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OFFICE OF THE
COUNTY COUNCIL

MEMO TO: BFED-21(13) File

F R O M: Yuki Lei K. Sugimura, Chair *Yuki Lei K. Sugimura*
Budget, Finance, and Economic Development Committee

SUBJECT: **TRANSMITTAL OF INFORMATIONAL DOCUMENTS RELATING
TO GENERAL EXCISE TAX FUND – DEPARTMENT OF HAWAIIAN
HOME LANDS** (BFED-21(13))

The attached informational documents pertain to Item 21(13) on the Committee's agenda.

bfed:ltr:021(13)afile01:jgk

Attachments

ORDINANCE NO. _____

BILL NO. 111 (2023)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100,
MAUI COUNTY CODE, RELATING TO GENERAL EXCISE
AND USE TAX SURCHARGE

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

SECTION 1. Section 3.100.020, Maui County Code, is amended to read
as follows:

“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 80 percent of all funds 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.”

SECTION 2. Chapter 3.100, Maui County Code, is amended by adding a
new section to read as follows:

“3.100.021 General excise tax fund – Department of Hawaiian Home Lands. There is established and created a fund to be known as the “general excise tax fund – Department of Hawaiian Home Lands” to serve as the exclusive depository of 20 percent of all funds 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 for projects that directly support the Department of Hawaiian Home Lands homestead development.”

SECTION 3. Section 3.100.040, Maui County Code, is amended to read
as follows:

“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 in accordance with [Section] section 46-16.8, Hawaii Revised Statutes. Allowable uses of the fund include housing infrastructure; provided that housing

infrastructure costs must not be passed on to the developer of a housing project.

B. For the purpose of this chapter, “housing infrastructure” includes pedestrian paths or sidewalks on a county road near or around a public school, water, drainage, sewer, water reuse, waste disposal, and waste treatment systems that connect to the infrastructure of the county.

[C. Twenty percent of all revenue generated by this surcharge must be for projects that directly support the Department of Hawaiian Homelands homestead development.]

[D.]C. Any balance remaining in the general excise tax fund and the general excise tax fund – Department of Hawaiian Home Lands 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.”

SECTION 4. 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.

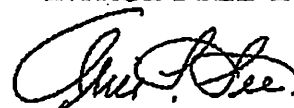
SECTION 5. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:

KRISTINA C. TOSHIKIYO
Department of Corporation Counsel
County of Maui

LF2022-0187
2023-10-27 BD-BA 24-23 GET Code Amendment

INTRODUCED BY:

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

ALICE L. LEE

Upon the request of the Mayor.

RICHARD T. BISSEN, JR.
Mayor

KEKUHAUPIO R. AKANA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

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2023 OCT 27 AM 11:36
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COUNTY CLERK

REFERENCE NO. BD-BA 24-23 - Code Amendment

October 27, 2023

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

 10-27-23
for Date

For Transmittal to:

Honorable Alice L. Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Lee and Members:

**SUBJECT: AMENDING CHAPTER 3.100, MAUI COUNTY CODE,
RELATING TO GENERAL EXCISE TAX AND USE
SURCHARGE**

On behalf of the Department of Finance, I am transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100, MAUI COUNTY CODE, RELATING TO GENERAL EXCISE TAX AND USE SURCHARGE."

The purpose of the proposed bill is to 1) amend Section 3.100.020, Maui County Code, to allocate 80 percent of all funds received from the general excise tax and use surcharge to the general excise tax fund; 2) establishing a new section 3.100.021 entitled "General excise tax fund - Department of Hawaiian Home Lands" and allocating 20 percent of all funds received from the general excise tax and use surcharge; and 3) amending Section 3.100.040, Maui County

Alice L. Lee, Chair
October 27, 2023
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Code to delete Subsection (C), and add the general excise tax fund – Department of Hawaiian Home Lands to the final section.

After discussion with the Department of Hawaiian Home Lands (“DHHL”), the Administration has determined that creating a separate fund for the funds to be used for projects that directly support the Department of Hawaiian Homelands homestead development. As the funds will not lapse at the end of the fiscal year, this will allow DHHL flexibility in the use of funds and will enable the Department to better track the total funds from year to year.

Thank you for your attention in this matter. Should you have any questions, please contact me at ext. 7212 or Lesley Milner at ext. 8239.

Sincerely,



for MARIA ZIELINSKI
Budget Director

Attachment

cc: Scott Teruya, Director of Finance