

STAND. COM. REP. NO. 250

Honolulu, Hawaii

Feb 9, 2007

RE: H.B. No. 1590
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. 1590 entitled:

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

begs leave to report as follows:

The purpose of this bill is to require the state or county to offer to resell condemned property that:

- (1) Is not used for the condemned purpose after five years have elapsed; or
- (2) Ceases to be used for the purpose for which it was condemned,

to the former owner for the lesser of:

- (1) The current appraised value; or
- (2) The condemnation price plus the cost of environmental remediation or cleanup or other improvements.

Kamehameha Schools, the Hawaii Association of REALTORS, Hawaii Farm Bureau Federation, and the Maui County Farm Bureau testified in support of this bill. The 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.

HB1590 HD1 HSCR WLH HMS 2007-1849

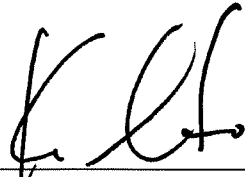


Your Committee has amended this bill by:

- (1) Authorizing, instead of requiring, the state or county to offer the property for repurchase to the former owner, if the condemned property is not used within 5 years or if it ceases to be used for the purpose for which it was condemned;
- (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. 1590, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1590, 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,



KEN ITO, Chair



