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Floor Debate
March 13, 2017

[LB8 LB18 LB18A LB19 LB29 LB35 LB85 LB92 LB94 LB97 LB98 LB99 LB137 LB151
LB152 LB166 LB172 LB178 LB180 LB184 LB185 LB186 LB188 LB191 LB203 LB253
LB257 LB267 LB282 LB296 LB300 LB317 LB323 LB334 LB335 LB336 LB346 LB368
LB389 LB394 LB407 LB441 LB449 LB478 LB481 LB487 LB509 LB589 LB605 LB622
LB628 LB639 LB647 LR56 LR57 LR63 LR64]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the forty-fifth day of the One Hundred Fifth Legislature, First Session. Our chaplain for today is Pastor Steve Todd of the Faith Westwood United Methodist Church in Omaha, Nebraska, Senator Riepe's district. Please rise.

PASTOR TODD: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Pastor Todd. I call to order the forty-fifth day of the One Hundred Fifth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

CLERK: I have a quorum present, Mr. President.

PRESIDENT FOLEY: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections.

PRESIDENT FOLEY: Thank you, sir. Are there any messages, reports, or announcements?

CLERK: Enrollment and Review reports LB407 to Select File with Enrollment and Review amendments attached. The Committee on Health, Chaired by Senator Riepe, reports LB336 to General File with amendments. Mr. President, I have communication from Senator Watermeier as Chair of the Special Committee relating to the Election contest (sic-Challenge) regarding an Order of Jurisdiction. And an announcement--the Revenue Committee will meet today at 10:30 in room 2022, Revenue at 10:30 today. That's all that I have, Mr. President. (Legislative Journal pages 685-686.) [LB407 LB336]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

PRESIDENT FOLEY: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR56 and LR57. Speaker Sheer, you're recognized. [LR56 LR57]

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. They will be passing out the Speaker priority list. I will tell you all that we had a record number of bills submitted. So consequently only about 1 out of 3 were prioritized. There were several, that in going through them, my staff and I felt that probably would facilitate on a consent agenda pretty easily. So our office will be in contact with you to let you know if that is the case with your bill and we'll make sure that those bills that fall within that realm are made sure that they are on the consent agenda so that at least you have the ability of having movement on those bills. Again, we did the best we could. We had such a large number it was very difficult to determine which ones to utilize. We used our best judgment. I used my best judgment. Some of you will be disappointed, some of you not. But unfortunately that's, at some point in time, we had to make the cut. And so hopefully we will be able to move forward. Thank you, Mr. Lieutenant Governor.

PRESIDENT FOLEY: Thank you, Mr. Speaker. (Doctor of the day introduced.) Moving now to the agenda, General File, 2017, senator priority bill. Mr. Clerk.

CLERK: LB368 by Senator Lowe relates to helmet provisions and passenger age limits. Senator Lowe presented his bill last Thursday, Mr. President; no committee amendments. Senator Hilkemann had offered as an amendment to the bill AM503. That amendment is pending. (Legislative Journal page 661.) [LB368]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Senators Lowe and Hilkemann, you both opened last week on the bill and amendment, but if you would like to take a moment each to refresh us on where we are. Senator Lowe. [LB368]

SENATOR LOWE: Sure, thank you, Mr. President. We've been discussing LB368, a bill that will remove the requirement that an individual has to wear a helmet when driving a motorcycle. An individual, of course, still have the freedom to choose to wear the helmet. And that is the key element what this bill does, allowing Nebraskans the freedom to choose, a freedom that individuals in 31 other states have reclaimed for themselves. We also heard some comments from the opponents of this bill. They like to discuss potential costs that they believe this bill will bring. On Thursday I handed out a document that looks at motorcycle fatality rates per 10,000 registered riders. The document looked at Nebraska, South Dakota has a partial helmet law, and Iowa that has no helmet law. The data was collected through each state's government agency that handles vehicle registration. What that document showed is from 2007 to 2015, Nebraska had a higher fatality rate than both states on six different occasions. One of the key moments from this

Floor Debate
March 13, 2017

discussion last week was when Senator Hilkemann was reading from an editorial that opposes LB368. The editorial stated, and I quote: What costs are we willing to accept to preserve liberty of these individual riders? End quote. What costs are we willing to preserve our liberty? What a question? The question posed by the editorial seems to point to an end...point to an idea that society or government grants liberties. I believe this shows the fundamental differences we are talking about today. One side appears to believe that rights start with what government is willing to give up. However, I reject this idea. Rights do not come from government. Rights are inherent to all individuals and we are all born with these rights. Government has the responsibility to protect people's liberty, but it does not grant people those liberties that it protects. This belief is why the issue is so important to me and why I encourage everyone to take a step back and think about what a vote "yes" and a vote "no" on this bill would truly represent. I urge you to allow a vote on LB368 as the bill currently exists. I urge you to vote yes on returning freedoms to your fellow citizens. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Lowe. (Visitors introduced.) Senator Hilkemann, you previously opened on AM503, but if you would like to take a few minutes to refresh us on the amendment, you're welcome to do so. [LB368]

SENATOR HILKEMANN: Thank you, Mr. President. And I will do just that. Welcome, Nebraskans, to this interesting debate. And I...and Senator Lowe and I met as we were walking out of the Capitol last Thursday and we talked about how we appreciated the debate that occurred on this floor last Thursday. And I'm going to encourage those of you who were not here because there were, at points, where we only had maybe eight to ten people here on the floor. I know it was a very busy day. But this is a very important debate that we're having here regarding helmet bills. This bill is different than other bills that have been brought forward. So I think let's really avail ourselves of what are the details, because this is a game-changer for the state of Nebraska in many ways. One of the things I want to say, I kind of reviewed the things that the debate on Thursday, one of my favorite professors in podiatry school was Dr. Juan Cayaffa, he was a neurologist from Northwestern University Medical School and he taught us neuroanatomy and neurology. And he was a Frenchman, and one of his...he had this accent, and one of the things that he would always say when we'd go through the studying of the pyramidal, the extrapyramidal tracts, or the different tracts and he'd said: It's just water clear. And I want to say something right at the very beginning and it's that I am not against motorcycle riding in the state of Nebraska. If this bill were to try to eliminate motorcycles or take away that they could not be on the roads of Nebraska, I would be there with you, Senator Lowe, and I would be fighting for it. I have a motorcycle operator's license. I have owned two motorcycles. I've enjoyed the sport. I understand it. I also understand that there is a responsibility that we have when we are given this freedom to ride motorcycles, and one of those responsibilities is that we have learned through evidence-based science and studies over the years that riders who wear helmets have less chance of fatality. They also have less chance of serious head injuries. And we also know from all the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

data that's out there that states who have repealed this bill have found an increase in the number of fatalities, an increase in the number of brain injuries, and injury in...the cost of the healthcare that's there. So that's where we're at on this particular debate. I also want to say that one of...a constituent of mine, Dave Halen, is here today. Dave is an engineer with the Lozier Company. He's volunteering his day today. He has taught motorcycle safety since 1992. And he's out in the lobby. And anybody who is wavering on this conversation, Dave would give you a...will tell you what goes into motorcycle training. At one time we had that in the state of Nebraska; that's gone away. And so I think that that's something that we may want to talk about as well. And then I want to say to Senator Lowe, and I directed some questions to him last Thursday. I have absolutely nothing against Senator Lowe. If it sounds like I'm attacking him at any point, it is his bill, and therefore a lot of the questions that I directed, I directed towards Senator Lowe. And there's no animosity there at all. I think sometimes that in the...we can teach and learn a lot of times by question and answer. And so that's how a lot of times when I speak, I will ask questions and ask for answers. I think sometimes that gets away from the long-type speeches that are here. But the amendment that I have on this bill is at the present time we're saying that children can ride a motorcycle at six years of age. The amendment that I have is that you need to be 16 years of age to ride on the back of a motorcycle as a passenger. Now the bill itself that is written does say that if your...that passenger would have to have a helmet and proper gear if they're 6 years of age or under. So actually I think the bill is that from 21 years of age and under. [LB368]

PRESIDENT FOLEY: Time, Senator. [LB368]

SENATOR HILKEMANN: And we'll be talking...thank you very much, Mr. Speaker. [LB368]

PRESIDENT FOLEY: Proceeding now to debate, Senator Krist, you're recognized. [LB368]

SENATOR KRIST: Good morning, Mr. President; good morning, colleagues; and good morning, Nebraska. As I often start out my time on the mike, I will tell you how many times or how frequently I've had the pleasure of debating this issue. My pleasure comes my first year, full year in the Legislature, and that was now the Auditor, Charlie Janssen, former Senator Charlie Janssen. The next time it was my turn, and I carried it. And the following time it was Senator Bloomfield, who has graced us today with his presence and is in the north balcony, and I appreciate that. Let me tell you why I carried it myself and why I'm in favor of repealing the helmet bill. I grew up in my professional life flying jets. And one of the things that was very familiar to me was a protective helmet with an oxygen mask on it. And I often thought to myself, what protection would this give me going Mach 1? And I was reminded by the folks who taught our life support training that it wasn't necessarily to protect you from the impact, it was to make sure we had something to bury that actually looked like you. I thought that was humorous. You know, and as a young man, being bulletproof as I was, I wanted to be pretty in the casket. So

Floor Debate
March 13, 2017

that's pretty much my emphasis with that particular helmet. Throughout my life I've had a motorcycle. I've worn a helmet. In fact several times on the mike, and Senator Bloomfield will recognize this statement, it's an old John Wayne poster, it's "life's tough, it's tougher if you're stupid." And I think that if you don't wear a helmet, in particular...at particular times, and I think one of those times is out on the dirt bike in the dunes because you deliberately set yourself up for disaster on a minute-by-minute basis; or when you're going 75 miles an hour on the interstate, that would be another time. But that, folks, colleagues, Nebraska, needs to be a personal choice. Because this gets to me...this is to me a point of my civil liberty. I often said to Senator Lathrop, who campaigned vehemently against reduction or elimination of the helmet bill, what's next? Should I go into western Nebraska, into every rodeo and tell them they have to wear a helmet? Recognizing of course that there are rodeo riders that do wear helmets. But you know what? That's a personal choice; that's a personal liberty, and they have chosen that way. How about the art of riding a WaveRunner on our waterways? I don't know if you've ever gone 90 miles an hour on a WaveRunner, I have. And the water can be just as hard as concrete in terms of impact, depending upon how you hit it. Then what? Should we tell everyone who rides a bicycle, a nonpowered bicycle, that they should wear a helmet? Once again, I do. But that's a personal choice. I have a liberty that tells me I can or cannot wear that. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR KRIST: Thank you, Mr. President. So I'll approach this the same way I have in the past eight years. Does this impact our civil liberties? The answer is yes. Can you be injured whether you're wearing a helmet or not? And the answer is yes. Does this impact our society in terms of taking care of someone who has a serious head injury? Possibly. But more importantly, does it affect my civil rights, my liberty? And I'll err on the side of restoring and keeping those civil liberties at all costs. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Morfeld, you're recognized. [LB368]

