

SENATOR WARNER: One minute.

SENATOR MOORE: ..opposed to it, but I also hope he understands that this bill does exactly what I said it was going to do all the way through and if I misled him somehow, I don't know how I did it, and maybe it was only because he had me confused when I was trying to answer his questions and I apologize for that.

SENATOR WARNER: Senator Moore, your light is next.

SENATOR MOORE: Ernie, do you want any time?

SENATOR WARNER: Senator Moore yields to Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I just got an actual copy of Senator Moore's amendment and I was trying to read it in conjunction with what is being attempted to be amended and I'd like to ask Senator Withem some questions because he may have looked at the amendment already in conjunction with the bill, but this is the question I want to ask you. Is it your understanding that if Senator Moore's amendment were to be added to the bill, that the bill were enacted into a law, a referendum were to occur and be successful, that because of Senator Moore's amendment the original motorcycle helmet bill would...law would be repealed?

SENATOR WITHEM: It would...

SENATOR CHAMBERS: Is that what you think would happen?

SENATOR WITHEM: ..it would depend upon what was referred. If the entire bill, 1 through 11, would be referred to the voters and were to be successful, Section 11 is the repealer clause, and it's more than technical in this sense, that is the repealer clause and if that were referred to the...the whole thing were referred to the voters, the voters, in effect, would be repealing the repealer clause. That would have the effect of putting the preexisting statute back into effect. If, however, they refer Sections 1 through 10 to the voters, leaving the repealer clause in our statutes, and if they're successful in repealing Sections 1 through 10, then the new language is repealed but Section 11 leaves the repeal of the old statute in effect, so it would be dependent upon what the people do in terms of what they refer. They can refer a part of an act to