

have argued about the pros and cons at some length. So whether or not we support the Bernard-Stevens amendment, I'm afraid I'm going to have to oppose this amendment in its current form. Thank you.

SPEAKER BARRETT: Senator Kristensen, would you care to discuss the amendment to the amendment, followed by Senator Chizek.

SENATOR KRISTENSEN: Thank you, Mr. Speaker, and members, I think it's important that we go back and look at the purpose of why this amendment that Senator Bernard-Stevens has offered is. And I laud him and I commend him for trying to bring about some sort of compromise and it would be nice if we could have had a compromise a week ago, perhaps. But I think maybe we're to the point where both sides would refuse to do so. Although Bernard-Stevens' attempt at a compromise is well-intentioned and good, it creates a problem and that problem at the moment is that it creates two different standards. You've got the federal rules and regulations that are going to have one standard for alcohol content and that's really what this is all boiling down to is a fight between two parties and their desire for an alcohol content battle and that's really not what we're looking at. What we're looking at is you've got a...you've got a drug testing policy. Senator Bernard-Stevens' priority bill that's a good bill, that says if you're going to test people, here's how you do it. Unfortunately, with his amendment right now he's going to create two different standards, one for the state and effectively that would wipe out standards that are set up by the feds. The feds have a tough standard. Their standards are tougher than any of the other ones around. We're not going to be getting tougher. What this is going to do is allow for some trace amounts. But the issue isn't what that level should be, it's what companies should have to comply with a federal standard or a state standard. And the amendment that Senator Wehrbein has offered is not an unlawful delegation. We aren't just dumping it over to the feds and say, here, you guys take care of this and we're not going to do anything with it at all. What Senator Wehrbein's amendment does is say, look, if you are going to be under federal standards, that's the ones you're going to have to comply with. Those standards are tough, in fact, they're probably stricter than people want them to be but they're very tough and it isn't just railroads, it's trucking, it's gas companies, it's other municipalities that have safety sensitive areas. And, quite frankly, they've taken a tough position. The other people who represent employees and so on