

STAND. COM. REP. NO.

971

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1053
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 1053, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to prohibit a county to condemn and transfer private property to a private entity if that private entity expressed interest in purchasing the property for development, commercial purposes, or private use. Exceptions are provided for public utilities, irrigations systems, affordable housing, community developments, and development tracts.

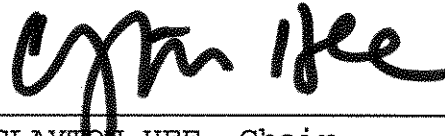
Your Committee received testimony in support of this measure from the Hawaii Association of Realtors and a concerned citizen. The Department of Planning and Permitting of the City and County of Honolulu and the Office of the Corporation Counsel of the County of Hawai'i opposed this measure. The National Federation of Independent Businesses in Hawaii testified in support of the intent of the measure. The Department of the Corporation Counsel of the City and County of Honolulu offered comments and suggested revisions.

Your Committee finds that this measure addresses a concern about overbroad government authority to take property from one private owner and transfer it to another private entity under the guise of urban renewal or economic development.



As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1053, S.D. 1, and recommends that it pass Third Reading.

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



CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 1053	Committee Referral: IGM, JDL	Date: 2/28/07
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313
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Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
INOUE, Lorraine R.				/
NISHIHARA, Clarence K.	/			
GABBARD, Mike				/
TOTAL	3			2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Russell S. Kohn

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*Only one measure per Record of Votes