

March 13, 1980

LB 485

opposed philosophies which we finally got together in one room and worked out, and with that, I would like to urge the adoption of the committee amendments. It is generally agreed to. I think it is a reasonable compromise and one that most people accented fairly, well, not without some desires for advantage, but I think they walked away accepting and I think that package still stands. With that I urge the adoption of the committee amendments.

SPEAKER MARVEL: Senator Schmit. The Chair recognizes Senator Schmit. I think what we will do is to hear this and then we are going to have to move the next step to Select File. Go ahead, Senator Schmit.

SENATOR SCHMIT: Well, Mr. President and members of the Legislature, I would like to offer this amendment to the Newell amendment and it is a very simple amendment. I will read it for you and very frankly it provides that as a condition of employment or a condition for continued employment that a person submit to a truth and deception examination unless such employment involves public law enforcement. In other words, that when the applicant or the individual involved is connected with law enforcement they shall submit to the lie detector examination. The reason is very simple. I visited with the Highway Patrol and I can tell you very frankly that there were individuals who were interviewed for employment with the Highway Patrol. Had they not been subjected to the polygraph examination they would not have known or the employer would not have known that they had at one time used drugs. It is very obvious, of course, that it would be very damaging to the Patrol for individuals who had once been a drug user to perhaps even be assigned to the drug investigation unit. I have a particular sense of pride in that unit since it was established under one of my bills many, many years ago and I think it has become an effective unit and I think that we should allow the utilization of the polygraph where law enforcement persons are being considered for hiring. I move for the adoption of the amendment to the amendment.

SPEAKER MARVEL: The motion is the adoption of the Schmit amendment. Senator Newll.

SENATOR NEWELL: Yes, I am going to have to oppose the Schmit amendment. Now the Schmit amendment basically makes this whole thing mandatory. Right now it is they may do that, they may request that and so forth. I want to say that, and I can appreciate Senator Schmit's concern for