

STAND. COM. REP. NO.

251

Honolulu, Hawaii

Feb 9, 2007

RE: H.B. No. 1591

H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Water, Land, Ocean Resources & Hawaiian Affairs, to which was referred H.B. No. 1591 entitled:

"A BILL FOR AN ACT RELATING TO EMINENT DOMAIN,"

begs leave to report as follows:

The purpose of this bill is to ensure the payment of fair and just compensation for condemned property, by providing that a plaintiff with the power of eminent domain is required to compensate a defendant condemnee, in addition to damages and losses to trade or business due to the condemnation, reasonable relocation costs, and:

- (1) For agricultural lands, 125 percent of the fair market value;
- (2) For real property occupied as a primary residence, 150 percent of the fair market value; and
- (3) For any other type of real property, 100 percent of the fair market value.

The Hawaii Association of REALTORS and the Hawaii Farm Bureau Federation testified in support of this bill. The Department of Agriculture and National Federation of Independent Businesses in Hawaii supported the intent of this measure. The Department of the Corporation Counsel of the City and County of Honolulu opposed this bill.

HB1591 HD1 HSCR WLH HMS 2007-1850



Your Committee has amended this bill by:

- (1) Changing the percentages of the fair market value of the three different types of land to unspecified percentages;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1591, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1591, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, Ocean  
Resources & Hawaiian Affairs,

  
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KEN ITO, Chair



