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February 5, 2003 LB 245

PRESIDENT HEINEMAN: The amendment is adopted. Further amendments, Mr. Clerk.

CLERK: Senator Jensen would move to amend with FA1155. (Legislative Journal page 428.)

PRESIDENT HEINEMAN: Chair recognizes Senator Jensen, to open on his amendment.

SENATOR JENSEN: Thank you, Mr. Lieutenant Governor and members of the Legislature. Since we have the time and rather than pull this back from Final Reading, we were able to draft up an amendment which take cares of that blood alcohol situation that Senator Chambers had in mind, and it is on your screen. It simply says that unless a request is made for the retention of the...only material over such period in connection with a penalty of legal action. So, in other words, it...we could extend this beyond the two-year period if a request is made. That's all the amendment does. I would just ask for its approval.

PRESIDENT HEINEMAN: Thank you, Senator Jensen. Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I compliment Senator Jensen and his staff on putting together this amendment, and I support it. But if, as the bill moves across, anybody who is involved with the retention of this material, namely, HHS, would see a problem, I wish they would let us know immediately. What his amendment does not do, and sometimes it's necessary to get that into the record as well as what it does, it does not extend the period of time for which this material must be retained. That is two years, period. Then the exception is if there is a pending legal action and a request has been made to preserve this material, then the period of time for which that specific specimen will be retained will be extended. So if no request is made after the two-year period, all such material as this that's related to blood alcohol can be disposed of. The area of concern that I had has been well taken care of by the amendatory language, so I thank Senator Jensen and his staff, and I support the amendment.