STAND. COM. REP. NO. 752

Honolulu, Hawaii

Fey9, 2007

RE: H.B. No. 1593 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. 1593 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:

- (1) Requiring the condemning authority to make an offer of settlement and setting forth a procedure for condemnation offers; and
- (2) Requiring the condemning authority to reimburse condemnee's litigation costs, including attorneys' fees, if the just condemnation and damages awarded by the trial court to the condemnee is greater than the condemnor's offer of settlement.

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

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) 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. 1593, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1593, 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

HSCR 252

## State of Hawaii House of Representatives The Twenty-fourth Legislature

## Record of Votes of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

Bill/Resolution No.:  HB 1593	Date:	6.5,2007		
Committee Referral: WLH, JUD, FIN	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to:  Pass, unamended	Pass, with amendments			
☐ Hold	Pass, with amendments, for recommittal for further consideration			
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	X			
2. CHONG, Pono (VC)	<u> </u>			
3. CARROLL, Mele				×
4. MAGAOAY, Michael Y.	Χ			
5. MORITA, Hermina M.	K			
6. SAGUM, Roland D., III	X.			
7. SAIKI, Scott K.	\$10	K		
8. THIELEN, Cynthia	<u> </u>		COUNTY CONTRACTOR OF THE CONTR	
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TOTAL	Û	\		
The recommendation is:				
☐ Not Adopted				
If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Vice Chair 5 or designed 5 signature.				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				