SENATOR MORFELD: Thank you, Mr. President. Colleagues, today I rise to be able to express my strong support of the repeal of the helmet law. This has been consistent with my support of the repeal of the helmet law for the last three sessions now and I will continue to support it for a few different reasons. First, I believe that this is an issue of personal responsibility for an adult. And in this case, it's 21 years old and above; I think in the past it may have been 18 and above. I think this strikes the right balance with going to an age where somebody can make those types of decisions. Personally, I think that should be 18, but I'm fine with 21. In addition, if I were on a motorcycle, you probably wouldn't catch me dead without a helmet. But that being said, that's somebody else's personal decision. Every morning when I wake up, I put on my seat belt before I even turn on my car. If I have passengers in my car, I make them put on their seat belt. If they

Floor Debate
March 13, 2017

want to ride with me, they have to wear a seat belt. I suppose if somebody was riding with me on a motorcycle, they'd have to also wear a helmet. But that's my decision to make those decisions with who I ride with and what I ride with as an adult. In addition, the cost of some of these injuries, I think that it can go both way. I've seen a lot of data from both sides on this. That being said, if it wasn't this type of injury, it would be another. I've always been in strong support of making sure that we have affordable healthcare for all Nebraskans, unlike some members of this body. And I will continue to do that with my Medicaid expansion bill and other legislation to ensure those working Nebraskans have that affordable healthcare. So as we start looking at Medicaid expansion, or whatever the case may be that comes from the new Congress and the new President, I hope that we will support affordable healthcare for folks who are either victims of motorcycle accidents or victims of cancer, or whatever the case may be because we talk all too often about making sure that we take care of Nebraskans, but fail to ensure that Nebraskans that are working folks have affordable healthcare. And I'll continue to support that because sometimes unfortunate accidents like this, motorcycle accidents, happen. And suddenly somebody who can make a lot of money is no longer able to and needs affordable and high-quality healthcare so they don't go bankrupt. In addition...well, I guess more in conclusion, I just believe that LB368 is about personal responsibility, it's about respecting an adult making a decision, based on what they think is in their best interests or in their safety. And I will continue to support LB368 and I hope that you will too. Thank you very much, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Morfeld. Senator Hansen, you're recognized.
[LB368]

SENATOR HANSEN: Thank you, Mr. President. Colleagues, I rise today for the first time on this bill, and I'll just say I'm continuing to listen to debate and continuing to weigh the pros and cons of this. I have traditionally opposed the helmet law repeal or supported our current helmet law in the past and have not yet seen anything this year that's likely to move me from that position. I do appreciate some of the discussion this morning, including the fact that I learned that I lead a way less interesting life than Senator Krist because I have not flown Mach 1, I've not run a dune buggy over sand dunes, or gone 100 miles an hour in a Jet Ski, so got some things to catch up to. That being said, why I originally clicked on my light, because I don't normally get up to announce my indecision on something, was when Senator Lowe opened on this bill he talked about the role of the state in protecting rights and liberties, not even explicitly constitutional rights, but rights and liberties. And I appreciate that, and I appreciate the discussion, and I think that's an important role we as state legislators have to weigh and balance. So I just wanted to make sure we get up on the microphone and understand that if today by, say, supporting LB368 we are...the supporters of this are wholeheartedly supporting the inherent rights of the individual. I hope that when we come to other bills that are going to impact how constitutional rights are in this state, whether that is the right to counsel among juveniles, which is a constitutional right; or the right to vote in Nebraska, which we have an explicit constitutional

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

provision protecting right to vote here; or the right to elective franchise, I believe is the correct termination, when we get to those discussions, I hope that we have the same kind of level of discourse about what we as the state should do in order to ensure that our citizens have the rights and liberties and the role of government in infringing upon those. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Hansen. Senator Larson, you're recognized. [LB368]

SENATOR LARSON: Thank you, Mr. President. I rise in support of LB368 as well. It's something that I've always supported on the similar lines of Senator Krist and Senator Morfeld of the individual liberties and civil liberties. I do have a few questions for Senator Hilkemann, as he seems to be the one that's leading the filibuster. [LB368]

PRESIDENT FOLEY: Senator Hilkemann, will you yield, please? [LB368]

SENATOR HILKEMANN: I will. [LB368]

SENATOR LARSON: Thank you, Senator Hilkemann. It's my understanding your main opposition to the helmet law repeal, in general, focuses more around safety and cost to the state if one should get hurt, correct? [LB368]

SENATOR HILKEMANN: Absolutely. [LB368]

SENATOR LARSON: Excellent. So I guess that leads to me to a few other questions. If we're looking at those issues specifically, I mean I hear those arguments a lot when we debate many issues on the floor of the Legislature, do you feel then that the government should mandate everyone has to...or mandate or give away health insurance to every individual because in the end that would lead, possibly, arguably, to healthier individuals and a lower cost to the state, possibly? Should we mandate that? [LB368]

SENATOR HILKEMANN: Should we mandate that everybody have health (inaudible)... [LB368]

SENATOR LARSON: Has to buy health insurance, yes. [LB368]

SENATOR HILKEMANN: That's not the discussion this morning, Senator. [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

SENATOR LARSON: I understand that that's not the discussion, I'm asking... [LB368]

SENATOR HILKEMANN: That's a conversation for another day. [LB368]

SENATOR LARSON: Following your logic, that would be something...because it would lead to safer individuals and it would also lead possibly to less cost to the state if we mandated other individuals buy health insurance, correct? [LB368]

SENATOR HILKEMANN: If we mandated other people to buy...well, again, Senator, that's an area I have some strong feelings about. That's not the discussion this morning. [LB368]

SENATOR LARSON: Well, I guess I'm just trying to keep the logic that you're using on this consistent. So we'll move on. I heard Senator Krist discuss this, and this is something that's close to my heart. Should you want to say that you have to be 16 to ride a motorcycle as a passenger in this amendment, would you say that you should have to be 16 to ride a horse? [LB368]

SENATOR HILKEMANN: To ride a horse? Without a helmet on? [LB368]

SENATOR LARSON: No, not without a helmet, just ride a horse because you're saying that even with a helmet they would have to be 16 to ride as a passenger. I'm asking do you believe that you should have to be 16 to ride a horse? [LB368]

SENATOR HILKEMANN: No. [LB368]

SENATOR LARSON: No. Okay. [LB368]

SENATOR HILKEMANN: I've never sat on a horse that would go 60 mile an hour. [LB368]

SENATOR LARSON: Well, I can guarantee that I've seen horses that might not go 60, but might have a bad temper or might be a real cold morning and they get a little...what we would call "froggy" in the horse-training business, and dump a rider. I've been one of those riders to get dumped in my past. So I guess, again, talking...going through there...what about, again, maybe would riding a...since your amendment focused on being a passenger, what about being a passenger on a bike? Would you say that you have to be 16 to be a passenger on a bike? [LB368]

SENATOR HILKEMANN: Are you talking about a cycle bike? [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

SENATOR LARSON: Just a pedal bike...a pedal bike. Because I know an individual that was riding his bike, not 60 miles an hour, had a helmet on, hit a bump, fell over, hit his head, broke his neck and is paralyzed. So the concept is, you know, there are...again, you don't have to be going 60 miles an hour, as your argument, there are significant perils to riding just a pedal bike. So do you think that you should have to be 16 to be a passenger on a bike? [LB368]

SENATOR HILKEMANN: Well, Senator, no, I do not. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR LARSON: Okay, thank you, Senator Hilkemann. Colleagues, the concept here is we are hearing an argument that we should not allow certain individuals civil liberties because it can go fast or it might cost the state money. Colleagues, there are a number of things that we don't mandate that have just as many risks. The arguments in AM503 I do not think hold water. And we have to be able to draw a line as a state justly of what should and shouldn't be regulated. Motorcycle helmets are one of those things that should not for individuals that are of adult age. I agree with Senator Brasch that LB368 is...recognized certain individuals... [LB368]

PRESIDENT FOLEY: Time, Senator. [LB368]

SENATOR LARSON: Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Larson. Senator Ebke, you're recognized. [LB368]

SENATOR EBKE: Thank you, Mr. President. I haven't spoken on this bill yet, but I have traditionally spoken on the earlier versions of the bill. I want to thank Senator Larson for his comments. He actually grabbed a lot of the things that I wanted to talk about. But I want to bring them up in a little different way. Senator Krist and Senator Lowe, I appreciate the comments that you've made as well. I do think that it's important for us to consider the liberty of the individual when we start talking about these kinds of laws. You know, the most persuasive argument is probably the one that Senator Hilkemann has made that, you know, we need to have a helmet law in the...in the interest of the societal medical cost, in the case of a catastrophic accident. The problem is that there are a lot of decisions that we make as individuals which wind up in high societal costs. And I suspect that if you go to any long-term care center, you will see one or two people who have been...who have been put there as a result of a...as a result of a motorcycle accident or a car accident or any number of nasty accidents. But we also see a lot of people who are there as a result of too many years of smoking, too many years of eating the wrong foods, too many years of drinking the wrong things. And the question is, and one which I would challenge

Floor Debate
March 13, 2017

all of my colleagues to think about, you know, what should the role of the state be in interfering with our personal choices, even those personal choices which may be bad ones? We all make bad choices from time to time. Should the state protect us from ourselves? And I would argue that the state should not protect us from ourselves, to the extent that it becomes...that we become a burden on society, each of us could become a burden on society. I don't get on motorcycles. I've been on a motorcycle once in my life. I wouldn't get on without a helmet. I also wouldn't go to...my family occasionally goes to amusement parks. I don't get on the rides. I don't like high roller coasters and things like...I'm just not a big fan. I wouldn't go for a ride with Senator Krist in his Mach 1 jet. That being said, I don't like speed and I don't like heights. Nevertheless, some people do and they ought to have that liberty to participate in those activities if they want to and they should be able to do it well educated, knowing that there are inherent risks involved but without the pressure of the state telling them that some portion of what they're doing is illegal. So I thank Senator Lowe for bringing this bill. I will be in favor of LB368 and I will be voting against AM503. [LB368]

PRESIDENT FOLEY: Thank you, Senator Ebke. Senator Wishart, you're recognized. [LB368]

SENATOR WISHART: Thank you, Mr. President. I rise today in support of LB368 and I'm still looking into AM503. You know, I've been very open about this even on the campaign trail that my feeling is when you get on a motorcycle, you take the risk of a serious injury, helmet or not. And I agree with many of my colleagues who have spoken today that we should err on the side of protecting people's individual liberties. But I also want to talk a little bit about consistency. A lot of times when I go home on the weekends, I kind of...I try to look back at the legislation that I voted on and make sure that I'm being consistent...as consistent as possible with the decisions I'm making. So for example, one standard that I...a lens through which I vote with is that I think we should always try to err on the side of local control. So that's something that when I'm looking at the bills that I'm voting on, that's a level of consistency, a standard that I keep for myself. So today, I do want to say a little of what Senator Hansen said, which is that I hope that the colleagues that I'm hearing today who are talking about people's individual liberties, I hope then they will be in support of the medical cannabis legislation that I will be bringing. I have the hearing this week that I'm preparing for. I mean, we have the ability in this Legislature to give people and their loved ones access to a treatment form that could positively impact their lives. And a lot of the arguments today about individual liberties I would hope that you would be using those same arguments in voting in favor of LB622, my medical cannabis legislation. On another note, I think when we're talking about brain injury, this is a good time for us to talk about where we're lacking from other states in supporting people who are struggling with brain injuries. A lot of other states have trust funds. I have a piece of legislation this year that I've introduced that creates a brain injury council at the state level and a trust fund. And for example, Colorado has \$2.6 million in their trust fund; Arizona has \$1.8 million in their trust fund, and that goes to support individuals and families who are struggling to heal from brain injuries. So that is

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

something we should think about as a Legislature as well, taking the lead on that. My legislation doesn't appropriate any funds to the trust fund, but it does create that trust fund. And then moving forward in better years, perhaps we can add additional dollars. And then last, I'd like to ask Senator Hilkemann a question about AM503. [LB368 LB622]

PRESIDENT FOLEY: Senator Hilkemann, would you yield, please? [LB368]

SENATOR HILKEMANN: I will. [LB368]

SENATOR WISHART: Senator Hilkemann, when you created this age group, did you think at all about instead of a particular age, more of, say, somebody's inseam length or their height? [LB368]

SENATOR HILKEMANN: Actually, no. We did...at the point...but I think that, Senator, I think that that is a conversation that we could have. I put it at 16. I mentioned maybe it's 12, maybe it's a little later. I know that one of the most important things about having a child on the back is that they can...their feet can at least reach the pedals...or the support that they have there so that they can hold on well. [LB368]

SENATOR WISHART: Yes. And I met with a constituent on my recess day, and her husband is an avid motorcyclist, and he suggested maybe we should look at the inseam length. I remember when I was a little kid going to the fair, even though I would qualify in terms of the age, I was sometimes a little too short to go on the rides. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR WISHART: So that would be something maybe we would want to take into account with this amendment. [LB368]

SENATOR HILKEMANN: So would you be more comfortable if we had a height instead of an age? [LB368]

SENATOR WISHART: Yes, I think that would potentially be more appropriate. [LB368]

SENATOR HILKEMANN: Okay. [LB368]

SENATOR WISHART: Thank you. [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

PRESIDENT FOLEY: Thank you, Senators Wishart and Hilkemann. (Visitors introduced.)
Continuing debate, Senator Krist. [LB368]

SENATOR KRIST: Thank you, Mr. President. This is probably going to be one of my last times, unless I'm called to the mike to talk about this this morning, or unless something else comes up. But I wanted to point out to those of you who are either for or against this particular issue, that we're currently working under temporary rules where the number of votes to actually get to a vote on this would take 33. And the number of votes that could prohibit us from getting to this vote would take 17. I looked at the votes the last couple years and I want to remind you that if you're in favor of changing 33 and 17 to anything else, the motorcycle bill would have been voted on at least twice in the last few years. It would have been voted on if we lowered it to 30. I'll also point out to you that Medicaid expansion would have been voted on and there was 26 or 27 votes if we would reduce it from 33 to something lower than 33. Medicaid expansion only missed by two votes. Helmet bill only missed in the last few years by one vote. So philosophically whether you're for or against this, we're going to have a debate coming up on the fiftieth day or sooner that would say, do I really want to change the threshold that's worked in this body both pro and con, in support of and in opposition of, those critical issues that are important to you? Now back to the subject matter at hand. I do believe that the repeal of the helmet bill could be good for economic development; could be good for the people who would transit through the state; could be a detrimental aspect for those that may or may not be hurt from this issue. But I would remind you that the states surrounding us are unanimously in support of not wearing a helmet...two different degrees, two different degrees. But I, again, flying for the Corps of Engineers as much as I have, have had a lot of time spent up in Deadwood and Sturgis and the area and have been up to the rally on a number of occasions, both as a bystander and as a participant. And I will tell you that it is no fallacy that people will bypass the state of Nebraska getting to Sturgis in almost any way possible because they feel that their rights are being encumbered. That's just a fact of life. So however you are on this issue, that's where you are. This is one of those issues that having debated it as much as I have heard it debated and debated it myself, I don't think you're going to change anybody's mind today. You're going to hear some different facts and different figures potentially, but this is one of those as...I often listen to Chris Baker in the afternoon on KFAB, both for the entertainment value and for the entertainment value. But he talked the other day about, once again, the Legislature is wasting time on the helmet bill. Well, Chris, I disagree. I think this is one of those issues that tells you a lot about a person, a person's will to preserve personal liberties and freedoms, and a person's desires to have the debate, the great debate that you in this Chamber are capable of having. There's only 49 of us representing 49 districts across the state and we need to debate critical issues. And in my opinion, although this is not critical to our budget, which is probably the most critical thing we'll talk about this session, it is about personal liberties and freedoms. It is about what the state and Senator Ebke's dialogue says what will the state be allowed to do, what is our

Floor Debate
March 13, 2017

responsibility to do, what should we impose or impart upon those under the jurisdiction of the Legislature. That question is left to you. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Howard, you're recognized. [LB368]

SENATOR HOWARD: Thank you, Mr. President. I feel as though we should be debating daylight savings today because I am super tired. So it took me a little while to sort of collect my thoughts and put together what I wanted to talk about this morning. And I do appreciate the liberty argument. And I also...I appreciate the idea that some folks would prefer to be...have the liberty to not pay for other people's healthcare cost, right? It's an interesting balance. Brain injury is not like other injuries because it doesn't just heal like a bone, right? It stays for a long time. And often individuals become disabled because of a brain injury. And so I'd like to talk for a minute about sort of a broader Nebraska issue, and that's the issue of our developmental disabilities wait list. And I'm going to phone a friend on this because it's really not my area of expertise. So I was hoping Senator Bolz would yield to a question. [LB368]

PRESIDENT FOLEY: Senator Bolz, would you yield, please? [LB368]

SENATOR BOLZ: Sure. [LB368]

SENATOR HOWARD: Senator Bolz, can you tell me a little bit about the developmental disabilities wait list in the state of Nebraska? [LB368]

SENATOR BOLZ: Sure. There are individuals in Nebraska with developmental disabilities who are not currently able to access services. And that pool of individuals falls into three categories: folks who have day services and are waiting for residential services for more intensive services; folks who will need the services in the future, but haven't met the date of need that they would...they would need to start accessing those services, they're still young people; and then there are people who are legitimately on the waiting list, there's something that they're needing and they're waiting for those services. Currently, we have a registry of needs that includes individuals whose date of need, and my data is a little bit old, but individuals whose date of need is on or before January 18, 2013, was 1,775 persons. And individuals whose date of need is after January 18, 2013, is 486 individuals. So over 2,200, as of 2013, folks who can't access the services that they're looking for or need. [LB368]

SENATOR HOWARD: And on the wait list, do you believe there are individuals who have brain injuries? [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

SENATOR BOLZ: Oh, most certainly. There's a correlation between individuals with developmental disabilities and individuals with brain injuries. If you have a brain injury prior to reaching adulthood, you qualify for developmental disability services. [LB368]

SENATOR HOWARD: And then what's our obligation to take care of these individuals? I mean, as a state could we just say we don't want to help them anymore? [LB368]

SENATOR BOLZ: We certainly have an obligation to assist individuals, especially if they reached a level of crisis, if something bad happened to them or their family, they would be expedited and go to the front of the waiting list. We also have entitlement services for young people who graduate from Nebraska high schools. So you are entitled to those services as a young person as you graduate and move into the adult system. [LB368]

SENATOR HOWARD: And so for the amendment that we're discussing, if a 6-year-old is on a motorcycle without a helmet and they become disabled, what's our obligation to them as a state, or maybe the length of our obligation to them as a state? [LB368]

SENATOR BOLZ: Once you're in developmental disability services...I mean, once you're developmentally disabled, you're developmentally disabled for life and our obligation is for your lifetime. [LB368]

SENATOR HOWARD: And how much of our budget, as a state, goes to developmental disabilities? [LB368]

SENATOR BOLZ: It's a great question, and I don't know that off the top of my head, but I can tell you that since 2009 the Legislature has appropriated an additional \$13.6 million to try to address the registry of needs. And the state funds to address the current folks, as of the 2013 data to serve people on the registry of needs, is \$48 million. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR HOWARD: So that's an incredible issue. Thank you, Mr. President. When I think about not just the healthcare costs, because my next time on the mike I'm going to have a conversation with Senator Morfeld about his economic development plan, which is Medicaid expansion, because it brings in so many dollars to the state of Nebraska. And actually if we had Medicaid expansion, I probably wouldn't have that big of a problem with this bill because we wouldn't be seeing individuals who are uninsured or didn't have access to some type of healthcare coverage, putting those costs back on premium payers, which is the real challenge

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

here. If an individual doesn't have coverage or if their coverage drops off after an accident, we're all footing the bill. And while I appreciate the oppression of having to wear a helmet, I also appreciate... [LB368]

PRESIDENT FOLEY: Time, Senator. [LB368]

SENATOR HOWARD: Thank you. [LB368]

PRESIDENT FOLEY: Thank you, Senator Howard and Senator Bolz. Senator Hilkemann, you're recognized. [LB368]

SENATOR HILKEMANN: Thank you, Mr. President. Is Senator Morfeld available for question? [LB368]

PRESIDENT FOLEY: Senator Morfeld, will you yield, please? [LB368]

SENATOR MORFELD: Yes. [LB368]

SENATOR HILKEMANN: Senator, in your opening comments this morning, you said that you would never leave the house without having...or get in your car...the first thing you do is to put on a seat belt. Is that a choice or a law? [LB368]

SENATOR MORFELD: I believe it's a law, if you're above...well, I'm trying to remember; I just always do it, so I don't even know. [LB368]

SENATOR HILKEMANN: I'll remind you, Senator, it's the law in Nebraska. [LB368]

SENATOR MORFELD: Well, I would be in support of repealing that law too then. [LB368]

SENATOR HILKEMANN: So you don't think that we...we presently have it as a secondary offense in the state of Nebraska. Why do you think...why do you think that that was...you know, it...we love our freedoms in Nebraska, but we've had that for a long time. Why do you think that we have that law in place? [LB368]

SENATOR MORFELD: I can't speak to the legislative intent because I was not there when the law was enacted. [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

SENATOR HILKEMANN: Do you think it has anything to do with the fact that evidence pretty well shows that people who are belted in during the course of an accident are generally safer and have less fatalities than points when they are not belted in? [LB368]

SENATOR MORFELD: Certainly could be. [LB368]

SENATOR HILKEMANN: Well, Senator, I really think that that's the reason why this state chose to make wearing a seat belt as a...again, not a primary offense, but a secondary offense in the state of Nebraska because we actually may save lives by people having a safety belt on. Would we agree with that? [LB368]

SENATOR MORFELD: I would have to see the data and the research. [LB368]

SENATOR HILKEMANN: Okay. Thank you, Senator Morfeld. Senator Erdman brought up a conversation last week. I mentioned that about 75 to 80 percent of people in polls taken nationally suggest that we should...or recommend that we keep the helmet bill...the helmets in place. But he said, when he went door to door, everybody told him to get rid of the helmets. And I...is Senator Erdman available for questions? [LB368]

PRESIDENT FOLEY: Senator Erdman, would you yield, please? [LB368]

SENATOR ERDMAN: Yes, I would. [LB368]

SENATOR HILKEMANN: Did I misquote you at all, didn't you say that when you went door to door, one of the most common questions that you had was--get rid of the helmet bill? [LB368]

SENATOR ERDMAN: No, I did not say the most common question. The most common question was property tax. And they would then mention the helmet law, but not everyone. You misquoted that, not everyone was in favor of repealing the helmet law. But the majority, vast majority were. [LB368]

SENATOR HILKEMANN: Okay. You know, Senator, I had the pleasure of riding my bike down Highway 30 in western Nebraska this summer when I...on my bike ride across America. I can really understand why that is a...somewhat in that area, the beauty that we have in the Sandhills and in that region of the country and there's not a lot of traffic and so that could be a factor for it. I can say that when I went door to door, if I had two or three people ask me about the helmet bill over the year that I did the door to door, that would be...that would be probably...is Senator McCollister available? [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

PRESIDENT FOLEY: Senator McCollister, would you yield, please? Senator McCollister, would you yield, please? [LB368]

SENATOR McCOLLISTER: Yes, I will. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR HILKEMANN: Senator McCollister, when Senator Erdman and I are having this conversation about going door to door, I know that you were an outstanding person going door to door. How many people, when you went door to door, brought up the helmet bill or had...the helmet repeal? [LB368]

SENATOR McCOLLISTER: Over the six or seven months I knocked on approximately 11,000 doors and I think just one or two people mentioned the helmet bill. [LB368]

SENATOR HILKEMANN: Thank you very much, Senator. [LB368]

SENATOR McCOLLISTER: Thank you, Senator. [LB368]

SENATOR HILKEMANN: That was...that's sort of where I was with it. So when you said that you had lots of people, I think that these surveys that are done, I think we need to listen to those. The bulk of the people believe, as I do, that riders who ride a motorcycle are safer... [LB368]

PRESIDENT FOLEY: Time, Senator. Time. [LB368]

SENATOR HILKEMANN: Thank you. [LB368]

PRESIDENT FOLEY: Thank you, Senator Hilkemann. Senator Williams, you're recognized. [LB368]

SENATOR WILLIAMS: Thank you, Mr. President. And good morning, colleagues, and good morning, Nebraska. As we have talked, many of us that have been here for a few years, we've had the opportunity to look at this issue and make a decision on it before. And I doubt if there's a great deal that's going to be said on the floor that will change our minds, having been involved with it before. I am interested to hear how other people are bringing other issues into this, such as medical marijuana, such as Medicaid expansion. The question that I think we're always faced with on issues like this is weighing the public good against the personal liberties. And there's no

Floor Debate
March 13, 2017

question in my mind that LB368 infringes on personal choice. Whether that's a liberty or not is another issue, but it certainly infringes on a person's choice to wear that helmet or not. And we've heard today about consistency with our decision-making, and how that consistency, depending on how we might vote on a helmet, could influence how we would vote on Medicaid expansion or on an issue like medical marijuana. I also want to emphasize that there is a public cost in this issue. Yes, sometimes it's hard to quantify, but if you look at states like Michigan, who had a helmet law and then repealed the helmet law and watch their deaths and injuries increase, it's hard to argue that there is not an underlying public cost. You know, 19 states and the District of Columbia have laws like Nebraska has right now. So we're not an outlier in that, even though as Senator Krist pointed out, those states right around us have some differences. One of the myths that has been talked about is this individual rights thing. And I was doing a little bit of research, and courts have consistently recognized that helmet laws do not violate the right to privacy and other due process provisions. Nevertheless, legitimacy of other traffic laws like driving on the right side of the highway, buckling a seat belt, using a child safety seat, not driving while impaired, and obeying traffic signals is readily accepted. All of these are things that protect public safety but do infringe on your own personal choices. One of the things I would like to emphasize again that Senator Krist mentioned is where this discussion takes us long term, as within the next week, we will be bringing back up the discussion of rules. And I think it's very important, and I think everybody knows where I stand on the rules, my thought of maintaining the current situation with rules moving forward through this session so that we can get the work of the public done is very important. But again, as Senator Krist mentioned, issues that may or may not be important to you, certainly important to me, issues like Medicaid expansion, medical marijuana, all will be issues that potentially the 33-17 number will be important. And I would suspect that most of us, coming from different backgrounds, different geographies, different educations... [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR WILLIAMS: Thank you, Mr. Speaker...will recognize that we will have differences on what we think are the most important issues. And I would again emphasize that we talk about issues and I would tell you those issues, in my judgment, are rarely conservative or liberal. And the ones that I'm concerned with long term on the rules deal with agriculture, deal with those of us that are senators from rural areas and will have something to protect. So for the last three years, I have been opposed to changing our current helmet law situation in our state, even though it is a...could be viewed as a personal choice, and that's still where I remain today. But I appreciate the discussions we have had and hopefully we will move forward soon. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Williams. Senator Chambers, you're recognized.
[LB368]

Floor Debate
March 13, 2017

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, a teaching moment--that turns everybody off--but nevertheless, I want to use it for that purpose. This is a bill which I call a pee-wee bill. I want Senator Lowe to be aware of the fact that although I don't care about this bill, I'm here, which is more than I can say for a lot of senators when I bring up something I think is important. All this talk of liberty is so much piffle. Liberty in the mouth of this Legislature is like equal rights in the mouth of a Ku Klux Klan person. These types of words are debased and degraded when used in discussions like this. As a black man, as bad as things have been for me in this city, the city of Omaha and the state of Nebraska, it's as nothing compared to what happened to black people in other parts of the country at other periods in history. But we never in those days or in these days spent a lot of time demonstrating for the right, if you want to call it that, to ride a motorcycle without a helmet. That's the big kind of issue that white people deal with. And it's why you all can't grasp the magnitude or significance of anything I talk about because it has nothing to do with you. This is just a matter of people having the right to be a fool. It has nothing to do with liberty, none of those lofty terms and concepts, just like people who want to carry guns want to implicate the Second Amendment, and yet they cannot quote the entire Second Amendment. They don't know any other amendment in the U.S. Constitution so they are given and fed what to say on these issues. And by tying them to something that has meaning they hope that the meaning to which this is tied will splash over on what they're talking about. This bill I've supported in the past. The constitution does give a person the right to be a fool. And being a fool in America is more typical of Americans than the opposite. If I were going to vote on a bill like this based on how I feel, I'd vote against it every time it came up and I'd be taking the time. See people, not all, who ride bicycles fly American flags, the symbol of black people's oppression. They wear Nazi-like helmets to tell you something. And they make threats against black people and try to intimidate black people. So you all see somebody who will not follow in my vote how I always feel personally, but that's what happens on this floor. You all talk about liberty. And I'm considering that your Governor wants to cut the reimbursement that Medicaid providers will receive. Pediatricians who deal with little children, and you all are going to take all that time to talk about choose life on a license plate, but you don't care about the little children who need medical care and can't get it and your Governor is going to cut Medicaid. It's difficult for me to be civil in this place. And when the day comes that I leave it for the last time, as I said when I left it during the semifinal, I thought I was out of here for good last time. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR CHAMBERS: There will be no nostalgia, no looking back, not like a child who's graduating from high school and won't see all the kids that I grew up with, all the things we did. Like To Sir With Love, that has never been my experience when I have been around white people. Not every white person has treated me badly. And the fact that a few know how to treat me indicates that all of them know but they choose not to. So I'm going to participate in the

Floor Debate
March 13, 2017

discussion since you insist on having it. But I'm going to talk about things more weighty than putting a bucket on your head and riding a motorcycle. You do have a right to be a fool. And I will not vote against your right to be a fool. But sometimes your foolishness can endanger other people and then it becomes a mixed question. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Chambers. (Visitors introduced.) Continuing debate, Senator Bolz. [LB368]

SENATOR BOLZ: Thank you, Mr. President. I missed a little bit of the debate previously on this bill because I have been spending a lot of time with our state budget which is one of my priorities for this year. And that's one of the reasons that I rise, because the fiscal impacts of this bill are one of the major reasons that I will not support it. And so I want to share some information and I hope it's not too repetitive from the Insurance Institute for Highway Safety, published April of 2015. So according to the Insurance Institute for Highway Safety, unhelmeted riders have higher healthcare costs as a result of their crash injuries and many lack health insurance. A 2002 review of 25 studies of the cost of injuries from motorcycle crashes reported that helmet use reduced the cost of medical treatment, length of hospital stay, and probability of long-term disability for riders injured in a crash. And, colleagues, I hope you'll listen to this part. Studies that looked at who pays for injured riders' medical care found that just over half of insured riders have private health insurance coverage. For those without private insurance, most of the medical costs are paid by government. A more recent study confirmed the earlier findings that unhelmeted riders had much higher hospital charges than helmeted ones. Colleagues, again, for those without private insurance, most of the medical costs are paid by the government. This is not cost-effective policy. Studies conducted in Nebraska, Washington, California, and Massachusetts illustrate the burden that injured motorcyclists place on taxpayers. Forty-one percent of motorcyclists injured in Nebraska from January 1988 to January 1990 lacked health insurance or received Medicaid or Medicare. And, colleagues, in the five years that I have been in the body, no one has ever been able to provide me with more updated information about insurance coverage for this population of folks. So this is the data that I have available. And the data tells me that this policy will cost the state of Nebraska and Nebraska taxpayers money. In the converse, when Nebraska reinstated its universal helmet use law, acute medical hospital charges for injured motorcyclists declined by 38 percent. On a more personal note, or a note that relates to me and my district and my constituencies, I pay for my own health insurance. I work for a nonprofit, and I do this job and I make a modest income and my health insurance costs a pretty penny. And anything that we do that might increase the cost of my out-of-pocket health insurance coverage is a policy that I'll have to think twice about it. And so no one has ever been able to assure me that my health insurance costs won't increase as a result of severely injured motorcyclists who have brain injuries because they weren't wearing a helmet. Colleagues, this is not good fiscal policy. And I will not support this bill. Thank you, Mr. President. [LB368]

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Floor Debate
March 13, 2017

PRESIDENT FOLEY: Thank you, Senator Bolz. Senator Howard, you're recognized. [LB368]

SENATOR HOWARD: Thank you, Mr. President. I rise with a question for Senator Lowe. I know he's deep in conversation, but I was hoping he would yield. [LB368]

PRESIDENT FOLEY: Senator Lowe...Senator Lowe, would you yield, please? [LB368]

SENATOR LOWE: Yes, I will. [LB368]

SENATOR HOWARD: Thank you, Senator Lowe. I wanted to...someone from District 4 passed out the editorial from the World-Herald that said that Nebraska reinstated its helmet law in 1989, before the federal government used highway funds to coerce other states to change. Can you tell me, are there any highway funds that are attached to this law? [LB368]

SENATOR LOWE: Not that I know of, no. [LB368]

SENATOR HOWARD: So were they one-time appropriations in the '80s and now they're not available anymore? [LB368]

SENATOR LOWE: I believe that's the way the federal government coerced everybody into the universal helmet law. [LB368]

SENATOR HOWARD: So there are no highway funds attached to this the way that highway funds are attached to, say, a speed limit? Is that something...I mean...and you can certainly check it. [LB368]

SENATOR LOWE: That's something I don't know off the top of my head. I will get right back to you. [LB368]

SENATOR HOWARD: Okay, that would be wonderful. I really appreciate it. So I want to go back to Senator Bolz's point around healthcare costs and the cost of when individuals don't have insurance. And so I was hoping Senator Morfeld would yield to some questions about his current legislation. [LB368]

PRESIDENT FOLEY: Senator Morfeld, will you yield, please? [LB368]

SENATOR MORFELD: Yes. [LB368]

Transcript Prepared By the Clerk of the Legislature
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Floor Debate
March 13, 2017

SENATOR HOWARD: Can you tell me a little bit about the bill that you have that impacts Medicaid? [LB368]

SENATOR MORFELD: Well, what my bill would do is it would provide healthcare...affordable healthcare for low-income, mostly working Nebraskans, three-fourths of them are working. There are many others that are disabled and unable to work that would also be covered that currently can't be a part of the exchange. [LB368]

SENATOR HOWARD: Now how many people do you estimate have no health insurance coverage right now in the state of Nebraska? [LB368]

SENATOR MORFELD: It's estimated that this will cover about 90,000 uncovered Nebraskans. [LB368]

SENATOR HOWARD: Do you think any of them are motorcycle riders? [LB368]

SENATOR MORFELD: I would assume out of 90,000 there would have to be a few. [LB368]

SENATOR HOWARD: Do you think any of them would prefer not to wear a helmet? [LB368]

SENATOR MORFELD: I'm sure that there would be. [LB368]

SENATOR HOWARD: And so your legislation impacts individuals who are falling into a coverage gap. Can you tell me what that coverage gap looks like? [LB368]

SENATOR MORFELD: Yes, well, the coverage gap, depending on...right now it's single folks without kids can apply for Medicaid under the current program. So it would be people up to about 133 percent of the poverty level that are single or single and disabled as well. And there are some other details as well. [LB368]

SENATOR HOWARD: And so Medicaid functions in a way where for every dollar that we spend we get a certain percentage back from the federal government, it's the Federal Medical Assistance Percentage, or FMAP. So for every dollar that we would spend on this population of unhelmeted motorcycle riders below 138 percent of the federal poverty level, how much would we get back from the federal government? [LB368]

SENATOR MORFELD: Well, if we expanded it today, the federal match is 94 percent. [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

SENATOR HOWARD: So for every dollar that we spend we would get 94 cents back. [LB368]

SENATOR MORFELD: Correct. [LB368]

SENATOR HOWARD: Okay. How much money would that bring into the state? [LB368]

SENATOR MORFELD: Well, my bill, LB441, over the course of...over the course of...well, I mean the first year alone, if you look at the fiscal note, it would bring in about \$170 million in federal funds. And then by the four-year fiscal total, federal funds that would be brought in is about \$1.7 billion. [LB368 LB441]

SENATOR HOWARD: So I agree with Senator Chambers that folks absolutely have the liberty to make poor choices. What I'm concerned about is the cost as it rolls back on to this body who certainly doesn't have, sort of, the fiscal wiggle room to afford it. Going back to liberty, I find stop signs oppressive and I think we should get rid of them, right? I find having to wear a seat belt as a primary offense oppressive and I think we should get rid of that... [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR HOWARD: ...but we do that in the interest of public safety as part of living in a civilized world. And I appreciate that helmets are challenging and this is an ongoing discussion. It's funny to me that we reimplemented motorcycle helmets when I was 8 years old, which is so interesting to me. And then medical charges declined by 38 percent at that point in time and injuries fell 22 percent after helmets were required again. This is a really interesting ongoing discussion, but ultimately I don't know if it's one that we should be spending so much time on when we have so many other financial concerns. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Howard. Senator Pansing Brooks, you're recognized. [LB368]

SENATOR PANSING BROOKS: Thank you, Mr. Lieutenant Governor. I rise in support of the amendment, AM503, of Senator Hilkemann. Again, we've done this every year. I believe that it's important to require people to...if they're going to assume great risk, they have some requirements that they need to follow. They need to make sure their brakes are working. They need to make sure that their lights are working on their motorcycle that allow you to know whether you're turning left or right. And I believe that with the costs that are involved in, in not wearing a helmet, that they have some responsibility to our state. Because if you go and talk with the hospitals, the amount of charity care that the hospitals are doing right now is...has been rising

Floor Debate
March 13, 2017

significantly. And if we add the ability of motorcyclists to go without their helmets, I think we'll just be adding to the costs that we as taxpayers will be paying. The NHTSA estimates that helmets are estimated to be 37 percent effective in preventing fatal injuries to motorcycle riders and 41 percent for motorcycle passengers. Unhelmeted motorcyclists are three times more likely to suffer brain injuries than helmeted riders in a crash. This is all from the Nebraska Department of Roads Highway Safety Office. In 1991, a Nebraska study on hospital costs for injured motorcyclists showed a decline in total acute medical charges of 38 percent after the helmet law was implemented. That's a huge savings. Studies show that unhelmeted riders involved in crashes are less likely to have insurance and more likely to have higher hospital costs than helmeted riders in similar crashes. In states without universal helmet laws, 58 percent of motorcyclists that were killed in 2015 were not wearing helmets, as opposed to 8 percent in states with universal helmet laws...58 percent in the states without universal helmet laws and 8 percent in the states with universal helmet laws. If that cost of those deaths and any injuries that occur prior to death if the person is not killed immediately, those get passed on to us directly in many ways. According to the May, 2016 survey of 900 Nebraskans that was conducted by Research Associates, 73 percent indicated the Nebraska law requiring motorcycle helmets should be continued...73 percent. And 23 percent indicated it should be repealed and 4 percent had no opinion. Seventy-three percent is a landslide, my friends. Anybody who wins a race by anything over 70 percent, that's truly a landslide. And so if 73 percent of Nebraskans are indicating that they think that the motorcycle helmet law should be continued, that's pretty much a directive from the people of the state of Nebraska. I want to go on to talk about the fact that Nebraska...the cost estimate in Nebraska for motorcycle crashes in 2015, the total projected costs in 2015 was \$59,291,200. This is a quote from the National Safety Council Injury Facts,.. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR PANSING BROOKS: ...the cost...thank you, Mr. Lieutenant Governor..."The cost of each type of motor-vehicle crash includes wage and productivity losses, medical expenses, administrative expenses, motor vehicle damage, and uninsured employer costs for crashes involving workers." So again, the total cost for Nebraska in 2015 were projected to be \$59,291,200. Those are significant costs. And we have a responsibility to the citizens in our state to help ensure that people are being safe and if they...if people want to assume risks, go for it. I think riding a motorcycle is enough of a risk. But then to demand that you get to go without a helmet? I just don't think that is...makes good common sense when we're trying to carefully take care of our dollars and cents in Nebraska. Thank you, Mr. Lieutenant Governor. [LB368]

