

SPEAKER BARRETT: Senator Abboud.

SENATOR ABOUD: Question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. Shall debate now close? All in favor vote aye, opposed nay. Please record.

CLERK: 27 ayes, 0 nays, Mr. President, to cease debate.

SPEAKER BARRETT: Debate closes. Senator Bernard-Stevens, would you like to make a summarizing statement?

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker. And, Senator Abboud, I appreciate that on the call of the question because I think people do know what they're going to be doing on this issue and it saves us some time. Senator Chizek's comments would be one that I certainly could agree with and Senator Kristensen made some very valid points, particularly the point that this is somewhat of a preempted strike, because I know there are some heavy hitters out there. And I could probably make an analogy of one small, lone boy standing up against all of the big powerful people and what have you, but I'm not sure that's one that would...that would hold today. But I would say a couple things. In all my discussions with the members representing the, what I would call the big three in this issue, utilities, motor carriers and railroads, with emphasizes capital on the railroads, the bottom line was and always has been, regardless of what anything you have been told, constitutional things, you know, I think Senator Kristensen is really reaching a little bit on some of his comments on that, the bottom line is they don't want to be...they don't want to have two different systems. But members of the body, we're talking about probable cause. If a worker makes a mistake in the railroad industry, if he runs a switch, that's probable cause to be tested. Of course, when you're tested you're tested for both drug and alcohol. We're not changing anything on the drug side. On the alcohol side, we're saying that you could go to a .01 and that's the lowest you could go. Senator Kristensen says that we are weakening. He is absolutely mistaken. The federal guidelines are .04. We would be saying by this amendment that we would allow a tougher standard in Nebraska than the federal guidelines, we would go down to to .01. But for someone who has an absolute minute, small amount or trace of alcohol that has not impaired them whatsoever, if they were tested because of a