THANK YOU, MR. PRESIDENT. [LB31]

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SPEAKER HADLEY: SENATOR MURANTE, YOU'RE NEXT IN THE QUEUE. SENATOR MURANTE WAIVES. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB31]

SENATOR GLOOR: THANK YOU, MR. SPEAKER. GOOD MORNING AGAIN, MEMBERS. I WONDER IF SENATOR BAKER WOULD YIELD FOR SOME QUESTIONS. [LB31]

SPEAKER HADLEY: WILL SENATOR BAKER YIELD? [LB31]

SENATOR BAKER: YES, I WOULD. [LB31]

SENATOR GLOOR: SENATOR BAKER, THANK YOU. WOULD YOU...AS I'VE BEEN RUNNING AROUND TRYING TO DEAL WITH SOME ISSUES RELATED TO THIS BILL AND OTHERS, HAVEN'T HAD A CHANCE TO READ THROUGH YOUR AMENDMENT. WOULD YOU MIND COVERING YOUR AMENDMENT AGAIN FOR ME SO THAT I BETTER UNDERSTAND IT. [LB31]

SENATOR BAKER: CERTAINLY. THIS BASICALLY WOULD PROVIDE THAT THE HELMET LAWS REMAIN IN PLACE EXCEPT FOR PARTICIPANTS IN A PARADE OR EXHIBITION AND IN ACCORDANCE WITH APPLICABLE STATE LAW AND LOCAL ORDINANCES AND RESOLUTIONS. [LB31]

SENATOR GLOOR: DOES IT SPEAK AT ALL TO ISSUES LIKE HAVING PARADE PERMITS? I MEAN, HOW DO WE DEFINE A PARADE? IF A GROUP OF RIDERS TO STURGIS DECIDED TO CALL FOR A PARADE IN OMAHA ALL THE WAY NORTH OF CHADRON TO THE SOUTH DAKOTA BORDER, CAN THEY DESIGNATE THAT AS A PARADE AND PUT STREAMERS ON THEIR MOTORCYCLES AND FLOWERS BEHIND THEIR EARS, ASSUMING THE FLOWERS WON'T BLOW OFF GOING 75 MILES AN HOUR? BUT CAN THEY CALL THAT A PARADE AND RIDE ACROSS OUR STATE WITHOUT A HELMET? [LB31]

SENATOR BAKER: NO. A PARADE NEEDS TO BE APPROVED BY A VILLAGE, TOWN, CITY SO THAT A PERSON JUST CAN'T SAY, I'M IN A PARADE, I CAN DO WHAT I WANT TO. [LB31]

SENATOR GLOOR: AND ONE OF THE OTHER TERMS THAT WAS USED WAS EXHIBITIONS. CAN YOU ALSO DEFINE EXHIBITIONS FOR ME, PLEASE? [LB31]

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SENATOR BAKER: WELL, I SUPPOSE IT COULD BE--I DON'T KNOW--THE MOTORCYCLES THAT RIDE IN PARADES, THE--NOT MASONS--BUT YOU KNOW WHAT I'M TALKING ABOUT. THE SHRINERS, I GUESS THAT WOULD BE A EXHIBITION. [LB31]

SENATOR GLOOR: AND THE REASON I'M ASKING YOU THESE QUESTIONS, SENATOR, IS TO MAKE SURE I GET ON THE RECORD, SHOULD THE ISSUE EVER NEED TO BE ANALYZED, SOME DISCUSSION AND DEBATE ABOUT WHAT THE INTENT WAS BEHIND THIS AMENDMENT SHOULD IT PASS. BUT WE'RE NOT THINKING OF EXHIBITIONS IN TERMS OF, AGAIN, A GROUP OF PEOPLE WHO DECIDE THEY WANT TO RIDE FROM OMAHA TO THE I-76 COLORADO BORDER AND CALL THEMSELVES THE EXHIBITION OF THE TRAVELING TRIUMPHS, IF TRIUMPH EVEN MAKES MOTORCYCLES ANYMORE. I DON'T KNOW. BUT THE DEFINITION OF EXHIBITION, YOU BELIEVE IN THE AMENDMENT, IS TIGHT ENOUGH SO THAT WE WOULDN'T HAVE PEOPLE WHO VERY LOOSELY DECIDE TO CALL THEMSELVES PART OF AN EXHIBITION AND MOVE EAST TO WEST, WEST TO EAST, ACROSS OUR STATE WITHOUT HELMETS? [LB31]

SENATOR BAKER: WELL, TYPICALLY THERE WOULD BE A CLAUSE IN THERE TO SAY NOT IN EXCESS OF 30 MILES AN HOUR. SO YOU'RE NOT OPENING UP TO SAY, WELL, WE CAN CALL MOST ANYTHING A PARADE. YOU KNOW, PARADES...WE'VE BEEN IN ENOUGH OF THEM CAMPAIGNING. I'M SURE YOU'VE BEEN IN SEVERAL YOURSELF. [LB31]

SENATOR GLOOR: I THINK THAT'S HELPFUL. CLEARLY THERE AREN'T MANY OF US THAT HAVE THE PATIENCE... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR GLOOR: ...TO DRIVE ANYTHING, LET ALONE A MOTORCYCLE AT 30 MILES AN HOUR ACROSS THE STATE. THERE HAVE BEEN REFERENCES TO CONESTOGAS AND DRIVEN OXEN AND ALL OF THE OTHER DANGEROUS ACTIVITIES UNDERTAKEN BY OUR PREDECESSORS, THE SETTLERS OF THIS GREAT STATE. SOME OF THEM PROBABLY COULD TRAVEL AT HALF THAT SPEED WITH A GOOD GALLOP ON A HORSE AND WE WOULDN'T HAVE EXPECTED THEM TO HAVE A HELMET. BUT CLEARLY, DRIVING AND GOING AT 30 MILES AN HOUR FITS INTO THAT CATEGORY. I APPRECIATE THE EXPLANATIONS. I'M STILL NOT 100 PERCENT SURE THAT I'M SUPPORTIVE OF THE AMENDMENT. ON THE OTHER

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HAND, I'M GLAD WE'VE GOT ON THE RECORD WHAT THE INTENT WAS BEHIND THE RECORD. THANK YOU. AND THANK YOU, MR. PRESIDENT. [LB31]

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

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. AND I APPRECIATE SENATOR GLOOR'S LINE OF QUESTIONING. AND IF SENATOR BAKER WILL YIELD TO A FEW MORE QUESTIONS, I HAVE A FEW JUST ALONG THE SAME LINES. [LB31]

SPEAKER HADLEY: WILL SENATOR BAKER YIELD? [LB31]

SENATOR BAKER: CERTAINLY. [LB31]

SENATOR BOLZ: THANK YOU, SENATOR BAKER. I, TOO, AM TRYING TO SORT OUT MY UNDERSTANDING OF THIS AMENDMENT. AND ONE OF THE QUESTIONS I HAVE IS, WHY 30 MILES PER HOUR? IS THERE A REASON? IS THERE INCREASED SAFETY WHEN YOU SLOW TO THE SPEED OF 30 MILES AN HOUR VERSUS 40 OR 20? [LB31]

SENATOR BAKER: WELL, I THINK THAT WOULD HAVE FACE VALIDITY THAT THE VEHICLE GOING UNDER 30 IS GOING TO BE MORE SAFE THAN ONE GOING 60 OR 70. [LB31]

SENATOR BOLZ: CERTAINLY. I AGREE THAT THERE WOULD BE INCREASED SAFETY FOR AN INDIVIDUAL GOING 30 MILES AN HOUR VERSUS 60 MILES AN HOUR. BUT MY UNDERSTANDING, AND I'M NO PHYSICIST, IS THAT THE PROTECTION OF AN INDIVIDUAL'S BRAIN RELATES NOT JUST TO THE SPEED OF THE VEHICLE, BUT ALSO TO THE HEIGHT FROM WHICH THE INDIVIDUAL WOULD FALL, THE ANGLE, THE INDIVIDUAL'S PHYSIOLOGY. AND SO I'M JUST NOT SURE WHETHER 30 MILES AN HOUR IS A APPROPRIATE SPEED TO SET THIS AT IN ORDER TO ARGUE THAT THIS IS A SAFE SPEED FOR AN INDIVIDUAL TO GO WITHOUT A HELMET. SWITCHING GEARS A LITTLE BIT, I'M ALSO CURIOUS ABOUT WHY THE AMENDMENT SETS THE AGE AT AGE 21. IF YOU HAVE A RESPONSE, I'D LOVE TO HEAR IT. [LB31]

SENATOR BAKER: WELL, I THINK THAT AGE 21 IS SPECIFIED IN OTHER AREAS AS FAR AS WHEN HELMETS ARE REQUIRED. THE WHOLE PURPOSE OF THIS IS TO, IN THE EVENT THAT THERE'S NOT ENOUGH VOTES FOR THE PROPONENTS OF THE

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REPEAL OF THE MOTORCYCLE HELMET LAW, SO THEY WOULD HAVE SOMETHING. I THINK THE PARTICIPATION OF A PARADE...I'VE BEEN IN MANY PARADES. I HAVEN'T BEEN IN ONE YET GOING 30 MILES AN HOUR, YOU KNOW. I'VE HAD TO WALK BRISKLY AT TIMES, BUT NORMALLY... [LB31]

SENATOR BOLZ: VERY GOOD. I THINK I UNDERSTAND AND I APPRECIATE THAT PERSPECTIVE. THOUGH I GUESS I'M CONCERNED THAT PERHAPS THIS IS MORE THE CREATION OF A LOOPHOLE THAN A VIABLE ALTERNATIVE. AND I THINK ONE OF THE THINGS THAT I WOULD HAVE TO SAY OR I WOULD HAVE TO SHARE IS THAT THE RECENT SCIENCE SHOWS THAT BRAIN DEVELOPMENT REALLY EXTENDS TO AGE 25. SO IF WE'RE THINKING ABOUT THE PROTECTION OF THE BRAIN FOR PEOPLE WHO ARE YOUNGER, THE SCIENCE SAYS THAT PARTICULARLY THE PREFRONTAL CORTEX, YOUR EXECUTIVE FUNCTIONS, YOUR DECISIONMAKING ABILITIES, THOSE CONTINUE TO DEVELOP UNTIL AGE 25, PARTICULARLY FOR MALES. AND WHY THAT'S IMPORTANT IN THE CONTEXT OF DRIVING A VEHICLE IS THAT YOUR PREFRONTAL CORTEX IS WHERE YOU'RE MAKING DECISIONS, WHERE YOU'RE ABLE TO EXECUTE AND OPERATE AND MANAGE DIFFERENT FACTORS THAT ARE COMING TOWARDS YOU. HOW DO YOU MANAGE THE KID RUNNING AFTER CANDY VERSUS THE HORSE THAT'S IN FRONT OF YOU VERSUS THE SPEED OF YOUR MOTORCYCLE? SO I THINK IN THIS AMENDMENT AND IN THE TRANSPORTATION COMMITTEE'S AMENDMENT PERHAPS THE RIGHT AGE, IF WE ARE TO CONSIDER PUTTING AN AGE INTO THIS PIECE OF LEGISLATION, IS 25 RATHER THAN 21. I WOULD ALSO SAY FROM A TAXPAYER PERSPECTIVE THAT THE VALUE OF A PUBLIC STUDENT'S BRAIN IS REALLY VALUABLE. AS A TAXPAYER, I HAVE INVESTED THOUSANDS OF DOLLARS A YEAR IN THE DEVELOPMENT OF A CHILD'S BRAIN. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR BOLZ: AND I THINK THE PROTECTION OF BRAINS IS AN APPROPRIATE ROLE AND I DON'T THINK THAT I'LL BE ABLE TO SUPPORT THIS AMENDMENT. AND I APPRECIATE AND THANK YOU FOR YOUR ANSWERS, SENATOR BAKER. THANK YOU, MR. PRESIDENT. [LB31]

SENATOR COASH PRESIDING

SENATOR COASH: THANK YOU, SENATOR BOLZ. MR. CLERK, YOU HAVE SOME ITEMS? [LB31]

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ASSISTANT CLERK: I DO, MR. PRESIDENT, THANK YOU. I HAVE NEW BILLS. (READ LB242A AND LB489A BY TITLE FOR THE FIRST TIME.) YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB356, LB89, LB498, AND LB367 TO SELECT FILE. NEW RESOLUTION: LR136 BY SENATOR KOLTERMAN. THAT WILL BE LAID OVER. AND NOTICE OF COMMITTEE HEARINGS BY THE AGRICULTURE COMMITTEE AND BY NATURAL RESOURCES. (LEGISLATIVE JOURNAL PAGES 927-932.) [LB242A LB489A LB356 LB89 LB498 LB367 LR136]

SENATOR COASH: THANK YOU, MR. CLERK. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I'M CONCERNED ABOUT AM359. SENATOR BAKER, WOULD YOU YIELD TO A QUESTION? [LB31]

SENATOR COASH: SENATOR BAKER, WILL YOU YIELD? [LB31]

SENATOR BAKER: YES. [LB31]

SENATOR HILKEMANN: NOW YOU SAY THAT THEY COULD BE IN A PARADE WITHOUT A HELMET ON AS LONG AS THEY WERE NOT GOING MORE THAN 30 MILES AN HOUR. AND I ALSO THINK YOU MENTIONED THAT YOU HAD NEVER...YOU WEREN'T A CYCLIST YOURSELF. [LB31]

SENATOR BAKER: I HAVE. I'VE NEVER OWNED ONE. I WAS TOO POOR TO HAVE A CAR AND A MOTORCYCLE, SO BEING A YOUNG MAN IN THE '60S, I OPTED FOR THE CAR. [LB31]

SENATOR HILKEMANN: OKAY. WELL, ONE OF THE PROBLEMS I HAVE WITH THAT IS THAT IT'S REALLY DIFFICULT TO...MOTORCYCLE HELMETS ARE RATHER LARGE AND YOU PUT THEM UNDERNEATH YOUR...SO WHAT ARE THEY GOING TO DO? UNLESS THEY HAVE IT ATTACHED ON...WHAT I'M CONCERNED ABOUT IS HOW ARE THEY GOING TO GET THERE WITHOUT HAVING...IF THEY'RE GOING TO BE IN THE PARADE WITHOUT THE HELMET. THAT WOULD BE A CONCERN FOR ME. I CAN UNDERSTAND. I THINK I COULD LIVE WITH THIS EXCEPT ONE THING. I JUST REMEMBER THE ONE MOTORCYCLE ACCIDENT THAT I HAD WHEN I HAD MY LAST MOTORCYCLE. AND I WAS STOPPED AT A STOP SIGN AND I HAD MY LEG DOWN WHILE I WAS WAITING FOR THE LIGHT TO CHANGE AND IT WAS ON SOME GRAVEL AND I LEANED A LITTLE BIT TO THE RIGHT AND I WENT DOWN. AND

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THAT CYCLE WENT UNDERNEATH ME AND I FLIPPED OVER ONTO THE SIDE. AND SO JUST BECAUSE A MOTORCYCLE ISN'T GOING FAST DOES NOT MEAN THAT IT CAN'T UPSET OR THAT YOU CAN'T HAVE AN ACCIDENT WITH IT. AND SO IT'S A WINDOW, IT'S AN OPPORTUNITY...I'M WONDERING IF WE'RE GOING TO CREATE MORE CONFUSION THAN WE ARE GOING TO HELP ON THAT. THAT'S A CONCERN I HAVE WITH THIS AMENDMENT. CAN YOU HELP ME WITH THAT IN ANY WAY? DO YOU THINK...HOW DO YOU THINK WE COULD RECTIFY THAT? [LB31]

SENATOR BAKER: WELL, I APPRECIATE YOUR CONCERN, SENATOR HILKEMANN. IT'S ALL A MATTER OF RELATIVITY. I REMEMBER WHEN MY OLDEST SON WAS MAYBE ONE YEAR OLD OR TWO YEARS OLD, HE FELL OFF HIS TRICYCLE AND HAD A CONCUSSION. SO I MEAN, I GUESS IT'S ALL A MATTER OF RELATIVITY HERE AS FAR AS THAT GOES. [LB31]

SENATOR HILKEMANN: YEAH, THAT'S THE PROBLEM. YOU NEVER NEED THOSE PROTECTIVE DEVICES UNTIL THE TIME THAT YOU FALL OR...I MEAN, I'M SURE THAT EVERY...WE WOULDN'T HAVE ANY ARGUMENT HERE TODAY THAT IF EVERY MOTORCYCLIST THAT KNEW THAT HE WAS GOING TO HAVE AN ACCIDENT THAT DAY WOULD PUT HIS HELMET ON AT THAT POINT. THAT'S JUST A CONCERN I HAVE ABOUT THIS. IT'S GOING TO BE DIFFICULT FOR LAW ENFORCEMENT, I THINK, IF...WHEN WE HAVE A SPEED LIMIT LIKE THAT, UNLESS IT'S RIGHT WITHIN THE PARADE ITSELF. THOSE ARE MY CONCERNS. I'M NOT TOTALLY OPPOSED TO THIS AMENDMENT BEING ADDED TO THAT BUT THOSE ARE MY CONCERNS, SENATOR BAKER. THANK YOU. [LB31]

SENATOR BAKER: WELL, I APPRECIATE THAT. AND YOU KNOW PARADES DO GENERALLY REQUIRE SPECIFIC ACTION ON THE PART OF THE CITY OR THE VILLAGE. AND AS TO FAR AS HOW THEY GET THERE TO AND FROM THE PARADE, PROBABLY ABOUT THE SAME WAY THEY GET TO STURGIS, ON THE TRAILER. [LB31]

SENATOR HILKEMANN: I'M SURE THAT THAT'S TRUE, YES. OKAY. THANK YOU. [LB31]

SENATOR COASH: THANK YOU, SENATORS HILKEMANN AND BAKER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, THIS EXTENDED DEBATE IS NOT OF MY MAKING. LET'S GO TO A VOTE. THE OTHER

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SIDE SAYS WE DON'T NEED TO SPEND EIGHT HOURS ON THIS. I AGREE. LET'S HAVE A VOTE ON IT. BUT ALSO I AM TIRED OF CHASING A MOVING GOAL POST. I HAVE REACHED OUT. THE GOAL SEEMS TO KEEP MOVING AWAY. I HAD ONE OF THE OPPONENTS COME TO ME, WE WERE VISITING. I SAID, HOW ABOUT IF WE MAKE THE BIKERS ALL TAKE A SAFETY COURSE? OH, YEAH, THAT WOULD BE A GOOD IDEA, THAT MAYBE WOULD GET ME THERE. TWO DAYS LATER THAT DIDN'T GET US THERE. SENATOR BOLZ CAME OVER TO ME, SHE INTRODUCED A BILL TO CREATE A BRAIN INJURY FUND. SHOULD I PUT AN AMENDMENT ON YOUR BILL TO FUND THE BRAIN INJURY? I SAID, WONDERFUL. I'VE ALREADY TALKED TO THE BIKERS, THEY WILL SUPPORT THAT. THEY WILL GLADLY PAY AN INCREASE IN THEIR LICENSING FEE IF WE DO THAT. WE PUT THE MONEY IN THERE. HOW MUCH WOULD YOU LIKE THAT INCREASE TO BE? THE AMENDMENT MYSTERIOUSLY DISAPPEARED. COLLEAGUES, I KEEP REACHING OUT TO PEOPLE. THEY KEEP MOVING THE GOAL POST. THERE ARE A GROUP OF PEOPLE--EXCUSE MY LANGUAGE--COMES HELL OR HIGH WATER ARE DETERMINED TO MAKE SURE THIS GROUP OF PEOPLE NEVER HAS THE OPPORTUNITY TO DECIDE WHETHER OR NOT THEY RIDE WITHOUT THEIR HELMET. WHERE CAN WE GO, COLLEAGUES, TO PACIFY PEOPLE WHO WILL NOT BE PACIFIED? WE SIMPLY ASK THAT THIS SEGMENT OF PEOPLE BE GIVEN BACK THEIR RIGHT TO DECIDE WHAT THEY WANT TO DO, WHAT THEY FEEL IS RIGHT FOR THEM AND NOT TO HAVE THE LONG ARM OF THE GOVERNMENT REACHING INTO THEIR LIFE TO TELL THEM HOW THEY SHOULD LIVE, WHAT THEY MUST DO TO PROTECT THEMSELVES. YOU KNOW WE HAVEN'T OUTLAWED CIGARETTE SMOKING AND WE'VE HEARD THAT MANTRA BEFORE. I DON'T THINK WE'RE GOING TO ANY TIME SOON. DO WE WANT THE GOVERNMENT COMING INTO NEBRASKA AND SAYING, YOU CAN ONLY EAT THREE OUNCES OF BEEF A DAY? COLLEAGUES, THERE ARE PEOPLE IN WASHINGTON THAT WOULD DO THAT. I BEGIN TO BE CONCERNED THAT THERE ARE PROBABLY PEOPLE IN NEBRASKA NOW THAT WOULD DO THAT. THERE IS NO LIMIT TO THE HUNGER OF GOVERNMENT TO HAVE MORE POWER OVER ITS PEOPLE. AND IN THIS COUNTRY AND IN THIS STATE, THE PEOPLE ARE SUPPOSED TO HAVE THE POWER, NOT THE GOVERNMENT. THANK YOU, MR. PRESIDENT. [LB31]

