

problem occurred on the railroad. As it turned out, there was just something different in the chemical makeup of the man's body. They even...when they went through the administrative hearing, they went through the appeals, they went through the protest, what have you, they all said the test was taken, it was presumed to be accurate or whatever the case may be and in this case it wasn't an agency doing it, it was simply the company doing it, we're going to take that person's right to work away, he's guilty, he's guilty, the tests show it. We even took a second test and the test showed it. Then the gentleman was put into isolation at the hospital at Great Plains Medical...Regional Hospital. They put him in isolation, they controlled exactly what the person ate, he was watched personally 24 hours to make sure that there were no drugs, no influences except what was simply given through the hospital. The test was given again 48 hours later and he again proved way beyond the norm, way beyond the norm. And come to find out the tests on this person simply wasn't going to be accurate and there's no way to get an accurate and they still don't know why. Now when we're talking about instances of taking things away from people such as driving which could mean their job, which could have tremendous ramifications to family and to other people, we best look at what we're using to judge the tests by. If we're using a blood test, that's one thing, that's one of the more accurate tests, but we need to ask the question, who is doing the testing? We haven't even gotten to that section yet. We're just saying, is the test done correctly? The question really needs to be, who is doing the testing, is it a certified lab? That needs to be included if we're going to do it and if we're going to have the serious penalties that we have, urine and breath tests should not even be in there because they are proven to be so inaccurate.

SPEAKER BAACK: One minute.

SENATOR BERNARD-STEVENS: If you're going to do it, do it right, do it with simply blood testing, make it mandatory and it has to be in a certified lab. The way it is now is not only unfair, it's unworkable and it's unjust. Thank you.

SPEAKER BAACK: Thank you, Senator Bernard-Stevens. Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. Speaker, members of the body, I rise in opposition, or excuse me, in support of the amendment,