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under the sun, should you or shouldn't you, will you or won't you, must you or must you not, maybe this is the resolution. Maybe you ought to have the right not to wear the helmet, and you suffer the consequences of the decision you make, whatever that be. That's my reason for offering the amendment. I've had...several people have asked me if I'm serious about it. I'm sorry it appeared ridiculous. I'm absolutely serious. I intend to leave it where it is, but I don't intend to beat it to death, and I'll be anxious to hear what you all have to say about it, if anything. Thank you.

SENATOR SCHIMEK: Thank you, Senator Brashear. The next speaker is Senator Smith.

SENATOR SMITH: Thank you, Madam Chair, and members. I rise in opposition to this. If it applied to every stupid decision along the way, that would be fine. But some of those stupid decisions are deciding to ride a motorcycle on ice. That would not be covered here. That would be...I mean I could come up with a whole list of stupid decisions that would not be subject to this. I believe that there are constitutional issues with this and, certainly, it starts out, notwithstanding any other provision of law, and to the fullest extent compatible with applicable federal law, a person who is exempt from subsection (1) of this section shall not be eligible for any benefit provided by this state related to healthcare, rehabilitation, long-term care, or any other service made necessary as a result of any injury sustained while operating or as a passenger on a motorcycle or moped on any highway of this state without wearing a protective helmet as provided in subsection (1) of this section. Now I rise in opposition to this on the premise that it is not only a little bit discriminatory but extremely discriminatory. Motorcyclists already pay more taxes. I mean they already pay some registration fees that go toward the safety course. They pay their general taxes. Now if this amendment would lead to the waiving of taxes for motorcyclists because all of a sudden they've assumed much more responsibility than any other individual incurring a risk-oriented behavior. Riding a horse, I know a lot of people who have been injured riding a horse. I want to go back to the point that I bring out yet again, after