

SENATOR BERNARD-STEVENS: Thank you. I totally concur, obviously, with Senator Lynch. I would like to make a couple of points in response to Senator Hannibal. Just so the record is at least clear, the body may not be clear but at least hopefully the record will be after we're finished. The administrative cut-off that we have right now in 315, as amended, for state people, not under federal man...federally mandated drug testing, is simply going to be what the employer and the drug testing lab come to an agreement on. In my judgment what they will do is obviously the drug testing lab will say, this is the accuracy, we can get it down, accurate to this level, beyond that we can't be accurate. And that will be the level that they set it on. I'm speaking particularly on the alcohol, on the alcohol. And, quite honestly, that was one of the reasons for LB 1062, because some of the standards that I, personally, Senator Hannibal asked me am I against the 0.0 cut-off, and no, I'm not. Only thing I'm against is that we can't accurately at times, with the equipment that we have, we can't accurately say whether it's 0.00. It's very inaccurate. And if we're going to terminate somebody on a standard, let's make sure that we can really, accurately judge that standard. And right now we can't. So, hopefully, on the record at least we understand that in this particular bill what we have now, that we've agreed to now, would be an agreement between the testing lab and the employee. And, by the way, if this testing lab, in the future, can get its accuracy down to 0.00, that's where it will be. And I do want to make one other response to something that Senator Hannibal said, because it did strike a cord. And I respect Senator Hannibal a great deal, and the body is going to miss him a great deal when he's gone. And I teased him that he was gone this morning and look what all these things happened, you don't dare leave and go to Appropriation Committee, or at least don't come back so you don't know what happened. But one of the things Senator Hannibal said is that the railroads, and he's right, I'm not saying he's wrong in this regard. The railroads, if we pass the bill without the Wehrbein amendment, if we pass the bill the railroads could say, for the most part, that because the testing is going to be a little bit different, we may only be accurate to .01 and we wanted to do .00, we're not going to test these other people. And they could do that. But I would put to you that if the Railroad Association of the state...that run and operate in the State of Nebraska, and who haul tremendous amounts of material, some hazardous, through the State of Nebraska, would decide in their corporate headquarters that