

benefits? I see none, and even with the Chambers amendment, I would argue that you don't need the amendment to the bill. There has to be a reason for it and I mean outside of saying, well, they are covered under a federally mandated program, that is okay. I mean it is only, if you read the amendment that Senator Wehrbein has handed, if the employer applies the procedures. Well, what if the employer doesn't apply the procedures, do we go out and check it? It is a federal program, they are not going to be covered if we adopt this amendment. Who guarantees that those procedures are being applied to those individuals in their work force that aren't covered under the current federal program? I see no need for it and I would oppose the Wehrbein amendment even with the adoption of the Chambers amendment to it because I just think that this is our bailiwick in which to set the ground rules, not the federal government's, and I think that we would be giving them the ability to jump in even into our unemployment regulations with regard to eligibility and ineligibility, and I think that is a poor standard to bring into this section of statutes and into this bill. I would urge you to reject the Wehrbein amendment.

**SPEAKER BARRETT:** Thank you. Further discussion on the Chambers amendment to the Wehrbein amendment. Senator Nelson, would you care to discuss it, followed by Senators Hefner, Bernard-Stevens, Abboud, Chizek, Kristensen, and Wehrbein. Senator Nelson.

**SENATOR NELSON:** Mr. Speaker, and members of the body, in the first place, I want to commend Senator Wehrbein for biting into this not having heard LB 1062. He maybe has more nerve than I'd have. I am not an attorney so I can't tell you that exactly that I have all of this correct. However, I am a lay person and I am also familiar with the operation of the railroads and so on and so forth, and this was where it was originally brought. Senator Hall alluded...I have mixed emotions on this. In the first place, I have a little problem in I probably could support this amendment of Senator Wehrbein's, in the discussion on LB 1062, the railroads were preempted under the federal I believe sometime around January 1st of this year as to regulations. Well, then, whether the state should preempt or the federal should preempt, I am well aware that the railroads operate in 16 or 19 states, and I can see a monumental problem for them if the 16 or 19 states have individual alcohol and drug testing rules and regulations, and I don't think that calls for efficient operation of the railroads and, frankly, I don't