SENATOR COASH: THANK YOU, SENATOR BLOOMFIELD. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB31]

SENATOR CAMPBELL: THANK YOU, SENATOR COASH...MR. PRESIDENT, I'M SORRY. COLLEAGUES, I HAVE REALLY APPRECIATED THE DIFFERING VIEWS ON THIS BILL. I APPRECIATED IT WHEN WE DISCUSSED IT IN THE PAST BECAUSE IT ILLUSTRATES I THINK HOW DEEPLY PEOPLE FEEL ABOUT THE ISSUE THAT'S

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BEFORE US. AND I'M PROBABLY GOING TO TALK SEVERAL MORE TIMES AND I WANT TO BRING UP ONE POINT BECAUSE THE NEXT TIME I TALK I'M PROBABLY GOING TO DEAL WITH A STORY. WE ALL GET LETTERS AND E-MAILS FROM CONSTITUENTS OR PEOPLE WHO HAVE ANECDOTAL INFORMATION THAT THEY WANT TO SHARE OR A PERSONAL STORY. AND I KNOW THAT SENATOR BLOOMFIELD SAID AT ONE POINT, YOU KNOW, YOU'RE GOING TO HEAR THOSE TEAR-JERKING STORIES AND SO FORTH AND I UNDERSTAND THAT. BUT WHY DO WE SHARE THOSE? WHY DO WE BRING THOSE TO THE FLOOR OF THE LEGISLATURE? FOR THE SAME REASON THAT WE TALK ABOUT OUR OWN PERSONAL EXPERIENCES WHETHER IT'S RIDING A MOTORCYCLE WHEN YOU'RE IN HIGH SCHOOL TO IMPRESS A BOYFRIEND OR WHETHER YOU'VE BEEN A MOTORCYCLE RIDER FOR YOUR WHOLE LIFE AND ENJOY THAT. WE BRING PERSONAL STORIES TO THE FLOOR FROM OTHER PEOPLE BECAUSE WE GIVE THEM A VOICE. THEY WANT TO BE HEARD, THEY WANT US TO UNDERSTAND THE DEPTH OF PERSONAL EXPERIENCES WITH THIS ISSUE. SO IN THE COMING TIMES WHEN I HAVE A CHANCE TO SPEAK ON THE FLOOR, I'LL SHARE SEVERAL OF THOSE STORIES. I DO WANT TO THANK SENATOR HILKEMANN--AND I HOPE I GOT THAT RIGHT, I'VE BEEN TRYING TO PRACTICE HERE--AND HOPEFULLY I DON'T START A STRING OF THIS BUT, SENATOR, YOU NEED TO KNOW THAT A FEW TIMES IN MY MARRIED LIFE, I'VE BEEN CALLED KATHY CAMP-BELL (PHONETICALLY,) SO THERE ARE VARIATIONS TO EVERYONE'S NAME. I WOULD LIKE TO ALSO DRAW YOUR ATTENTION THIS MORNING TO THE PACKET THAT THE SENATOR DISTRIBUTED YESTERDAY ON THE FLOOR. AND IT'S THICK AND IT'S LENGTHY AND SOMETIMES WE DON'T TAKE THE TIME TO TAKE A LOOK AT ALL OF THE INFORMATION. IF YOU LOOK AT YOUR PACKET IN THE VERY LAST TWO PAGES THAT ARE ENTITLED "STRONG HELMET LAWS SAVE LIVES, COALITION MEMBERS OPPOSING LB31," IT'S TWO...WELL, REALLY ALMOST THREE PAGES OF A LISTING OF THE MEDICAL FACILITIES AND MEDICAL ASSOCIATIONS IN THE STATE OF NEBRASKA THAT WANT TO KEEP THE HELMET LAW IN PLACE. I BELIEVE THAT THEY HAVE COME TOGETHER AS A COALITION BECAUSE THEY HAVE SEEN WHAT HAPPENS IN A SEVERE MOTORCYCLE ACCIDENT. AND I DON'T THINK YOU SHOULD JUST SKIP OVER THE LIST AND GO, WELL, OKAY, FINE. IT'S A BUNCH OF HOSPITALS HERE. THESE ARE THE PEOPLE THAT ACROSS THE STATE CARE FOR US IN MANY AND MANY MEDICAL WAYS. THE OTHER PIECE OF INFORMATION THAT I HAD NOT SEEN BEFORE IS IN THE THIRD PAGE TO THE END. AND IT'S ENTITLED "OTHER STATES HAVE PROVEN WE DON'T NEED TO REPEAL OUR HELMET LAWS TO SUPPORT STATE TOURISM." AND IN THERE, IN THAT LIST--AND I'D NEVER SEEN THIS LIST PUT TOGETHER BEFORE IN THE NUMBER OF TIMES THAT WE'VE DEBATED THIS ISSUE... [LB31]

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SENATOR COASH: ONE MINUTE. [LB31]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. IT'S ALSO SUBTITLED "OTHER MAJOR BIKE RALLIES IN THE U.S." AND I HOPE THAT YOU WILL TAKE SOME TIME TO TAKE A LOOK AT IT, BECAUSE SOME OF THESE RALLIES ARE HELD IN STATES IN WHICH THERE IS A UNIVERSAL HELMET LAW. AND WE HEAR A LOT ABOUT, WELL, WE WOULD INCREASE ALL OF THE TOURISM THROUGH THE STATE OF NEBRASKA IF WE REPEAL THIS. BUT I DO THINK THIS IS AN IMPORTANT PIECE OF INFORMATION THAT WE OUGHT TO AT LEAST TAKE A LOOK AT IN THE INFORMATION WE HAVE. THANK YOU, MR. PRESIDENT. [LB31]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB31]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. BUILDING A LITTLE LEGISLATIVE HISTORY HERE ON AM870, I JUST RAN A SEARCH ON THE STATUTES--I ASSUME THE MACHINE WORKED RIGHT--AS TO PARADE REGULATIONS STATEWIDE, AND IT LOOKS LIKE WE REGULATE BOAT PARADES BUT NOTHING ABOUT PARADES ON THE HIGHWAY. WHAT IS A PARADE? IT'S VEHICLES ALL LINED UP. AND I READ THIS PARTICULAR AMENDMENT AS A PARADE ACROSS THE STATE IS ENTIRELY POSSIBLE BECAUSE WE DON'T REGULATE PARADES ACROSS THE STATE. AND IT IS NOT THE INTENT THAT'S ARGUED OR THAT'S RELEVANT ON THE FLOOR, BUT THE LANGUAGE. LANGUAGE MEANS WHAT IT SAYS. THIS AMENDMENT HAS NO DEFINITION OF PARADE, NO REGULATORY BODY FOR APPROVING PARADES. IT'S A CRIMINAL STATUTE; THAT MEANS IT IS STRICTLY CONSTRUED AGAINST THE STATE. THE STATE HAS GOT TO OVERCOME THAT BURDEN WITH A...BEYOND A REASONABLE DOUBT. SO I THINK THAT IT IS HIGHLY PROBABLE. IN FACT, IF I WERE TO VOTE FOR THIS IT WOULD BE MY INTENT THAT A PARADE BE ABLE TO BE DONE ACROSS THE STATE. THAT'S WHAT IT SAYS, THAT'S WHAT IT MEANS, AND TO SAY THAT SOME VILLAGE HAS GOT TO REGULATE IT IS NOT WHAT THE LAW, AS IT'S WRITTEN AT LEAST, SAYS. SO I THINK WE CAN INDEED PROBABLY LOOK AT A PARADE. IT MAY NOT BE ABLE TO BE ON THE INTERSTATE BECAUSE I THINK YOU HAVE TO HAVE MINIMUM SPEEDS THAT YOU'VE GOT TO MAINTAIN ON THE INTERSTATE. BUT CLEARLY, I THINK THAT THIS INCLUDES A PARADE ACROSS THE STATE. NOW, ADDRESSING ANOTHER ISSUE WE HEARD ABOUT, THE 30 MILE AN HOUR, GOSH, IF YOU FALL OFF A MOTORCYCLE AT 30 MILES AN HOUR YOU MIGHT HIT YOUR HEAD. WELL, WHAT IF YOU'RE RUNNING? YOUR HEAD IS HIGHER OFF OF THE GROUND IF YOU'RE RUNNING THAN IF YOU'RE RIDING A MOTORCYCLE AT 30 MILES AN HOUR. AGAIN, YOU'VE GOT TO GIVE CREDENCE TO THE ARGUMENT

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YESTERDAY WHICH THE FACTS SEEM TO SHOW THAT MOST HEAD INJURIES COME FROM FALLS. SO YOUR HEAD IS A LONG WAY OFF OF THE GROUND IF YOU'RE AN ADULT AND YOU FALL, AND THAT'S THE GREATEST CAUSE OF HEAD INJURY. DEFINITELY, WE NEED TO LOOK AT HELMETS FOR EVERYBODY. AND WE KNOW THAT'S RIDICULOUS. AND THE REASON WE THINK IT'S RIDICULOUS IS BECAUSE IT WOULD AFFECT US ALL AND THEY'D BE A REAL NUISANCE TO WEAR. BUT THEY WE WOULD SAVE A LOT OF BRAIN INJURIES. WE'RE PICKING ON THE MOTORCYCLE FOLKS BECAUSE THEY ARE A MINORITY AND THERE'S NOT THAT MANY OF THEM. AND IT'S EASY TO TRY TO WRAP OURSELVES IN THE CLOAK OF PROTECTIONISM WHEN YOU'RE ONLY PICKING ON A MINORITY. I THINK THAT THERE MAY BE AN EXPERIMENTAL WAY TO RESOLVE THIS PARTICULAR ISSUE. WE HAVE THE MEDICAL FOLKS SAYING WE'RE GOING TO BE SCOOPING UP BRAINS OFF OF THE STREET, WE'RE GOING TO HAVE CRUSHED SKULLS IN EMERGENCY ROOMS. GOSH, IT'S JUST GOING BE TERRIBLE. AND WE HAVE THE OTHER FOLKS SAYING, COME ON NOW, LET FREEDOM RING. SO WHY DON'T WE HAVE A HELMET HOLIDAY IN WHICH WE PUT THE TEST TO AN EXPERIMENTAL PARADIGM AND WE SUSPEND THE OPERATION OF THE HELMET LAW, WITH THE EXCEPTION OF THE RESTRICTIONS PLACED ON IT BY THE TRANSPORTATION COMMITTEE AMENDMENT, FOR FIVE YEARS AND WE SEE? AND THEN AT THE END OF THE FIVE YEARS IT GOES BACK TO WHERE IT IS. IF IT TURNS OUT THE PRO HELMET PEOPLE ARE CORRECT, THEN AT THAT TIME THAT FUTURE LEGISLATURE CAN MAKE THE ADJUSTMENT PERMANENTLY. IF IT TURNS OUT IT'S A REAL BOONDOGGLE AND WE HAVE ALL THE HORRORS OF THE MEDICAL PROFESSION, WHAT THEY ENVISION, IF THAT STARTS HAPPENING AND THAT HAPPENS AND THAT'S DOCUMENTED AND IT'S NOT JUST AN INITIAL FLUKE BECAUSE FREEDOM IS RINGING AND PEOPLE ARE RIDING MORE, THEN THE LAW REVERTS TO WHERE IT IS... [LB31]

SENATOR COASH: ONE MINUTE. [LB31]

SENATOR SCHUMACHER: ...WITHOUT A FILIBUSTER, WITHOUT FURTHER PROCEEDINGS. AND TO THAT EFFECT, I HAVE JUST FILED AN AMENDMENT. THANK YOU. [LB31]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB31]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. HELLO AGAIN, MEMBERS. SENATOR HILKEMANN PASSED OUT YESTERDAY SOME NEBRASKA MOTORCYCLE

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INFORMATION PACKET WITH INFORMATION INCLUDED. AND I'M HOPEFUL THAT PEOPLE HAVE TUCKED THAT IN THEIR FILE AND HAVE IT AVAILABLE TO LOOK AT. I'M GOING TO MAKE COPIES OF SOME OF THE SPECIFIC PAGES THAT CAME OUT OF IT BECAUSE I THINK IT'S INTERESTING TO LOOK AT AND ADDRESSES SOME OF THE TOPICS AND COUNTERARGUMENTS THAT HAVE COME UP FROM THOSE WHO ARE IN SUPPORT OF LB31. BUT LET ME RUN THROUGH SOME OF THE INFORMATION THAT WE KNOW IS OUT THERE. THIS INFORMATION COMES FROM THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, NHTSA. THE NHTSA ESTIMATES HELMETS ARE ESTIMATED TO BE 37 PERCENT EFFECTIVE IN PREVENTING FATAL INJURIES TO MOTORCYCLE RIDERS. THAT'S A DRAMATIC NUMBER. UNHELMETED MOTORCYCLISTS ARE THREE TIMES MORE LIKELY TO SUFFER BRAIN INJURIES THAN HELMETED RIDERS IN A CRASH. AGAIN, THIS INFORMATION COMES FROM THE NHTSA. IN 1991, A NEBRASKA STUDY ON HOSPITAL COSTS FOR INJURED MOTORCYCLISTS SHOWED A DECLINE IN TOTAL ACUTE MEDICAL CHARGES OF 38 PERCENT AFTER THE HELMET LAW WAS IMPLEMENTED. AND THE IMPORTANCE OF THAT...LET ME STATE IT AGAIN. IN '91-- AND OUR LAW WENT INTO EFFECT IN '88 OR '89--IN '91, A STUDY DONE IN THIS STATE AFTER ITS IMPLEMENTATION ON HOSPITAL COSTS FOR INJURED MOTORCYCLISTS--SO THIS WAS GEARED SPECIFICALLY TOWARDS MOTORCYCLISTS--SHOWED A DECLINE IN TOTAL ACUTE MEDICAL CHARGES OF 38 PERCENT AFTER THE HELMET LAW WAS IMPLEMENTED. THAT'S DRAMATIC. IT'S CLEARLY ONE OF THE MORE DRAMATIC NUMBERS THAT CAN'T BE IGNORED AS WE HAVE THIS DISCUSSION AND I'D SAY IT'S ONE OF THE NUMBERS THAT OTHER LEGISLATURES CLEARLY HAVE TAKEN INTO CONSIDERATION WHEN THEY'VE UPHELD THE HELMET LAW. STUDIES SHOW THAT UNHELMETED RIDERS INVOLVED IN CRASHES ARE LESS LIKELY TO HAVE INSURANCE AND MORE LIKELY TO HAVE HIGHER HOSPITAL COSTS THAN HELMETED RIDERS IN SIMILAR CRASHES. IT SEEMS TO ME THAT THE AVERAGE AGE I'VE SEEN IN OTHER INFORMATION OF MOTORCYCLISTS INVOLVED IN CRASHES WAS AROUND 36 YEARS OLD. WE KNOW FROM OUR DISCUSSIONS ABOUT ANY NUMBER OF BILLS THAT HAVE COME BEFORE US ON HEALTHCARE COSTS THAT THE YOUNGER YOU ARE, THE LESS LIKELY YOU ARE TO HAVE HEALTH INSURANCE OR ENOUGH COVERAGE TO DEAL WITH THE SORT OF CATASTROPHIC...OR, IF YOU'RE LUCKY, VERY EXTENSIVE INJURIES THAT CAN BE PART AND PARCEL OF THIS. ALL STATES THAT HAVE WEAKENED OR REPEALED HELMET LAWS HAVE EXPERIENCED INCREASE IN MOTORCYCLE FATALITIES RATES. ALL STATES THAT HAVE WEAKENED OR REPEALED HELMET LAWS HAVE EXPERIENCED AN INCREASE OF MOTORCYCLE FATALITY RATES. ACCORDING TO MAY 2014 SURVEY OF 950 NEBRASKANS CONDUCTED BY RESEARCH ASSOCIATES, 77 PERCENT INDICATED THE NEBRASKA LAW REQUIRING MOTORCYCLE HELMETS SHOULD BE

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CONTINUED; 19 PERCENT INDICATED IT SHOULD BE REPEALED; 5 PERCENT HAD NO OPINIONS. SO APPARENTLY THERE ISN'T A GROUNDSWELL OF PEOPLE WHO FEEL THAT WE'RE PICKING ON A CERTAIN CLASS OF INDIVIDUALS. [LB31]

SENATOR COASH: ONE MINUTE. [LB31]

SENATOR GLOOR: AND I WOULD ALSO SAY THAT IT'S QUITE POSSIBLE THAT THE REASON THAT THIS GROUP HAS BEEN SINGLED OUT ARE FOR ALL OF THE REASONS THAT I GAVE YOU: THAT THEY'RE MORE LIKELY TO BE INJURED, THAT THEY'RE MORE LIKELY TO NOT HAVE INSURANCE COVERAGE, THEY'RE MORE LIKELY TO HAVE EXPENSIVE INJURIES AND EXPENSIVE INJURIES THAT HAVE TO BE PAID FOR BY SOMEBODY ELSE, LIKE TAXPAYERS--SPECIFICALLY, TAXPAYERS--OR THOSE OF US WHO HAVE INSURANCE PREMIUMS WE WORRY ABOUT TRYING TO CONTROL BECAUSE WE TAKE CARE OF OURSELVES, TRY AND BEHAVE IN WAYS THAT PROTECT OURSELVES, AND DON'T WANT TO HAVE TO PAY FOR THE ADDED COST OF PEOPLE WHO DON'T SHARE THOSE SAME VALUES. THIS ISN'T ABOUT TAKING...TRYING TO TAKE ADVANTAGE OF SOME INDIVIDUAL CLASS. THIS IS ABOUT TRYING TO DO THE RIGHT THING TO AVOID THE ADDED EXPENSE ON US. I HAVE SAID BEFORE AND I'LL SAY IT AGAIN, IF IT WEREN'T FOR THE EXPENSE SIDE OF THINGS, THE COST TO SOCIETY, I DON'T HAVE ANY PROBLEM FORCING PEOPLE TO WATCH OUT FOR THEMSELVES. I'M NOT INTERESTED IN WATCHING PEOPLE... [LB31]

SENATOR COASH: TIME, SENATOR. [LB31]

SENATOR GLOOR: THANK YOU. [LB31]

SENATOR COASH: THANK YOU, SENATOR GLOOR, AND THAT WAS YOUR THIRD TIME. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB31]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT. I HADN'T REALLY THOUGHT OF TALKING ON THIS YET TODAY BUT WHEN THE AMENDMENT CAME UP, AM870, AND TALKED ABOUT PARADES, IT KIND OF STIRRED MY INTEREST FOR TWO REASONS. ONE WAS TALKING ABOUT WHAT IS A PARADE. WHEN I WAS MAYOR, WE PUT IN A CITY ORDINANCE THAT IF A PARADE...WE DEFINED A DEFINITION OF IT. ONE OF IT WAS IF IT REQUIRED SOME TYPE OF TRAFFIC CONTROL, IF IT WOULD REQUIRE SOMETHING FROM OUR POLICE FORCE IN ORDER TO ESCORT THE PARADE, OR IF IT REQUIRED ANYTHING FROM OUR STREET DEPARTMENT TO BLOCK OFF STREETS, THAT THERE WAS A PERMIT REQUIRED FOR THAT WHICH IS