PRESIDENT FOLEY: Thank you, Senator Pansing Brooks. (Visitors introduced.) Continuing debate, Senator Craighead. [LB368]

Floor Debate
March 13, 2017

SENATOR CRAIGHEAD: Thank you, Mr. Lieutenant Governor, and good morning, colleagues. I stand in opposition to LB368. This is the third year that I've had the opportunity to debate this bill. People are very passionate about it and love their motorcycles. I have received many comments and e-mails and phone calls from constituents in District 6 and the split is about 50/50. What leads me to this is during high school I was driving home with my parents and there had been a motorcycle accident and we just happened to drive by as police officers were removing a young girl's smashed head from a motorcycle accident from the highway. I never, ever forgot that. I've also been to Quality Living and have seen the lack of quality of life that people who have been in these major accidents experience, as well as at Madonna. So again, I oppose LB368. I believe that we should keep helmets in place. Also there have been many comments from disability groups and healthcare providers who want us to keep motorcycle helmets in place. And I'll yield the rest of my time to Senator Hilkemann. [LB368]

PRESIDENT FOLEY: Thank you, Senator Craighead. Senator Hilkemann, 3:30. [LB368]

SENATOR HILKEMANN: Thank you, Senator Craighead. Thank you for sharing that, because I live...every day when I walk out my door, I see the Madonna center that they built in Omaha that deals with head injuries every day. And you just can't help but think about those people who are there, it is a marvelous...I went to their open house, it is an absolutely marvelous facility. And what we can do with head injuries today is amazing and people can be back to better lives. But head injuries are such a serious factor, and I thank you so much for that, Senator Craighead. Also I want to thank Senator Bolz for her comments, because this really is the bottom line thing when we start talking about the Appropriations bill and the appropriations that we need to make for developmental disabilities and so forth. Whatever we want to say, every research program indicates it costs more when people are unhelmeted when they have an injury, whether it's increase in the number of deaths or the increase in the number of brain injuries. Every brain injury costs millions...can cost millions of dollars. And it's an issue that we need to consider. And I think we are considering it. And I appreciate the discussion that we're having here today, because it ends up...yes, we have this whole thing of personal liberties and personal freedoms, but we also have the cost of those freedoms. Who's going to pay for those costs? Well, I maintain, even if you have private insurance, that we all pay, because we're all in this...we don't...we're not an isolated beings in our lives. And so whether your...the riders' insurance picks up the insurance or Medicaid picks up the insurance, we're all in this common pool together and we all pay for the cost of it. This is one of those things, we're not saying that you can't ride a motorcycle. As I said at the start this morning, if that were the issue, if that's what LB368 was, we're going to eliminate motorcycle riding in Nebraska,... [LB368]

PRESIDENT FOLEY: One minute. [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

SENATOR HILKEMANN: ...I'd be out here, I'd be...I'd do whatever I could to make sure that we would preserve that right or that privilege of riding a motorcycle in the state of Nebraska. And with that, Mr. Speaker, thank you. [LB368]

PRESIDENT FOLEY: Thank you, Senator Hilkemann. Senator Hilgers. [LB368]

SENATOR HILGERS: Thank you, Mr. President; good morning, colleagues. I rise this morning in support of LB368. And I can't do much to build upon the thoughtful comments of my colleagues for reasons for supporting this bill. I do think it's an issue of personal liberty. And there are a whole...there's a wide variety of human activities that in some cases add additional costs to society. And the way that we try to address those activities is not through mandates or bans, it's through education. And I think this is one of those activities that falls squarely within the type of thing that we ought to educate on and not legislate. The reason I rise this morning is to address a point that Senator Hilkemann raised which is this notion that helmets are like seat belts. So would Senator Hilkemann yield to a question or two? [LB368]

PRESIDENT FOLEY: Senator Hilkemann, would you yield, please? [LB368]

SENATOR HILKEMANN: I certainly will. [LB368]

SENATOR HILGERS: Thank you, Senator Hilkemann. I believe you mentioned that Nebraska is...for seat belt laws, is a state that is a secondary offense state, is that correct? [LB368]

SENATOR HILKEMANN: That's my understanding, Senator. [LB368]

SENATOR HILGERS: Are you aware of any state, Senator Hilkemann, that do not have a seat belt law that requires...that would either make it a primary or secondary offense? [LB368]

SENATOR HILKEMANN: I do believe that there are states who make it a primary offense. I don't know which ones. [LB368]

SENATOR HILGERS: There are states that make in primary. Kansas is one example. And there are states like Nebraska that make it a secondary offense. Are you aware of any state that doesn't make it a primary or secondary offense? [LB368]

SENATOR HILKEMANN: You know, Senator, I do not know that answer. [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

SENATOR HILGERS: Now, Kansas, if Wikipedia is correct, is a primary offense state when it comes to seat belts. Kansas is on our southern border. Are you aware of anyone, Senator Hilkemann, who has, when traveling through Nebraska, has decided to not go through Kansas because Kansas is a primary offense state when it comes to seat belts? [LB368]

SENATOR HILKEMANN: No, sir, I have not. [LB368]

SENATOR HILGERS: Are you aware of any type of organized lobbying activity that would try to change Kansas' primary offense seat belt law because that reduces tourism revenue through the state of Kansas? [LB368]

SENATOR HILKEMANN: No, sir, I am not. [LB368]

SENATOR HILGERS: Are there any, to your knowledge, any groups nationwide that might be working to repeal our seat belt...any state's seat belt statutes? [LB368]

SENATOR HILKEMANN: Senator, there may be. I'm not aware of any. [LB368]

SENATOR HILGERS: Fair enough, fair enough. Thank you, Senator Hilkemann. The reason I ask those questions of Senator Hilkemann is because when it comes to seat belts there is a broad consensus that seat belts are the type of activity that really don't infringe our personal liberties. And why do I say that? Well, almost every state, as far as I know, has some kind of seat belt law, either secondary or primary offense. People don't avoid states because of their seat belt laws. People don't avoid Kansas and go through Missouri because Kansas is a primary offense state. We have decided as a society that seat belts are a very de minimis type of infringement on our personal liberty. That is not the case when it comes to helmet laws. I believe 31 states, or thereabouts, maybe more, don't have a helmet law at all or have some sort of partial repeal. There are groups that will avoid the state of Nebraska because of our helmet law. There are groups around the country who are actively engaged in trying to repeal those laws. So what does that tell me? It tells me that there isn't a broad consensus. In fact, to the extent there's a consensus at all it's that we ought not to have a mandate of helmet...of wearing a helmet in a particular state. So I respect the examples that have been brought forward of seat belts or stop signs, as Senator Howard mentioned. I think it's a societal consensus. We decided that those are not infringements on freedom to the extent that we should do away with them. I do not think that helmet laws fall within that category. So for a whole variety of reasons, some of which I've mentioned, some of which I haven't, I rise in support of LB368 and I urge your green vote on that bill when it comes time. [LB368]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

PRESIDENT FOLEY: Thank you, Senator Hilgers and Senator Hilkemann. Senator Hilkemann, you're next in the queue. [LB368]

SENATOR HILKEMANN: Thank you, Mr. Speaker. You know, Senator Hilgers, just because people don't like it doesn't mean that it's not right. And let's look at the state of Louisiana. It was one of those states that in 1999 chose to repeal their helmet bill in 1999. That 1999 helmet repeal in Louisiana dramatically decreased helmet usage, because they made it optional, to almost 50 percent from 100 percent the year before. The years following the repeal showed a sharp increase in the number of motorcycle fatalities in Louisiana. Observed helmet use doubled upon reinstatement back in August 2004. In other words, they had...Louisiana is one of those states who said let's give this a chance, and they repealed that. And the statistics were so overwhelmingly in...showed that people, when they have that choice, chose not to use the helmets, down to 50 percent. And that...it was in Louisiana and in Florida and in Texas and in some...Michigan...some of those states that have chosen to repeal, that is pretty much the issue, I think, one they went down to 60 percent of riders using it. But at either rate, the...because the ridership chose to get rid of their helmets on...given that option in Louisiana, the cost of the injuries and the damage to people increased to the point that Louisiana actually reestablished the helmet bill, the universal helmet law in 2004. And I think it's interesting, when you look at the states who have the universal helmet laws, and you're looking at, basically, all of the states along the West Coast--Washington, Oregon, California--and we looked along the southern states, almost all of the southern states with the exception of Texas and Florida, require...and, of course, why is that the case? Well, they have the long season. They know what would happen if they were to get rid of that helmet bill. We have a shorter season, probably a three- or four-month season here for the state of Nebraska. What is going...when we've had all of this data and we've had states actually change their minds about this...in fact, Michigan repealed their bill just a...their helmet bill, and there's already...because of the data that has come in in Michigan, there's already efforts to reestablish the helmet back into Michigan. And so what do we not get about this? If there wasn't a reason that we have the helmet bills in place in so many high-populated areas, why? To me it's a...to me it's a commonsense issue. I get the idea of freedom. I don't know about the economic development that everybody thinks is going to be there. You know, I just have to say that when I received my degree in podiatric medicine, I took the Hippocratic Oath, some people call it "hypocritic" oath. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR HILKEMANN: But is that we would do no harm. Senator Hilgers, when I think about what we're doing here, I believe that we are going...if we...if this prevails, we are going to discover, number one, that we will have...I see no reason why Nebraska would be any different than any other state that has done this...we will have more brain injuries in the state of Nebraska, and we will have more deaths. Why would Nebraska be any different than any of the other states

