

will the day come when you can have pedestrian checks, where you stop people and search them down, and one of those people arguing for these pernicious laws said, well, we will make the stops but I don't know about the frisking. Such a bland attitude toward the invasion of people's civil liberties in America. The wall tumbled down in Germany; de Klerk made the symbolic gesture of letting Nelson Mandela out of prison, although black people still are not free in South Africa, nor is he...for those of you who may not be aware of it, he still cannot vote, he cannot live where he chooses, his grandchildren are going to segregated inferior schools, so there has been no freedom. But they are making the gesture, making the appearance, trying to make it seem they are moving in a direction toward more justice and humaneness. Then in America, that supposed bastion of freedom and respect for individual rights, where people are presumed innocent until proved guilty, we are enacting law after law which will encroach on the rights of citizens, and not only encroach on their rights, but deny them benefits after the encroachment has occurred to which they are entitled and which I think they should not be denied. So what my amendment will do is not anything radical. It is not a departure from what this Legislature at other times says it believes in. Senator Hefner, my amendment talks about equity and fair treatment for somebody who has lost the wherewithal to earn a living. The amendment would require that this effect on the employment relationship grow from something out of that person's inability to do the job satisfactorily. I don't see that as being unreasonable. I could even set up the standard that I would call the Hefner employee standard. In the law, they have what they call the ordinary and reasonable prudent person, a nonexistent entity, but if such a person existed, they say this is how that person would view whatever the issue is they are trying to resolve. So according to the Hefner principle, an employee, first of all, would not be fired for no reason. Secondly, if the employee had a drug or alcohol problem, the Hefner principle would not cause that employee to be fired. The Hefner principle of justice and equity, recognition of good work done during better days, would result in that person being given an opportunity to correct the problem. Then, the third proviso of the Hefner principle which was stated by Baron Hefner, himself, even if the employee somehow lost the ability to do the job, the Hefner principle would result in an effort to train that person to carry out some other function in the company so that he or she could retain gainful employment. Now we have the promulgator of such a high,