

FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001

February 9, 2001

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred
HOUSE BILL 62, as amended

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 2, line 2, after "means" insert "an employer or his agent".
2. On page 2, line 5, after "employment;" strike the remainder of that line up to and including lines 6 and 7.
3. On page 2, line 20, after the comma insert "federal law,".
4. On page 3, line 10, after "concern" insert "or the employee believes in good faith constitutes an improper act of public concern".
5. On page 3, line 17, after "employee" insert "or his agent".
6. On page 4, line 1, strike "sixty" and insert in lieu thereof "one hundred eighty".
7. On page 6, strike all of subsection H in its entirety and reletter the succeeding subsections accordingly.
8. On page 7, line 3, insert a period after "commission".
9. On page 7, strike lines 4 and 5 in their entirety.
10. On page 7, between lines 5 and 6, insert the following new subsection:

"I. In any action or proceeding under this section, if the complainant prevails, the court may award actual damages, punitive damages and reasonable attorney fees, and the state shall be liable the same as a private person."

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11. On page 10, line 15, strike "39-3-1.1" and insert in lieu thereof "39-3-1".

Respectfully submitted,

W. Ken Martinez, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 5 For 3 Against

Yes: 5

No: Foley, Godbey, Thompson

Excused: Beam, Taylor, J. G. Taylor, T. C.

Absent: None

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