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STRICTLY, OF COURSE, A CITY ORDINANCE. THAT WOULD HAVE TO GO THROUGH TO BE APPROVED BY THE MAYOR AND IN SOME CASES BY THE CITY COUNCIL. EXHIBITION, WE DEFINED THAT AS A PARADE OR A PROCESSION, WOULD BE THE BETTER WORD FOR A FUNERAL PROCESSION. AND IN THAT CASE, VEHICLES WOULD BE LINED UP OUT TO THE CEMETERY. AND THOSE VEHICLES, SOME OF THOSE VEHICLES, COULD INCLUDE AND WOULD INCLUDE MOTORCYCLES. SO I'VE TRIED TO COME INTO THIS BODY EVERY TIME TRYING TO THINK, CAN I MOVE OVER AND SUPPORT THE REPEAL? AND I'VE THOUGHT OF AMENDMENTS THAT MAYBE WOULD HELP. AND I LOOKED AT AM359 AND THAT'S ONE OF THE AMENDMENTS ABOUT THE AGE. ANOTHER ONE THAT I THOUGHT OF, BUT I'M NOT GOING TO GO WITH THAT ONE BECAUSE I DON'T THINK IT HELPS THAT MUCH, WOULD BE SOMEBODY THAT JUST GOT A MOTORCYCLE LICENSE, REGARDLESS OF AGE, THAT MAYBE FOR THE FIRST YEAR WOULD NEED TO WEAR A HELMET. AND THEN AM870 CAME UP WITH THE PARADES. AND I WANT TO GO BACK TO WHAT I SAID WHEN WE TALKED ABOUT THIS BILL BEFORE. ELEVEN YEARS AGO, A GOOD FRIEND OF OURS, A COLLEGE CLASSMATE'S SPOUSE, ALWAYS WORE HIS HELMET IN NEBRASKA, SUPPORTED IT. WENT UP TO STURGIS. AND I'M NOT SURE WHETHER IT WAS AN ACTUAL PARADE, BUT THERE WERE SEVERAL MOTORCYCLES TRAVELLING TOGETHER AT A VERY RELATIVELY SLOW SPEED AND YOU DIDN'T HAVE TO WEAR YOUR HELMET. NONE OF THEM WERE WEARING THEIR HELMETS UP THERE. AND IT WAS GOING SLOW ENOUGH THAT THE BIKE STARTED TO WAVER, TIP OVER, AND IT DID TIP OVER. IT THREW HIM UP AGAINST THE CURB AND WAS RUSHED TO THE HOSPITAL WITH BRAIN INJURY AND BLEEDING. AND HIS FUNERAL WAS A WEEK LATER. SO I LOOK AT THE PARADES AND I THINK THAT'S PROBABLY OKAY. BUT I CAN LOOK AT THAT SITUATION AND SAY, BOY, THAT'S STILL A LOT OF RISK IN THAT. I'VE TALKED WITH PEOPLE AND THEY'VE TALKED WITH ME ABOUT WHERE I'M AT ON THIS. I'VE TOLD THEM, I'M TRYING TO BE IN SUPPORT OF THE REPEAL AND EVERY TIME IT COMES DOWN TO IT, YEAH, IT IS AN OVERREACH. BUT I THINK THAT FROM THE STANDPOINT OF SAFETY AND I THINK OF THE STANDPOINT OF COSTS...I KNOW THERE'S SOME ECONOMIC DEVELOPMENT INVOLVED IN IT. BUT I JUST LOOK AT THE RISK THAT'S INVOLVED OUT THERE FOR THE RIDER AND THE COST TO THE STATE. AND AGAIN, I'M JUST HAVING A HARD TIME RIGHT NOW WITH MY ORIGINAL THOUGHT OF MAYBE TRYING TO REPEAL THE HELMET LAW. SO RIGHT NOW, I'M DEFINITELY WAVERING... [LB31]

SENATOR COASH: ONE MINUTE. [LB31]

SENATOR JOHNSON: ...TOWARD NOT SUPPORTING. I MIGHT SUPPORT THE AMENDMENTS JUST BECAUSE IT HELPS IT A LITTLE BIT BUT PROBABLY IF IT

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WOULD GET DOWN TO A FINAL VOTE, I PROBABLY WOULD NOT SUPPORT LB31.
THANK YOU, MR. SPEAKER. [LB31]

SENATOR COASH: THANK YOU, MR. JOHNSON. SENATOR KEN HAAR, YOU'RE
RECOGNIZED. [LB31]

SENATOR HAAR: MR. PRESIDENT AND MEMBERS OF THE BODY, AGAIN, I'M A
PERSON WHO RODE A MOTORCYCLE FOR A LOT OF YEARS, I WORE A HELMET
AND I WORE LEATHERS. AND I HAD AN ACCIDENT. MY ACCIDENT, THE ONE I
TALKED ABOUT EARLIER, ACTUALLY DRIVING TO A CAMPAIGN MEETING AT
DUSK AND SOMEBODY WENT THROUGH A YIELD SIGN AND T-BONED ME. I WAS
GOING VERY SLOW. SO I DON'T SEE THE SPEED AS BEING A HUGE ISSUE, VERY
FRANKLY. THE OTHER THING I LEARNED AS A MOTORCYCLE RIDER IS YOU
ALWAYS HAVE TO KEEP YOUR EYES OPEN FOR EVERY CAR BECAUSE VERY
OFTEN DRIVERS DON'T SEE--AND I BELIEVE THAT--THEY DON'T SEE
MOTORCYCLES, THEY DON'T SEE BICYCLES. AND SO AS A MOTORCYCLE RIDER,
YOU LEARN TO BE A VERY DEFENSIVE DRIVER. AND I BELIEVE THAT BEING A
DEFENSIVE DRIVER FOR A MOTORCYCLE AND A BICYCLE WOULD INCLUDE
WEARING A HELMET. NOW, IT CAME UP EARLIER THAT A LOT OF STATES ARE
GETTING RID OF THEIR MANDATORY HELMET LAW. BUT IN THE HANDOUT THAT
WE GOT FROM THE GOVERNORS HIGHWAY SAFETY ASSOCIATION--AND IT SAYS
THIS IS THE STATES' VOICE ON HIGHWAY SAFETY--THIS IS PUBLISHED JANUARY
2015...HELMET LAWS. IN 1967, THE FEDERAL GOVERNMENT REQUIRED STATES TO
ENACT UNIVERSAL MOTORCYCLE HELMET LAWS OR BE PENALIZED. AND BY
1975, ALL BUT THREE HAD COMPLETED. AND THEN IN '76, CONGRESS REVOKED
THE FEDERAL AUTHORITY TO ASSESS PENALTIES. AND SO IN THE MEANTIME,
SOME STATES HAVE BEEN GOING BACKWARDS AND SIMPLY REPEALING THE
LAWS OR QUALIFYING THOSE LAWS. HOWEVER, GHSA, THE GOVERNORS
HIGHWAY SAFETY ASSOCIATION, URGES ALL STATES TO ADOPT A UNIVERSAL
MOTORCYCLE HELMET LAW AND VIGOROUSLY ENFORCE EXISTING LAWS. SO I
GUESS THE GOVERNORS OF THE UNITED STATES ARE BASICALLY NANNY STATE
PEOPLE BECAUSE THEY'RE STILL RECOMMENDING THAT EVERY STATE HAVE
UNIVERSAL MOTORCYCLE LAWS. AND ACTUALLY 19 STATES, INCLUDING...AND
ALSO THE DISTRICT OF COLUMBIA, THE NORTHERN MARIANA ISLANDS, PUERTO
RICO, AND THE U.S. VIRGIN ISLANDS, ALL STILL HAVE UNIVERSAL HELMET
LAWS REQUIRING HELMETS FOR ALL RIDERS. SO 19 OUT OF 38...OUT OF 50 IS
STILL A THIRD OF ALL STATES HAVE UNIVERSAL HELMET LAWS. AND THAT
INCLUDES THE FOLLOWING STATES: ALABAMA, CALIFORNIA, D.C., AS I'VE SAID,
GEORGIA, GUAM, LOUISIANA, MARYLAND, MASSACHUSETTS, MISSISSIPPI--
THERE'S A NANNY STATE FOR YOU, MISSISSIPPI--MISSOURI, NEBRASKA, NEVADA,

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NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, NORTH MARIANA ISLANDS, OREGON, PUERTO RICO, TENNESSEE, VERMONT, VIRGIN ISLANDS, VIRGINIA, WASHINGTON STATE, WEST VIRGINIA ALL HAVE MANDATORY HELMET LAWS FOR ALL RIDERS. AND SO ACTUALLY WE'RE... [LB31]

SENATOR COASH: ONE MINUTE. [LB31]

SENATOR HAAR: ...ALTHOUGH AT THIS POINT, WE'RE IN THE MINORITY OF MANDATORY FOR ALL RIDERS, THERE'S A LOT OF STATES--IN FACT, SOME OF THE BIGGEST STATES LIKE CALIFORNIA AND NEW YORK STATE--STILL HAVE MANDATORY HELMET LAWS. AND AGAIN, I GUESS YOU CAN JUST LABEL EVERY LEGISLATOR IN THESE STATES AS NANNY STATE PEOPLE. I DOUBT IT. I WOULD INSTEAD LABEL THE LEGISLATORS IN THESE STATES WHO ARE REQUIRING MANDATORY LAWS AS EXHIBITING LEADERSHIP APPROPRIATELY TO PROVIDE SAFETY IN AN AREA THAT MAKES A LOT OF SENSE. AGAIN, THERE IS NOTHING BETTER ON A HOT SUMMER NIGHT THAN GETTING OUT AND GETTING ON YOUR MOTORCYCLE. AND IT WORKS VERY WELL WEARING A HELMET. I DID IT A LOT. I ENJOYED IT. AND I GUESS... [LB31]

SENATOR COASH: TIME, SENATOR. [LB31]

SENATOR HAAR: TIME? [LB31]

SENATOR COASH: TIME. [LB31]

SENATOR HAAR: THANK YOU. [LB31]

SENATOR COASH: THANK YOU, SENATOR HAAR. SENATOR KRIST, YOU'RE RECOGNIZED. [LB31]

SENATOR KRIST: QUESTION. [LB31]

SENATOR COASH: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. SENATORS, THE QUESTION IS, SHALL DEBATE CEASE? RECORD, MR. CLERK. [LB31]

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ASSISTANT CLERK: 25 AYES, 6 NAYS, MR. PRESIDENT, TO CEASE DEBATE. [LB31]

SENATOR COASH: DEBATE DOES CEASE. SENATOR BAKER, YOU'RE RECOGNIZED TO CLOSE ON AM870. [LB31]

SENATOR BAKER: THANK YOU, MR. PRESIDENT. I OFFER THIS PRIMARILY AS SOMETHING FOR MOTORCYCLE RIDERS. YOU KNOW, MY READING OF THE TEA LEAVES IS THAT THERE'S PROBABLY NOT ENOUGH VOTES TO GET THROUGH ALL OF THE PROCESSES OF REPEALING EXISTING HELMET LAW. THIS WOULD BE SOMETHING. AND UNDER THE THEORY THAT SOMETHING IS BETTER THAN NOTHING, I WOULD ASK YOUR SUPPORT FOR MY AMENDMENT. THANK YOU. [LB31]

SENATOR COASH: THANK YOU, SENATOR BAKER. MEMBERS, YOU'VE HEARD THE CLOSING TO AM870. THE QUESTION IS, SHALL AM870 BE ADOPTED? ALL THOSE IN FAVOR, VOTE AYE. ALL THOSE OPPOSED, VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB31]

ASSISTANT CLERK: 6 AYES, 21 NAYS, ON THE ADOPTION OF THE AMENDMENT TO THE COMMITTEE AMENDMENT, MR. PRESIDENT. [LB31]

SENATOR COASH: AM870 IS NOT ADOPTED. WE RETURN TO DISCUSSION ON LB31 AND THE COMMITTEE AMENDMENT. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. YOU KNOW, ONE OF THE...SENATOR SCHUMACHER MENTIONED THAT MAYBE WE SHOULD DO THIS MORATORIUM FOR FIVE YEARS. AND THEN SEE WHAT...DO A STUDY...SCHUMACHER. AND I...WE ALREADY HAVE THAT DATA OF WHAT HAPPENS WHEN WE CHANGE THE HELMET BILLS. AND SO LET ME FINISH OFF THIS HOPKINS STUDY THAT I STARTED ON. AND AGAIN, I TALKED TO YOU ABOUT THE BACKGROUND OF IT IS THAT IN THE ABSTRACT, THEY WERE WORKING FOR, CAN WE FIND OUT WHETHER THIS MAKES A DIFFERENCE? AND SO THE STUDY OBJECTIVES, AND I READ THESE SO THAT I DON'T GET CONFUSED HERE, TO QUANTIFY THE UTILITY OF MOTORCYCLE HELMETS POST REPEAL, A STUDY WAS CONDUCTED IN JUST ONE FLORIDA COUNTY. THE OBJECTIVES OF THE STUDIES WERE TO ASSESS HELMET USE AMONG CRASH VICTIMS, EXAMINE THE VOLUME OF FATALITIES BY HELMET USE, EXPLORE THE DIFFERENCES IN INJURIES, AND ASSESS OUTCOMES ON DISCHARGE. NOW WITH EVERY GOOD SCIENTIFIC STUDY,

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WE NEED TO KNOW WHAT WAS THE METHOD THAT WAS UTILIZED. AND WITH THE METHOD THAT THEY UTILIZED, THAT THEY ENCOMPASSED RIDERS WHO EXPERIENCED A CRASH AND EXPIRED AT THE SCENE OR WERE TREATED AT A PALM BEACH COUNTY TRAUMA CENTER. THE STUDY PERIOD COINCIDED WITH THE NEW LAW ON JULY 1, 2000, AND EXTENDED FOR A FIVE-YEAR PERIOD OF TIME. AND THE STATISTICAL SIGNIFICANCE WAS .05 FOR THOSE OF YOU WHO ARE INTO STATISTICAL ANALYSIS DETERMINING USING TWO SAMPLE TESTS...AND THE PEARSON'S CHI-SQUARED TEST. IT'S BEEN SO LONG AGO THAT I TOOK MY EDUCATIONAL PSYCHOLOGY AND SO FORTH. BUT WHAT THAT MEANS IS THIS IS A...I KNOW THE LOWER THE NUMBER, THE MORE SIGNIFICANT THE STUDY. SO THE RESULTS OF THEIR STUDY: THE USE OF MOTORCYCLE HELMETS IN PALM BEACH COUNTY DECREASED SUBSTANTIALLY AFTER 2000. SO THE FIRST THING IS YOU TAKE AWAY THE BILL. YOU TAKE AWAY THE LAW. AND PEOPLE WILL USE HELMETS LESS. ANOTHER RESULT OF THE STUDY WAS THAT NONHELMETED RIDERS WERE ASSOCIATED WITH A HIGHER RATE OF FATALITY AND A HIGHER INCIDENCE OF INJURY TO THE HEAD AND FACE. THE STUDY CONFIRMED THAT MOTORCYCLE INJURIES RESULT IN SUBSTANTIAL COST TO SOCIETY. FIVE-YEAR PERIOD OF TIME, VERY LOCALIZED, MAKES IT MUCH EASIER TO QUANTIFY THINGS WHEN YOU DO A VERY...A TEST IN A SMALL AREA. THE STATISTICS ARE RIGHT THERE. NONHELMETED RIDERS, HIGHER RATES OF FATALITIES, HIGHER INCIDENCE OF INJURIES TO THE HEAD AND FACE. SO WHAT ARE THE CONCLUSIONS? EVERY GOOD SCIENTIFIC STUDY COMES UP, SPELLS OUT THE CONCLUSIONS. WELL, LET ME READ THE CONCLUSIONS THAT THIS JOHNS HOPKINS, WELL-RESPECTED UNIVERSITY, COMES UP WITH. [LB31]

SENATOR COASH: ONE MINUTE. [LB31]

SENATOR HILKEMANN: THE ABSENCE OF A UNIVERSAL HELMET LAW RESULTED IN A DECREASE IN HELMET USE EXPOSING RIDERS TO A HIGHER RISK OF FATALITY AND A HIGHER RISK OF INJURY TO THE HEAD AND FACE. THE COST OF CARE FOR RIDERS WAS SUBSTANTIAL. AND THE LOW RATE OF HEALTH INSURANCE SHIFTS THE FINANCIAL BURDEN TO THE HEALTH CARE INDUSTRY AND TO SOCIETY. THAT'S THE RESULTS OF A JOHNS HOPKINS STUDY. THANK YOU VERY MUCH, MR. SPEAKER. [LB31]

SENATOR COASH: THANK YOU, SENATOR HILKEMANN. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB31]

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SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, THE LAST TIME THAT I SPOKE ON THIS ISSUE, I INDICATED THAT I FELT THAT IT WAS IMPORTANT TO GIVE A VOICE TO PEOPLE WHO WANTED TO SHARE A STORY. AND I FULLY RECOGNIZE THAT SENATOR BLOOMFIELD AS HE IS SPEAKING AND HAS GIVEN VOICE TO THE STORIES OF THOSE MOTORCYCLE RIDERS. BUT THERE ARE OTHER STORIES THAT WE DO NEED TO HEAR. AND I RECEIVED AN E-MAIL FROM ONE OF MY CONSTITUENTS AND THE E-MAIL ALSO WENT TO MEMBERS OF THE TRANSPORTATION COMMITTEE. SO THIS WILL BE FAMILIAR TO THEM. AND THE WRITER OF THE E-MAIL IS A NURSE. AND SHE INDICATES IN THE E-MAIL THAT STATISTICS HAVE SHOWN THAT A MAJORITY OF MOTOR VEHICLE ACCIDENTS, THAT'S ALL MOTOR VEHICLES, HAVE HAPPENED WITHIN TEN MILES OF AN INDIVIDUAL'S HOME. IN NEBRASKA ALONE, IN 2014, THERE WERE 20 MOTORCYCLE FATALITIES AND 484 MOTORCYCLE INJURIES. WITHOUT THE HELMET LAW IN PLACE, THESE NUMBERS WOULD SURELY HAVE BEEN HIGHER. WE NEED TO PROTECT THE PEOPLE OF NEBRASKA ALL YEAR ROUND. AND SHE SAID ALL YEAR ROUND BECAUSE SHE HAD SPECIFICALLY TALKED EARLIER ABOUT STURGIS. THE PROPONENTS WILL ARGUE THAT IT SHOULD BE THE INDIVIDUAL'S CHOICE TO WEAR A HELMET. ACCORDING TO NEBRASKA'S OFFICE OF HIGHWAY SAFETY, MOTORCYCLISTS WHO DO NOT WEAR HELMETS ARE THREE TIMES MORE LIKELY TO SUFFER TRAUMATIC BRAIN INJURIES THAN HELMETED RIDERS IN A CRASH. IF A SUPPORTER OF THIS BILL WOULD HAVE THE CHANCE TO CARE FOR A TRAUMATIC BRAIN INJURY PATIENT FOR JUST ONE DAY, THEY WOULD SEE FIRSTHAND. THEY WOULD SEE FIRSTHAND HOW THAT HAS AFFECTED THAT INDIVIDUAL'S, QUOTE, CHOICE. I ONCE TOOK CARE OF A MAN THAT WAS IN A MOTORCYCLE ACCIDENT WITH HIS WIFE. NEITHER DRIVER NOR PASSENGER WAS WEARING A HELMET AND THE MAN'S WIFE DIED AT THE SCENE OF THE ACCIDENT. THE MAN SUFFERED A SEVERE TRAUMATIC BRAIN INJURY WHICH RESULTED IN THE LOSS OF HIS SHORT-TERM MEMORY. EVERY 15 MINUTES THE MAN WOULD ASK WHY HE WAS IN THE HOSPITAL AND WHERE HIS WIFE WAS. HE RELIVED THE ACCIDENT OVER AND OVER AND THE NEWS OF HIS WIFE'S PASSING OVER AND OVER AGAIN. RIDERS COMPLAIN THAT HELMETS ARE UNCOMFORTABLE AND HOT. BUT I BET IF THAT MAN COULD, HE WOULD HAVE CHOSEN HOT AND UNCOMFORTABLE OVER HIS CONSTANT GRIEF. IT WAS A HORRIBLE THING TO BE A WITNESS TO AND AN EVEN MORE TRAUMATIC FOR HIS FAMILY AND TWO YOUNG CHILDREN. IF SUPPORTERS OF LB31 COULD WITNESS THE DEVASTATION THAT RESULTS FROM TRAUMATIC BRAIN INJURY, I'M SURE THEY WOULD FEEL DIFFERENTLY ABOUT CHOOSING TO NOT WEAR A HELMET. I SHARE THIS E-MAIL BECAUSE, YES, IT IS EMOTIONAL. AND IT DOES BRING UP THAT TOPIC. BUT WE HAVE TO BE VERY SERIOUS ABOUT WHAT WE'RE DOING HERE BECAUSE THE CHOICES WE MAKE, THE VOTES WE TAKE, AND THE FINAL

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DECISION ON LB31 AFFECTS LIVES AND FAMILIES IN THIS STATE. WE KNOW THAT... [LB31]

SENATOR COASH: ONE MINUTE. [LB31]

SENATOR CAMPBELL: ...FROM THE DATA. THANK YOU, MR. PRESIDENT. WE KNOW THAT FROM THE DATA. WE CAN READ STATISTICS OVER AND OVER AND OVER. BUT WE NEED TO HEAR FROM THOSE PEOPLE WHO GIVE VOICE TO INDIVIDUAL STORIES. THANK YOU, MR. PRESIDENT. [LB31]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB31]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. I WANTED TO ADDRESS THE CONVERSATION THAT HAS BEEN BROUGHT UP ON THE FLOOR. AND IT'S BEEN ADDRESSED A LITTLE BIT. BUT I JUST WANT TO BE CLEAR, COLLEAGUES. WE HAVE TESTED THIS. WE HAVE TRIED IT TO SEE WHAT WOULD HAPPEN. WE DID NOT HAVE A HELMET LAW IN THE '80s. AND NEBRASKA REINSTATED OUR HELMET LAW ON JANUARY 1, 1989. AND THAT WAS AFTER AN INCREASE IN MOTORCYCLE FATALITIES IN THE 1980s, REACHING A HIGH OF 31 FATALITIES IN 1989. NOW, I CERTAINLY SEE CONCERN ABOUT THAT INCREASE IN FATALITIES. I THINK THE LOSS OF HUMAN LIFE IS ALWAYS SOMETHING TO BE MOURNED. BUT WE CAN ALSO MAKE A FISCAL ARGUMENT AS IT RELATES TO THOSE MOTORCYCLE FATALITIES. THE NEBRASKA SAFETY COUNCIL TELLS US THAT THERE WERE 14 MOTORCYCLE CRASHES RESULTING IN DEATH IN 2012. AND THE COST PER EACH TYPE OF CRASH WAS \$1.4 MILLION. THAT INCLUDES ECONOMIC COSTS RELATING TO VEHICLE DAMAGE, EMPLOYER COSTS, MEDICAL EXPENSES, ADMINISTRATIVE EXPENSES, AND INCLUDES WAGE AND PRODUCTIVITY LOSS. THERE IS A FISCAL IMPACT TO THESE DEATHS. AND WE HAVE EXPERIMENTED WITH THIS WORK. AND WE FOUND THAT WE HAD AN INCREASE IN FATALITIES, AN INCREASE IN COST, AND WE DID REINSTATE THE LAW. NOT ONLY HAVE WE DONE THIS, BUT THIS HAS OCCURRED IN OTHER STATES. KENTUCKY IS A GOOD EXAMPLE AS WELL AS LOUISIANA. AROUND THE SAME TIME THAT NEBRASKA EXPERIMENTED WITH REPEALING THEIR HELMET LAW, KENTUCKY AND LOUISIANA DID SO AS WELL. IN KENTUCKY, MOTORCYCLE DEATHS INCREASED BY 50 PERCENT. IN LOUISIANA, THEY INCREASED BY 100 PERCENT. SO, COLLEAGUES, LEST YOU THINK THAT THE DOCUMENTATION OR THE EVIDENCE ISN'T THERE, LET ME EXPLAIN TO YOU THAT NOT ONLY IS IT THERE, NOT ONLY IS IT EVIDENCED IN OTHER STATES, IT IS EVIDENCED RIGHT HERE IN NEBRASKA.

