

March 28, 1979

LB 484

that pressure from time to time as I think some of the rest of you have had but I think you have to bear in mind that you cannot remove from each and every individual their right to participate in the political system and I believe that by and large the general public is able to make a decision as to how much or how little that involvement might be related to that individual's job. I know that Senator Hoagland refers to the fact that deputies and the like are required to participate sometimes against their will to reelect their boss. Well the very plain and simple fact is that if the county attorney loses his job frequently the deputy attorney loses theirs. If the sheriff loses his job the deputies lose theirs. That is the old adage of survival. You know there isn't any way you are going to rewrite that law. It is a very simple procedure. It happens in these offices, for example, the people that we employ. If Schmit is defeated, there will be some people looking for work no doubt. Maybe then they might have a better job. At least they have got to scratch for a little while. It happens in the Congressional offices. It happened in the northeast corner of this building when we changed offices. When we changed parties over there, there was a lot of people that changed jobs. It is not going to change. You can write the law but the general public is not going to be fooled. The public is going to know what is going on by and large and I think that when you try to sort out any one group of people, whether they be sheriffs or school teachers or university professors or farmers, discriminate against their participation, you are being very, very selective and you are opening up a can of worms which is a very, very difficult one to recap.

SPEAKER MARVEL: Senator Johnson.

SENATOR JOHNSON: Mr. President and members of this body, I rise in support of the bill with the committee amendments. One of the marks of the free person in a democratic society is the ability of that person to work in the political process, not just to cast a vote on election day, but to support the causes in which he or she believes and the people in which he or she believes. And when we strip away the ability to support financially or by volunteer help, we make that person less than a free person in a democratic society. Now, Senator Venditte, the constitutionality of the federal Hatch Act has been litigated several times and most recently it was litigated in the 1970's and the issue went to the United States Supreme Court. In a very divided decision, the Supreme Court upheld the constitutionality of the Hatch Act. They concluded that one's freedom of association or

2275