

ORDINANCE NO. _____

BILL NO. 93 (2024)

A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE,
ON MONETARY DONATIONS DURING AN EMERGENCY

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. This Ordinance's purpose is to establish the Maui County Kokua Fund to allow for direct collection of and immediate use of monetary donations during declared emergencies.

SECTION 2. Title 3, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

"Chapter 3.94

MAUI COUNTY KOKUA FUND

Sections:

- 3.94.010 Fund established.
- 3.94.020 Collection and use of monetary donations.
- 3.94.030 Administration.

3.94.010 Fund established. A fund to be known as the "Maui County kokua fund" or the "kokua fund" is created to allow for direct collection of and immediate use of monetary donations during a declared state of emergency.

3.94.020 Collection and use of monetary donations . A. The kokua fund is intended to facilitate the direct collection and use of monetary donations when all or part of the County is in a declared state of emergency and for one year after the emergency period.

B. Unless specifically earmarked, any monetary donation to the County when all or part of the County is in a declared state of emergency is presumed to the kokua fund.

C. Monetary donations to the kokua fund are appropriated upon receipt.

D. The kokua fund must only be used for emergency management functions.

E. The mayor must transmit to the council quarterly reports detailing donations to and expenditures made from the kokua fund.

F. Any balance remaining in the kokua fund at the fiscal year's end do not lapse but remain in the kokua fund, accumulating from year to year.

3.94.030 Administration. A. The director of finance must establish a separate account to record monetary donations to the kokua fund and may adopt administrative rules consistent with this chapter.

B. The mayor must approve in writing any kokua fund expenditures and verify they are for emergency management functions.

C. The mayor must publicize and facilitate the County's need for monetary donations to the kokua fund during a declared state of emergency."

SECTION 3. Section 3.56.030, Maui County Code, is amended to read as follows:

"3.56.030 Approval required. The County [shall] must not use, exercise any control over, or possess any gift or donation unless and until the council accepts [such] the gift or donation by resolution, except as provided in this chapter[.] or chapter 3.94."

SECTION 4. Section 3.56.040, Maui County Code, is amended by amending Subsection A to read as follows:

"A. Except as otherwise provided in this section[.] and except for donations made to the kokua fund under chapter 3.94, the mayor [shall] must recommend to the council acceptance or rejection of a gift or donation within thirty days after receiving an offer of the gift or donation."

SECTION 5. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 6. This Ordinance takes effect on approval.

paf:mkm:24-087c

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee", positioned above a horizontal line.

ALICE L. LEE