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Original sponsor: State Affairs
Committee

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 861 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the abuse of power by public offi-
7 cials and prescribing penalties; and providing for an
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 39.26.010 is amended by adding a new subsection to read:

11 (d) A violation of (a) of this section is a class A misdemeanor.

12 * Sec. 2. AS 39.51 is amended by adding a new section to read:

13 ARTICLE 2. PROTECTIONS FOR REPORTING A VIOLATION.

14 Sec. 39.51.030. PROTECTIONS FOR REPORTING A VIOLATION. (a)

15 Unless the state or municipal ^{ADO} employee knows the report is false, a state
16 or municipal employee who ^N ~~knows~~ ^{has a reasonable basis for believing} that a public official has committed
17 an act that constitutes a violation of a law or of a municipal ordinance
18 arising out of duties of the public official ^{and reported the violation} ~~X~~, is not, because of that
19 reporting, subject to

- 20 (1) dismissal from office or employment;
- 21 (2) withholding of salary increases;
- 22 (3) withholding of promotions;
- 23 (4) demotion in employment status;
- 24 (5) transfer of employment location;
- 25 (6) denial of a right or benefit to which the person is
- 26 entitled; or
- 27 (7) any other type of retaliation. *[See section 39.51.030]*

28 (b) If a state or municipal employee who has reported that a
29 public official has committed an act that constitutes a violation of a

1 law or of a municipal ordinance arising out of duties of the public
2 official is subject to an action described in (a) of this section for a
3 reason other than the reporting, the state agency or municipality shall
4 establish by a preponderance of evidence that the action is not a sanc-
5 tion imposed because of the reporting.

6 (c) Unless the person knows the report is false, a person who is
7 not a public official who ^{with reasonable diligence} reports that a public official has committed
8 an act that constitutes a violation of a law or of a municipal ordinance
9 arising out of duties of the public official may not be disqualified
10 because of that reporting from eligibility to

11 (1) bid on contracts with an agency of the state or of a
12 municipality of the state;

13 (2) receive land under a law of the state or an ordinance of
14 a municipality;

15 (3) receive any other right or benefit to which the person is
16 entitled.

17 (d) If a person who is not a public official who has reported that
18 a public official has committed an act that constitutes a violation of a
19 law or of a municipal ordinance arising out of duties of the public
20 official is determined to be ineligible for a right or benefit described
21 in (c) of this section for a reason other than the reporting, the state
22 agency or municipality shall establish by a preponderance of evidence
23 that the determination of ineligibility is not a sanction imposed because
24 of the reporting.

25 (e) A person who violates (a) or (c) of this section is subject to
26 a civil penalty of not more than \$5,000.

27 (f) A person who alleges a violation of (a) or (c) of this section
28 may bring a civil action in the superior court for appropriate injunc-
29 tive relief or actual damages or both within 90 days after the occur-

1 rence of the alleged violation. The court may order reinstatement,
2 payment of back wages, reinstatement of other rights or benefits in-
3 cluding seniority rights, and other damages.

4 (f) A state agency or municipality shall post notices and use
5 other means to keep its employees and other persons informed of the
6 provisions of this section.

7 (h) As used in this section, "public official" includes each
8 person employed by

9 (1) a state department or agency, whether in the executive,
10 legislative, or judicial branch or by a political subdivision or muni-
11 cipality of the state, and

12 (2) entities such as the University of Alaska, the Alaska
13 State Housing Authority, the Alaska Commercial Fishing and Agriculture
14 Park, and regional school boards.

15 * Sec. 3. This Act takes effect July 1, 1982.

16
17 [ARTICLE 10]
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1 withholding of the records and order the production to the complainant
2 of records improperly withheld or order that the correction or amend-
3 ment be made. The court shall determine the matter de novo, and may
4 examine the contents of any records in camera to determine whether the
5 records or any portion of them may be withheld under any of the exemp-
6 tions specified in AS 40.25.030 or not corrected or amended under
7 AS 40.25.060. The burden is on the agency to sustain its action.

