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Page No. **514**

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **3807**

March 4, 2008

Authored by Mariani; Olson; Loeffler; Simon; Peterson, S., and others

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

March 25, 2008

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act  
1.2 relating to state government; providing additional whistleblower protection  
1.3 to state executive branch employees; amending Minnesota Statutes 2007  
1.4 Supplement, section 181.932, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2007 Supplement, section 181.932, subdivision 1,  
1.7 is amended to read:

1.8 Subdivision 1. **Prohibited action.** An employer shall not discharge, discipline,  
1.9 threaten, otherwise discriminate against, or penalize an employee regarding the employee's  
1.10 compensation, terms, conditions, location, or privileges of employment because:

1.11 (a) the employee, or a person acting on behalf of an employee, in good faith, reports  
1.12 a violation or suspected violation of any federal or state law or rule adopted pursuant to  
1.13 law to an employer or to any governmental body or law enforcement official;

1.14 (b) the employee is requested by a public body or office to participate in an  
1.15 investigation, hearing, inquiry;

1.16 (c) the employee refuses an employer's order to perform an action that the employee  
1.17 has an objective basis in fact to believe violates any state or federal law or rule or  
1.18 regulation adopted pursuant to law, and the employee informs the employer that the order  
1.19 is being refused for that reason;

1.20 (d) the employee, in good faith, reports a situation in which the quality of health care  
1.21 services provided by a health care facility, organization, or health care provider violates a  
1.22 standard established by federal or state law or a professionally recognized national clinical  
1.23 or ethical standard and potentially places the public at risk of harm; ~~or~~

2.1 (e) a public employee communicates the findings of a scientific or technical study  
2.2 that the employee, in good faith, believes to be truthful and accurate, including reports to a  
2.3 governmental body or law enforcement official; or

2.4 (f) an employee in the executive branch of state government communicates  
2.5 information that the employee, in good faith, believes to be truthful and accurate, and that  
2.6 relates to improving services provided by the executive branch, to: (1) a legislator or an  
2.7 employee in the legislative branch; or (2) an elected official in the executive branch.

2.8 The disclosures protected pursuant to this section do not authorize the disclosure of data  
2.9 otherwise protected by law.