

SENATOR MOORE: Yes.

SENATOR HORGAN: First of all, Senator Moore, if I offended you in my comments, I would apologize to you because it was not my intention to offend you or your attempt here and I think you have some legitimate concerns about helmet laws and certainly I don't mean to offend you by my opposition to the amendment, but the question goes to the very thing that Senator Withem was talking about. In the handout that you gave, you have the repealer clause in there and, as I look at the explanation of the amendment, we allow a chin strap or other retention system to properly secure the helmet to the head. We talk about the helmet meeting certain requirements of the sections and then we talk about the penalty and the fine and then there's the repealer clause. Can you address what the repealer clause in your amendment is?

SENATOR MOORE: It repeals the existing helmet statute and replaces it with the new helmet statute, but still the only change being the chin strap you just mentioned. Does not...it does not...many people are confused saying it repeals the helmet law. It doesn't repeal the helmet law. The only change it makes is the chin strap. Repeals the old helmet law, replaces it with the new helmet law, which has the same age requirements for everybody and all inclusive with the exception of the chin strap and the fine.

SENATOR HORGAN: So you...really what you're doing is you're amending the helmet law from 1988 with a couple of changes about helmet straps and penalties and fines. The law itself, which was enacted in 1988, four years ago, remains in place?

SENATOR MOORE: Well, it's the same...same language. It's a new bill, new statute, and you repeal the old statute and replace it with the new statute.

SENATOR HORGAN: Okay. I guess it seems to me that you enact a law and the people have the right to referendum a law within 90 days, I think it is, to repeal the law, and what this does then either...and I'm confused, as I said I would be, about what Senator Withem was saying, that either the bill was enacted in 1988 and it was available to be referendomed then within 90 days and it was not, and here we are moving the helmet statutes into the seat belt law and does that make that subject to referendum