

STAND. COM. REP. NO.

**3590**

Honolulu, Hawaii

**APR 06 2018**

RE: H.B. No. 1768  
H.D. 2  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1768, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,"

begs leave to report as follows:

The purpose and intent of this measure is to permit public inspection and duplication of salary ranges, rather than exact compensation, for legislative employees.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received testimony in opposition to this measure from the League of Women Voters and two individuals. Your Committee received comments on this measure from the Office of Information Practices, Civil Beat Law Center for the Public Interest, and Common Cause Hawaii.

Your Committee finds that transparency and accountability in the operation of government is in the public interest. Your Committee further finds that state employees have a reasonable privacy interest in their specific financial information. This measure will balance those interests by disclosing sufficient information for taxpayers to hold the government accountable for the manner in which their taxes are spent while not disclosing the exact salaries of state employees.

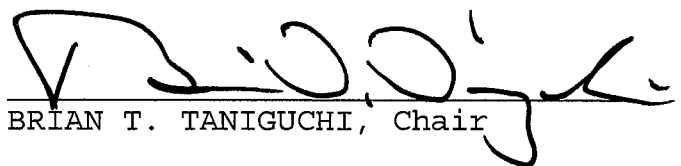


Your Committee has amended this measure by:

- (1) Permitting public inspection and duplication of salary ranges, rather than exact compensation, for all state employees covered by collective bargaining units under section 89-6, Hawaii Revised Statutes, rather than only bargaining unit (8);
- (2) Clarifying that persons employed for the purposes of assisting the legislature during regular sessions only are not "legislative employees" for the purposes of public record disclosure requirements; and
- (3) Inserting an effective date of July 1, 2035, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1768, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1768, H.D. 2, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
<i>HB 1768, HD 2, SD 1</i>	<i>LBR, JDC</i>	<i>4/3/18</i>

The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)		✓		
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.		✓		
<b>TOTAL</b>	<i>2</i>	<i>2</i>	<i>0</i>	<i>1</i>

Recommendation:    
 Adopted    
 Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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\*Only one measure per Record of Votes