

LEGISLATIVE BILL 398

Approved by the Governor May 5, 1977

Introduced by Kahle, 37

AN ACT relating to public employees; to permit political activities by employees of the state or any political subdivision thereof except as prescribed; to amend section 81-809, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Unless specifically restricted by a federal law or any other state law, no employee of the state or any political subdivision thereof, as defined in subdivision (2) of section 23-2102, shall be prohibited from participating in political activities except during office hours or when otherwise engaged in the performance of his or her official duties. No such employee shall engage in any political activity while wearing a uniform required by the state or any political subdivision thereof.

Sec. 2. That section 81-809, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-809. The secretary, under the direction of the Game and Parks Commission acting in official session, is authorized to appoint such deputy conservation officers, agents, office employees and such other employees as may be required efficiently to enforce the laws for the protection of wildlife and for the administration of hatcheries, game preserves, recreational areas and parks. All appointments of conservation officers shall be under civil service rules adopted and promulgated by the commission. Such examination shall embrace an investigation of the character, habits and qualifications of each applicant, as well as his knowledge of the state game and fish laws, and the duties and responsibilities appertaining to the position of deputy conservation officer. In addition to the necessary deputy conservation officers, the commission shall specify and require the appointment of such other agents and employees as may be required to execute its plans and projects and to administer its affairs, and it shall prescribe their duties. The commission shall fix the compensation of deputy conservation officers and other agents and employees. Deputy conservation officers and other agents and

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employees may be removed by the commission, but only after a hearing. While retaining the right to vote as he may please, and to express privately his opinion on all political subjects, no employee or officer of the commission shall ~~take any part in political management or in political campaigns, nor shall he hold any party or political office,~~ nor use his official authority or influence for the purpose of interfering with an election or affecting the results thereof.

Sec. 3. That original section 81-809, Reissue Revised Statutes of Nebraska, 1943, is repealed.