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AND THE TOTAL COST OF MOTORCYCLE CRASHES RESULTING IN DEATH IN 2012 ACCORDING TO THE NEBRASKA SAFETY COUNCIL WAS \$19 MILLION. THE COST OF INCREASING MOTORCYCLE FATALITIES IS SIGNIFICANT. AND I DO NOT THINK THAT THIS PIECE OF LEGISLATION HELPS US FROM A FISCAL PERSPECTIVE. THANK YOU, MR. PRESIDENT. [LB31]

SENATOR COASH: THANK YOU, SENATOR BOLZ. MR. CLERK. [LB31]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR HILKEMANN WOULD MOVE TO AMEND THE COMMITTEE AMENDMENT WITH AM939. (LEGISLATIVE JOURNAL PAGE 933.) [LB31]

SENATOR COASH: SENATOR HILKEMANN, YOU'RE RECOGNIZED TO OPEN ON AM939. [LB31]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I RISE TO AMEND THIS LB31 THIS MORNING. BASICALLY, WHAT WE'RE DOING IS WE'RE STRIKING THIS SECTION 1. YOU'LL BE GETTING A COPY OF IT SOON. BASICALLY, THIS...SO YOU CAN LOOK AT YOUR COPY, TAKE OUT THE FRONT PORTION OF IT. AND WE'RE TAKING OUT THIS PORTION WHICH, "SHALL NOT OPERATE A MOTORCYCLE OR MOPED" WITHOUT EYE PROTECTION. FOR THE PURPOSES OF THIS SECTION...AND SO AT EITHER RATE, YOU WILL SEE THAT AMENDMENT IN FRONT. WE NEED TO...THIS WILL SIGNIFICANTLY CHANGE THAT ORIGINAL BILL AS YOU KNOW. AND SO THAT'S MY OPENING FOR AM939 AT THIS POINT. I'LL SPEAK ABOUT IT A LITTLE LATER. [LB31]

SENATOR HILKEMANN: THANK YOU, SENATOR HILKEMANN. MEMBERS, YOU'VE HEARD THE OPENING TO AM939 TO AM359. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB31]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. YOU KNOW, WHEN I RAN, WHEN I CAMPAIGNED--I'VE HAD TWO ELECTIONS IN THREE YEARS, TWO VERY TOUGH ELECTIONS IN THREE YEARS--ONE OF THE THINGS I RAN ON WAS STOPPING THIS KIND OF STUFF. AND I MADE IT VERY PLAIN THAT I AM NOT GOING TO SUPPORT ANY BILLS TO PROTECT YOU FROM YOURSELF. AND I'LL DO EVERYTHING I CAN TO REPEAL THE BILLS THAT TRY TO REGULATE YOUR PERSONAL BEHAVIOR WHEN NO ONE ELSE IS AT STAKE, WHEN NO ONE ELSE IS GOING TO BE HURT BUT YOU BY YOUR OWN BEHAVIOR, THEN YOU SHOULD HAVE THE BURDEN OF MAKING YOUR OWN DECISION ABOUT WHAT IS

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IMPORTANT AND WHAT IS NOT. AND I THINK THAT'S VERY IMPORTANT. WHAT WE HAVE HERE IS WE HAVE ON ONE HAND, WE HAVE INDIVIDUAL FREEDOM AND THE RIGHT TO MAKE YOUR CHOICE ABOUT HOW YOU WANT TO LIVE YOUR LIFE. ON THE OTHER HAND IS THE STATE TRYING TO PROTECT YOU FROM THINGS THAT ONLY THE STATE CAN PROTECT YOU FROM. AND WE'VE GOT TO WEIGH THAT OUT. AND BY THE WAY, AND USING THE POWER OF THE POLICE AND USING PHYSICAL FORCE TO PROTECT YOU IS WHAT IT IS. AND WE HAVE TO WEIGH THAT OUT. AND WE DO THAT ALL THE TIME. AND THERE ARE TIMES WHEN WE DO NEED TO PROTECT PEOPLE. BUT WHEN WE'RE DOING IT, WE'RE PROTECTING OTHER PEOPLE FROM YOUR ACTIONS. AND FAR TOO OFTEN WE HAVE FOUND THAT WE WANT TO PROTECT YOU FROM YOUR OWN ACTIONS, WHEN I THINK THAT'S WRONG. SO AS WE'RE WEIGHING THAT OUT AND I WEIGH THAT OUT AND I LOOK AT IT, I THINK ALLOWING YOU TO SUCCEED OR FAIL ON YOUR OWN, TO MAKE YOUR OWN DECISIONS ABOUT YOUR LIFE IS FAR MORE IMPORTANT THAN THE STATE'S INTEREST IN PROTECTING YOU FROM SOMETHING. NOW, WE HAVE PEOPLE HERE CITING DOCTORS. DOCTORS? I GO TO A CONSTITUTIONAL ATTORNEY WHEN I WANT TO FIND OUT THIS STUFF. WHEN I WANT TO PROTECT YOUR LIBERTY, I'M SURE NOT GOING TO CHECK WITH A DOCTOR. NO WAY, THAT'S NOT GOING TO HAPPEN. THIS IS NOT ABOUT DOCTORS AND HOSPITAL BILLS. IT SHOULDN'T BE. HEY, YOU KNOW, YOU CAN HAMMER YOUR THUMB. I MEAN YOU CAN DO ALL KIND OF THINGS TO HURT YOURSELF. AND SENATOR SCHUMACHER HAS LAID THAT OUT VERY WELL. AND I DON'T NEED TO GO INTO THAT AGAIN. BUT I THINK WHAT WE NEED TO DO IS ASK OURSELVES HOW MANY THINGS CAN WE PROTECT PEOPLE FROM? AND WHERE IS THIS GOING TO END? WELL, I SAY IT ENDS RIGHT NOW. I SAY THAT WE REPEAL THIS LAW AND WE BECOME LIKE EVERY OTHER STATE THAT TOUCHES US. I GOT TO TELL YOU, I GREW UP IN OHIO--NO SECRET THERE--CINCINNATI, OHIO. I NEVER HEARD OF A MOTORCYCLE LAW, A HELMET LAW LIKE THIS. I THINK THEY REPEALED IT IN LIKE 1974. SO I NEVER SAW IT. I NEVER THOUGHT ABOUT IT WHEN I MOVED HERE. AND I MOVED HERE, AND PEOPLE WERE TALKING ABOUT IT. PEOPLE ON MOTORCYCLES WERE GRUMBLING ABOUT IT. AND I WAS SHOCKED THAT A STATE LIKE THIS...I MOVED FROM A MUCH MORE LIBERAL STATE TO THIS STATE. AND THAT STATE HAD MORE FREEDOM AND LIBERTY THAN THIS STATE. I COULDN'T BELIEVE IT. SO I REALLY THINK THAT WE NEED TO QUIT TALKING ABOUT DOCTORS AND START TALKING ABOUT LIBERTY AND TALKING ABOUT YOU TAKING CARE OF YOURSELF AND MAKING YOUR OWN LIFE CHOICES. I DO AGREE WITH SENATOR KRIST WHEN HE SAID LIFE IS TOUGH; IT'S EVEN TOUGHER WHEN YOU'RE STUPID. AND I SURE HOPE THAT PEOPLE ARE SMART ENOUGH TO WEAR HELMETS, BUT NOT TO FORCE...POINT OF A GUN. THANK YOU, MR. PRESIDENT. [LB31]

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SENATOR COASH: THANK YOU, SENATOR KINTNER. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB31]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. THANK YOU, MEMBERS, FOR ANOTHER OPPORTUNITY TO BE AT THE MIKE. I MENTIONED THAT WE HAD A HANDOUT YESTERDAY THAT WAS A NEBRASKA MOTORCYCLE INFORMATION PACKET THAT SENATOR HILKEMANN SENT OUT. AND THE FIRST SHEET, THE COVER SHEET, IF YOU STILL HAVE IT IN YOUR PACKETS, TALKS ABOUT MOTORCYCLE HELMETS. I WAS COVERING MOST OF THE NARRATIVE. I WANT TO FINISH UP COVERING THE NARRATIVE ON THE FRONT OF THAT. AND THEN I WANT TO...I PULLED OUT A COUPLE OF THE GRAPHS THAT I THINK ARE WORTH REVIEWING AGAIN THAT AGAIN COUNTER SOME OF THE ARGUMENTS THAT ARE BEING MADE BY THE SUPPORTERS OF LB31. SO LET ME COVER A COUPLE OF THOSE KEY POINTS AGAIN. UNHELMETED MOTORCYCLISTS ARE THREE TIMES MORE LIKELY TO SUFFER BRAIN INJURIES THAN HELMETED RIDERS IN A CRASH. AND THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION POINTS OUT THAT HELMETS ARE ESTIMATED TO BE 37 PERCENT MORE EFFECTIVE IN PREVENTING FATAL INJURIES TO MOTORCYCLE RIDERS. TO GO BACK TO A POINT MADE BY SENATOR BOLZ EMPHASIZED BY THE HANDOUT THAT YOU'LL SEE, A TWO-PAGER--AGAIN, IT'S ALSO IN THE INFORMATION PACKET THAT WAS HANDED OUT YESTERDAY--IS A BAR GRAPH. MAYBE THIS IS CALLED A HISTOGRAM, I DON'T REMEMBER ANY MORE FROM MY STATISTICS COURSE THE DIFFERENCE BETWEEN BAR GRAPHS AND HISTOGRAMS. BUT WE'LL CALL IT A BAR GRAPH, LABELED NEBRASKA MOTORCYCLE FATALITIES, 1982 TO 2014. AND IF YOU TAKE A LOOK AT THAT AND FOLLOW IT OVER TO 1989 WHEN WE BEGAN THE IMPLEMENTATION OF THE HELMET LAW AND I WOULD SAY IF YOU BACK UP TO 1988, YOU'LL SEE A DECREASE THAT'S ALREADY STARTED. I BELIEVE THAT DECREASE IS PART OF WHAT WOULD BE THE PERIPHERAL POSITIVE IMPACT FROM THE DISCUSSION THAT WAS HELD BEFORE THE LAW WENT INTO EFFECT ABOUT THE NECESSITY FOR HELMETS. AND I'M SURE THERE WAS ALSO A PUBLIC RELATIONS CAMPAIGN GOING ON BY THE HIGHWAY DEPARTMENT AND OTHERS AT THE TIME POINTING OUT BECAUSE OF THE DRAMATIC NUMBER OF DEATHS WE WERE SEEING FROM MOTORCYCLE FATALITIES. I'M HOPEFUL THAT THAT WAS A RESULT OF THE PUBLIC REALIZING THIS WAS A PROBLEM. BUT THEN THE DROPOFF ONCE THE LAW GOES INTO EFFECT IS EXTREMELY DRAMATIC AND STAYS DRAMATIC UNTIL ABOUT 2001, 2001 AND BEGINS CREEPING UP. AND THEN IT GOES DOWN A LITTLE, AND THEN UP AND DOWN AND UP AND UP. BUT IN REALITY, THE TREND LINE, THE SLOPE OF THAT TREND LINE WOULD BE A GRADUAL INCREASE. I CAN SEE SOMEONE SAYING, WELL, OKAY, IT HAD AN IMMEDIATE EFFECT. AND THEN THAT EFFECT WENT AWAY AND

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PEOPLE WENT BACK TO, YOU KNOW, UNSAFE DRIVING OR WHATEVER THE CASE MAY BE. IN OTHER WORDS, THIS ISN'T RELATED TO THE HELMET LAW. BUT THAT'S THE REASON FOR THE SECOND PAGE THAT'S ATTACHED TO THIS THAT LISTS NEBRASKA MOTORCYCLE REGISTRATION, REGISTRATIONS VERSUS LICENSED DRIVERS. AND AGAIN, A BAR GRAPH, OR A GRAPH IN THIS CASE THAT TALKS ABOUT MOTORCYCLE REGISTRATIONS VERSUS MOTORCYCLE LICENSED DRIVERS. AND IF YOU GO DOWN THE YEARS AND WORK YOUR WAY UP, YOU'LL SEE THAT THERE CONTINUES TO BE AN INCREASE FROM 1990. IT LEVELS OFF A LITTLE BIT AND THEN IT STARTS CLIMBING AND CLIMBING AND CLIMBING AND CLIMBING. WE HAVE A CONSIDERABLE NUMBER OF MOTORCYCLE REGISTRATIONS. I MEAN WE'VE DOUBLED AND MORE THAN DOUBLED THE NUMBER OF MOTORCYCLE REGISTRATIONS... [LB31]

SENATOR COASH: ONE MINUTE. [LB31]

SENATOR GLOOR: ...SINCE THE 1990s UNTIL 2014. THE INCREASE HERE IS AS A RESULT CLEARLY OF MORE PEOPLE OWN MOTORCYCLES. YET, EVEN THOUGH THERE ARE TWICE AS MANY PEOPLE, WE STILL HAVE, SINCE THE HELMET LAW HAS GONE INTO EFFECT, HALF THE NUMBER OF DEATHS THAT WE WERE SEEING SINCE THE HELMET LAW HAS GONE INTO EFFECT. IT'S CLEARLY DRAMATICALLY A FACT. AND WE GET INTO EPISODIC STORIES AND WE TELL... YOU KNOW, WE TALK ABOUT ONE PARTICULAR INDIVIDUAL THIS AND ONE PARTICULAR INDIVIDUAL THAT. BUT IT'S NICE TO TALK ABOUT FACTS OCCASIONALLY, AND POINT OUT HARD NUMBERS THAT MAKE OUR POINTS. AND THAT'S HOW WE OUGHT TO BE MAKING SOME OF THESE DECISIONS, BASED UPON THE NUMBERS THAT ARE BEFORE US THAT RELATE TO SPECIFIC NEBRASKANS WHO DRIVE MOTORCYCLES, NEBRASKANS WHO ARE ALIVE TODAY BECAUSE OF THE MOTORCYCLE LAW, HELMET LAW. THAT'S ONE OF THE REASONS WE NEED TO KEEP IT IN PLACE. [LB31]

SENATOR COASH: TIME, SENATOR. [LB31]

SENATOR GLOOR: THANK YOU. [LB31]

SENATOR COASH: THANK YOU, SENATOR GLOOR. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB31]

SENATOR HILKEMANN: THANK YOU VERY MUCH, MR. SPEAKER. FOLLOWING THROUGH ON SENATOR GLOOR'S COMMENTS RELATIVE TO THAT HANDOUT

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WHICH YOU RECEIVED, I LOOKED AT THAT THE FIRST TIME AND I LOOKED AT THAT AND THEN I WENT BACK. NOT ONLY HAVE WE HAD A DRAMATIC INCREASE IN THE NUMBER OF MOTORCYCLISTS IN THAT SAME PERIOD OF TIME, THE OTHER PORTION OF THAT HANDOUT SHOWS YOU JUST THAT WE'VE GONE FROM ABOUT 20,000 TO WELL OVER 50,000 OR ALMOST 70,000 MOTORCYCLISTS DURING THAT SAME PERIOD OF TIME. I WOULD POINT OUT THAT WHEN YOU BUY A MOTORCYCLE AND YOU DECIDE YOU'RE GOING TO RIDE A MOTORCYCLE IN THE STATE OF NEBRASKA, YOU KNOW THAT YOU'RE GOING HAVE TO WEAR A HELMET IF YOU'RE GOING TO RIDE IT. SO PEOPLE ARE STILL ENJOYING THE FREEDOM, THE ENJOYMENT OF RIDING A MOTORCYCLE, AND THEY'RE WILLING TO DO THAT EVEN IF THEY HAVE TO WEAR A HELMET. AND SO AT EITHER RATE, I THOUGHT THAT'S ALSO WHAT THAT PARTICULAR GRAPH SHOWED ME. THERE'S BEEN SOME COMMENT TODAY ABOUT THIS, THAT THIS IS GOING TO...IF WE...WE'RE GOING TO DRAMATICALLY INCREASE REVENUES FROM TOURISM AND SO FORTH, PARTICULARLY WE'RE GOING TO MISS OUT ON STURGIS. WELL, I DID SOME STUDIES ON THAT. AND IF YOU ACTUALLY...ACCORDING TO ONE OF THE SURVEYS, AND ACTUALLY THIS COMES FROM THE STURGIS RALLY ITSELF, THEY BELIEVE THAT ABOUT 70 PERCENT OF THE PEOPLE TRAILER THEIR BIKES TO STURGIS. AND SO THEY DON'T RIDE THEIR BIKES. THAT'S A...WHEREVER YOU'RE COMING FROM, STURGIS IS A LONG WAYS TO GET THERE. AND IF YOU THINK ABOUT IT, IF YOU...AND IF YOU WANT TO COME DOWN A MAJOR ROAD, YOU'RE GOING TO GO I-80. YOU'RE GOING TO HAVE TO GO ABOUT 300 MILES OFF SOME PRETTY NOT-THE-BEST ROADS TO GET UP TO STURGIS IF YOU'RE GOING TO COME DOWN I-80, SO THE PEOPLE HAVE USED THE SOUTH DAKOTA FREEWAY FOR THAT ANYWAY. SO AT EITHER RATE, I DON'T KNOW THAT THAT'S A REAL, THAT WE WOULD GET A LOT MORE STURGIS TRAFFIC. WOULD WE GET SOME MORE? PROBABLY. BUT THAT'S CERTAINLY AN AREA WHERE I WOULD LIKE...I THINK THAT WE PROBABLY DON'T GET AS MUCH BANG FOR OUR BUCK OUT OF THE STURGIS AS WE WOULD THINK THAT WE WOULD IF WE WERE TO REPEAL THAT, THIS HELMET BILL IN THE STATE OF NEBRASKA. THANK YOU, MR. SPEAKER.
[LB31]

SENATOR COASH: THANK YOU, SENATOR HILKEMANN. SENATOR RIEPE, YOU ARE RECOGNIZED. [LB31]

SENATOR RIEPE: THANK YOU, MR. PRESIDENT AND MY COLLEAGUES AND THOSE OF YOU IN NEBRASKA THAT ARE TUNED IN TODAY. I WANT TO CLARIFY THAT I DO HAVE A HIGH REGARD AND RESPECT FOR ALL OF THE CITIZENS AND THE BIKE RIDERS, IF YOU WILL. I HAPPEN TO HAVE AN E-MAIL IN FRONT OF ME, A VERY LONG ONE, FROM A CONSTITUENT IN MY DISTRICT WHO VERY MUCH