8 Sec. 40.25.080. CIVIL ACTION FOR OBSTRUCTION OF ACCESS TO
9 RECORDS. (a) A person who has been wrongfully denied access to a
10 record under this chapter has a civil cause of action against the
11 person responsible for the violation and is entitled to recover actual
12 damages and reasonable attorney fees and other reasonable litigation
13 costs.

14 (b) A good faith reliance upon the provisions of this chapter or
15 of applicable law governing the confidentiality of public records is a
16 defense to a civil action brought under this section.

17 Sec. 40.25.090. DEFINITIONS. In this chapter, unless the context
18 otherwise requires,

19 (1) "attorney work product" means documents and tangible
20 things prepared by or for a governmental unit in anticipation of or
21 during litigation;

22 (2) "custodian" means the head of any governmental unit or
23 the designee of the head of a governmental unit;

24 (3) "governmental unit" means an agency, political subdivi-
25 sion, legislative body, board of regents, or an administrative body,
26 board, commission, committee, subcommittee, authority, council, agency,
27 or other organization, including subordinate units of these groups, of
28 the state, or any of its political subdivisions, including but not
29 limited to municipalities, boroughs, school boards, and all other

1 boards, agencies, assemblies, councils, departments, divisions,
2 bureaus, commissions or organizations, advisory or otherwise, of the
3 state or local government, or any organization supported in whole or in
4 part by public money or authorized to spend public money;

5 (4) "individual" means a natural person;

6 (5) "record" means any document, paper, memoranda, book,
7 letter, drawing, map, plat, photo, photographic file, motion picture,
8 film, microfilm, microphotograph, exhibit, magnetic or paper tape,
9 punched card, computer tape or information stored in a computer system,
10 or other document of any other material, regardless of physical form or
11 characteristic, developed or received under law or in connection with
12 the transaction of official business and preserved or appropriate for
13 preservation by a governmental unit as evidence of the organization,
14 function, policies, decisions, procedures, operations or other activi-
15 ties of the state or political subdivision or because of the informa-
16 tional value in them; it also includes staff manuals and instructions
17 to staff that directly or indirectly affect the public.

18 * Sec. 2. AS 44.62.310 is amended by adding a new subsection to read:

19 (g) Nothing in this section may be construed to prevent the hold-
20 ing of conferences between two or more public bodies, or their repre-
21 sentatives, but these conferences are subject to the same regulations
22 for holding executive or closed sessions as are applicable to any other
23 public body.

24 * Sec. 3. AS 44.62.310(c)(3) is amended to read:

25 (3) matters which by state statute [LAW, MUNICIPAL CHARTER,
26 OR ORDINANCE] are required to be confidential.

27 * Sec. 4. In sec. 1 of this Act, AS 40.25.070(b) has the effect of
28 changing Rule 65 of the Alaska Supreme Court Rules of Civil Procedure re-
29 lating to security deposits required in civil actions.

Committee File

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 861
Title "An Act relating to rights of persons who report violations of law; and
Requested by Senate Judiciary Committee Date April 29, 1982
providing for an effective date."

II. FISCAL DETAIL

Agency Affected Department of Law
Program Category Affected General Government
BRU, Program, Or Subprogram(s) Affected Legal Services
(Note: If more than one budget component is affected, separate line-item
amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill will not have a fiscal impact on the department's operations.

IV. DATE May 3, 1982

PREPARED BY Richard I. Pegues Director, Admin. Svcs.
AGENCY Department of Law
PHONE 465-3672

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)



Alaska State Legislature

Senate

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

APRIL 14, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

Legislation Before Committee:

- SB 863 - "An Act providing for the award of costs and attorney fees incurred by defendants acquitted of offenses and by individuals who prevail in certain state administrative proceedings; changing Rules 79 and 82, Rules of Civil Procedure; and providing for an effective date."
- HB 194 - "An Act relating to prisoner employment and correctional industries; and providing for an effective date."
- SB 861 - "An Act relating to rights of persons who report violations of law; and providing for an effective date."
- SB 175 - "An Act relating to standards of conduct for public officials and employees; establishing a State Ethics Commission; and providing for an effective date."
- SJR 68 - Proposing an amendment to the Constitution of the State of Alaska providing that a legislator who is convicted of a felony forfeits legislative office.