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

that have repealed this bill? So I think that...I'm glad we're having this discussion, because it's an important discussion. And it's not that I don't want people to have the freedom. I just have been trained that we go with the data and the facts. [LB368]

PRESIDENT FOLEY: Time, Senator. [LB368]

SENATOR HILKEMANN: And the facts tell me that we need to keep those helmets in place. Thank you, Mr. Speaker. [LB368]

PRESIDENT FOLEY: Thank you, Senator Hilkemann. Items for the record, Mr. Clerk. [LB368]

CLERK: Thank you, Mr. President. Agriculture Committee, chaired by Senator Brasch, reports LB449 to General File with amendments. Health Committee reports LB282 to General File; LB335 to General File; and LB334 indefinitely postponed. New resolutions: Senator Brasch offers LR...Senator Walz offers LR63; Senator Brasch, LR64. I have a list of Speaker priority bills as designated (Re: LB35, LB97, LB98, LB137, LB151, LB152, LB166, LB172, LB180, LB253, LB257, LB267, LB296, LB300, LB317, LB323, LB346, LB389, LB478, LB481, LB509, LB605, LB628, LB639, LB647.) Amendments: Senator Riepe to LB92, Senator Wishart to LB622. And finally, Mr. President, acknowledgment of receipt of a resolution from the state of Wyoming. That's all that I have. Thank you. (Legislative Journal pages 687-689.) [LB449 LB282 LB335 LB334 LR63 LR64 LB35 LB97 LB98 LB137 LB151 LB152 LB166 LB172 LB180 LB253 LB257 LB267 LB296 LB300 LB317 LB323 LB346 LB389 LB478 LB481 LB509 LB605 LB628 LB639 LB647 LB92 LB622]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Continuing debate, Senator Chambers. [LB368]

SENATOR CHAMBERS: Thank you, Mr. President. As I said before, the constitution protects the right of a fool to be a fool. You cannot protect or shield a fool from his or her foolishness. But you can do something to help provide medical care for the children of poor parents. And that's not being done. So this that's being discussed today is much ado about nothing. The same ones who ride these motorcycles are the ones who probably rail against too much government interference. Don't let the government do this, don't let the government do that. But if they get their brains smashed up but they don't die, who do they want to pay for it? The government. So people love or hate the government as it's politically convenient to do, one thing or the other. I heard people talk about the lives that would be saved. What does anybody on this floor care about lives being saved? You've got people who have medical conditions that can result in an early death and nobody cares. So talking about saving lives is a waste of time. It is disingenuous. And I think it's thoughtlessly uttered like so much in this discussion. If you took away the requirement that people wear helmets, the question shouldn't be how many more deaths are there

Floor Debate
March 13, 2017

as a result; the question is how many accidents are there? If people wear helmets, all are required to wear helmets, that is, then they may have as many accidents while wearing helmets as would be the case without them. But without the helmet, more people are going to die. That's how you account for that. If you said that taking away the requirement to wear helmets resulted in more accidents, then you might have an argument. But to just say more people die is not really on point. This could be, when you allow them to take their helmets off, an evolutionary principle. Evolution has the aim of the survival and perpetuation of the genes that will maintain the species. So when you get rid of the fools, that is simply evolution being manifested. Let those who don't want to wear helmets take the helmets off. They take that from the human gene pool which would weaken it and make it more foolish. The problem with those who are against this bill is that you all try to use logic, you try to use reason, you use statistics, you use facts, and none of those things have any bearing whatsoever on what it is that's being discussed here. Those who are for this bill are going to vote for it. Those who are opposed to the bill are going to vote against it. People have to find something to talk about and make it appear to be relevant to the outcome of this vote on the bill. I think it has nothing to do with it. I did not have medical insurance until I reached 65 and was covered by Medicare. But whether I had insurance or not, I just don't get sick. I didn't get sick. I could not afford to get sick, so I did not get sick. And now I'm just too mean to get sick. So the fact that I'm covered by Medicare does not mean I'm drawing down any money. The closest I came to getting an operation in my life...I'm going to use the pronunciation as closely as I can to what former President Bush said, the closest I came to having an operation when I got a "coloniscopy" (phonetic), "colonoscopy" (phonetic), but anyway, that's as close as I ever came. [LB368]

PRESIDENT FOLEY: One minute. [LB368]

SENATOR CHAMBERS: Now I think that these people who are talking on this bill are going to be the same ones who vote against medical cannabis, they'll vote against expanding the reach of Medicare...Medicaid, they will vote against protecting the LGBT community from discrimination, so it's a lot of hypocrisy. I have voted for these kind of bills in the past, not because I like those who ride motorcycles. I'd like to ban the motorcycles and ban those who ride them. That's just a feeling, it's unrealistic. I will continue to vote the way I have on this bill. But it has nothing to do with liberty and all the kind of things that people are talking here. And if I went the way I'd go based on the people who are talking for this, but will speak against and vote against those other things, I'd vote against this bill. But I'm not petty like you all are. And I'm trying to demonstrate something to you and that's why I say this will be a teaching opportunity. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Erdman, you're recognized. [LB368]

Floor Debate
March 13, 2017

SENATOR ERDMAN: Thank you, Mr. Lieutenant Governor; good morning, Nebraska. Senator Chambers, I had one of those, whatever you called it, also. You made some comments that I think are very appropriate. You said probably no one's going to change their mind over this discussion, what we're having here today. But this is a freedom, a freedom of choice bill. And I support LB368. I had some information that I picked up from HHS on the number of riders involved in accidents over the last 10, 12 years. In 2013, there was 5,500...and 555 motorcycle accidents in Nebraska. Thirty-three, or 6 percent of those people, were eligible for Medicaid. There was also in that same period, 14,796 automobile accidents, and 21 of those people involved in those accidents, 21 percent of those people were eligible for Medicaid. And Senator Pansing Brooks says we are going to demand that people not wear helmets. That's not what this bill does. This bill gives them an opportunity to wear a helmet or not to wear a helmet. It's a choice bill. That's what we're talking about today. We're not demanding anybody to wear a helmet. We're saying you can choose not to. I wonder if Senator Hilkemann would yield to a question. [LB368]

PRESIDENT FOLEY: Senator Hilkemann, will you yield, please? [LB368]

SENATOR HILKEMANN: Sure will. [LB368]

SENATOR ERDMAN: Senator Hilkemann, hypothetically, let's talk about...let's say this helmet law passes and we repeal it. Would it be my understanding that next year...at the next legislative session or the one following as soon as possible you perhaps would be an introducer of reinstating the helmet law? [LB368]

SENATOR HILKEMANN: Well, Senator, probably not. [LB368]

SENATOR ERDMAN: Okay. That's kind of peculiar because you talked about Louisiana and those other states who've seen the errors of their ways once they repealed it and they would put it back. I was just curious to see if that was the case. So I'm in support of LB368. I think it's a choice bill, it's a choice of freedom bill and I think we need to advance this bill. Thank you very much, Lieutenant Governor. [LB368]

PRESIDENT FOLEY: Thank you, Senator Erdman and Senator Hilkemann. Senator Briese, you're recognized. [LB368]

SENATOR BRIESE: Thank you, Mr. President, and good morning, colleagues. I rise today in opposition to LB368. And I'd like to thank Senator Lowe and all other supporters of this bill for their commitment to defending individual liberty and freedom of choice. I also share that

Floor Debate
March 13, 2017

commitment. But as a member of the Transportation Committee, I had the opportunity to listen to a lot of testimony on this bill, compelling testimony on both sides of the issue. What resonated most with me was the information on the cost associated with traumatic brain injuries related to motorcycle accidents. We went over a lot of this information already in the last couple days, but I believe it was National Safety Council data from 2015 that the average cost of a motorcycle fatality was \$1.5 million in healthcare costs; the average disabling injury cost \$88,500 in medical cost. And I believe it was Centers for Disease Control data which suggested that helmet use has been consistently shown to reduce motorcycle crash-related injury and death by 37 percent. I believe it was AAA data pointing to the sharp increase in motorcycle fatalities in other states that have repealed their helmet law. Unfortunately, a percentage of these deaths and disabling injuries occur to riders not fortunate enough to have sufficient health insurance. If the increased healthcare cost associated with helmet law repeal could be internalized, and by that I mean paid for entirely by those riders riding without a helmet, I'd have no problem with this bill. But instead the evidence suggests to me that these costs are often borne by our residents in the form of government-funded healthcare paid for by taxpayers and rising insurance premiums. I'm not yet convinced these costs are outweighed by the increased economic activity that supporters of this bill point to. I'm a conservative and that means also being a fiscal conservative. And I'm reluctant to impose these additional costs on Nebraska taxpayers and consumers of health insurance. Convince me that repeal of our helmet law is a fiscal win for our taxpayers and I may vote differently. But for now I will vote against LB368. Thank you. [LB368]

PRESIDENT FOLEY: Thank you, Senator Briese. Senator Hilkemann, we're at 11:43 and at 11:45 we're going to switch over to Select File. But if you would like to take two minutes to have the last word on this this morning, you may do so. [LB368]

SENATOR HILKEMANN: Thank you, Mr. Speaker. Thank you for this conversation this morning. I think we've had some interesting discussion. And, Senator Chambers, it's pronounced colonoscopy. And you said that you don't get sick. I'm one of those persons, too. I've been very fortunate. But you know what? I have been injured. And I have been part of that...I've had to have the cost of society helping me recover from hip fractures and so forth. So we're all in this together. I appreciate the conversation we've had this morning. We'll continue it. And we're on to Select File, Mr. Speaker. Thank you, Mr. President. [LB368]

PRESIDENT FOLEY: Thank you, Senator Hilkemann. Members, pursuant to the agenda, we're now going to move over to Select File, which as you know require a number of voice votes so please be attentive. Mr. Speaker, first item on Select File. [LB368]

CLERK: Mr. President, Senator Wishart, LB18, I have Enrollment and Review amendments pending. (ER6, Legislative Journal page 524.) [LB18]

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Transcriber's Office

Floor Debate
March 13, 2017

PRESIDENT FOLEY: Senator Wishart, you're recognized for a motion. [LB18]

