

March 28, 1979

LB 484

go the direction that I want you to go you might wind up being stopped on a county road, you might not have as many visits by the sheriff's deputies in the rounds that are made of your area if you don't vote a certain way. The way the law is now, if a deputy would misuse his or her position in that fashion to influence the outcome of a political action, since the entire range of activities is prohibited, it would be difficult for them to justify that in any way, but once you open the door and allow them to actively participate in political activities, then it becomes an issue of whose word you are going to take, whether or not there was overreaching, whether or not there was a misuse of the office. So what I am counseling this morning is that you think a good while. Senator Newell, before I sit down, I know my time is running out, I'd like to ask you a question or two. Who requested that you bring this bill?

SENATOR NEWELL: Senator Frank Lewis and the Sarpy County Sheriff's Office.

SENATOR CHAMBERS: So it is to deal with a particular situation in Sarpy County probably?

SENATOR NEWELL: Not necessarily. You also have some problems with Lancaster County with the recent election past. One of the advantages to this bill, Senator Chambers, is that for the first time it will put penalties on those people that abuse their office. Right now there was some of that happening in the last election but there was no penalties under which you could prosecute them. So that is one of the advantages to this bill.

SENATOR CHAMBERS: Well, Senator Newell, would you be in favor of leaving the law as it is with the prohibition against political activity but putting a penalty provision into the existing law?

SENATOR NEWELL: Senator Chambers, I think that trying to bring the bill in conjunction with other legislation in this area is the right way to go and so I support the bill as it is presently written, and that is a no.

SENATOR CHAMBERS: I will have to ask you, then, this question. You then see no difference between the realm of power and authority given by the law to law enforcement officers and the types of duties that are devolving upon regular public employees? You see no distinction?