

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 362  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Labor, Culture and the Arts and Judiciary, to which was referred H.B. No. 362, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Permit public inspection and duplication of salary ranges, for legislative employees in incremental amounts of \$15,000, rather than exact compensation amounts; and
- (2) Define "legislative employees".

Your Committees received testimony in support of this measure from the Chief Clerk of the Hawaii State House of Representatives; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committees received testimony in opposition to this measure from the League of Women Voters, Civil Beat Law Center for the Public Interest, and Hawaii Chapter of the Society of Professional Journalists. Your Committees received comments on this measure from the Office of Information Practices.

Your Committees find that section 92F-12(a)(14), Hawaii Revised Statutes, requires disclosure of the names and compensation of most state and county employees. Your Committees



further find that while civil service employees and certain others are only subject to disclosure of their salaries to within a certain range, other employees including those of the Legislature, are subject to disclosure of exact salary amounts. Your Committees additionally find that this discrepancy in disclosure requirements requires release of more detailed information about one group of state employees over another. This measure eliminates that discrepancy and disparate treatment between public servants.

Your Committees have amended this measure by:

- (1) Changing the incremental amount of salary ranges to be available for public inspection and duplication from \$15,000 to \$10,000; and
- (2) Clarifying the definition of "legislative employees" to include staff of the legislative branch of the State and employees of legislative service agencies as defined by section 21E-1, Hawaii Revised Statutes, except individuals employed as attorneys or who receive a salary greater than \$100,000.

As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 362, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 362, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Labor, Culture  
and the Arts and Judiciary,



KARL RHOADS, Chair




BRIAN T. TANIGUCHI, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Labor, Culture and the Arts**  
**LCA**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 362, HD1	LCA/JDC, WAM	3/20/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)				✓
CHANG, Stanley	✓			
GABBARD, Mike	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; margin-top: 10px;">  </div>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes

