

THE CIVIL BEAT
LAW CENTER FOR THE PUBLIC INTEREST

700 Bishop Street, Suite 1701
Honolulu, HI 96813

Office: (808) 531-4000
Fax: (808) 380-3580
info@civilbeatlawcenter.org

House Committee on Labor & Public Employment
Honorable Aaron Ling Johanson, Chair
Honorable Stacelynn K.M. Eli, Vice Chair

RE: Testimony Opposing H.B. 362, Relating to Information Practices
Hearing: February 12, 2019 at 9:20 a.m.

Dear Chair and Members of the Committee:

My name is Brian Black. I am the Executive Director of the Civil Beat Law Center for the Public Interest, a nonprofit organization whose primary mission concerns solutions that promote governmental transparency. Thank you for the opportunity to submit testimony **opposing the broad definition of “legislative employees” in H.B. 362.**

The original intent of the salary/salary range distinction distinguished “high level” and “managerial” employees from civil service employees with defined salary ranges. *See* Report of the Governor’s Committee on Public Records and Privacy at 109 (Dec. 1987). H.B. 362 sweeps too broadly by exempting all legislative employees from the salary disclosure requirement without respecting the original intent to distinguish employees with managerial authority.

For example, the bill improperly exempts individuals who are more equivalent to Executive Branch directors and deputy directors. The public interest in monitoring the compensation of high-level staff (*e.g.*, chief clerks, sergeants-at-arms, legislative service agency directors, and others in senior positions) is much greater, and they should not be exempt.¹ Many of these individuals are paid in excess of \$100,000, and the public deserves greater access to information about their taxpayer-funded salaries.

The Law Center respectfully requests that the Committee amend H.B. 362 as follows:

As used in this paragraph, “legislative employees” means staff of the legislative branch of the State and non-managerial employees of legislative service agencies as defined by section 21E-1.

Thank you again for the opportunity to testify.

¹ Withholding the auditor, LRB director, and ombudsman salaries also does not make sense because their salaries are tied to the DOH director’s salary, which is public record.