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ACLU OF RI POSITION: SUPPORT

TESTIMONY IN SUPPORT OF 22-H 7213, RELATING TO PUBLIC OFFICERS AND EMPLOYEES February 1, 2022

This bill would repeal a statute that bars classified employees from seeking nomination or becoming a candidate for elective state office, and instead require their resignation from employment only if they win the election. Although we believe that a complete repeal of the ban would be more appropriate, the ACLU supports this bill as a piece of compromise legislation.

Passage of this legislation is a matter of basic fairness. There is no logical basis for allowing unclassified and non-classified employees to run for state office, as the law currently allows, but to bar classified employees from doing so. A nurse in a state facility should have just as much right to run for state office as either a professor at URI's school of pharmacy or a policy-making employee at the Department of Health, both of whom presently would, unlike the nurse, be able to run for office. Rank-and-file state employees deserve the right to run for state office just as their often higher-paid colleagues can. In fact, the current restriction is especially unfair since it is the non-classified jobs that are likely to be political positions and create much greater potential for conflicts of interest.

For the same reasons, we also believe that classified employees – like the other classes of state employees – should be allowed to hold an office they win without resigning their job. We nonetheless support this bill's compromise effort to bring a modicum of fairness to the process, and urge the committee's passage of it.