

Honolulu, Hawaii  
March 3, 2006

RE: H.B. No. 3018  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3018, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES,"

begs leave to report as follows:

The purpose of this bill is to preserve trust and integrity in government by providing for sanctions against a public employee who embezzles, steals, or otherwise unlawfully takes, receives, retains, or fails to properly account for any property or funds belonging to the State, any county, or any government agency. Specifically, this bill requires that:

- (1) A judgment in an amount equal to four times the amount of funds or value of the property that was embezzled, stolen, or otherwise unlawfully taken, received, retained, or not properly accounted for be entered against a defendant who is convicted or who pleads guilty or no contest; and
- (2) The garnishee withhold an amount not to exceed 30 times the federal minimum hourly wage or 25 percent of the defendant's disposable income, whichever is less, until the judgment is fully paid.



The Department of the Prosecuting Attorney of the City and County of Honolulu testified in support of this bill. The Department of Human Resources Development supported the intent of this measure. The Office of the Public Defender opposed this bill. The Employees' Retirement System submitted comments.

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. 3018, H.D. 1, and recommends that it pass Third Reading.

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



SYLVIA LUKE, Chair



