

HOUSE BILL No. 4704

May 2, 2001, Introduced by Reps. Bernero, Minore, Plakas, Lipsey, Mans, Waters, Hale, Pappageorge, Murphy, Reeves, Spade, Rivet and Switalski and referred to the Committee on Employment Relations, Training and Safety.

A bill to amend 1980 PA 469, entitled
"The whistleblowers' protection act,"
by amending sections 1 and 5 (MCL 15.361 and 15.365).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Employee" means a person who performs a service for
3 wages or other remuneration under a contract of hire, written or
4 oral, express or implied. Employee includes, ~~a~~ BUT IS NOT
5 LIMITED TO, ALL OF THE FOLLOWING:

6 (i) A person employed by ~~the~~ THIS state or a political
7 subdivision of ~~the~~ THIS state, except A PERSON IN THE state
8 classified civil service SYSTEM.

9 (ii) A PERSON WHO PERFORMS SERVICES ON BEHALF OF THIS STATE
10 PURSUANT TO A CONTRACT BETWEEN THAT PERSON'S EMPLOYER AND THIS
11 STATE.

1 (b) "Employer" means a person who has 1 or more employees.

2 Employer includes, ~~an~~ BUT IS NOT LIMITED TO, ALL OF THE
3 FOLLOWING:

4 (i) AN agent of an employer. ~~and the~~

5 (ii) THIS state or a political subdivision of ~~the~~ THIS
6 state.

7 (c) "Person" means an individual, sole proprietorship, part-
8 nership, corporation, association, or any other legal entity.

9 (d) "Public body" means all of the following:

10 (i) A state officer, employee, agency, department, division,
11 bureau, board, commission, council, authority, or other body in
12 the executive branch of state government.

13 (ii) An agency, board, commission, council, member, or
14 employee of the legislative branch of state government.

15 (iii) A county, city, township, village, intercounty, inter-
16 city, or regional governing body, a council, school district,
17 special district, or municipal corporation, or a board, depart-
18 ment, commission, council, agency, or any member or employee
19 thereof.

20 (iv) Any other body ~~which~~ THAT is created by state or
21 local authority or ~~which~~ THAT is primarily funded by or through
22 state or local authority, or any member or employee of that
23 body.

24 (v) A law enforcement agency or any member or employee of a
25 law enforcement agency.

26 (vi) The judiciary and any member or employee of the
27 judiciary.

1 Sec. 5. (1) A person, EMPLOYER, OR AGENT OF AN EMPLOYER who
2 violates this act ~~shall be~~ IS liable for a civil fine of not
3 more than ~~\$500.00~~ \$10,000.00.

4 (2) A civil fine ~~which is~~ ordered ~~pursuant to~~ UNDER this
5 act shall be submitted to the state treasurer for deposit in the
6 general fund.