

SENATOR BERNARD-STEVENS: Thank you.

SPEAKER BARRETT: Senator Abboud, would you care to speak to the Chambers amendment.

SENATOR ABOUD: Chambers?

SPEAKER BARRETT: We are on the Chambers amendment to the Wehrbein amendment, believe it or not.

SENATOR ABOUD: Must have got lost somewhere along the way there. Mr. President, I will discuss it in light of the entire Wehrbein amendment being as how Senator Chambers' amendment might apply. I think that what we have to understand about the federal regulation is that the people that were mandated by the federal government to be tested were those people that were involved in safety sensitive areas. On a railroad, it would be the engineer or the brakeman. On an individual driving an interstate truck, 18 wheeler, it would be the truck driver. An individual that would flying an airplane, it would be the pilot, people that they felt as the result of accidents that had been occurring throughout the country that they should have some sort of drug and alcohol testing. And that is why the federal government came in with these mandates. Now this particular amendment, which I just don't see as all that controversial, states that let's say you have a company out there, a trucking company or a railroad, like UP or Burlington Northern, and they have this standard that they use that has been mandated by the federal government, they want to continue to use that program, this particular mandate, to all their employees. They will have one standard. The State of Nebraska is coming in and said those individuals not involved in safety sensitive areas will now use this standard for drug and alcohol testing. I think that a company that is involved in interstate commerce we should allow them a certain amount of latitude to establish these standards. Now the federal standards are much more restrictive than the state, and that is why I am somewhat confused on why we have this kind of opposition. I don't really see this as all that controversial. The people that are actually involved in the real safety sensitive areas that where lives could be lost are going to be mandated by the federal government, and these other individuals that aren't safety sensitive, management, whatever, they are going to be following the federal laws. Even though it isn't mandated, they are going to be following those, and I think that we should allow them a certain amount of latitude.