

HB 94 -- STATE EMPLOYEE POLITICAL ACTIVITY

SPONSOR: Miller

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Elections by a vote of 10 to 1.

This bill changes the laws regarding political participation by state employees under the State Merit System. In its main provisions, the bill:

(1) Prohibits an employee under the system from soliciting any financial assistance or subscription for any political party, candidate, political fund, or publication or for any other political purpose from specified employees and from acting as an agent in receiving or accepting any financial contribution, subscription, or assignment of pay as a condition of employment;

(2) Specifies that these provisions cannot be construed to prohibit a state employee under the system from voluntarily engaging in any political activity during non-working hours including, but not limited to, weekends, evenings, leave time, vacation time, or state or federal holidays; and

(3) Repeals the provisions prohibiting a state employee under the system from being a candidate for any partisan or non-partisan public office in conflict with his or her duties unless the person resigns or obtains a leave of absence from his or her position.

PROPOSERS: Supporters say that the bill allows state employees to participate in the political process without fear of losing their job. The provisions of law modified by the bill are no longer required by federal election law and serve no legitimate purpose.

Testifying for the bill were Representative Miller and David E. Stark.

OPPOSERS: There was no opposition voiced to the committee.