



CSC RESOLUTION NO. 88-012

RELATIVE TO AMENDING THE MINI-HATCH ACT.

BE IT RESOLVED BY THE CIVIL SERVICE COMMISSION:

WHEREAS, 4 GCA §§5101-5106 of the Political Activity Law, better known as the mini-Hatch Act, imposes severe political activity restrictions upon government employees; and

WHEREAS, the Civil Service Commission is given the responsibility of enforcing the mini-Hatch Act; and

WHEREAS, the Civil Service Commission considers the mini-Hatch Act to be overly restrictive to the point that it creates a chilling effect upon the exercise of first amendment rights; and

WHEREAS, in enforcing the law, the Civil Service Commission must rely on the contradictory and ambiguous language of the mini-Hatch Act which affirms and yet denies participation in political activities, making it extremely difficult for the Commission to make reasonable and fair decisions; and

WHEREAS, the Civil Service Commission supports the amendment of the mini-Hatch Act to permit reasonable participation in the political processes by government employees without compromising the efficiency, neutrality, and integrity of government service; and

WHEREAS, Bill No. 697 was introduced in January of 1988 by Senator Marcia Hartsock proposing to amend the mini-Hatch Act; and

WHEREAS, the Civil Service Commission strongly urges that Bill 697 be passed with the appropriate amendments as proposed in the comments on Bill 697 submitted by the Civil Service Commission on March 16, 1988, March 25, 1988 and June 15, 1988; now, therefore, be it

RESOLVED, that this Resolution be transmitted to the Speaker of the Nineteenth Guam Legislature for action.

DULY AND REGULARLY ADOPTED this 4th day of October, 1988.



MARIA S. CONNELLEY, Chairperson



EDWARD P. MENDIOLA, Commissioner



FELIX P. CAMACHO, Commissioner



VICENTE P. PEREZ, Commissioner



DEBRA R. CRUZ, Commissioner