LRB-2152/4 RAC:cjs:pg

2003 ASSEMBLY BILL 649

November 10, 2003 – Introduced by Representatives Schooff, Vruwink, Sinicki, Black, Miller, Jeskewitz, Berceau, J. Lehman, Hines, Gronemus, Taylor, Young and J. Wood, cosponsored by Senators Wirch, Decker, Roessler, M. Meyer and Risser. Referred to Committee on Labor.

AN ACT to amend 230.81 (1) (b); and to repeal and recreate 230.80 (3) and 895.65 (1) (b) of the statutes; relating to: covering all state employees under laws prohibiting retaliatory action by a governmental employer against employees for disclosing certain information.

Analysis by the Legislative Reference Bureau

Currently, a state governmental body is prohibited from taking retaliatory action against an employee for disclosing information that the employee reasonably believes demonstrates a violation of state or federal law or that an employee believes demonstrates mismanagement or abuse of authority in government, a substantial waste of public funds, or a danger to public health and safety. This law is commonly known as the state "Whistleblower Law" and applies to all state employees other than individuals employed by the legislature, a legislative service agency, the courts, or the office of the governor and those individuals whose immediate supervisors occupy certain senior executive positions in state government and the University of Wisconsin System.

This bill provides that all state employees are covered under the state "Whistleblower Law."

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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1	Section 1. 230.80 (3) of the statutes is repealed and recreated to read:
2	230.80 (3) "Employee" means any person employed by any governmental unit
3	Section 2. 230.81 (1) (b) of the statutes, as affected by 2003 Wisconsin Act 33
4	is amended to read:
5	230.81 (1) (b) After asking the division of equal rights which governmental unit
6	is appropriate to receive the information, disclose the information in writing only to
7	the governmental unit that the division of equal rights determines is appropriate
8	The division of equal rights may not designate the department of justice, or the
9	courts, the legislature or a service agency under subch. IV of ch. 13 as an appropriate
10	governmental unit to receive information. Each appropriate governmental unit
11	shall designate an employee to receive information under this section.
12	Section 3. 895.65 (1) (b) of the statutes is repealed and recreated to read:
13	895.65 (1) (b) "Employee" means any person employed by any governmental
14	unit.
15	(END)