

SPEAKER BARRETT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I would request that the Clerk read the amendment so that everybody will be aware of what it does, because I have only that one copy.

CLERK: Mr. President, Senator Chambers' amendment reads as follows. Strike...Senator, I just, for your...I don't have a page or line number there.

SENATOR CHAMBERS: Right, because wherever that would appear in Senator Hefner's amendment.

CLERK: I see. The language would read as follows: Strike the language, "affects the employment relationship" wherever it appears, excuse me...

SENATOR CHAMBERS: That's all right.

CLERK: ...and insert, "substantially impairs the ability to perform the duties of the job he or she is hired to perform."

SENATOR CHAMBERS: Thank you. Mr. Chairman and members of the Legislature, if this bad type of legislation is to be foisted on the people, then at least there should be a relationship between what a person is penalized for and the conduct that is required to be carried out on the job. In other words, there would be an inability of a person to perform his or her job before this disqualification would occur. Some of you may or may not know that marijuana can stay in your system up to 30 days. There may not be any visible evidence that a person has used drugs. There is nothing in a person's job performance to indicate that drugs have been used, but, with the vague, open-ended language that exists in the Hefner amendment, that interference with the employment relationship, Senator Hefner, could be a situation where maybe one employee suspects or knows that another employee uses marijuana or some other drug and doesn't like it, has such high standards that he or she does not want to be around such a person. And as long as that person is working that job...thank you. As long as that person is working that job, there is a negative effect to the employment relationship between those two employees. So if a person is to be denied, unemployment, they have worked a job successfully, nothing in their conduct on the job showed that they couldn't adequately do it, we have an unfair set of circumstances. So what my amendment would say is