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SENATOR CUDABACK: One minute.

SENATOR BROWN: ...or drug tests based on the results of non-DOT tests. For example, an employer...as an employer, you must not disregard a verified positive drug test result because the employee presents a negative test result from a blood or urine specimen collected by the employer's physician or a DNA test result purported to question the identity of the DOT specimen. So it's completely prohibited by federal law to do anything that's going to impact these individuals. But there's a more basic problem in terms of this and that is that urine testing for DNA is a field pretty much the scientists would say that you cannot use urine, and especially urine that has been frozen, to do DNA identity testing, period. There are not enough cells in urine to be able to do those kinds of tests.

SENATOR CUDABACK: Time.

SENATOR BROWN: Thank you.

SENATOR CUDABACK: Thank you, Senator Brown. Further discussion on the motion to return, Senator Chambers.

SENATOR CHAMBERS: Mr. President and members of the Legislature, if you read the language of the amendment, there is no designation of any category of employees, no designation of any type of employment. It says, "With respect to employment..., if a 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 through the Nebraska State Patrol DNA typing tests of his or her body fluid." Now there are different body fluids. This bill is not limited to DOT-covered employees. What will happen if a test is taken and it turns out that the fluid used in the original test is not that of the employee accused? Let me read that language for you, on page 1 starting in line 22 of the amendment. "If the DNA report" from the State Patrol "concludes that the initial body fluids were not those of the person, the person shall be cleared of any accusation of wrongdoing to the extent to which such body fluid test was the basis of such accusation of wrongdoing." Let's say