

down the load for purposes of previous action that was taken by the employer under the whistle-blower act. I believe that it's a good change to the...to the act. The amendment that's before you was drafted by Mr. Lux, the public counsel, and I'd respond to any questions that anyone may have on this issue. I believe what it is is a...it's a clarifying issue. It does make a substantive change though and I wanted to put people on notice to that. If there are problems or concerns with it, I will withdraw it because the balance of the bill, I think, is important enough to make sure that it passes this year, but I believe this change merely strengthens the act as a whole and I would urge for the adoption of the amendment. Thank you.

SENATOR BEUTLER: Senator Crosby.

SENATOR CROSBY: Thank you. Senator Hall, just one quick question. How does this provision equate with any other business or government entity aside from the state? I mean, do they have the same two-year...why are you limiting it to two years? I...it just sounded to me, as you were saying this, that the supervisor can wait and after two years fire the person. Am I misreading something?

SENATOR HALL: Mr. President, and members, Senator Crosby, you're not misreading anything. The way I understand that the public counsel will handle it, and he is the one that drafted this, that could happen. Someone could sit and wait in anticipation of a two-year clock running and then having the ability to, I guess, retaliate. The way I...from talking to Mr. Lux, what would happen is is that the employment action, whatever action was taken by the supervisor, would not be staid. In other words, that transfer that was made, that demotion, that firing, that would be in place but they would still have the ability to have a hearing and they would not be denied that. It would not be an expedited process but they would still have the ability to file. There would just not be the...

SENATOR CROSBY: You're talking about a personnel hearing.

SENATOR HALL: Yes.

SENATOR CROSBY: May they still go to court?

SENATOR HALL: Oh, sure, there's nothing that would...