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WANTS TO HAVE THE FREEDOM TO RIDE. I ALSO RECOGNIZE THAT WITH EVERY RIGHT THAT WE HAVE, WE ALSO HAVE EQUAL RESPONSIBILITIES. AND PART OF THOSE RESPONSIBILITIES ARE BEING ACCOUNTABLE, NOT ONLY TO OUR FAMILIES BUT ALSO TO ALL OF OUR FELLOW TAXPAYERS. THIS FALL, AS YOU KNOW, I'M A FIRST-YEAR LEGISLATIVE REPRESENTATIVE. AND DURING MY CAMPAIGN IN THE FALL, EVERY TIME I WOULD SEE A MOTORCYCLE THAT WAS IN A DRIVEWAY OR IN A GARAGE, I MADE IT A POINT IF THE RIDER WAS THERE, WE HAD A CONVERSATION AND WE'D TALK ABOUT IT. AND MY UNSCIENTIFIC SURVEY DETERMINED THAT A NUMBER OF RIDERS, FIRST OF ALL, WANTED THE FREEDOM TO MAKE THAT CHOICE. I RESPECT THAT. I UNDERSTAND THAT. A NUMBER OF THEM, THOUGH, SAID WITH THAT RIGHT I WOULD STILL PERSONALLY WEAR MY HELMET BECAUSE I KNOW THAT I HAVE A LOT OF RESPONSIBILITY. I HAVE A RESPONSIBILITY TO MY FAMILY AND TO THE CHILDREN THAT I MAY HAVE OR THE ONES THAT DO LOVE ME. PRETTY MUCH TO A PERSON, THEY WERE ALSO VERY MUCH SAYING WHILE I RESPECT MY RIGHTS, I THINK ANYONE UNDER THE AGE OF 21, AND MAYBE THEY WERE REFERRING TO THEIR OWN CHILDREN, SHOULD BE REQUIRED TO WEAR HELMETS. I'M JUST NOT SURE HOW YOU IDENTIFY A 21-YEAR-OLD DRIVING DOWN AN INTERSTATE, IF YOU WILL, AND I THINK THAT PUTS A GREAT BURDEN ON OUR LAW ENFORCEMENT PEOPLE. I ALSO HAD THE OPPORTUNITY AS A HOSPITAL ADMINISTRATOR TO MAKE ROUNDS WITH A WELL-REGARDED NEUROSURGEON. IT WAS PART OF A METROPOLITAN OMAHA COMMUNITY MEDICAL SOCIETY PROGRAM. AND WHEN I WAS MAKING ROUNDS WITH THIS NEUROSURGEON, WE VISITED MANY PATIENTS WHO WERE, AT THAT TIME THIS HAPPENED TO BE METHODIST HOSPITAL, THAT WERE HOSPITALIZED AND WAITING TO GO TO LONG-TERM CARE FACILITIES. AND IT WAS HEARTBREAKING OBVIOUSLY TO SEE THOSE PATIENTS AND ALSO REALIZING WHAT KIND OF A BURDEN THEY WILL BE, IF YOU WILL, TO THEIR FAMILIES, AND ALSO ULTIMATELY TO THE STATE OF NEBRASKA. PART OF THIS, AS A HEALTHCARE ADMINISTRATOR, WE ALSO HAD A SAYING IN THE HEALTHCARE BUSINESS AND THAT WAS WE CONSIDERED THE SUMMER MOTORCYCLE SEASON AS THE ORGAN DONATION SEASON. AND IT WASN'T A JOKE. IT WAS SIMPLY AN OBSERVATION BECAUSE THAT IS WHEN WE DID FIND THAT WE RECEIVED A HIGH NUMBER OF ORGANS FROM THOSE THAT WERE KILLED IN MOTORCYCLE ACCIDENTS. I ALSO RECEIVED A VERY LONG LIST OF PHYSICIANS AND HOSPITALS AND WHILE WE CAN CONTEND THAT THESE ARE NOT THEIR...THEY'RE NOT ATTORNEYS, IF YOU WILL, THEY'RE ALSO VERY MUCH THE FRONT LINE OF PEOPLE THAT SEE THE BROKEN HEARTS OF FAMILIES AND INDIVIDUALS THAT ARE FORCED TO FACE THIS PARTICULAR ISSUE. I CAN'T CONCLUDE WITHOUT TALKING ABOUT THE MEDICAID. I THINK EVERYONE IN THIS CHAMBER KNOWS THAT I HAVE A REAL CONCERN ABOUT

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THE GROWING EXPENSES OF MEDICAID AS BEING AN UNSUSTAINABLE ONE. THE OMAHA WORLD-HERALD, I BELIEVE TWO DAYS AGO, REPORTED THAT THE AVERAGE COST WAS \$4.4 MILLION, \$4.4 MILLION TO TAXPAYERS... [LB31]

SENATOR COASH: ONE MINUTE. [LB31]

SENATOR RIEPE: THANK YOU, MR. PRESIDENT...THAT ARE UNABLE TO FINANCE THEIR OWN HEALTH CARE, IF YOU WILL. I CONCLUDE WITH THAT. AGAIN, I BELIEVE IN LIBERTY FOR ALL. I BELIEVE IN FREEDOM. I BELIEVE IN CHOICE. BUT I ALSO BELIEVE IN RESPONSIBILITY NOT ONLY TO THE INDIVIDUAL RIDERS, THEIR FAMILIES, BUT ALSO RESPONSIBILITY TO THE TAXPAYERS. IF I HAVE ANY TIME LEFT, I WOULD LIKE TO YIELD THAT TO MY FELLOW HEALTHCARE ADMINISTRATOR, SENATOR GLOOR. [LB31]

SENATOR COASH: SENATOR GLOOR, 24 SECONDS. [LB31]

SENATOR GLOOR: THANK YOU. AND I WILL USE THAT BRIEF PERIOD OF TIME TO THANK SENATOR RIEPE FOR JOINING ME IN THAT ELITE CLASS OF PROFESSIONALS KNOWN AS HEALTHCARE EXECUTIVES AND SHARING HIS WISDOM. MINE MAY BE SOMEWHAT IN QUESTION GIVEN MY PREVIOUS SIX YEARS HERE. BUT HE IS AS FRESH AS THE DRIVEN SNOW IN TERMS OF HAVING A REPUTATION. HOPEFULLY HE'S DISTINGUISHED HIMSELF. HE HAS IN MY EYES SINCE, AND I HOPE THE BODY PAYS ATTENTION TO HIM. THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR RIEPE. [LB31]

SENATOR COASH: THANK YOU, SENATORS. SENATOR EBKE, YOU'RE RECOGNIZED. [LB31]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I HAVEN'T SAID MUCH DURING THIS EXTENDED DEBATE. AND I'VE REALLY BEEN PONDERING THE PLUSES AND MINUSES OF CONTINUING THE BAN...THE HELMET REQUIREMENT AS WE HAVE IT. AND A FEW QUESTIONS CAME TO MIND OUT OF ALL OF IT. YOU KNOW, FIRST OF ALL, THE BIGGEST QUESTION I'VE GOT IS WHETHER WE AS A BODY, 49 INDIVIDUALS, COLLECTIVELY KNOW BETTER THAN EVERY OTHER PERSON IN THIS STATE, IF WE ARE CAPABLE OF MAKING DECISIONS FOR THOSE FOLKS. I WANT TO KNOW WHETHER WE AS A BODY SOMEHOW TAKE ON THESE MAGICAL PROPERTIES OF KNOWLEDGE BECAUSE WE'VE BEEN ELECTED, IN SOME CASES BY NOT VERY MANY VOTES. HAVE OUR CONSTITUENTS ELECTED US TO RUN THEIR LIVES BECAUSE FRANKLY, I DON'T REMEMBER THAT IN OUR OATH OF

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OFFICE. DO I THINK THAT PEOPLE OUGHT TO WEAR HELMETS? WELL, SURE I DO. THIS COMES FROM A PERSON WHO DOES NOT RIDE A MOTORCYCLE, WHO WOULDN'T GET ON A MOTORCYCLE IF YOU PAID ME, I DON'T THINK. AND I DEFINITELY THINK PEOPLE OUGHT TO WEAR THEIR HELMETS. DO I THINK THAT PEOPLE OUGHT NOT SMOKE? WELL, YES. I THINK PEOPLE OUGHT NOT SMOKE AS WELL. BUT THAT DOESN'T MEAN THAT I'M WILLING TO TEAR ALL OF THE CIGARETTES OUT OF ALL OF THE STORES EVERY PLACE. DO I THINK ALCOHOL IN EXCESS IS BAD FOR US? WELL, SURE, I DO. IS DRIVING A CAR DANGEROUS? YES, IT IS. DO I THINK JAYWALKING FROM THE PARKING LOT ACROSS THE STREET TO THE CAPITOL COULD BE DANGEROUS? YEAH, I THINK IT COULD. THERE HAVE BEEN A FEW TIMES WHEN, EARLY IN THE MORNING, IT'S BEEN A CLOSE CALL. DO I THINK THAT WEARING HIGH HEELS CAN BE DANGEROUS? SURE. ARE CHAIN SAWS USED BY NONPROFESSIONALS OR EVEN PROFESSIONALS DANGEROUS? YES. DO I THINK THAT EATING TOO MANY PEANUT M&Ms, SENATOR HILKEMANN, IS DANGEROUS? YES, I DO. AND DO I THINK GAMBLING IS A RISKY ACTIVITY. YES, I DO. DO I THINK THAT MAYBE WE SHOULD ALL WEAR SUNSCREEN EVERY TIME WE GO OUTSIDE IF WE EVER GET OUT OF HERE IN JUNE? YES. BUT, COLLEAGUES, THE STATE IS SUPPOSED TO PROTECT US FROM EACH OTHER. BUT I WOULD ARGUE THAT IT'S NOT SUPPOSED TO PROTECT US FROM OURSELVES. LET'S LET OUR CITIZENS KNOW THE RISKS OF THEIR ACTIVITIES. WE'VE GOT LOTS OF RESEARCH OUT THERE. AND LET'S LET THEM WEIGH THE RISK FOR THEMSELVES. LET'S LET ADULTS MAKE THEIR OWN DECISIONS AND LIVE WITH THE RESULTS OF THEIR CHOICES. AND IF SENATOR BLOOMFIELD CAN USE ANY TIME, I WOULD BE HAPPY TO YIELD WHATEVER I'VE GOT LEFT. [LB31]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE YIELDED 1 MINUTE, 53 SECONDS. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR, FOR THE TIME. COLLEAGUES, I HAVE IN MY HANDS DATA FROM THE NEBRASKA MOTOR VEHICLES, HEALTH AND HUMAN SERVICES, IOWA DEPARTMENT OF TRANSPORTATION. SENATOR GLOOR WAS TALKING ABOUT THE STATISTICS BASED ON LICENSES. I'M LOOKING AT THE DATA FROM 2013. THAT'S THE LATEST I HAVE. IOWA, WITH NO HELMET REQUIREMENT, HAD A PERCENTAGE OF .36. SOUTH DAKOTA, AT 18 YEARS' AGE, HAS A .57. NEBRASKA... [LB31]

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SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. NEBRASKA, WITH FULL HELMETS, HAS A .54 PERCENT. IOWA, WITH ZERO HELMETS, HAS .2 FEWER INJURIES THAN DOES NEBRASKA WITH THE HELMET. WE HAD AN ACCIDENT HERE THE DAY THIS BILL WAS INTRODUCED. I HAVE A HELMET SIMILAR TO WHAT THAT YOUNG MAN WAS RIDING DOWN IN MY OFFICE. I HAVE INVITED SEVERAL OF YOU TO COME DOWN AND TRY IT ON. I INVITE ALL OF YOU TO COME DOWN AND TRY IT ON. I AM TOTALLY CONVINCED AND YOU WILL BE, TOO, IF YOU PUT THAT HELMET ON THAT THAT HELMET CAUSED THAT ACCIDENT. THE YOUNG MAN SAID, I DIDN'T SEE THE TURN SIGNAL ON THE VEHICLE I RAN INTO. [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

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

SPEAKER HADLEY: THOSE IN THE QUEUE ARE: SENATOR KEN HAAR, HANSEN, CAMPBELL, GLOOR, AND OTHERS. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB31]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, THE REASON I KEEP TALKING ON THIS IS I DO FEEL VERY STRONGLY HAVING BEEN IN A SITUATION WHERE I'M CONVINCED THAT A HELMET SAVED MY LIFE. IN TERMS OF WHAT NEBRASKANS FEEL, AND THIS IS FROM THE NEBRASKA OFFICE OF HIGHWAY SAFETY, ACCORDING TO A MAY 2014 SURVEY OF 950 NEBRASKANS CONDUCTED BY RESEARCH ASSOCIATES, QUOTE, 77 PERCENT INDICATED THE NEBRASKA LAW REQUIRING MOTORCYCLE HELMETS SHOULD BE CONTINUED, 19 PERCENT INDICATED IT SHOULD BE REPEALED, 5 PERCENT HAD NO OPINION. SO IF PUBLIC OPINION IS THE PRIMARY DRIVER--AND WE DO LOOK AT PUBLIC OPINION, AND I DON'T APOLOGIZE FOR THAT--BUT IF PUBLIC OPINION IS REALLY IMPORTANT, 77 PERCENT OF NEBRASKANS FEEL THAT WE SHOULD REQUIRE TO HAVE MANDATORY HELMET LAW. THERE ARE ALSO CASES, I THINK, WHERE WE HAVE BEEN ELECTED, NOT JUST TO LOOK AT POLLS, BUT WE'VE ALSO BEEN ELECTED TO PROVIDE LEADERSHIP AND PROVIDE JUDGMENT...TO PROVIDE OUR JUDGMENT. I WAS ELECTED NOT BY HUGE MARGINS, BUT I WAS ELECTED. AND SO THERE ARE TIMES I WILL USE MY JUDGMENT OVER A POLL. IN THIS CASE HAVING EXPERIENCED A MOTORCYCLE ACCIDENT MYSELF, I FEEL I'M PROVIDING LEADERSHIP BY SAYING IT'S APPROPRIATE, IT'S IMPORTANT, AND IT

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AFFECTS US ALL. AND THAT'S WHY I OPPOSE LB31 AS I HAVE IN THE PAST. I HAVE IN FRONT OF ME A REPORT FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES ON NEBRASKA INJURY PREVENTION AND CONTROL FACTS, NOVEMBER 2014. SO THIS IS RECENT. AND THIS TALKS ABOUT MOTORCYCLE INJURIES AND FATALITIES, NEBRASKA, 2008 TO 2013. AND IT'S WELL-WRITTEN AND DURING MY TIME AT THE MIKE, I WILL READ FROM THE REPORT. AND IT SAYS, IN NEBRASKA, FAMILY AND COMMUNITY IS OUR PRIORITY. KEEPING ALL CITIZENS SAFE ON OUR STATE HIGHWAYS IS A VITAL PART OF MAINTAINING A HEALTHY FAMILY AND COMMUNITY. THIS BRINGS UP A POINT, BY THE WAY. WE'RE NOT JUST TALKING ABOUT SOMEBODY IN ISOLATION SOMEWHERE BY THEMSELVES. WE'RE TALKING ABOUT SOMEBODY USING THE HIGHWAYS, SOMEBODY USING THE ROADWAYS. AND ANY TIME YOU'RE ON A HIGHWAY OR A ROADWAY, THAT'S A PRIVILEGE. YOU HAVE TO HAVE A LICENSE. THAT'S A PRIVILEGE. AND WHEN YOU'RE ON A HIGHWAY OR A ROADWAY, YOU AFFECT OTHER PEOPLE. SO WHEN WE'RE TALKING ABOUT SOMEBODY DRIVING A MOTORCYCLE OR EVEN SOMEONE DRIVING A BICYCLE ON THE HIGHWAYS OR THE ROADWAYS, THIS INVOLVES OTHER NEBRASKANS. THIS INVOLVES OTHER PEOPLE. IT'S NOT A SINGULAR, HEY, IT'S JUST SOMEBODY MAKING THEIR OWN CHOICE. NO, WHEN YOU'RE ON A HIGHWAY OR A ROADWAY, YOU'RE AFFECTING OTHER PEOPLE. AND THAT COULD BE, YOU KNOW, IN TERMS OF HAVING AN ACCIDENT WHERE YOU CREATE THE ACCIDENT OR BEING IN A SITUATION WHERE SOMEBODY HAS AN ACCIDENT ON THE ROADWAY THAT THEY CREATED. SO, FROM 2008 TO 2013, THERE HAVE BEEN 151 DEATHS RESULTING FROM A MOTORCYCLE CRASH. OF THOSE, 88 PERCENT... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR HAAR: ONE MINUTE? THANK YOU. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR HAAR: ...OF THOSE, 88 PERCENT OR 58 PERCENT WERE THE RESULT OF A HEAD INJURY. SO OF THE 151 DEATHS, 58 PERCENT WERE THE RESULT OF A HEAD INJURY. AND AGAIN, I WOULD ARGUE THAT WHEN YOU'RE ON A ROADWAY, WHEN YOU'RE ON A HIGHWAY, YOU'RE NOT THERE BY YOURSELF. YOU'RE INTERACTING WITH OTHER PEOPLE AND I THINK IT'S APPROPRIATE THAT WE PASS THINGS AND, IN THIS CASE, KEEP THINGS LIKE A MANDATORY HELMET LAW. THANK YOU VERY MUCH. [LB31]

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

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. COLLEAGUES, THROUGHOUT THE DEBATE TODAY AND YESTERDAY, I HAVE YET TO RISE AND ADDRESS MY FEELINGS ON THIS ISSUE. FOR ME PERSONALLY, IT'S TAKEN A LITTLE BIT OF TIME TO FORMULATE. AND I DO APPRECIATE THE DEBATE, AS EXTENDED AS IT IS, AND BEING ABLE TO WEIGH THE DIFFERING VIEWPOINTS. THERE CERTAINLY ARE DIFFERENT ECONOMIC ARGUMENTS. THERE CERTAINLY ARE DIFFERENT AGREEMENTS ABOUT HOW SAFE HELMETS ARE OR ARE NOT. AND THAT HAS BEEN INTERESTING TO HEAR IN A WAY. BUT THERE'S ONE ISSUE THAT'S COME UP A COUPLE TIMES THAT I FEEL I NEED TO ADDRESS. IT'S BEEN STATED BY VARIOUS PEOPLE ON THIS FLOOR THAT THE SUPPORTERS OF LB31 ARE STANDING UP FOR THE RIGHTS OF A MINORITY. AND IT HAS BEEN SAID, AGAIN, THAT THE RIGHTS OF THE MINORITY ARE EASILY INFRINGED. WELL, THAT SECOND STATEMENT I CERTAINLY AGREE WITH. I CERTAINLY AGREE THAT THE RIGHTS OF THE MINORITIES CAN BE EASILY INFRINGED, AND THEY DO NEED TO BE DEFENDED IN THE LEGISLATURE. YOU KNOW, SO THAT IS WHY PERSONALLY I OPPOSED THE VOTER ID BILL IN BOTH COMMITTEE AND ON THE FLOOR BECAUSE I FELT THAT WAS AN INFRINGEMENT ON INDIVIDUALS' RIGHTS. THAT IS WHY I'M PROUD TO BE A COSPONSOR OF LB586, INTRODUCED BY SENATOR MORFELD AND PRIORITIZED BY SENATOR PANSING BROOKS, WHICH WILL PROTECT THE EMPLOYMENT OF PEOPLE BASED ON THEIR GENDER AND SEXUAL IDENTITY. THESE ARE THE ISSUES THAT WE HEAR TIME AND TIME AGAIN IMPACTING THE RIGHTS OF MINORITY GROUPS IN OUR STATE. AND SO I CERTAINLY HOPE ALL OF MY COLLEAGUES THAT ARE SO QUICK TO RALLY TO THE SUPPORT OF MOTORCYCLE OWNERS WILL JOIN ME IN SUPPORTING THAT BILL, LB586 WHEN IT COMES TO THE FLOOR. THAT BEING SAID, I THINK WE ARE JUST SIMPLY IN ANOTHER ISSUE, ANOTHER AREA WHEN WE'RE TALKING ABOUT MOTORCYCLE HELMETS. I KNOW I'M THE YOUNGEST AND I KNOW THAT MEANS MOST LIKELY I'VE TAKEN DRIVER'S ED MORE RECENTLY THAN EVERYONE ELSE IN THIS CHAMBER. AND WHEN I TOOK DRIVER'S ED, WHAT THEY SAID I DON'T KNOW HOW MANY TIMES A DAY, PROBABLY ONCE EVERY 20 MINUTES, IS THAT DRIVING IS A PRIVILEGE, DRIVING IS A PRIVILEGE. IT IS SOMETHING THE STATE ALLOWS YOU TO DO ON ITS ROADS. AND WE IMPOSE TESTS AND REQUIREMENTS FOR THOSE PEOPLE WHO DO SEEK TO UTILIZE THAT PRIVILEGE. YOU KNOW, THERE'S A VISION TEST. THERE'S A KNOWLEDGE TEST, IN TERMS OF, YOU KNOW, STREET SIGNS AND ROUTES, AND YOU KNOW, A PRACTICAL TEST. YOU HAVE TO GO TO THE DMV AT A CERTAIN TIME, HAVE AN INSTRUCTOR IN YOUR CAR, SHOW THAT YOU KNOW HOW TO DRIVE BECAUSE DRIVING IS A PRIVILEGE AND THE STATE HAS A REQUIREMENT...OR THE ABILITY, RATHER, TO REGULATE WHO CAN

