

April 8, 1992

LB 958

SENATOR MOORE: And I'm not trying to do anything like that. All I want to do is trying to...

SENATOR WITHEM: Okay. Let me tell you what my concerns are and I am still a "no" vote because, as I now understand better the provisions as they relate to the...to the ability of the citizens to refer bills, if LB...if Amendment 3598 does, in fact, contain a repealer to the entire motorcycle helmet law sponsored by Senator Lynch a few years ago, this is our position. We will have LB 958 that enacts the law of seat belts, a new reenactment of the helmet bill and a repealer of the old helmet bill. The group then that is opposed to these two statutes will have the opportunity to circulate a referendum. As I now read our Constitution, it gives citizens the opportunity to repeal in whole or in part the statute so they could put a place on the ballot, bill on the ballot that would repeal the seat belts, repeal the new helmet bill, but leave the repealer of the old bill in place. In effect, what this is doing, whether it's intended or not intended I do not know, but it allows the cit..., it does not just make minor changes in the motorcycle helmet bill, it gives those citizens in the state with an interest in repealing either one of these or both an opportunity to put together a coalition to repeal both of them. If you have an interest in doing that, then vote for the Moore amendment. If you like the motorcycle helmet bill that's currently in statute and you don't particularly want to, for no apparent reason, subject it to a greater chance of repeal by referendum than already exists, vote against the Moore amendment. I see no reason to accomplish these changes that he's talking about at this point in the motorcycle helmet law and I see no reason for us to beg a referendum effort by the voters. The voters certainly have a right of referendum. They ought to be able to go out and circulate petitions to repeal either of these bills, but why do we want to give, you know, increase the odds that our work will be undone by merging the two issues together? So, as my understanding by the last response we received from Senator Moore, is that this will repeal the old motorcycle helmet law and I see...

SENATOR WARNER: One minute.

SENATOR WITHEM: ..no particular reason that we'd want to do that, particularly if the intent by some people that are pushing this is to marry the two issues together for purposes of repeal