

Council Chair  
Alice L. Lee

Vice-Chair  
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Riki Hokama  
Kelly Takaya King  
Michael J. Molina  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura



**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

January 31, 2020

Director of Council Services  
Traci N. T. Fujita, Esq.

RECEIVED

2020 JAN 31 AM 11:24

OFFICE OF THE  
COUNTY CLERK

Mr. Josiah K. Nishita, County Clerk  
Office of the County Clerk  
County of Maui  
Wailuku, Hawaii 96793

Dear Mr. Nishita:

**SUBJECT: A BILL FOR AN ORDINANCE ESTABLISHING A  
GENERAL EXCISE TAX SURCHARGE**

May I request the attached proposed bill, entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.100, MAUI COUNTY CODE, INSTITUTING A GENERAL EXCISE TAX SURCHARGE," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

ALICE L. LEE  
Council Chair

paf:ljcm:20-012b

Enclosure

COUNTY COMMUNICATION NO. 20-115

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2020)

A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.100,  
MAUI COUNTY CODE, INSTITUTING A GENERAL EXCISE TAX SURCHARGE

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

SECTION 1. Title 3, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

**“Chapter 3.100**

**GENERAL EXCISE TAX SURCHARGE**

**Sections:**

**3.100.010 Establishment of surcharge.**

**3.100.020 General excise tax fund.**

**3.100.030 Administration.**

**3.100.040 Use of funds.**

**3.100.050 Termination of surcharge.**

**3.100.010 Establishment of surcharge.** In accordance with section 46-16.8, Hawaii Revised Statutes, as amended, a .50 percent general excise and use tax surcharge on state tax is established. The general excise tax and use tax surcharge will be levied beginning July 1, 2020.

**3.100.020 General excise tax fund.** There is established and created a fund to be known as the “general excise tax fund” to serve as the exclusive depository of all funds received from the state director of taxation that derive from the imposition of the surcharge under this chapter. All money from this fund must be designated and used as described in section 3.100.040.

**3.100.030 Administration.** The state director of taxation shall levy, assess, collect, and otherwise administer the general excise tax and use tax surcharge.

**3.100.040 Use of funds.** A. The council, in adopting each fiscal year's budget and capital program, must appropriate any surcharge received from the state for the following purposes only, as prescribed by state law:

1. Operating or capital costs of public transportation within the County for public transportation systems, including public roadways or highways, public buses, trains, ferries, pedestrian paths or sidewalks, or bicycle paths;

2. Expenses in complying with the Americans with Disabilities Act of 1990 in public transportation systems; or

3. As otherwise authorized by state law.

B. For purposes of this chapter, "capital costs" means nonrecurring costs required to construct a transit facility or system, including debt service, land acquisition and development costs, acquiring rights-of-way, planning, design, construction, and equipping and furnishing the facility or system.

C. Any balance remaining in the general excise tax fund at the end of each fiscal year will not lapse but must remain in the fund, accumulating from year to year. The money in this fund must not be used for any purpose except those listed in this section.

**3.100.050 Termination of surcharge.** The general excise tax and use tax surcharge may not extend beyond December 31, 2030, unless authorized by state law."

SECTION 2. This ordinance takes effect upon its approval.

APPROVED AS TO FORM AND  
LEGALITY:



---

DAVID A. GALAZIN  
Department of the Corporation  
Counsel

County of Maui

2020-0074

PAF 20-012 2020-01-30 Ordinance