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## HB 322\Ver. A (34-LS1304\N)

### SPONSOR STATEMENT

*“An Act establishing the office of the public whistleblower advocate; relating to whistleblower protections; establishing the public whistleblower award fund; and relating to the jurisdiction of the superior court over whistleblower actions.”*

Alaska’s Whistleblower Protection Act has been law for decades. It prohibits retaliation against public employees who report violations of law, gross mismanagement, abuse of authority, or waste of public funds, and it authorizes remedies such as reinstatement, back pay, and attorney fees. However, these protections have been difficult to enforce in practice.

Today, the primary remedy available to whistleblowers is a private lawsuit in Superior Court. That process can be expensive, time-consuming, and out of reach for many state employees. As a result, employees who report wrongdoing may face retaliation without meaningful recourse, may be discouraged from reporting concerns, or may feel pressured to remain silent.

HB 322 addresses this gap by creating an independent Office of the Public Whistleblower Advocate to provide an accessible administrative enforcement pathway. The office is authorized to receive and investigate complaints, compel testimony and documents, seek interim court relief, and order enforceable remedies when violations occur. This ensures enforcement responsibility rests with the state, rather than solely with individual employees.

The bill strengthens protections by defining retaliatory action broadly, authorizing real-time interim relief, and preserving the ability to seek court remedies. It also allows civil fines for violations and establishes a discretionary award fund when disclosures result in recovered public funds or documented savings, encouraging good-faith reporting while benefiting taxpayers.

HB 322 includes safeguards to protect due process, confidentiality, and collective bargaining rights. It requires good-faith reporting and provides for administrative review and judicial appeal. The bill also requires annual reporting to the Legislature to promote transparency and oversight.

These reforms align Alaska’s whistleblower framework with best practices used in other jurisdictions. Most importantly, HB 322 ensures whistleblower protections are enforceable and effective, helping prevent costly failures and strengthening accountability in state government.