

SENATOR WILL: Senator Hall.

SENATOR HALL: Yes.

SENATOR MAURSTAD: Senator Hall, could the actions of an employee, employed during or after the use of a lawful product harm the operations of their employer, negate the terms outlined in Section 1?

SENATOR HALL: Could you repeat that question, please.

SENATOR MAURSTAD: Well, if the actions of an employee during or after the use of a lawful product harm the operations of their employer, would that negate the terms in Section 1?

SENATOR HALL: Yes. Yes. And I can think of...in some cases they would be in violation...if I can use your time, if it's not a problem, to respond. Some cases they would be in violation of the employer's own requirements. One of the examples is, for example an instance is the...I'm thinking of an airline pilot. In many cases it's...I think the rule, depending on what type of aircraft you fly, it could be anywhere from eight hours to 24 hours from bottle to throttle, is what the pilots use. It could be a case where the individual, because they had violated not only the law that would be a federal law but the policy of the company, which could be more stringent than the federal requirement, they would basically negate the operation of Section 1. Or the example that...

SENATOR MAURSTAD: I think I get your point. To clarify what I'm...let's say an employee is having a drink so what you've indicated to me is while he's actually having the drink he would be protected by LB 216, but after he had that drink and maybe before the next drink he would not be protected by 216.

SENATOR HALL: No, that's not correct. Should I expand on it?

SENATOR MAURSTAD: Please.

SENATOR HALL: What I'm telling you is...and I thought what your original question said is, is it possible for the use of a lawful product to somehow impact the employer's operation and negate Section 1. Right?