

have no requirement to report at all.

SENATOR CHAMBERS: Thank you, Senator Coordsen. Members of the Legislature, there is a requirement when it comes to these various drunkometers or alcohol testing machines that there be some certification by the Department of Health relative to the reliability of the machine. These tests taken by these machines are used in prosecutions of driving while intoxicated. I'm sure the law enforcement people would like to be in a position to say, we shall make the determination as to whether these machines are reliable and accurate. But that responsibility was taken...

PRESIDENT: One minute.

SENATOR CHAMBERS: ...was taken from law enforcement and placed with an objective, competent department whose job it is to do those things. It would be very easy for a worker who had been fired to view himself or herself in an adversarial relationship with the Commissioner of Labor. If the commissioner is going to approve or disapprove programs and then monitor whether or not that person is satisfactorily making progress, then there can very easily be the appearance of prejudice and unfairness on the part of the commissioner. And it seems to me the commissioner would not even want this type of responsibility which he or she has no expertise to properly discharge anyway. So I think Senator Hall's amendment should be adopted and I don't think it will in any way hurt the amendment that Senator Coordsen has up there.

PRESIDENT: Thank you. Senator Hefner, please, followed by Senator Morrissey and Senator Hall.

SENATOR HEFNER: Mr. President and members of the body, I have a little problem with Senator Hall's amendment because when he strikes commissioner and puts Department of Health I believe I see a problem there. Now maybe we need...maybe we need both of them, Department of Health along with the Labor Commissioner. And the second part, I believe we want the information to flow back. I believe somebody would need to monitor this program. I think we need all the information that we could get on how this particular employee was doing in this program and so I would be against striking that last sentence. So...and those are just my thoughts on it. Thank you.