

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

April 25, 2005 LB 70

in the activity of riding a motorcycle. Riding a motorcycle without a helmet is not the inherently dangerous activity. It's riding the motorcycle. And the individuals that ride them know that they're going to take a certain level of responsibility and risk and, contrary to popular belief, they have the insurance. Contrary to popular belief they are responsible citizens, like Senator Johnson, former surgeons, like other individuals who are attorneys, that I have discussed on the floor from my meetings with individuals when we were in Mount Rushmore this summer. But we have this mentality that these people are irresponsible, that they're somehow second-class citizens, that they're not intelligent enough to make this decision.

SENATOR CUDABACK: One minute.

SENATOR ERDMAN: That is not the case, that is absolutely not the case, and had we listened to Senator Landis' speech the other day we would have probably gathered that. But here's where we stand. We have a law that is enforceable that gives people this warm feeling that somehow we're protecting people from themselves when, in reality, the thing that we're mandating does nothing to accomplish that goal other than the towel around the head that Senator Jensen pointed out. That's it, plain and simple. We would not accept it anywhere else, but in this group of individuals that we are not a part of collectively, we're not going to afford them the opportunity to do the same thing that we do in a vehicle, and that's to make the decision whether or not we wear the equipment. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. Further discussion? Senator Schimek.

SENATOR SCHIMEK: Thank you, Mr. President and members. I would like to ask Senator Smith a question about his amendment, if I might.

SENATOR CUDABACK: Senator Smith, would you yield to a question from Senator Schimek?

SENATOR SMITH: Yes.