

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

May 8, 2001

LB 620

discussion goes more than an hour, to them it's a filibuster. That brings me to this amendment that I'm talking about. It is very serious, it is consequential, and it merits serious, thorough discussion so that if it is adopted it's clear what my intention is as the one who offered it. I do not want any amendment that I attach to a bill to be put on by way of subterfuge. If people don't pay attention, I cannot compel them to do that. But if the record is reviewed, by way of the transcript of the debate, it will be clear that I did all I could to call attention to the amendment. I would usually read the text of the amendment, if it's not too lengthy, generally point out that it's on the gadget for anybody would like to look at it, then I go into maybe more detail than is necessary to explain the impact of the amendment, why I think the amendment ought to be adopted, and that's what I'm going to do on this one also. Genetic testing and genetic screening, in my opinion, have no legitimate place in the workplace. The example that I brought up yesterday, based on an article I had read about Union Pacific, dealt with a number of mandatory tests for drug and alcohol, among those was a voluntary blood test that employees were requested to submit to. The employees were told falsely that the purpose of that blood test was to have a cholesterol screening. Anybody who has had one of those tests or screenings is aware that for a certain number of hours before you take the test you should not eat so that they can get a valid reading. In these tests that Union Pacific was administering, and some of these tests were taken, blood was drawn, the employees falsely were told that the blood was drawn for the purpose of cholesterol testing. Since it is clear that was not the reason for drawing the blood, what was the true reason? Union Pacific has not stated that. Union Pacific, when an action was filed in court about this testing, said that they would voluntarily cease pending a full court hearing. Since the employees were misled and lied to by the company for which they work, I am offering language to this bill so that any company which is going to get tax benefits pursuant to this bill will be aware of the fact that there are some things employees are not going to be subjected to in this state. Senator Brown pointed out that she has a bill reclining, I might say languishing, on Final Reading dealing in a comprehensive manner with genetic testing, genetic screening. But since this bill is before us and I know that