The meeting of the Senate Judiciary Committee was called to order by Chairman Rodey at 1:05 P.M. Committee members present were: Senators Rodey, Ray, and Parr. Senators Bennett and Anderson were absent.

002 - Call to order.

009 - Chairman Rodey brought HB 194 before the committee.

042 - Mr. Stark, Department of Law, testified in favor of HB 194.

167 - Senator Anderson entered the meeting.

385 - Senator Parr moved to add "or labor force" on Page 1, Line 28. There was no objection.

441 - Senator Ray moved that on Page 5, Line 8, "on a basis that is competitive with other sources" be added after the word "service".

There was no objection. He also objected to the commission having all discretion in pay plans. He wanted some limit on the amount.

455 - Chairman Rodey directed the staff to prepare language to meet Senator Rays concerns. This language reads: On page 6, Line 4, A wage established under the pay plan may not exceed 50 percent of the minimum wage established under AS 23.10.065.

460 - HB 194 was returned to file for the language to be drafted.

465 - Chairman Rodey brought SB 861 before the committee.

478 - Jack Chenoweth, Ombudsman, testified stating that this bill should be included in Title 29.

695 - Senator Fischer testified in favor of his bill.

765 - SB 861 returned to file.

780 - Chairman Rodey adjourned due to the joint session.



Official Business

Alaska State Legislature

Senate

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

APRIL 23, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

Legislation Before Committee:

- SB 437 - "An Act relating to the confidential communications between students and teachers."
- HB 409 - "An Act relating to hunting; and providing for an effective date."
- SB 861 - "An Act relating to rights of persons who report violations of law; and providing for an effective date."
- SJR 61 - Proposing amendments to the Constitution of the State of Alaska relating to appropriations and the retention, investment and expenditure of certain state revenues; and superseding the amendments proposed by Legislative Resolve No. 1, First Special Session of the Twelfth Legislature (FSS FCCS SJR 4).

The meeting of the Senate Judiciary Committee was called to order by Chairman Rodey at 1:05 P.M. Committee members present were: Senators Rodey, Ray, Parr, and Anderson. Senator Bennett was absent.

003 - Call to order.

009 - Chairman Rodey brought SJR 61 before the committee.

013 - Mr. Bruce explains the changes in the committee substitute.

088 - Representative Malone testified stating that the language in the committee substitute was somewhat limiting and offered attached amendments.

120 - Tom Williams, Commissioner of Revenue, testified, answering questions by the committee.

560 - Senator Parr asked for opinions from the Attorney General's office and Legislative Affairs regarding the need for Sec. 26 of Sec. 4.

SIDE TWO

235 - Senator Ray moved the Representative Malone's amendment #1 be adopted. There was no objection. (see attached amendments.)

245 - Senator Ray reconsidered his motion. There was no objection. Senator Rodey moved that on Page 2, Line 3, "or appropriations are" be inserted between the words "appropriation" and the word "approved". The word "is" is to be struck. There was no objection and it was adopted.

673 - The committee discussed the other amendments at length, but took no further action.

678 - SJR 61 returned to file for committee review.

687 - Chairman Rodey brought SB 437 before the committee.

736 - Bob Cooksey, NEA, testified in favor of SB 437.

TAPE #2

106 - Mr. Kirk, Ak. Statewide Student Assoc., testified in favor of the bill and submitted written testimony.

180 - Senator Anderson states that this legislation would be a threat to parents. Senator Ray objected to the confidentiality privilege being extended to teachers.

210 - Senator Anderson requested that SB 437 be tabled at this time. There was no objection.

244 - SB 437 laid on the table.

252 - Chairman Rodey next brought HB 206 before the committee.