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DRIVE AND IN WHAT FASHION AND HOW THEY WANT THEM TO DRIVE. SO I JUST DON'T THINK WE CAN COMPARE MOTORCYCLE HELMETS TO THE SAME FUNDAMENTAL RIGHTS THAT WE'RE STANDING UP FOR PEOPLE'S RIGHTS IN THE SAME WAY WE ARE WHEN WE'RE TALKING ABOUT VOTING OR PEOPLE'S OWN IDENTITIES. AND YOU KNOW, FURTHER, WHY I WAS DEVELOPING THIS AND THINKING ABOUT THIS AND WHAT I WANTED TO SAY BECAUSE THIS IS SOMETHING THAT'S BEEN GNAWING AT ME SINCE YESTERDAY, AND I GUESS JUST NOW FINALLY PUTTING WORDS TO THOUGHTS, BUT THERE WAS A SUPREME COURT CASE THAT HAS ACTUALLY DEALT WITH THE HELMET LAW WHEN IT WAS EARLY INTRODUCED. I BELIEVE IT IS ROBOTHAM V. STATE OF NEBRASKA. IT WAS A NEBRASKA SUPREME COURT CASE IN 1992 WHERE...AND I'M GOING TO QUOTE IT DIRECTLY. SINCE THE HELMET LAW INDICATES NEITHER A FUNDAMENTAL RIGHT NOR A SUSPECT CLASS... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR HANSEN: ...WE REJECT THE PLAINTIFF'S ASSIGNED ERRORS. THAT WAS A PARTIAL PARAPHRASE. BUT THE NEBRASKA SUPREME COURT HAS RULED THAT THE HELMET LAW IMPLICATES NEITHER A FUNDAMENTAL RIGHT NOR A SUSPECT CLASS. SO WE CERTAINLY CAN HAVE DEBATE. WE CERTAINLY CAN DECIDE WHETHER OR NOT WE WANT TO BE LIKE IOWA OR WE WANT TO BE LIKE COLORADO OR WHETHER WE WANT TO BE LIKE ALASKA, WHETHER WE WANT TO BE LIKE GUAM OR EVERY OTHER STATE WE DECIDE. THERE CERTAINLY ARE ALL SORTS OF DIFFERENT MODELS. BUT I JUST CANNOT FEEL THAT WHEN WE'RE TALKING ABOUT THE RIGHTS HERE, WE NEED TO BE CAREFUL TO TALK ABOUT RIGHTS HERE THAT IF YOU'RE GOING TO MAKE A SWEEPING GENERALIZATION THAT YOU'RE FOR INDIVIDUAL RIGHTS AND YOU'RE THE LAST STALWART OF INDIVIDUAL RIGHTS, WELL, I CERTAINLY HOPE YOU'LL BE SO ACROSS ALL ISSUES AND CERTAINLY ACROSS ISSUES THAT ARE, AS WE'VE SEEN TIME AND TIME AGAIN, CONSTITUTIONALLY PROTECTED AND VERY TARGETED BY SOME GROUPS. THANK YOU, MR. PRESIDENT. [LB31]

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

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. AND I WILL YIELD MY TIME TO SENATOR PANSING BROOKS. [LB31]

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SPEAKER HADLEY: SENATOR PANSING BROOKS, YOU'RE RECOGNIZED WITH FIVE MINUTES OF TIME. [LB31]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT, AND THANK YOU, SENATOR CAMPBELL. I JUST WANTED TO JUST ADD A FEW THINGS TO THIS DISCUSSION. FIRST OFF, THANK YOU, SENATOR HANSEN FOR YOUR ASTUTE DISCUSSION OF WHAT RIGHTS ARE TRULY SOMETHING THAT WE NEED TO BE DISCUSSING. AGAIN, I'VE BEEN QUITE HEARTENED IN THE PAST DAY AND A HALF ABOUT THE TALK ABOUT HOW INTERESTED EVERYBODY IS IN THE CHOICE ISSUE. AND I'M VERY EXCITED TO HEAR ABOUT EVERYBODY'S EXCITEMENT ABOUT GIVING EVERYBODY FREEDOM OF CHOICE. ONWARD TO THE HELMET LAW DISCUSSIONS, I WOULD JUST LIKE TO DISCUSS THERE WAS A 1991 GENERAL ACCOUNTING OFFICE REVIEW OF HELMET LAW STUDIES. AND THE GENERAL ACCOUNTING OFFICE FOUND NINE STUDIES THAT INCLUDED DATA ON HELMET USE IN STATES THAT DID...WITH AND WITHOUT UNIVERSAL HELMET LAWS. AND, QUOTE, THESE STUDIES REPORTED THAT HELMET USE UNDER UNIVERSAL LAWS RANGE FROM 92 PERCENT TO 100 PERCENT WHILE WITHOUT A LAW OR UNDER A LIMITED LAW REQUIRING THAT ONLY SOME RIDERS WEAR HELMETS, HELMET USE GENERALLY RANGED FROM 42 PERCENT TO 59 PERCENT. THE STUDY WENT ON TO SAY, AND THIS WAS A 1991 STUDY AND THESE ARE QUOTES FROM PAGE 4 OF THE STUDY, QUOTE, THESE STUDIES CONSISTENTLY SHOW THAT FATALITY RATES WERE LOWER WHEN UNIVERSAL HELMET LAWS WERE IN EFFECT. MOST RATES RANGED FROM 20 PERCENT TO 40 PERCENT LOWER. SEVERAL OF THESE STUDIES COMPARED PERIODS BEFORE A HELMET LAW WAS ENACTED. WHILE IT WAS IN EFFECT AND AFTER IT WAS REPEALED, THEY SHOW THAT THE DECREASE IN FATALITY RATES WHEN LAWS WERE ENACTED WERE MATCHED BY COMPARABLE INCREASES WHEN THE LAWS WERE REPEALED. AND FURTHER, THE STUDIES INDICATED THAT HELMETED RIDERS WERE MORE LIKELY TO, ONE, NEED AMBULANCE SERVICE, TWO, BE ADMITTED TO A HOSPITAL AS AN INPATIENT, THREE, HAVE HIGHER HOSPITAL CHARGES, FOUR, NEED NEUROSURGERY AND INTENSIVE CARE, FIVE, NEED REHABILITATION, AND, SIX, BE PERMANENTLY IMPAIRED AND NEED LONG-TERM CARE. FURTHER, THERE'S JUST MOUNTING DATA NATIONALLY. THERE'S A WEST VIRGINIA STUDY IN 2006, SHOWED THAT ACCORDING TO THE STUDY, 16.5 PERCENT OF MOTORCYCLE CRASH VICTIMS IN STATES WITHOUT A UNIVERSAL HELMET LAW HAD PRIMARY DIAGNOSIS OF BRAIN INJURY, SERIOUS BRAIN INJURY, COMPARED TO THE STATES WITH THE MANDATORY HELMET LAWS. THE IN-HOSPITAL DEATH RATES IN THE STATES THAT DID NOT HAVE MANDATORY HELMET LAWS WAS ALSO HIGHER, 11.3 PERCENT VERSUS 8.8 PERCENT. THERE'S...FURTHER, THE CENTERS FOR DISEASE CONTROL ESTIMATED THAT IN 2010, \$3 BILLION IN COSTS WERE

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SAVED AS A RESULT OF THE U.S. MOTORCYCLISTS WEARING HELMETS. THAT'S NATIONWIDE. SO IT'S ESTIMATED THAT ANOTHER \$1.4 BILLION COULD HAVE BEEN SAVED IF ALL MOTORCYCLISTS WORE HELMETS. SO THE STUDIES ARE CLEAR. THE NUMBERS COME FROM ACROSS THE COUNTRY. WE KNOW THAT THE COSTS ARE SIGNIFICANT IN NOT WEARING A HELMET: THE COST TO SAFETY, THE COST TO LIVES, THE COST TO OUR STATE... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT...THE COST TO OUR STATE BUDGET. THE COSTS ARE JUST A GIVEN. ANOTHER THING THAT I THOUGHT WAS INTERESTING IS THAT TOM CONSTAND OF THE BRAIN INJURY ASSOCIATION SAID, YES, WE'RE TALKING ABOUT ALL THIS DISCUSSION ABOUT NOT TAKING AWAY MY FREEDOM, GIVING ME MY RIGHT TO CHOOSE, GIVING ME THIS CHOICE. AND AS HE SAID, THAT FREEDOM ENDS AT MY WALLET. AND IT ENDS IN ALL OF OUR WALLETS. IT ENDS IN THE INSURANCE RATES THAT WE HAVE TO PAY WHEN PEOPLE ARE INJURED SO SIGNIFICANTLY AND THE INSURANCE COMPANIES THEN HAVE TO ASSUME THE COSTS. AND WHO ACTUALLY ASSUMES THOSE COSTS? NOT SOME PIE-IN-THE-SKY, OVERGENEROUS INSURANCE COMPANY. OF COURSE, WE ALL DO. AS TAXPAYERS, AS INSURANCE PAYERS, AS CITIZENS... [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR PANSING BROOKS: ...OF THE STATE. THANK YOU SO MUCH, MR. PRESIDENT. [LB31]

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

SENATOR GLOOR: THANK YOU, MR. PRESIDENT, MEMBERS. MIXED IN WITH US THROWING NUMBERS IN AND TELLING PEOPLE SOME OF WHAT THEY ALREADY KNOW IS SOME INTERESTING DIALOGUE AND DEBATE THAT I'M SURE GETS PEOPLE A LITTLE MORE EXCITED ON TELEVISION. SENATOR EBKE BROUGHT UP A GOOD POINT, WHICH IS, YOU KNOW, DO WE KNOW BETTER THAN OUR CONSTITUENTS? DO WE KNOW BETTER THAN NEBRASKANS? AND I'LL ANSWER THAT. IN MANY CASES, ABSOLUTELY WE DON'T, OR NO BETTER THAN FLIPPING A COIN SOMETIMES. I MEAN WE DIDN'T GET ELECTED BECAUSE WE WERE EXPERTS IN EVERYTHING ALL THE TIME. WE DIDN'T. BUT WE ARE A REPRESENTATIVE

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FORM OF GOVERNMENT. AND THE RESPONSIBILITY THAT GOES WITH THAT IS WHEN BILLS LIKE THIS COME BEFORE US, TO MAKE THE BEST DECISIONS WE CAN ON BEHALF OF OUR CONSTITUENCIES, WHOEVER THAT MAY BE. THOSE WHO ELECTED US AND AS WE ALL KNOW, FAR TOO MANY NEBRASKANS DON'T VOTE BUT THEY HAVE STRONG OPINIONS. AND SOMETIMES WHEN THEY SEND US E-MAILS THEY TELL US THEY VOTED FOR US, EVEN THOUGH WE MAY DRAW SOME SUSPICIONS ABOUT THAT. BUT WE DON'T ALWAYS KNOW BETTER THAN THEY DO. IT IS A REPRESENTATIVE FORM OF GOVERNMENT, THOUGH. AND SO WE COME DOWN HERE. WE SPEND TIME IN DEBATE. WE SPEND TIME IN HEARINGS. WE GATHER INFORMATION. INFORMATION IS FED TO US IN THE MAIL, ELECTRONICALLY, SOMETIMES WE'RE PULLED OUT IN THE ROTUNDA AND SOMEBODY TRIES TO EDUCATE US. BUT ULTIMATELY WE HAVE AT OUR DISPOSAL FAR MORE INFORMATION TO CONSIDER THAN OUR CONSTITUENTS DO. AND WE HAVE A RESPONSIBILITY AND IN MANY CASES THE TIME TO DIG THROUGH ALL OF THAT INFORMATION TO MAKE THE BEST DECISION POSSIBLE. TO SAY THAT WE DON'T KNOW BETTER THAN OUR CONSTITUENTS, WE DON'T KNOW BETTER THAN NEBRASKANS, AND THEY JUST OUGHT TO DO WHAT THEY DO, SHIRKS THE RESPONSIBILITY THAT WE HAVE WHEN WE ARE ELECTED. I'D SAY AGAIN, THIS IS A REPRESENTATIVE FORM OF GOVERNMENT. I DID NOT REALIZE UNTIL I GOT DOWN HERE HOW MUCH MY PREVIOUS CAREER RELATED TO SOME OF WHAT I DID DOWN HERE, THAT IS RUNNING A MEDICAL CENTER, RUNNING A HOSPITAL, BEING A HOSPITAL ADMINISTRATOR. AND I'VE BEEN AMAZED AT WHAT A TESTING GROUND IT WAS FOR DECISIONS I MAKE HERE. I DIDN'T KNOW BETTER THAN MOST OF MY EMPLOYEES. I THINK ONE TIME WE HAD 1,300 EMPLOYEES PLUS OTHER EMPLOYEES WITH JOINT VENTURES WE WERE INVOLVED IN. IS IT REASONABLE TO THINK THAT I ALWAYS KNEW BETTER THAN 1,300 EMPLOYEES? IS IT REASONABLE TO THINK THAT I KNEW BETTER THAN 110, 120 PHYSICIANS WHO WERE A PARTICIPANT IN HELPING TAKE CARE OF PATIENTS IN OUR HOSPITAL? NO, IT WASN'T. BUT I HAD THE RESPONSIBILITY THERE AS I HAVE A RESPONSIBILITY HERE, AS WE ALL HAVE A RESPONSIBILITY, TO TAKE IN AS MUCH INFORMATION IN AS POSSIBLE, ASSESS THAT INFORMATION, AND TRY AND MAKE AS GOOD A DECISION AS NECESSARY. AND I THINK WHAT YOU'RE SEEING IN THE VOTING ON THIS BILL IS REPRESENTATIVE, CERTAINLY AS WE CARRY IT THROUGH TO AN ATTEMPT AT CLOTURE, OF US TRYING TO DIGEST THIS INFORMATION AND MAKING THE BEST DECISION POSSIBLE. OTHERWISE, LET'S JUST SET UP A BIG BUTTON IN EVERYBODY'S LIVING ROOM, AND ONCE A DAY WE'LL ASK YOU HOW YOU FEEL ABOUT THE HELMET LAW, HOW YOU FEEL ABOUT THE DEATH PENALTY, HOW YOU FEEL ABOUT THE GAS TAX... [LB31]

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SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR GLOOR: ...SO PEOPLE CAN VOTE RED OR GREEN OR NOT VOTE AT ALL. I CERTAINLY NEVER CROSSED MY MIND WHEN I RAN A HOSPITAL TO HAVE BUTTONS ON EVERYBODY'S LOCKER THAT THEY COULD PUNCH AND SAY, WHAT DO YOU THINK? SHOULD WE BUY A NEW MRI FOR THE FACILITY? WHAT DO YOU THINK? ACTUALLY, ONE OF THE QUESTIONS WOULD BE, SHOULD EVERYBODY GET A 5 PERCENT RAISE? I KNOW WHAT THE OUTCOME OF THAT VOTE WOULD BE. YET I HAD TO BALANCE THE BUDGET OF THE ORGANIZATION AND WE DID GIVE RAISES AND SOMETIMES THEY WERE 5 PERCENT. SOMETIMES THEY WERE LESS, AND SOMETIMES THEY WERE MORE, AND SOMETIMES NOT AT ALL. BUT I COULDN'T SURVEY MY EMPLOYEES EVERY TIME I WAS GOING TO MAKE A DECISION. AND WE CAN'T SURVEY NEBRASKANS EVERY TIME WE'RE MAKING A DECISION, NOR SHOULD WE DEFER TO THEM EVERY TIME WE'RE GOING TO MAKE A DECISION. IT'S A PRIVILEGE FOR US TO BE HERE. BUT IT ALSO IS A RESPONSIBILITY ONCE WE ARE HERE TO DO THE BEST... [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR GLOOR: ...WITH THE INFORMATION IN FRONT OF US. THANK YOU. [LB31]

PRESIDENT HADLEY: THOSE IN THE QUEUE ARE: SENATORS CHAMBERS, HILKEMANN, PANSING BROOKS, BLOOMFIELD, AND OTHERS. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB31]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, WHEN A BILL IS BEFORE THE BODY, EVEN IF IT'S CONTROVERSIAL, AND THERE'S DEBATE ON BOTH SIDES AND IT'S NOT A BILL IN WHICH I HAVE A GREAT AMOUNT OF OR ANY COMPELLING INTEREST, THEN I JUST ALLOW THE DEBATE TO GO FORWARD. SO I WAS IN MY OFFICE GETTING CAUGHT UP ON SOME THINGS, AND I HEARD "THOMAS JEFFERSON" KINTNER SPEAKING, OR HOLDING FORTH, AS THEY WOULD SAY IN THE OLD DAYS, AND IT INSPIRED ME TO COME UP HERE. AND I'D LIKE TO ASK SENATOR KINTNER A QUESTION OR TWO. [LB31]

SPEAKER HADLEY: WOULD SENATOR KINTNER YIELD TO A QUESTION? [LB31]

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SENATOR KINTNER: YES, I WILL. IT'S TOUGH TO GET ANY WORK DONE, BY THE WAY, HERE. [LB31]

SENATOR CHAMBERS: SENATOR KINTNER, SEVERAL TIMES I'VE HEARD YOU REFER TO THE FACT THAT YOU CAME DOWN HERE AND YOU DIDN'T REALIZE...LET ME LEAVE THAT OUT. YOU CAME DOWN HERE AND YOU OFTEN FIND YOURSELF DEFENDING AND PROTECTING THE RIGHTS OF CITIZENS. HAVE YOU MADE A STATEMENT SIMILAR TO THAT, IF THAT'S NOT THE EXACT WORDS? [LB31]

SENATOR KINTNER: SIMILAR TO THAT, YES. [LB31]

SENATOR CHAMBERS: OKAY. NOW THIS MORNING, DID I HEAR YOU SAY THAT YOU WERE FROM THE STATE OF OHIO? [LB31]

SENATOR KINTNER: YES. [LB31]

SENATOR CHAMBERS: AND DID YOU SAY THAT THE STATE OF OHIO IS A MORE LIBERAL STATE THAN NEBRASKA? [LB31]

SENATOR KINTNER: I THINK SO, YES. [LB31]

SENATOR CHAMBERS: AND DID YOU SAY, NEVERTHELESS, THEY HAD MORE FREEDOM THERE THAN YOU FOUND IN NEBRASKA AND THAT WAS A SURPRISE TO YOU? [LB31]

SENATOR KINTNER: ON THIS ISSUE, ON THIS ISSUE, YES. [LB31]

SENATOR CHAMBERS: WELL, WELL, THEN LET'S...OKAY, I'LL ACCEPT THAT. BUT IT INDICATES THAT, IF YOU JUST LABEL A STATE LIBERAL OR WHATEVER NEBRASKA IS, THAT STATEMENT MAY NOT BE TRUE ACROSS THE BOARD. ISN'T THAT TRUE? [LB31]

SENATOR KINTNER: THAT'S TRUE. [LB31]

SENATOR CHAMBERS: OKAY. NOW WE'LL GET DOWN TO SOME MORE SPECIFIC THINGS. YOU MENTIONED THAT PEOPLE SHOULD HAVE A CHOICE TO DO WHAT

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THEY WANT TO DO AS LONG AS IT INVOLVES THEIR...EVEN IF IT'S SOMEWHAT DANGEROUS, IF IT INVOLVES THEIR ACTIVITIES AND THEY CHOOSE TO DO IT, THE STATE SHOULD NOT PROTECT THEM FROM THEMSELVES. IS THAT WHAT YOU SAID, SOMETHING LIKE THAT? [LB31]

SENATOR KINTNER: GENERALLY. BASICALLY, WHAT I'VE SAID OVER AND OVER IS I DON'T WANT TO PASS ANY MORE LAWS THAT PROTECT PEOPLE FROM THEMSELVES, AND IN THIS CASE, WE CAN GET RID OF ONE. [LB31]

SENATOR CHAMBERS: AND YOU SAID THAT YOU WOULD LIKE TO REPEAL THOSE THAT ARE OF THAT CHARACTER, CORRECT? [LB31]

SENATOR KINTNER: WELL, I'D LIKE TO REPEAL THIS ONE. I DON'T THINK WE'RE GOING TO REPEAL THEM ALL, BUT WE GOT A GOOD CHANCE ON THIS ONE. [LB31]

