

February 11, 1982

LB 69

CLERK: Mr. President, I have a motion from Senator Haberman. Senator Haberman would move to return LB 69 to Select File for a specific amendment, that amendment being to strike the enacting clause.

SPEAKER MARVEL: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the Legislature, first of all, I rise to tell you that I am not against the effort to save small children's lives, but I believe in education instead of legislation, and I believe in what I hear from the people outside the chambers of the Legislature, and if you will notice the literature that I sent around, just two of many letters that have been received by me and been in the press where the parents say, let us raise our children, let us decide what are good for our children and not have government tell us to do this. Also, I passed around an article that says, a first rule of legislatures at any level ought to be never to pass an unenforceable law. They foster widespread evasion and they contribute to a state of mind that tends to review the law with disdain. This is what we are doing. It is unenforceable. I have talked to dozens and dozens of police officers. I said, can you tell the difference between a 3 year old and a 4 year old when they are going down the highway or the street in a car, and they say, no, they cannot. It is unenforceable because we 175,000 pickups registered in the State of Nebraska and thousands and thousands and thousands of those people cannot comply to the law because they only have two seat belts in those pickups. So if a person has a child three years old and six months old, they cannot strap them in. They cannot do it. They cannot follow the law. So we are forcing them to be lawbreakers. They want to be good citizens but they can't. Chevrolets only have two seat belts. Small Fords have two. Large Fords have three. So I say it is good to have seat restraints but let's do it through ETV. Let's have the insurance companies put money in the T.V. program and educate the parents to use them, then if they wish to do so, they may do so. But let's don't mandate and legislate something like this. I ask you to vote no or to pass on LB 69. Mr. President, I withdraw my motion to indefinitely postpone LB 69.

SPEAKER MARVEL: Senator Marsh, do you wish to be recognized?

SENATOR MARSH: Yes, thank you. Did he ask unanimous