SENATOR WISHART: Thank you, Mr. President. I move that the E&R amendments to LB18 be adopted. [LB18]

PRESIDENT FOLEY: Thank you, Senator Wishart. Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye...excuse me, I apologize. I did not see Senator Chambers had his light on. Senator Chambers, you're recognized. [LB18]

SENATOR CHAMBERS: Thank you, Mr. President. I'm not going to delay this today. You all think that I am vindictive. Let me show you what I would do. You wouldn't have this kind of an exercise like today. Here is the caption: Select File--Only bills that have no amendments filed to them, other than an E&R amendment, will be taken up today. You know how I could have stopped every one of these bills from being taken up? Do you understand what I could do if I was what you all think that I am? You don't know me. Next time you hear that song by this little girl--"You don't own me" instead of the word "own" sing it about me and substitute "know," k-n-o-w; you don't know me. You don't know the rules. You don't pay attention to the agenda. I could stop all the rest of these bills right now. I'd like to ask Senator Hilgers a question if he would yield. [LB18]

PRESIDENT FOLEY: Senator Hilgers, would you yield, please? [LB18]

SENATOR HILGERS: Of course. [LB18]

SENATOR CHAMBERS: Senator Hilgers, I'm in one of my teaching moments. Do you believe that I could stop every one of these bills...the rest of these bills from being considered today based on the rule that governs how we handle this? [LB18]

SENATOR HILGERS: I do. [LB18]

SENATOR CHAMBERS: Do you think that I will do that? [LB18]

SENATOR HILGERS: I'm not sure. [LB18]

SENATOR CHAMBERS: Do you think I could do it if I was so inclined? [LB18]

SENATOR HILGERS: Yes. [LB18]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

SENATOR CHAMBERS: If I'm not so inclined, why do you think I'm not so inclined? The way I've been misused and abused on this floor, vengeance is mine. It could be mine today. Why do you think I wouldn't be so inclined? [LB18]

SENATOR HILGERS: I'd be speculating, Senator Chambers, I'm not sure. [LB18]

SENATOR CHAMBERS: Senator Hilgers, I've got to give you a question that you could answer yes to. Would your speculation...if you had hope, lead you to the conclusion that I shall not exercise my prerogative to stop every bill on Select File? [LB18]

SENATOR HILGERS: Yes. [LB18]

SENATOR CHAMBERS: Thank you. Members of the Legislature, Senator Hilgers is your savior today. Thank you, Mr. President. [LB18]

PRESIDENT FOLEY: Thank you, Senator Chambers. Members, you've heard the motion to adopt the E&R amendments to LB18. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Senator Wishart for a motion. [LB18]

SENATOR WISHART: Thank you, Mr. President. I move that LB18 be advanced to E&R for engrossing. [LB18]

PRESIDENT FOLEY: Members, you've heard the motion to advance LB18. All those in favor say aye. Those opposed say nay. LB18 advances. Next bill, Mr. Clerk. [LB18]

CLERK: LB18A--Senator, I have no amendments to the bill. [LB18A]

PRESIDENT FOLEY: Senator Wishart. [LB18A]

SENATOR WISHART: Thank you, Mr. President. I move that LB18A be advanced to E&R for engrossing. [LB18A]

PRESIDENT FOLEY: Members, the question is the advancement of LB18A to E&R for engrossing. All those in favor say aye. Those opposed say nay. LB18A advances. Next bill, Mr. Clerk. [LB18A]

CLERK: LB19--Senator, I have no amendments to the bill. [LB19]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 13, 2017

PRESIDENT FOLEY: Senator Wishart. [LB19]

SENATOR WISHART: Thank you, Mr. President. I move that LB19 be advanced to E&R for engrossing. [LB19]

PRESIDENT FOLEY: Members, the motion is to advance LB19. All those in favor say aye. Those opposed say nay. LB19 advances. Mr. Clerk. [LB19]

CLERK: LB29--Senator, I have no amendments to the bill. [LB29]

PRESIDENT FOLEY: Senator Wishart. [LB29]

SENATOR WISHART: Thank you, Mr. President. I move that LB29 be advanced to E&R for engrossing. [LB29]

PRESIDENT FOLEY: Members, you've heard the motion to advance LB29 to E&R for engrossing. All those in favor say aye. Those opposed say nay. LB29 advances. Mr. Clerk. [LB29]

CLERK: LB94--Senator, once again I have no amendments to the bill. [LB94]

PRESIDENT FOLEY: Senator Wishart. [LB94]

SENATOR WISHART: Thank you, Mr. President. I move that LB94 be advanced to E&R for engrossing. [LB94]

PRESIDENT FOLEY: Members, you've heard the motion advance LB94 to E&R for engrossing. All those in favor say aye. Those opposed say nay. LB94 advances. Mr. Clerk. [LB94]

CLERK: LB8--Senator, there are E&R amendments. (ER9, Legislative Journal page 552.) [LB8]

PRESIDENT FOLEY: Senator Wishart. [LB8]

SENATOR WISHART: Thank you, Mr. President. I move that the E&R amendments to LB8 be adopted. [LB8]

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Transcriber's Office

Floor Debate
March 13, 2017

PRESIDENT FOLEY: Members, you've heard the motion to adopt the E&R amendments to LB8. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Senator Wishart. [LB8]

SENATOR WISHART: Thank you, Mr. President. I move that LB8 be advanced to E&R for engrossing. [LB8]

PRESIDENT FOLEY: Members, you've heard the motion to advance LB8. All those in favor say aye. Those opposed say nay. LB8 advances. Mr. Clerk. [LB8]

CLERK: LB85--Senator, there are E&R amendments. (ER11, Legislative Journal page 556.) [LB85]

PRESIDENT FOLEY: Senator Wishart. [LB85]

SENATOR WISHART: Thank you, Mr. President. I move that the E&R amendments to LB85 be adopted. [LB85]

PRESIDENT FOLEY: Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Senator Wishart. [LB85]

SENATOR WISHART: Thank you, Mr. President. I move that LB85 be advanced to E&R for engrossing. [LB85]

PRESIDENT FOLEY: Members, you've heard the motion to advance LB85 to E&R for engrossing. All those in favor say aye. Those opposed say nay. LB85 advances. Mr. Clerk. [LB85]

CLERK: LB99--Senator, does have Enrollment and Review amendments. (ER13, Legislative Journal page 584.) [LB99]

PRESIDENT FOLEY: Senator Wishart. [LB99]

SENATOR WISHART: Thank you, Mr. President. I move that the E&R amendments to LB99 be adopted. [LB99]

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Floor Debate
March 13, 2017

PRESIDENT FOLEY: Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Senator Wishart. [LB99]

SENATOR WISHART: Thank you, Mr. President. I move that LB99 be advanced to E&R for engrossing. [LB99]

PRESIDENT FOLEY: Members, you've heard the motion to advance LB99 to E&R for engrossing. All those in favor say aye. Those opposed say nay. LB99 advances. Mr. Clerk. [LB99]

CLERK: LB184--Senator, does have E&R amendments. (ER15, Legislative Journal page 595.) [LB184]

PRESIDENT FOLEY: Senator Wishart. [LB184]

SENATOR WISHART: Thank you, Mr. President. I move that the E&R amendments to LB184 be adopted. [LB184]

PRESIDENT FOLEY: Members, you've heard the motion to adopt the E&R amendments. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Senator Wishart. [LB184]

SENATOR WISHART: Thank you, Mr. President. I move that LB184 be advanced to E&R for engrossing. [LB184]

PRESIDENT FOLEY: Members, you heard the motion to advance LB184. All those in favor say aye. All those opposed say nay. LB184 advances. Mr. Clerk. [LB184]

CLERK: LB185--Senator, I have no amendments to the bill. [LB185]

PRESIDENT FOLEY: Senator Wishart. [LB185]

SENATOR WISHART: Thank you, Mr. President. I move that LB185 be advanced to E&R for engrossing. [LB185]

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Transcriber's Office

Floor Debate
March 13, 2017

PRESIDENT FOLEY: Members, you heard the motion to advance LB185. All those in favor say aye. Those opposed say nay. LB185 advances. Mr. Clerk. [LB185]

CLERK: LB186--Senator, I have no amendments to the bill. [LB186]

PRESIDENT FOLEY: Senator Wishart. [LB186]

SENATOR WISHART: Thank you, Mr. President. I move that LB186 be advanced to E&R for engrossing. [LB186]

PRESIDENT FOLEY: Members, you heard the motion to advance LB186. All those in favor say aye. Those opposed say nay. LB186 advances. [LB186]

CLERK: LB203--Senator, I have E&R amendments pending. (ER12, Legislative Journal page 583.) [LB203]

PRESIDENT FOLEY: Senator Wishart for a motion. [LB203]

SENATOR WISHART: Thank you, Mr. President. I move that the E&R amendments to LB203 be adopted. [LB203]

PRESIDENT FOLEY: Members, the question is the adoption of the E&R amendments. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Senator Wishart. [LB203]

SENATOR WISHART: Thank you, Mr. President. I move that LB203 be advanced to E&R for engrossing. [LB203]

PRESIDENT FOLEY: Members, you've heard the motion to advance LB203. All those in favor say aye. Those opposed say nay. LB203 advances. Items for the record, Mr. Clerk. [LB203]

CLERK: Mr. President, your Committee on Judiciary, chaired by Senator Ebke, reports LB191, LB394, LB478 to General File; and LB178 to General File with amendments; LB188, General File with amendments; LB487, General File with amendments; LB509, General File with amendments; LB589 to General File with amendments. Those reports signed by Senator Ebke. Name add: Senator Wayne to LB389. Exec Sessions: the Education Committee will meet in Room 1525 at 1:00; and the Health Committee will meet immediately under the north balcony.

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Floor Debate
March 13, 2017

(Legislative Journal pages 690-695.) [LB191 LB394 LB478 LB178 LB188 LB487 LB509
LB589 LB389]

And, Mr. President, I have a priority motion, Senator Watermeier would move to adjourn the body until Tuesday, March 14, at 9:00 a.m.

PRESIDENT FOLEY: Members, you heard the motion to adjourn. All those in favor say aye. Those opposed say nay. We are adjourned.