268 - Senator Ray moved that HB 206 be passed from committee with individual recommendations. There was no objection.

277 - Chairman Rodey brought HB 409 before the committee.

323 - Senator Ray moved that on Pg. 1, Line 8, the word "alien" be inserted after "non-resident". There was no objection.

362 - Mr. Zibel, Department of Public Safety testified in favor of HB 409, and requested that the words "Class A" be inserted between the words "or" and "guide" on Line 13, Page 1. Senator Ray moved the amendment. There was no objection.

383 - Senator Anderson moved to include Sec. 2 of the House Rules Committee substitute. There was no objection and it was adopted. Senator Anderson moved to pass the Judiciary committee substitute as amended. There was no objection.

491 - The last item on the calendar was SB 861.

512 - After brief discussion, it was moved to return SB 861 to State Affairs committee.

532 - Adjourned at 3:00 P.M.

Resource Fund SEC 17 CONSTITUTION

P2 L3

DELETE [IF THE APPROPRIATION IS

(MAKES IT CLEAR THAT SEVERAL APPROPRIATIONS ARE POSSIBLE)

L6-7 DELETE [WHICH ARE OWNED BY STATE]
L13 " [OWNED BY STATE]

(MAY WANT TO INSERT PUBLICLY OWNED INSTEAD)

— PROVIDES MORE FLEXIBILITY

P2 L8

DELETE [AMOUNT]
INSERT VALUE

(MAKES SURE VALUE OF INVESTMENT IS REPAYED IN DOLLARS THAT ARE OF EQUAL VALUE — THAT IS, ADJUSTED FOR INFLATION)

P17, AFTER THE WORD "FUND"
INSERT: IN EXCESS OF THE AMOUNT NECESSARY TO PRESERVE THE VALUE OF THE FUND AGAINST THE EFFECTS OF INFLATION AND REALIZED LOSSES

SEC 16

GENERAL FUND

PAGE 7
LINE 26ADD A NEW SENTENCE
TO READ:

ALL REVENUES IN EXCESS
OF APPROPRIATIONS UNDER THIS
SECTION SHALL BE INVESTED
AT NATIONALLY COMPETITIVE
MARKET RATES.

PERMANENT FUND
SEC 15PAGE 3
LINE 16

AFTER THE WORD "FUND"

ADD: , IN EXCESS OF THE AMOUNT
NECESSARY TO PRESERVE THE
VALUE OF THE FUND AGAINST
THE EFFECTS OF INFLATION
AND REALIZED LOSSES,

DILAPIDATION

state of decay, or the pulling down of the building or any part of it. *Wall Estate Co. v. Standard Box Co.*, 20 Cal.App. 311, 128 P. 1020, 1021.

Dilationes in lege sunt odiosæ. Delays in law are odious. *Branch, Princ.*

DILATORY. Tending or intended to cause delay or to gain time or to put off a decision.

DILATORY DEFENSE. In chancery practice. One the object of which is to dismiss, suspend, or obstruct the suit, without touching the merits, until the impediment or obstacle insisted on shall be removed. 3 Bl.Comm. 301, 302.

DILATORY EXCEPTIONS are such as do not tend to defeat the action, but only to retard its progress.

DILATORY PLEAS. A class of defenses at common law, founded on some matter of fact not connected with the merits of the case, but such as might exist without impeaching the right of action itself. They were either pleas to the *jurisdiction*, showing that, by reason of some matter therein stated, the case was not within the jurisdiction of the court; or pleas in *suspension*, showing some matter of temporary incapacity to proceed with the suit; or pleas in *abatement*, showing some matter for abatement or quashing the declaration. 3 Steph.Comm. 576. *Parks v. McClellan*, 44 N.J. Law, 513, 558; *Shaw v. Southern Ry. Co.*, 17 Ga. App. 73, 86 S.E. 95.

