

SENATE BILL REPORT

HB 1583

As Reported By Senate Committee On:
Government Operations, March 22, 1995

Title: An act relating to local government whistleblower reporting.

Brief Description: Changing whistleblower provisions.

Sponsors: Representatives L. Thomas, Backlund, Huff, Chappell, Wolfe, Buck and Kessler;
by request of State Auditor.

Brief History:

Committee Activity: Government Operations: 3/21/95, 3/22/95 [DPA].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Hale, McCaslin and Winsley.

Staff: Rod McAulay (786-7754)

Background: It is unlawful for any local government official or employee to retaliate against a local government employee who in good faith reports improper governmental action in accordance with the local government's procedures for reporting such information. "Improper governmental action" is defined as an action undertaken in the performance of the employee's duties that is a violation of law, an abuse of authority, a gross waste of public funds, or endangers the public health or safety.

By January 1, 1993, each local government was required to adopt policies and procedures for handling whistleblower complaints. The policies must identify to whom the reports must be made. The prosecuting attorney must be listed as one of the people to whom a report may be made.

A person who reports improper governmental activity must follow the procedures adopted by the local government in order to receive the protections provided by law. Some local governments have not adopted whistleblower policies.

Summary of Amended Bill: If a local government fails to adopt procedures for reporting improper governmental activity, an employee may report alleged improper governmental action directly to the county prosecuting attorney. If the county prosecuting attorney or an employee of the county prosecuting attorney is involved in the alleged improper governmental action, the whistleblower may report to the office of the State Auditor.

Amended Bill Compared to Original Bill: The original bill does not provide for reporting to the State Auditor when the alleged wrongdoer is the county prosecuting attorney or an employee of the county prosecuting attorney.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill fills a gap in the local whistleblower procedures.

Testimony Against: None.

Testified: Rep. Les Thomas; Linda Sheler, Office of State Auditor.