

exempt these industries, many of their employees, many of their employees will be exempted from the backup confirmation test that now is called for by state law. In the Judiciary Committee hearing, Henry Nipper, faculty member of the Department of Pathology at Creighton University School of Medicine, a member of the staff of St. Joseph's Hospital Omaha, his responsibility is to direct laboratories at St. Joseph Hospital and Creighton that are intimately involved in the issues of drug testing. They tested 582 employees, 582 employees. Of the 582, 147 presumptions of positive tests were found, 147. Now those 147 people would not be covered once we give this exemption if they work for these industries. Of the 147 that were again tested under the state of the art GCMS, eight people tested positive. eight out of 147. So you want to eliminate, with the Wehrbein amendment, the possibility of many employees being shown a positive and not having the opportunity to be backed up by the state of the art testing facilities and techniques that we call for in this state and thus you could have numbers such as that, 147 preliminary positives, once backed up by the state of the art test, only eight were positive. And that's what you're going to vote for here. Is that what you want? False positives, large numbers of false positives. These employees, the employers, many who all conduct under federal laws and guidelines, as Senator Stevens said, do not have to continue this. Their employees that aren't covered under federal regs, the safety sensitive, they can change any time they want and they can change to a standard that will give you 147 positive showings of which only actually eight were positive. And if that's what you want, support the Wehrbein amendment. If you want guarantees of protection under state law that we currently have, that would save those 135, or whatever, employees from a false positive testing, then vote to defeat the Wehrbein amendment.

SPEAKER BARRETT: Thank you. Senator Peterson.

SENATOR PETERSON: Call the question.

SPEAKER BARRETT: Thank you. That will not be necessary. There are no other lights on. Senator Wehrbein, would you like to close?

SENATOR WEHRBEIN: Yes, Mr. Speaker, members, I will yield some of my time to Senator Kristensen but I simply want to say that save interstate commerce the United States who many compared