

ACT 228

A Bill for an Act Relating to Improvement by Assessment.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Sections 146-134, 147-113, 148-124 and 153-3 of the Revised Laws of Hawaii 1955, as they may have been amended, are hereby amended by inserting between the first and second sentences thereof the following:

"In the event, however, any part or parts of such exempt lands as described in the preceding sentence, except public lands, may be required for right-of-way or easement purposes within such improvement districts the value thereof shall be chargeable to the improvement district, and upon acquisition the owner shall be compensated therefor in the following manner: (1) where the value of the part taken together with any severance damages exceeds the portion of the cost of the improvements which would otherwise be assessable against the exempt land, the county shall pay the difference to said owner or owners; (2) where the value is less than the portion of the cost of improvements which would otherwise be assessable against such exempt lands, the value of the land shall be deducted therefrom and the county shall pay the balance of the assessment as provided herein."

SECTION 2. This Act shall take effect upon its approval.
(Approved June 30, 1965.) **H.B. 919.**