SENATOR CHAMBERS: OKAY, NOW SENATOR PANSING BROOKS, MY ESTEEMED COLLEAGUE, HAD TOUCHED ON SOMETHING THAT I HAD MADE A NOTE ABOUT: WHEN IT COMES TO THE MATTER OF CHOICE, YOU DON'T BELIEVE THAT RIGHT TO CHOOSE EXTENDS TO THE RIGHT OF A WOMAN TO CHOOSE WHAT SHE WILL DO WITH HER BODY. [LB31]

SENATOR KINTNER: WELL, YOU'RE TALKING ABOUT CHOICE AND I'M TALKING ABOUT LIFE. WE'RE NOT EVEN TALKING ABOUT THE SAME THING. [LB31]

SENATOR CHAMBERS: WELL, WE'RE TALKING... [LB31]

SENATOR KINTNER: I'M TALKING ABOUT THAT UNBORN BABY HAS A RIGHT TO LIFE. [LB31]

SENATOR CHAMBERS: WELL, NOW WHY DID... [LB31]

SENATOR KINTNER: I'M PROTECTING THE LIBERTY OF THE UNBORN BABY. [LB31]

SENATOR CHAMBERS: DID I SAY UNBORN BABY? [LB31]

SENATOR KINTNER: YES. [LB31]

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SENATOR CHAMBERS: NO, I DIDN'T. [LB31]

SENATOR KINTNER: THAT'S WHAT YOU WERE SAYING, CHOICE. [LB31]

SENATOR CHAMBERS: WAIT A MINUTE, DID I SAY UNBORN BABY? [LB31]

SENATOR KINTNER: YOU TALKED ABOUT CHOICE. [LB31]

SENATOR CHAMBERS: DID...WHAT DID I SAY? [LB31]

SENATOR KINTNER: OKAY, GO AHEAD AND SAY WHAT YOU WERE GOING TO SAY.
[LB31]

SENATOR CHAMBERS: YOU DON'T LISTEN. I SAID, DOES A WOMAN HAVE THE
RIGHT TO DO WITH HER BODY WHAT SHE CHOOSES? WHY DO YOU JUMP TO
UNBORN BABY? [LB31]

SENATOR KINTNER: WELL, THEN THE ANSWER WOULD BE NO. [LB31]

SENATOR CHAMBERS: DOES SHE HAVE A RIGHT TO CUT HER HAIR IF SHE
CHOOSES? [LB31]

SENATOR KINTNER: YES. [LB31]

SENATOR CHAMBERS: SEE, YOU TRIED TO READ MY MIND, DIDN'T YOU? [LB31]

SENATOR KINTNER: I TRIED TO. [LB31]

SENATOR CHAMBERS: ALL RIGHT. WELL, IT'S LIKE SOMEBODY WITH THIRD-
GRADE ABILITY TO READ TRYING TO READ SHAKESPEARE. DON'T RISE ABOVE
YOUR LEVEL. BUT IT SHOWS HOW SENSITIVE PEOPLE ARE. AND WHEN THEY
TALK ABOUT CHOICE, THEY DON'T MEAN WHAT THEY SAY, BECAUSE THEY
DON'T KNOW WHAT THE WORD MEANS. I'M NOT THROUGH YET, SENATOR. HERE'S
A QUESTION NOW THAT DOES NOT RELATE TO A WOMAN'S CHOICE, BECAUSE I
KNOW YOU DON'T BELIEVE THAT THEY HAVE THE RIGHT TO CHOOSE. [LB31]

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SENATOR KINTNER: SENATOR CHAMBERS, I'M DONE WITH THE CONVERSATION. YOU CAN HAVE IT WITH YOURSELF. [LB31]

SENATOR CHAMBERS: SENATOR KINTNER, YOU SAID THAT PEOPLE SHOULD HAVE THE RIGHT TO DO WHAT THEY WANT TO DO. OH, YOU'RE NOT GOING TO ANSWER? YOU CHOOSE NOT TO ANSWER? MR...I WOULD LIKE TO ASK IF SENATOR KINTNER WOULD YIELD TO A QUESTION. [LB31]

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

SENATOR KINTNER: NO. [LB31]

SENATOR CHAMBERS: THANK YOU. NOW, YOU KNOW WHAT I'VE DEMONSTRATED: WHAT A HYPOCRITE YOU HAVE, WHAT A FAT MOUTH YOU HAVE, AND HOW HE WANTS TO RAIL ABOUT OTHER PEOPLE, NOT TAKING CARE OF THE RIGHTS OF THE PEOPLE. I HEARD HIM SAY... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR CHAMBERS: ...HE'S UP HERE TO DEAL WITH PEOPLE WHO DON'T RESPECT THE CONSTITUTION, THEN HE IS SO COWARDLY, HE WILL NOT ANSWER A QUESTION. AND WHAT HE DOESN'T REALIZE IS THAT HE'S ON THE SAME SIDE OF THIS ISSUE THAT I'M ON. SENATOR KINTNER, TO SHOW HOW FOOLISH HE IS, BELIEVES THAT A PERSON HAS A RIGHT TO SMOKE DOPE IN HIS OWN HOUSE BECAUSE IT'S WHAT HE'S DOING AND HE'S NOT HURTING ANYBODY ELSE, HAS THE RIGHT TO USE COCAINE, HEROIN, AND THAT'S WHAT HE SAID. BUT HE KNOWS I'LL CALL HIM TO ACCOUNT. AND HE WILL NOT STAND UP AND HE OUGHT TO. SO I'LL BE CALLING ON HIM FROM TIME TO TIME. HE HAS JOINED THE McCOY... [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR CHAMBERS: ...SCHOOL OF NONRESPONSE. THANK YOU, MR. PRESIDENT. THIS IS SO ENJOYABLE. [LB31]

SPEAKER HADLEY: SENATOR HILKEMANN. [LB31]

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SENATOR HILKEMANN: THANK YOU VERY MUCH. WE START OFF WITH A LITTLE ENERGY AND WE'RE ENDING WITH A LITTLE ENERGY. THAT'S GREAT. SENATOR EBKE, WOULD YOU RISE FOR A QUESTION, PLEASE? [LB31]

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

SENATOR EBKE: CERTAINLY. [LB31]

SENATOR HILKEMANN: EARLIER, YOU SAID TO US...I WANT YOUR QUOTE ONE MORE TIME THAT YOU SAID, THAT THE DUTY OF OUR STATE IS TO PROTECT US... [LB31]

SENATOR EBKE: ...PROTECT US FROM EACH OTHER--I THINK THAT'S A LEGITIMATE DUTY OF THE GOVERNMENT--BUT NOT TO PROTECT US FROM OURSELVES. [LB31]

SENATOR HILKEMANN: OKAY. ALL RIGHT. THANK YOU. YOU KNOW, I'VE BEEN INVOLVED IN, AS I'VE TALKED ABOUT EARLIER, BEEN INVOLVED IN FLYING. I'VE RIDDEN MOTORCYCLES AND SO FORTH. AND SO I UNDERSTAND WHAT IT'S LIKE TO BE PART OF HIGH-RISK-TYPE SPORTS. WHEN YOU HAVE ABOUT 75 PERCENT OF THE ACCIDENTS THAT HAPPEN BY AN AIRPLANE ARE ENDING UP PILOT ERROR, YOU SET THE WRONG HEADING IN YOUR PLANE, YOU GET TOO LOW, YOU GET DISORIENTED, YOU FLY INTO WEATHER YOU SHOULDN'T FLY INTO, AND THAT'S WHEN PILOTS GET INTO TROUBLE. THAT'S NOT THE WAY IT IS WITH MOTORCYCLES. MOST OF THE TIME, WHEN I SEE IT, IS THAT A LOT MORE TIMES THAT NOT, THE MOTORCYCLIST IS IN THE RIGHT OF WAY AND, UNFORTUNATELY, TOO MANY TIMES THEY'RE RIGHT, BUT THEY MAY END UP BEING DEAD RIGHT. AND SO I THINK THIS IS A...AND WHAT HAPPENS IS, IS THAT PEOPLE, AND I KNOW THIS FROM MY BIKING, I KNOW IT FROM MY MOTORCYCLE, PEOPLE ARE NOT ATTENTIVE OF THE MOTORCYCLISTS. IT USED TO JUST UPSET ME TO NO END WHEN SOMEONE WOULD CUT ME OFF AND I'D THINK, DIDN'T...YOU KNOW, AND I WOULD GET VERY UPSET. WHEN I WAS...I ALMOST HIT A MOTORCYCLIST ONE TIME, ABSOLUTELY DIDN'T SEE HIM. AND I...IT WAS WHEN MY SON MOVED BACK FROM OMAHA TO BOSTON AND I WAS TOWING HIS MOTORCYCLE BACK TO...WE WERE GOING TO MEET HALFWAY. AND I WAS ON THIS TRUCK. I STOPPED AT AN INTERCHANGE TO FILL UP. I PULLED BACK ON, AND I'D BE DOG...AND I...ALL OF A SUDDEN I HEARD THIS GUY YELLING AND I HEARD THE HORN AND I THOUGHT, OH, MY GOSH, I ALMOST HIT THAT GUY. SO IT WOULD NOT HAVE BEEN HIS FAULT. SO I THINK THIS IS WHY WE AS A SOCIETY SAY, YOU KNOW, WE DO HAVE

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TO KIND OF PROTECT EACH OTHER. AND THIS IS ONE OF THE THINGS THAT WE DO BECAUSE THERE ARE CERTAIN THINGS THAT WE DO THAT HAVE HIGH RISK. AND BECAUSE OF JUST THE VERY NATURE OF IT, THIS IS ONE WAY THAT WE CAN LET PEOPLE ENJOY THE FREEDOM OF RIDING A MOTORCYCLE, TAKE THAT LIBERTY OF RIDING A MOTORCYCLE, AND MAKE THEM JUST A LITTLE SAFER AND ARE ACTUALLY PROTECTING IT FROM PEOPLE WHO ABSOLUTELY, UNKNOWINGLY, WOULD HAVE CAUSED DAMAGE. AND IN THAT WAY, I THINK SOMETIMES THAT WE ARE PROTECTING THEM FROM OURSELVES. [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR HILKEMANN: AND I CERTAINLY WOULD LIKE TO...SO, AND THEN THERE'S THE OTHER ADAGE THAT ALWAYS HAPPENS WITH...BUT...WITH CYCLISTS, IT'S CERTAINLY WITH BICYCLES, IT WAS IN MY CASE WITH MY MOTORCYCLE: THERE'S TWO KINDS OF RIDERS, THOSE WHO HAVE FALLEN AND THOSE WHO WILL FALL. AND WITH THAT, I WILL CONCLUDE. THANK YOU, MR. SPEAKER. [LB31]

SPEAKER HADLEY: SENATOR PANSING BROOKS. [LB31]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. AGAIN, I JUST STAND IN OPPOSITION TO LB31. AGAIN, THE DISCUSSION ABOUT WHO DOES OR DOESN'T HAVE THE ABILITY TO MAKE WHATEVER CHOICE MAKES THIS EVEN MORE OF A HOLLOW DISCUSSION. AND BEFORE I PASS MY TIME ON TO SENATOR CHAMBERS, I WANTED TO MENTION THAT I HEARD FROM A FRIEND WHO WORKS IN A...HAS WORKED IN A HOSPITAL SETTING FOR MOST OF HIS LIFE THAT ONE OF THE THINGS THAT THEY USED TO SAY IN THEIR BUSINESS WAS TO GIVE A MOTORCYCLE TO A TEENAGER FOR HIS OR HER LAST BIRTHDAY, AND THAT WOULD INCLUDE AN "UNHELMET," WITHOUT THE HELMET TOO. SO ANYWAY, I ACQUIESCE THE REST OF MY TIME TO SENATOR CHAMBERS IF HE'D LIKE TO HAVE IT. THANK YOU. [LB31]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED FOUR MINUTES. [LB31]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, NOW I CAN EXHALE. I WAS WAITING TO EXHALE EVER SINCE MY TIME RAN OUT. I PAY ATTENTION TO WHAT'S ON THIS FLOOR. I PAY MORE ATTENTION TO SENATOR KINTNER THAN HE PAYS TO HIMSELF. HERE'S WHAT HE

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SAID, AND YOU CAN CHECK THE TRANSCRIPT: I'M FROM OHIO. AND THAT'S PRETTY WELL-KNOWN. HE SAID, AND WHEN I CAME HERE, HE SAID: OHIO IS A MORE LIBERAL STATE THAN NEBRASKA AND THEY HAVE MORE FREEDOM THAN HERE AND THAT SURPRISED ME. HE DIDN'T SAY MORE FREEDOM ON THIS ISSUE. HE SAID MORE FREEDOM. BUT, SEE, WHEN I ASK THEM QUESTIONS, IT MAKES THEM THINK TWICE. I'M HIS TEACHER. HE IS AN UNWILLING STUDENT. BUT I TEACH HIM TO PAY ATTENTION TO WHAT HE SAYS, TO SAY WHAT HE MEANS. THEN HE WILL BE ABLE TO MEAN WHAT HE SAYS. CHECK THE TRANSCRIPT. HE SAID OHIO IS MORE LIBERAL THAN NEBRASKA, BUT THEY HAVE MORE FREEDOM THAN THEY HAVE HERE AND THAT SURPRISES HIM. CHECK THE TRANSCRIPT. AND IF HE WILL GO BACK THROUGH HIS MIND, HE WILL KNOW THAT'S WHAT HE SAID. AND HE REALIZED IT WHEN HE... WHEN I ASKED HIM THE QUESTION BECAUSE HE STARTED CORRECTING HIMSELF AND SAYING, OH, I MEAN ON THIS ISSUE. BUT THAT'S NOT WHAT HE SAID. YOU DON'T KNOW FROM WHOM YOU CAN LEARN SOMETHING. I LEARN FROM CRICKETS, NOT DIRECTLY BUT BY READING. THIS TYRANNICAL KING PICKED UP A CRICKET AND WAS GOING TO CRUSH IT. AND THE CRICKET LOOKED UP AT THAT TYRANNICAL KING--AND IN THOSE DAYS, CRICKETS AND EVERY OTHER LIVING THING COULD TALK--AND THE CRICKET SAID, WHY WILL YOU DEPRIVE ME OF MY LIFE? AND THE TYRANNICAL KING SAID, WHY SHOULD I NOT, YOU'RE NOT WORTH ANYTHING. AND THE CRICKET SAID, ALL I HAVE IS MY SONG, IT DOESN'T HURT ANYBODY, IT DOES NOT DIMINISH ANYBODY, AND IT HELPS MAKE SOME OF THOSE LONG NIGHTS NOT OVERLY LONG. AND THE TYRANNICAL KING LOOKED THAT LITTLE CRICKET IN HIS LITTLE EYE AND HE SAID, I'LL LET YOU GO IF YOU PROMISE, IN YOUR SONGS, YOU DON'T PUT LYRICS ABOUT HOW A CRICKET MELTED AN IRON KING. AND HE LET THE CRICKET GO. I LEARN FROM CRICKETS THROUGH HEARSAY, SO YOU KNOW I'LL LISTEN TO MY COLLEAGUES, EVEN THOUGH MOST OF YOU ALL TUNE HIM OUT AND HE TUNES HIMSELF OUT. I'VE BEEN IN THE JUDICIARY COMMITTEE AND SEEN SEVERAL BILLS HE BRINGS THAT WILL IMPINGE ON THE RIGHTS OF PEOPLE'S PRIVATE PROPERTY, COMPEL THEM TO POST SIGNS, TRY TO COMPEL THEM TO DO OTHER THINGS. THEN HE STANDS UP HERE AND TELLS THE REST OF YOU THAT YOU'RE NOT HERE TO PROTECT THE LIBERTY OF THE CITIZENS. [LB31]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB31]

SENATOR CHAMBERS: BUT YOU ALL WON'T TAKE HIM TO TASK. I WAS SHOWN ON A WOMAN'S SMART PHONE YESTERDAY WHERE HE REFERRED TO FOUR WOMEN AS HYSTERICAL WOMEN. AND I SAID, WHAT HAPPENED WHEN THAT WAS DONE? WELL, THEY NOTIFIED THE SPEAKER--AND I DON'T THINK IT WAS THE SPEAKER

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WE HAVE NOW, BUT I'M NOT SURE--AND THEY SAID THAT THEY HAD TALKED TO HIM ABOUT IT. SO HE OBVIOUSLY SAID IT PUBLICLY. SO HE SPEAKS WITHOUT THINKING, AND IT'S MY JOB TO MAKE HIM THINK. HE'S MY COLLEAGUE. I OWE IT TO HIM TO SEND HIM AWAY FROM HERE A BETTER PERSON THAN HE WAS WHEN HE CAME. AND WHEN YOU'RE A TEACHER, YOU KNOW YOU'RE GOING TO GET OBSTREPEROUS STUDENTS. NOW HE PROBABLY THINK I'M CALLING HIM A NAME. BUT IF HE REMEMBERS IT AND ASKS SOMEBODY HOW TO SPELL IT, HE CAN LOOK IN THE DICTIONARY AND LEARN SOMETHING ELSE. AND WHEN HE TAKES THE APPROACH HE TAKES, I'M GOING TO DEAL WITH HIM AS I DEAL WITH OTHER THINGS ON THIS FLOOR. [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

SENATOR CHAMBERS: THANK YOU, MR. SPEAKER. [LB31]

SPEAKER HADLEY: SENATOR BLOOMFIELD. [LB31]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, WE'RE APPROACHING THAT MAGICAL NOON HOUR, AND WE CAN PUT THIS BEHIND US FOR A WEEKEND. IT'S TEMPTING TO TURN IN A MOTION TO ADJOURN AND GET OUT OF HERE A FEW MINUTES EARLY, BUT WE'RE NOT GOING TO DO THAT. I WANT TO GO BACK A LITTLE BIT TO THE ECONOMIC SIDE OF THIS QUESTION. I HAVE MY ATLAS UP HERE AND I LOOK AT ALL THE SMALL TOWNS OUT IN NEBRASKA, AND IT OCCURS TO ME THAT A FEW MORE BIKES RIDING THROUGH THERE MIGHT BE OF GREAT BENEFIT TO SOME OF THOSE SMALL TOWNS. IT MIGHT KEEP THE GROCERY STORE OPEN; IT MIGHT KEEP THE RESTAURANT OPEN. YOU KNOW, THEY MAKE A BIG DEAL OUT OF THE THING UP IN STURGIS, AND IT IS A BIG DEAL. THERE ARE GOING TO BE A MILLION BIKES THERE THIS YEAR, I'M TOLD. I'VE BEEN THROUGH STURGIS DURING THAT WEEK SEVERAL TIMES IN A SEMITRUCK. IT'S A LITTLE BIT CHALLENGING TO DRIVE IN STURGIS WITH A 53-FOOT TRAILER BEHIND YOU WHEN THERE ARE 30,000 BIKES ON THE STREET, BUT THERE'S NO REASON WE COULDN'T DO SOMETHING SIMILAR IN NEBRASKA. I WONDER IF SENATOR SCHILZ WOULD YIELD TO A QUESTION. [LB31]

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

SENATOR SCHILZ: YES, I WILL. [LB31]

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SENATOR BLOOMFIELD: SENATOR SCHILZ, LAKE McCONAUGHY SITS PRETTY CLOSE TO YOU, DOESN'T IT? [LB31]

SENATOR SCHILZ: YES, IT DOES, NOT RIGHT AT THE MOMENT, BUT, YES, IT DOES. [LB31]

SENATOR BLOOMFIELD: (LAUGH) YEAH, BY THIS AFTERNOON SOMETIME. [LB31]

SENATOR SCHILZ: IT COULD BE, YEAH. [LB31]

SENATOR BLOOMFIELD: YES. THANK YOU, SENATOR. COULD YOU IMAGINE A SCENARIO WHERE WE'D HAVE, PROBABLY NOT ON THE SCALE THEY HAVE UP AT STURGIS, BUT WHERE WE COULD HAVE SOME KIND OF A RALLY AT LAKE McCONAUGHY THAT WOULD DRAW IN THOUSANDS OF BIKERS WITH THEIR BIKES? [LB31]

SENATOR SCHILZ: WELL, I CAN TELL YOU... [LB31]

SENATOR BLOOMFIELD: AND CAN YOU IMAGINE, CAN YOU TELL ME WHAT YOU THINK THAT MIGHT DO FOR SOME OF THE SMALL TOWNS AROUND THERE? [LB31]