DILIGENCE. Prudence; vigilant activity; attentiveness; or care, of which there are infinite shades, from the slightest momentary thought to the most vigilant anxiety. *People v. Hewitt*, 78 Cal.App. 426, 248 P. 1021, 1024. The law recognizes only three degrees of diligence: (1) Common or ordinary, which men, in general, exert in respect of their own concerns; the standard is necessarily variable with respect to the facts, although it may be uniform with respect to the principle. (2) High or great, which is extraordinary diligence, or that which very prudent persons take of their own concerns. (3) Low or slight, which is that which persons of less than common prudence, or indeed of no prudence at all, take of their own concerns. *Brown & Flowers v. Central of Georgia Ry. Co.*, 197 Ala. 71, 72 So. 366, 367.

The civil law is in perfect conformity with the common law. It lays down three degrees of diligence,—ordinary, (*diligentia*;) extraordinary, (*exactissima diligentia*;) slight, (*levissima diligentia*.) *Story, Bailm.* 19.

There may be a high degree of diligence, a common degree of diligence, and a slight degree of diligence, with their corresponding degrees of negligence, and these can be clearly enough defined for all practical purposes, and, with a view to the business of life, seem to be all that are really necessary. Common or ordinary diligence is that degree of diligence which men in general exercise in respect to their own concerns; high or great diligence is of course extraordinary diligence, or that which very prudent persons take of their own concerns; and low or slight diligence is that which persons of less than common prudence, or indeed of any prudence at all, take of their own concerns.

Ordinary negligence is the want of ordinary diligence; slight, or less than ordinary, negligence is the want of great diligence; and gross or more than ordinary negligence is the want of slight diligence. *Railroad Co. v. Huggins*, 5 Kan. 180.

In Scotch Law and Practice

Process of law, by which persons, lands, or effects are seized in execution or in security for debt. *Ersk. Inst.* 2, 11, 1. *Brande.* Process for enforcing the attendance of witnesses, or the production of writings. *Ersk. Inst.* 4, 1, 71.

Other Classifications and Compound Terms

—**Due diligence.** Such a measure of prudence, activity, or assiduity, as is properly to be expected from, and ordinarily exercised by, a reasonable and prudent man under the particular circumstances; not measured by any absolute standard, but depending on the relative facts of the special case. *Perry v. Cedar Falls*, 87 Iowa, 315, 54 N.W. 225.

—**Extraordinary diligence.** That extreme measure of care and caution which persons of unusual prudence and circumspection use for securing and preserving their own property or rights. *Railroad Co. v. Huggins*, 89 Ga. 494, 15 S.E. 848; *Railroad Co. v. White*, 88 Ga. 805, 15 S.E. 802.

—**Great diligence.** Such a measure of care, prudence, and assiduity as persons of unusual prudence and discretion exercise in regard to any and all of their own affairs, or such as persons of ordinary prudence exercise in regard to very important affairs of their own. *Litchfield v. White*, 7 N.Y. 438, 57 Am.Dec. 534.

—**High diligence.** The same as great diligence.

—**Low diligence.** The same as slight diligence.

—**Necessary diligence.** That degree of diligence which a person placed in a particular situation must exercise in order to entitle him to the protection of the law in respect to rights or claims growing out of that situation, or to avoid being left without redress on account of his own culpable carelessness or negligence. *Garahy v. Breley*, 25 Tex.Supp. 302; *Sanderson v. Brown*, 5 Me. 312.

—**Ordinary diligence** is that degree of care which men of common prudence generally exercise in their affairs, in the country and the age in which they live. *Zell v. Dunkle*, 156 Pa. 353, 27 A. 24.

—**Reasonable diligence.** A fair, proper and due degree of care and activity, measured with reference to the particular circumstances; such diligence, care, or attention as might be expected from a man of ordinary prudence and activity. *Ford v. Engleman*, 118 Va. 89, 86 S.E. 852, 853.

—**Special diligence.** The measure of diligence and skill exercised by a good business man in his particular specialty, which must be commensurate with the duty to be performed and the individual circumstances of the case; not merely the



Alaska State Legislature

Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

MEMORANDUM

TO: Senator Pat Rodey, Chair
Senate Judiciary Committee

FROM: Senator Vic Fischer, Chair
Senate State Affairs Committee

A handwritten signature in dark ink, appearing to read "Vic Fischer", with a long horizontal line extending to the right.

