

HOUSE BILL REPORT

HJM 4002

As Reported By House Committee On:
State Government

Brief Description: Requesting Congress and the President to amend the Hatch Act to allow greater political participation by federal workers.

Sponsors: Representatives Franklin, Brown, Ludwig, Romero, Dorn, J. Kohl, Springer, Campbell, Jacobsen and H. Myers.

Brief History:

Reported by House Committee on:
State Government, February 25, 1993, DP.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 6 members:
Representatives Anderson, Chair; Veloria, Vice Chair;
Campbell; Conway; King; and Pruitt.

Minority Report: Do not pass. Signed by 2 members:
Representatives Reams, Ranking Minority Member and Vance,
Assistant Ranking Minority Member.

Staff: Kenneth Hirst (786-7105).

Background: Federal restrictions on the political activities of federally funded employees of federal, state, or local units of government are collectively referred to as the Hatch Act.

With certain exceptions, federal law prohibits a federally funded employee of the executive branch of federal, state, or local government from using his or her official authority or influence for the purpose of interfering with or affecting the result of an election. Such a federal employee is also prohibited from taking part in political management or political campaigns. With certain exceptions, such state and local employees are also prohibited from being candidates for public, partisan elective office and from coercing, attempting to coerce, or advising another such employee to pay, lend or contribute anything of value to an entity for political purposes. All of these public employees, nonetheless, retain the right to vote and to express opinions on political subjects and candidates.

Summary of Bill: The Congress and the president of the United States are requested: to amend the Hatch Act to permit federal civilian and postal employees to participate voluntarily as citizens in the political processes of the nation; and to protect these employees from improper political solicitation or coercion only to the extent truly necessary.

Fiscal Note: Not requested.

Testimony For: Many federal employees who attended political party caucuses in 1988, felt they could not even discuss the issues being debated; the Hatch Act, on its face, is too intimidating. Misconceptions about the Hatch Act cause even greater fears.

Testimony Against: The memorial should be broadened to cover other federally funded public employees.

Witnesses: Senator Franklin (in favor); and Don Whiting, Office of the Secretary of State (in favor, and in favor of expanding the persons covered in the request).