

March 28, 1979

LB 484

freedom of expression could be outweighed by certain over-riding governmental interests in protecting the integrity of the governmental process. Their basic conclusion in that case was that people have the right to believe that when they go into governmental offices they are dealing with someone who is essentially nonpartisan in nature. Now I think that the committee amendments to LB 484 do exactly that because the committee amendments to LB 484 say simply that no police officer on duty can work in political campaigns. No police officer during his work time can work in political campaigns. Thus in a sense the integrity of the governmental process essentially is protected. We have heard comments about the coercive nature of sheriffs who are running for office have on their deputies. That kind of coercion is equally present in private industry where private industry says to its lower employees we expect you to contribute to our political action fund, we expect you to work for certain candidates that we think are supportive of our business. Now that employee is as free as you and I are to say no. He can say no. She can say no. We have a free will. We have been given that. We might suffer on our job but we can say no. We have the ability, the integrity and the spine to stand up and say no, and if we do, we will take the consequences. That is all there is to it. Now in fact again the Supreme Court has provided some protections for associational activities in public jobs. Three or four years ago when Richard Elrod was elected the sheriff of Cook County he canned all the Democrats. He was Republican. He canned all the Democrats. His canning of the Democrats went to the United States Supreme Court. The United States Supreme Court said that to can the Democrats was to punish associational activities and it can't be done. Thus, it seems to me under the reading of the Elrod case, that other cases in the area for a political officeholder to put undue pressure on other persons because of their associational activities or their political activities would violate those individual's constitutionally protected rights. It seems to me that LB 484 reaffirms our freedom as human beings in a democratic society and at the same time does not erode or diminish the kind of protections that we have to stand up for that which is right and the kind of protections that we have under the Constitution of the United States and I think we can wholeheartedly support this bill.

SPEAKER MARVEL: Senator Labeledz.

SENATOR LABEDZ: Thank you, Mr. Speaker. I would like to direct my remarks to Senator Chambers. I was married and still am to a policeman that is now retired. He worked on the police force, the Omaha police force for forty years.