DATE: April 14, 1982

RE: SB 861 entitled "An Act relating to rights of persons who report violations of law; and providing for an effective date."

It is an unfortunate fact of life that employees who "blow the whistle" on abuse in government and in the private sector often pay a penalty. Employees who are not afraid to report a supervisor or colleague for violating the law often lose their jobs or are otherwise economically punished for their concern.

SB 861 prohibits all employers from firing or punishing workers who truthfully report violations of the law and allows injured employees to seek redress in court. This bill also protects private consumers who report public officials for violating laws from being denied rights or benefits from the state to which the consumer is entitled, such as receiving land or bidding on contracts.

This bill also makes it a class A misdemeanor for any person employed by the state to violate the rights of state employees.

This bill, if adopted, could save the state and general public money. Law breaking too often goes unreported for fear of on-the-job reprisals.

I urge your favorable consideration and support of this bill.

TELEGRAM

ELASCOM, INC.
PHONE: 825-5442
JUNEAU, AK 99802

#

02001 NL ANCHORAGE AK 86 03-24 0001 AST

PMS SEN VIC FISHER

~~1941~~
JUNEAU

RECENTLY I BELIEVE I SENT YOU A TELEGRAM REFERENCE IN PRODUCT
OF 8 YEARS OF WHISTLE BLOWING. HOWEVER, YOUR BILL IS EXACTLY
WHAT PUBLIC WORKERS NEED TO SAVE GOVERNMENT AND TAX PAYERS
MONEY AND THEMSELVES A CAREER. POSSIBLE WOULD GO TO JUNEAU AT
OWN EXPENSE TO TESTIFY IN BEHALF OF YOUR MUCH NEEDED BILL.
PLEASE CONTACT ME IN THE AM OR PM AS MY CAREER IS QUESTIONABLE
WHEN I WILL RETURN TO WORK SOON AFTER A MAJOR LEG OPERATION.

CORRECTION OFFICER II 333-8494

PO BOX 2427

ANCHORAGE AK 99510

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

POUCH C - JUNEAU 2311

April 5, 1982

The Honorable Vic Fischer
Chairman
Senate State Affairs Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99802

Dear Senator Fischer:

We have reviewed Senate Bill 861, introduced at the request of your Committee. The Department supports this legislation and is willing to provide any support you request.

As we have stated before, this bill is patterned after proposals in other states for "whistleblowers' protection acts." It will serve two primary functions. The bill will give a measure of protection to workers who observe violations of worker safety laws, environmental laws, and other statutes of public concern, when the worker may believe that reporting the violation could jeopardize his employment. And it will serve to promote honesty and efficiency in government, since it extends the same protections to public employees who "blow the whistle" on illegal conduct.

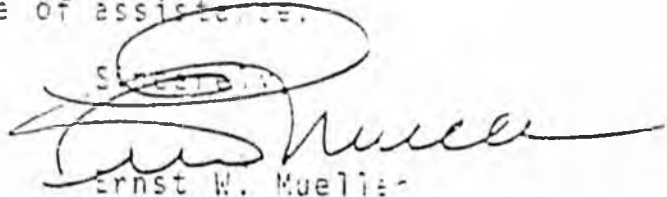
The bill provides for a civil penalty for a person who discriminates in any way (including threats, coercion, or discharge) against an employee who reports a violation of state, federal or local law, or who is asked to participate in an investigation or hearing. An employee who has been unlawfully discriminated against will also be allowed to bring a court action to halt the discrimination and to recover damages.

It is my hope that through this law we can offer a fuller measure of protection to citizens who put their own interests on the line by "blowing the whistle" on violations of the law.

As you know, our work on this issue followed from public testimony at the hearings on potential petrochemical development in Alaska.

Please let us know if we can be of assistance.

Sincerely,



Ernst W. Muelier
Commissioner