

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

February 6, 2004 LB 227

SENATOR CHAMBERS: I think you're misunderstanding my position.

SENATOR SCHIMEK: I think maybe I am.

SENATOR CHAMBERS: If a person is in the back of the vehicle,...

SENATOR SCHIMEK: Right.

SENATOR CHAMBERS: ..whichever one it is, the truck or whatever, that person need not be restrained if he or she is doing work. So the interests of the employer trump the safety concerns for the children. Now, that's one category. An additional exception would be if the person is secured by a restraint system. Then the exception...then the law would not apply. The ones I'm concerned about are where these unrestrained children are in the backs of pickup trucks and in the cargo area of other trucks working unrestrained, and they are not covered by the protection of the law.

SENATOR SCHIMEK: Well, let me ask Senator Aguilar a question then, if I might. Senator Aguilar.

SENATOR CUDABACK: Senator Aguilar, would you respond?

SENATOR AGUILAR: Yes.

SENATOR SCHIMEK: What does that first exception mean, Senator Aguilar? When I first look at it, I think it means that it may not even be in traffic, but may...I guess maybe that's not true. This could be in the middle of traffic. Can you tell me...give me some examples of what we're talking about here.

SENATOR AGUILAR: Okay. What we were concerned with there, and I shouldn't say "we," but some...some senators were concerned that there's instances where they will haul a pickup load of young people out to the field to detassel and they asked for that exemption so these people would be allowed to work, you know, and not have to be concerned about restraints. As I stated earlier, I don't agree with that, but in order to get the bill passed I felt I had to put that in there. And as far as