SENATOR SCHILZ: SURE. AND, SENATOR BLOOMFIELD, THANK YOU FOR THE QUESTION, AND I THINK IT'S TELLING. IN AND AROUND LAKE McCONAUGHY THESE LAST COUPLE YEARS, WE'VE CREATED AN ATV RALLY FOR ALL-TERRAIN VEHICLES THAT ACTUALLY ALLOWED THEM TO GO ON THE BEACH AND RIDE AROUND FOR A WEEKEND, WHICH IS SOMETHING THAT YOU CAN'T DO ALL YEARLONG AND IT'S ONLY ALLOWED FOR THAT WEEKEND. BUT OVER THE LAST FEW YEARS, THEY'VE GROWN THAT FROM 50 PARTICIPANTS ALMOST INTO 250 IN JUST A COUPLE YEARS. SO I KNOW THAT THAT OPPORTUNITY IS THERE. AND I KNOW, WHEN YOU LOOK AT A PLACE LIKE OGALLALA AND LAKE McCONAUGHY, WITH INTERSTATE 80, HIGHWAY 26, HIGHWAY 30, HIGHWAY 61, ALL OF THAT LENDS TO GREAT TOURISM OPPORTUNITIES FOR PEOPLE THAT WANT TO GO TOURING ON MOTORCYCLES. AND IT WILL MAKE A DIFFERENCE. IT WILL MAKE A DIFFERENCE ECONOMICALLY. IT WILL MAKE A DIFFERENCE IN KEEPING THOSE AREAS VITAL AND GIVING OPPORTUNITIES TO FOLKS THAT MAY NOT HAVE THEM NOW. WE'VE...THERE'S BEEN PEOPLE AROUND THAT AREA THAT HAVE TRIED TO PUT UP THE CAMPS THAT THEY DO AND THEY'VE HAD VARYING

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SUCCESS. AND...BUT EVERY SINGLE TIME THAT YOU COME TO THE STURGIS WEEKEND, WE ALWAYS GET PEOPLE THAT ARE COMING TO LAKE McCONAUGHY SAYING, YOU KNOW, WE RIDE MOTORCYCLES AND WE WOULD RIDE MOTORCYCLES IN NEBRASKA IF THE HELMET LAW WASN'T THERE. AND THE THING THAT'S INTERESTING ABOUT THAT IS THAT A LOT OF THESE FOLKS, THEY HAVE RVs AND THEY PUT THEIR MOTORCYCLES ON A TRAILER ON THE BACK, THEY SKIRT NEBRASKA, AS WELL, AND DON'T COME TO OUR CAMPGROUNDS, DON'T DO THESE KIND OF THINGS, BECAUSE OF THE PERCEPTION THAT THEY'RE NOT WELCOME HERE. GUYS, WE'VE GOT ISSUES IN NEBRASKA, TAX ISSUES. [LB31]

SENATOR HADLEY: ONE MINUTE. [LB31]

SENATOR SCHILZ: I KEEP COMING BACK TO THIS. WE HAVE TO GROW OUR ECONOMY, AND WE HAVE TO THINK ABOUT THE THINGS THAT NEBRASKA IS. AND NEBRASKA IS WIDE-OPEN SPACES AND PEOPLE WANT TO ENJOY THAT. SO I HOPE I DIDN'T GO TOO LONG ON YOUR QUESTION. [LB31]

SENATOR BLOOMFIELD: NO. I APPRECIATE YOUR ANSWER AND YOUR PATIENCE THERE. COLLEAGUES, AS MOST OF YOU KNOW, I DELIVERED GROCERIES FROM A GROCERY WAREHOUSE IN NORFOLK TO MOST EVERY LITTLE TOWN IN THE STATE OF NEBRASKA. YOU GET OUT AROUND OGALLALA, WE'VE GOT OSHKOSH, LEWELLEN, BROADWATER, BRIDGEPORT, FOUR OR FIVE OTHER LITTLE TOWNS JUST BETWEEN THERE AND SCOTTSBLUFF. IMAGINE THE ECONOMIC BENEFIT THAT HAVING... [LB31]

SENATOR HADLEY: TIME, SENATOR. (VISITORS INTRODUCED.) MR. CLERK. [LB31]

ASSISTANT CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO BRACKET THE BILL UNTIL JUNE 5, 2015. [LB31]

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

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I SHOWED THIS MOTION TO SENATOR "BLOOMQUIST." I KNOW WHAT I SAID. I'M GOING TO PULL IT, BUT I NEED A CHANCE TO SPEAK ONE MORE TIME BEFORE WE LEAVE, AND WE'RE REACHING THE POINT WHEN TIME IS

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GOING TO BE RUN OUT AND I SEE OTHER PEOPLE WITH THEIR LIGHTS ON. BUT I AM GOING TO SUPPORT THIS BILL. I USED TO ARGUE VOCIFEROUSLY ON BEHALF OF PEOPLE BEING ABLE TO RIDE MOTORCYCLES WITHOUT HELMETS. THE LINCHPIN OF MY ARGUMENT WAS THAT, IF RIDING A MOTORCYCLE WITHOUT A HELMET MAKES ONE A FOOL, A PERSON HAS A CONSTITUTIONAL RIGHT IN AMERICA TO BE A FOOL, AND UNDER OUR RULES THE SAME HOLDS TRUE. SO, IF PEOPLE CHOOSE TO DO THAT, THEN THERE IS NOTHING THAT I CAN DO TO STOP THEM; THERE'S NOTHING I WILL TRY TO DO TO STOP THEM. BUT BETWEEN THOSE VERY VOCIFEROUS DAYS, THE ISSUE JUST BECAME COMME CI, COMME CA WITH ME. AND NOW I'M BACK TO THE POSITION OF VOTING FOR IT. BUT I TOLD SENATOR "BLOOMQUIST" THAT I'M NOT GOING TO HAVE A LOT TO SAY ON IT BECAUSE THERE WILL BE DISCUSSION ON BOTH SIDES OF THE ISSUE. BUT I THINK I NEED TO SAY SOMETHING ABOUT THE WAY WE OPERATE IN HERE. ANYBODY CAN ASK ME A QUESTION. IF ANYBODY ASKS ME TO YIELD, WHATEVER THE SUBJECT, I WILL YIELD. YOU KNOW WHY: BECAUSE THAT'S THE WAY WE DO IT. BUT ALSO, I HAVE A LOT OF THINGS THAT I SAY THAT CONDEMN, THAT RIDICULE, THAT MOCK, THAT SCOLD, THAT MAKE FUN OF WHAT HAPPENS ON THIS FLOOR. AND WHEN ONE OF OUR MEMBERS IS KNOWN INSIDE AND OUTSIDE THIS BODY FOR BEING POMPOUS, FOR BEING CONDEMNATORY, FOR BEING SELF-RIGHTEOUS, FOR INDICATING THAT HE IS THE ONLY ONE WHO UNDERSTANDS FREEDOM, HE IS THE ONLY ONE WHO SPEAKS FOR FREEDOM, THEN HE SHOULD BE MAN ENOUGH TO LISTEN TO SOMEBODY WHO COUNTERS THAT. YOU HAVE THE FREEDOM HERE TO DO WHATEVER YOU WANT TO, UNLESS YOU VIOLATE THE LAW, AND THEN THE STATE PATROL WILL COME AND GET YOU IF THE VIOLATION IS SERIOUS ENOUGH. BUT ASIDE FROM THAT, YOU CAN DO ANYTHING YOU WANT TO DO, BUT THERE ARE CONSEQUENCES AND WE SHOULD ABIDE THOSE CONSEQUENCES. NOBODY WILL TALK IN SUCH A WAY IN DEALING WITH WHAT I'VE SAID THAT I'LL GET UP, POUTING, AND RUN OUT OF THIS CHAMBER. WHO IN HERE OTHER THAN THE SMALLEST MAN ON THIS FLOOR, WHO IS ALSO THE OLDEST MAN ON THIS FLOOR, CAN RUN THE BIGGEST MAN ON THIS FLOOR OFF THIS FLOOR WITH WORDS GOING BACK TO HIM THAT HE UTTERED? I DIDN'T SAY THE TALLEST MAN. I'M CAREFUL, SENATOR BAKER, ABOUT WHAT I SAID. SENATOR BAKER IS THE TALLEST MAN. I SAID THE BIGGEST MAN. SEE, WORDS MEAN SOMETHING, AND THAT'S WHY I PAY ATTENTION TO OTHER PEOPLE'S WORDS. I THINK IT IS GOOD WHEN WE HAVE DIFFERENCES OF OPINION. SOME ARE GOING TO BE WELL-STATED, OTHERS NOT. BUT THIS IS, AS SOME HAVE SAID IT IN A DIFFERENT CONTEXT THIS MORNING, A REPRESENTATIVE BODY. PEOPLE ARE SENT HERE BY THOSE WHO VOTE BECAUSE THEY THINK THAT PERSON WILL BEHAVE IN A WAY THAT THEY PREFER, MORE SO THAN THE ONE THAT PERSON IS RUNNING AGAINST. I HAVE OFTEN SAID THAT

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IF SOMEBODY IN A DISTRICT, THE PEOPLE VOTING, WANT TO SEND A MULE SKINNER HERE TO REPRESENT THEM, THAT MULE SKINNER SHOULD COME HERE AND HAS AS MANY RIGHTS AND PRIVILEGES AS ANYBODY ELSE. AND WHAT EVERYBODY ON THIS FLOOR SHOULD PAY ATTENTION TO IS A SONG THAT I FORGET WHICH ONE OF THE BEATLES SANG IT, BUT IT WAS, "IT DON'T COME EASY." AND A LINE SAYS, AFTER HE'S MADE A COMMENT, IF YOU'RE BIG ENOUGH TO TAKE IT, IF YOU'RE BIG ENOUGH TO TAKE IT, THEN YOU REACH OUT AND YOU TAKE IT, AND IF YOU'RE TOO FEARFUL, DON'T THROW OUT A CHALLENGE IF YOU'RE GOING TO RUN AWAY. I KNOW THAT THERE ARE PEOPLE ON THIS FLOOR WHO WILL TRY TO GET BACK AT ME AND I WELCOME IT. AND I WILL BE HERE AND I'LL COME BACK NEXT YEAR. AND I'LL RUN FOR REELECTION, SHOULD I BE ALIVE, SENATOR McCOLLISTER, AND THERE ARE PEOPLE WHO WOULD LIKE TO ASSURE THAT I WON'T BE. SO BECAUSE I DON'T CONTROL HOW LONG I WILL LIVE, I CAN TAKE PRECAUTIONS AND STEPS TO TRY TO PROLONG MY LIFE. BUT BECAUSE I MAY NOT LIVE TO SEE ANOTHER DAY, I HAD TO SPEAK AT LEAST ONE MORE TIME. AND THEN YOU THINK OF THE LITTLE CHILD'S INSURANCE PRAYER. THEY MIGHT SAY WHAT'S CALLED "THE LORD'S PRAYER." THEY MIGHT SAY A PRAYER THEY HEARD IN CHURCH. THEN YOU KNOW WHAT THE INSURANCE PRAYER IS: NOW I LAY ME DOWN TO SLEEP, I PRAY THE LORD MY SOUL TO KEEP, IF I SHOULD DIE BEFORE I WAKE, I PRAY THE LORD MY SOUL TO TAKE. THAT'S A CHILD IN TERROR AND IN FEAR OF GOD, AND THEY TRY TO PUT A FEAR OF GOD IN LITTLE CHILDREN. SO THE CHILD DOESN'T SAY, THE DEVIL'S GOING TO GET ME. THAT CHILD IS AFRAID OF THIS GOD THAT THEY TALK ABOUT, SO AS THE BOOK SAID IN ANOTHER PLACE: THERE BE GODS MANY, THERE BE LORDS MANY, BUT WE SHOULD NEVER LET ANOTHER HUMAN BEING BE EITHER OUR GOD OR OUR LORD. AND ON THIS FLOOR, SOME PEOPLE MAKE ME FEEL LIKE I'M THE LORD OF THE MANNER. AND WHEN THEY LET YOU FEEL THAT WAY, IT'S DIFFICULT TO BE HUMBLE. I'VE GOT A COLLEAGUE WHO SITS ON THE OTHER SIDE OF THE AISLE, IMPECCABLY DRESSED. AND I HAVE ONE ON THIS SIDE OF THE AISLE WITH A FLOWING MANE, WHICH I ENVY. AND THE TWO OF THEM, BETWEEN THEM, KIND OF KEEP ME IN A STATE OF WHAT YOU MIGHT CALL EQUILIBRIUM. LET'S SAY THAT I'M A NAIL AND THERE'S A MAGNET ON EACH SIDE OF ME, EQUIDISTANT FROM THE NAIL AND OF EQUAL PULLING POWER, THEN I'M STABILIZED. I CANNOT BE MOVED, AND I AM BEING HELD UP AND SUPPORTED BY THESE TWIN MAGNETS. SO IF YOU ALL ARE ANGRY, THEN YOU KNOW WHOM YOU OUGHT TO ADDRESS YOUR ANGER TO. I AM BUT A SERVANT OF FATE. I AM BUT A VICTIM OF CIRCUMSTANCES. I CANNOT RISE ABOVE THOSE THINGS, SO I'M ONLY DOING WHAT I AM GIVEN BY NATURE TO DO, IN THE SAME WAY THAT A CRICKET CHIRPS ITS SONG. AND, MR. SPEAKER, I WILL WITHDRAW THAT MOTION. [LB31]

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SPEAKER HADLEY: SENATOR BOLZ, YOU'RE RECOGNIZED...WITHOUT DEBATE IS WITHDRAWN. SENATOR BOLZ. [LB31]

SENATOR BOLZ: I THINK THAT A LOT OF THE POINTS THAT I'VE ALREADY...THAT I WANTED TO MAKE HAVE ALREADY BEEN MADE THIS MORNING AND SO I'LL DEFER MY TIME TO SENATOR CHAMBERS, SHOULD HE CHOOSE TO USE IT. [LB31]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 4:40 IF YOU WISH. [LB31]

SENATOR CHAMBERS: THANK YOU, THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. THERE IS JOY AND SORROW AT THE SAME TIME IN THE CHAMBER THIS MORNING. BUT REMEMBER WHAT I'VE STATED. I'M GOING TO SUPPORT THIS BILL. I'M GOING TO VOTE FOR IT. I VOTED AGAINST THE BRACKET MOTION. MY NO VOTE WAS THE FIRST NO TO COME UP ON THE BOARD YESTERDAY. IF I SAY I'M GOING TO SUPPORT IT, THEN I WILL AND THAT'S WHAT I INTEND TO DO. BUT AS I STATED, "THOMAS JEFFERSON" KINTNER DREW ME UP HERE WITH COMMENTS THAT HE MADE. SO YOU ALL BLAME HIM FOR ME COMING UP HERE THIS MORNING. BUT HERE'S WHAT I WILL SAY NOW THAT I'M HERE. IF PEOPLE CAN BE KILLED WITH OR WITHOUT A HELMET, THEN THE HELMET IN AND OF ITSELF IS NOT GOING TO ENSURE AND GUARANTEE ANYTHING. IN CERTAIN CIRCUMSTANCES I DO BELIEVE THAT IF A PERSON WERE TO FALL IN A CERTAIN WAY WITHOUT TOO MUCH MOMENTUM, THEN THE HELMET WILL MAKE ALL THE DIFFERENCE IN THE WORLD AND BE THE DIFFERENCE BETWEEN LIFE AND DEATH. I'M NOT ARGUING ANY OF THAT AS HAS BEEN ARGUED BEFORE. THERE ARE OTHER ACTIVITIES PEOPLE ENGAGE IN WHICH ARE ALL LAWFUL AND MORE DEATHS RESULT. THAT'S WHY I DON'T MAKE THOSE COMPARISONS. FOR ME IT'S NOT NECESSARY TO COMPARE THIS TO ANYTHING ELSE. IT STANDS ON ITS OWN BOTTOM OR ITS OWN FEET, IF YOU WILL. IF THE MOTORCYCLES ARE LEGAL, AND THEY ARE, IF A PERSON WITH A LICENSE FROM THE STATE IS AUTHORIZED TO RIDE THAT VEHICLE ON THE STREETS AND HIGHWAYS OF THE STATE WHERE SUCH A PERSON WOULD BE, AND IF THEY ARE DRESSED IN SUCH A WAY AS NOT TO BE INDECENTLY EXPOSED THERE SHOULD BE NO RIGHT FOR ANYBODY TO INTERFERE WITH THEIR USE OF THE HIGHWAYS AS IT IS NOBODY'S RIGHT TO INTERFERE WITH THE USE OF THE HIGHWAYS BY OTHERS. IF THEY GO TOO FAST AND AN OFFICER SEES IT, STOP THE PERSON. BUT SEE, OFFICERS DO NOT ENFORCE THE SPEED LAW IN EVERY SITUATION. IF THERE IS A FLOW OF TRAFFIC AND EVERYBODY IS GOING ROUGHLY THE SAME SPEED AND THEY'RE ALL EXCEEDING THE SPEED LIMIT, THE OFFICER DOESN'T TRY TO STOP ANYBODY. WHAT THEY ARE INTERESTED IN

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WHEN THEY ARE MONITORING AND CONTROLLING THE FLOW OF TRAFFIC IS TO MAKE SURE THERE'S NOT A LOT OF ERRATIC DRIVING, NOT SOMEBODY GOING A LOT FASTER THAN EVERYBODY ELSE OR GOING IN AND OUT AND CREATING A HAZARD. BUT IF THE RIVER IS FLOWING, DON'T DAM IT. AND SOME OFFICERS WITH SENSE UNDERSTAND WHAT PROPER ENFORCEMENT OF THE LAW IS, NOT CATCHING PEOPLE DOING WRONG. FIRST, PREVENT IT. THEN IF SOMETHING IS BEING DONE THAT IS WRONG, IS IT GOING TO HURT ANYBODY? IF SOMEBODY'S ON A COUNTRY ROAD AT 3:00 IN THE MORNING AND NOBODY ELSE IS OUT THERE AND THEY'RE NOT DRIVING IN A WAY THAT WILL TAKE THEM OFF THE ROAD INTO SOMEBODY'S HOUSE, LET THEM DRIVE. IN THIS SITUATION, I WILL SUPPORT THE BILL THAT HAS BEEN OFFERED TO REPEAL THE MOTORCYCLE HELMET LAW. AND THOSE PEOPLE WHO ARE INTELLIGENT ENOUGH, CAREFUL ENOUGH, CONCERNED ENOUGH ABOUT THEIR FAMILY AND OTHERS WHO MIGHT BE AFFECTED IF SOMETHING HAPPENS TO THEM, THEY WILL WEAR THE HELMET. I CAN'T WEAR A SEAT BELT. I COULD, BUT IT DOES...IT AFFECTS ME IN SUCH A WAY THAT I'M BETTER WITHOUT WEARING IT. BUT YOU LET ME SEE... [LB31]

SPEAKER HADLEY: ONE MINUTE. [LB31]

SENATOR CHAMBERS: ...THAT THERE'S A VERY ICY CONDITION, AND I HAVE TO DRIVE. I WILL OVERCOME WHAT WEARING THAT SEAT BELT DOES TO ME AND I'LL PUT IT ON AND TRY NOT TO THINK ABOUT IT. BUT OTHER THAN THAT I DON'T WEAR IT. AND I WOULDN'T BLAME ANYBODY IF SOMETHING HAPPENED TO ME AS A RESULT OF A CHOICE I FREELY MADE. SO I THINK WE OUGHT TO VOTE IN FAVOR OF REPEALING THAT LAW. I CAN'T SAY NOBODY WILL BE HARMED AS A RESULT. I CAN'T SAY THAT WHEN I LEAVE HERE I WON'T MISSTEP GOING TO MY OFFICE AND FALL AND BREAK MY HEAD ON THAT STONE DOWN THERE. WE DON'T KNOW THOSE THINGS. BUT I'VE SAID MY PEACE, AND I WON'T SPEAK ON THIS BILL AGAIN UNLESS "THOMAS JEFFERSON CLINTON" SPEAKS WITH SUCH IMPELLING AND COMPELLING FORCE THAT I'M DRAWN UP HERE AGAINST MY WILL. [LB31]

SPEAKER HADLEY: TIME, SENATOR. [LB31]

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

SPEAKER HADLEY: MR. CLERK. [LB31]

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

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ASSISTANT CLERK: MR. PRESIDENT, SOME ITEMS FOR THE RECORD. NEW BILL: (READ LB320A BY TITLE FOR THE FIRST TIME.) NEW RESOLUTIONS: LR137 BY SENATOR SEILER, LR138 BY SENATOR SULLIVAN. THOSE WILL BE LAID OVER. AMENDMENTS TO BE PRINTED: SENATOR KINTNER TO LB268; SENATOR GLOOR, SCHUMACHER, AND HILKEMANN ALL TO LB31. (LEGISLATIVE JOURNAL PAGES 934-940.) [LB320A LR137 LR138 LB268 LB31]

AND FINALLY, MR. PRESIDENT, A PRIORITY MOTION: SENATOR SMITH WOULD MOVE TO ADJOURN UNTIL MONDAY, MARCH 23, AT 10:00 A.M.

SPEAKER HADLEY: ALL THOSE IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY. MOTION PASSES. WE ARE ADJOURNED.