

SENATOR KRISTENSEN: Okay. Great. What the Nebraska Supreme Court said, the reason urine tests weren't any good was because at the time you were driving the urine that was in your body that would have alcohol in it had to be voided by the Department of Health's rules and regulations so they could get a valid sample. The court came down and said, well that wasn't the urine that was in your body at the time you were driving, thus that isn't reflective of you violating the law at the time of your driving; this is a test of urine that accumulated in your body after you were driving, that's the reason they threw it out. We could do three things. We could have major surgery, we could have out-patient surgery, we could have a Band-Aid. What I'm proposing is the Band-Aid. With nine days left I don't think...if we're going to wipe urine tests completely out of the law, I think we ought to have a separate study and a separate bill to do so. There are also, when you see additional tests, the drug tests for presence of drugs is best done by a urine test. And so that's the reason I've left it in there. If I'd have my druthers, I would take all references to urine tests completely out of the law, but I think that's a major process, that's major surgery, that's something best left to do for next year, after we've had a chance to examine the Supreme Court case and see what its ramifications are. If you read that case close enough, there may even be some question about breath tests. I don't think that's going to happen. You can have the rest of your time back. Thank you.

SENATOR CONWAY: If I have any back, and this is another question that you prompted in doing that. In other words, what you were doing is not giving the individual who is accused of drunken driving the choice of the urine test, assuming that law enforcement people will be smart enough not to request a urine test.

SENATOR KRISTENSEN: That's exactly right, yes.

SENATOR CONWAY: That's kind of where we're at on it.

SENATOR KRISTENSEN: They will just take that choice and not have it.

SPEAKER BARRETT: One minute.

SENATOR CONWAY: Okay, I'm finished.