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they would be able to figure out which of these union or employees, I guess might be the best way of saying it, were high-risks to come down with bad diseases, and so that you would either not hire these people or eliminate them from your work force on this evidence. Now, we're not saying that this is bad, what was proposed, in fact, we're not saying that at all, but it does go back to civil legislation rather than criminal. We're trying to make this as smooth a bill as we can so it is the most efficient that we can. We have no problem with Section 7 from the standpoint you're mentioning.

SENATOR TYSON: But your amendment still strikes the entire...

SENATOR JOHNSON: Yes.

SENATOR TYSON: ...and...because I...you correct me, please, if I'm wrong, Senator, but it appears to me that Section 7 is permissive. In other words, any person...whenever any person is accused of wrongdoing as a result of a body fluid test such person and only that person or his or her representative may request DNA typing test, et cetera, and it goes on. My favorite part of this section is it says that the costs will be borne by the person who has asked for the test. But I don't see anything in that, that would address exclusion of coverage in a civil matter, such as an insurance policy. This, to me, appears to give or to...not give, to enunciate a right on the part of the accused in an attempt for him to prove his own innocence.

SENATOR JOHNSON: Well, the proof...being able to prove his own innocence is already in the legislation, and what this is, is it refers to the civil actions, as I understand it, and particularly regarding this one railroad that wanted to do samples on their certain employees, and so on.

SENATOR TYSON: I understand that.

SENATOR JOHNSON: We...and, again, we may very well agree with the employees in this situation, that they shouldn't be discriminated against, but the reason we put that in is just strictly to make it a totally criminal bill without anything on the side.