

times that the goal of this legislation, I guess, and any others like it is simply to have a drug-free environment in the job site. And we talked about the liability that goes along with that and who shares it, who should be responsible for it, but I can't help but think when we start to talk about exempting people out from that drug-free environment, do we also admit that those companies that want a drug-free environment only for those people who work for them and have safety-related jobs are affected by it and, therefore, simply disagree with Senator Hefner and others that they really want a drug-free workplace. I think you know that, just as I know that. I know that UP, for example, applies that test to everybody and I think that's great, but I also know that other railroads don't do that and I know that other employers don't do that. So employers don't play games with employees by saying as long as you have a safety-related job you've got to be tested and then call it...and all this amendment...all the amendments we have been going through and everything else, the effort and the real concept, the principle, the ethic behind it is simply for a drug-free environment. Maybe the ethic behind it is to protect your liability cost. I can understand that kind of an argument because that's honest but not to say we want a drug-free environment. But I think we talked about a number of things today. Later on, I've got an amendment that's going to wipe everything out we talked about for the last three days and just get back to the basic bill and with 315 as we once knew and loved it and I think that's what we ought to do at this point in time now. But, on the other hand, I do want to bring your attention that we're talking about a lot of things at the present time, one of which is so obvious, the discrimination that can exist in companies as it applies to drug testing and as it applies to those people who work for employers and it can be called safety-related jobs, those people that work for employers that don't have safety-related jobs and for the employers themselves that maybe, in some cases, want to, in fact, avoid the responsibility of blood testing themselves.

SPEAKER BARRETT: Senator Morrissey, please.

SENATOR MORRISSEY: Thank you. Just another example, folks, testing under current state law provides for a backup test. A preliminary test can be done by many methods but if a positive is found, a backup test must be done by a GCMS, the state of the art at this time to prove positively what the screen, the initial screen, showed. If you exempt these employees, if you