

March 28, 1979

LB 484

that Senator Wesely brought up and the potential problems that have been pointed to with respect to the impact of LB 484. "It shall be unlawful for any person or persons, firm, company or corporation", I assume that includes existing sheriffs and the like, "employing any voter in the State of Nebraska to coerce or in any way attempt to coerce any voter in his voting or any other political action at any caucus, convention or election held or to be held in this state or attempt to influence the political action of such voter by threatening to discharge him because of his political actions or by threats on the part of such person or persons, firm company or corporation to close his or its place of business, et cetera, et cetera, et cetera." There is a penalty of \$100 and imprisonment of up to 30 days on the issue. The point is we do have a prohibition against coercions of exactly the nature that Senator Hoagland was talking about. If in fact, we can say that Nebraska law covers the problem of duress and coercion, then can we not go to the other side and say since we have prohibitions against this kind of activity by unscrupulous employers, can't the employee be free to choose for himself whether or not he intends to participate in the political process? That is the reason I will be voting for LB 484 as amended by the committee amendments and why I will be supporting Senator Newell. We do have protection against coercion in our law, and since that is the case, I think the choice then should be up to the individual as to whether or not they will participate in the political process given the parameters written in the committee amendments as to the use of the uniform, the use of on office time and the like. Those same kinds of prohibition are consistent with what we now have for state officials and that section of law is in Chapter 81 but essentially it says the same thing. You can't use office time or state time. You can't use the emblems of your official capacity when you do act and when you do campaign but otherwise the individual can choose for themselves. In this case I would think those of us who are of a conservative persuasion, and on constitutional issues I oftentimes find myself characterizing my behavior that way, would support LB 484 because it is in favor of the individual's free choice and that is the essence of the conservative philosophy. I will be voting for my fellow conservative's point of view on this case, Senator Newell. Thank you.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: We are on the bill as a whole. Senator Chambers.