

SENATOR COORDSEN: Thank you, Mr. Speaker. No, I am not a lawyer and I am not going to say that I know a great deal about this particular amendment. And at this time, I think I will let that lawyer that Senator Wehrbein is asking for answer the questions with regard to this amendment. Thank you.

SPEAKER BARRETT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President. I don't pay much attention to lawyers. I rise in support of Senator Chambers' amendment although I would rise in opposition to Senator Wehrbein's amendment, and I do that, it is an amendment that he brings to the proposal that I offered in the form of LB 1062 to the bill, and I would do so based on asking the question, why is it needed? Why is there an exemption needed for railroads? If you look at what the bill says, it talks about a federally mandated or regulated, the amendment, federally mandated or regulated drug and alcohol testing program, why should we allow our provisions in statute that we find that make sense for people with regard to being eligible or ineligible for unemployment be regulated by a federal statute? Now that, to me, clearly doesn't make any sense. It looks like we are letting the feds determine what our standards are going to be. And let's take it one step farther and ask the question, why, why do we need this? I guess I would refer you to the federal regulations with regard to prohibitions on the drug and alcohol testing programs for the railroads, and I am just quoting here from the statutes, 21-19,101, subpart (b), prohibitions, then it goes to the prohibitions with regard to what cannot be, you know, the blood alcohol, having a .04 percent or more alcohol in the blood, under the influence or impaired by any controlled substance, defines controlled substance which includes cocaine, codeine, stimulants, minor tranquilizers, hallucinogens, other drugs known as PCP, LSD, blah, blah, blah, and then under subpart (c) it says, railroad rules. It says nothing in this section restricts a railroad from imposing an absolute prohibition on the presence of alcohol or any drug in the body fluids of persons in its employ, whether in furtherance of the purpose of this part or for other purposes. That is currently in federal statutes, and there really is no reason for this amendment that I can see, because if the railroads want to right now, they can go ahead and have a complete ban, and to what extent does that impact this measure that we have before us which is eligibility or ineligibility to collect unemployment