

ACT 140

H.B. NO. 508

A Bill for an Act Relating to Irrigation Projects

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 167-19, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) All irrigation projects established pursuant to this chapter shall be administered by the board of agriculture. In making the final determination to establish a project, the board shall:

- (1) Determine the proportion of acreage assessments to be borne by the agricultural land and pasture land within the project; and
- (2) [Cause to be prepared by] Have the engineering program manager prepare a map setting forth in detail the exterior boundaries of the lands to be included within the project and an acreage assessment roll listing all known land occupiers whose lands are to be included within the project. The proportion of acreage assessments to be borne by pasture land, at the discretion of the board, may be less than but not more than the proportion to be borne by agricultural land, in which event the agricultural land shall be first served with water in times of drought or shortage of supply. The proportions to be borne by agricultural and pasture lands shall be certified by the board and shall not be changed after final determination to establish the project, except in conjunction with a redefinition of the boundaries of or consolidation or separation of the project, and then only in the manner and within the limitations specified in conjunction therewith.

The board shall determine and certify on or before [March 31] June 30 of each year the amount of acreage assessments necessary in that [calendar] fiscal year for the acquisition, construction, operation, and maintenance of irrigation facilities for each project, and the acreage of agricultural and pasture land of each land occupier within

the project. The department shall immediately notify the land occupiers [by certified mail or registered letter] of the amounts assessed on the respective properties and the payment due date.’’

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 24, 2001.)