

REQUEST FOR LEGAL SERVICES

Date: April 25, 2016
From: Riki Hokama, Chair
Budget and Finance Committee

TRANSMITTAL
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Jeffrey Ueoka, Esq.

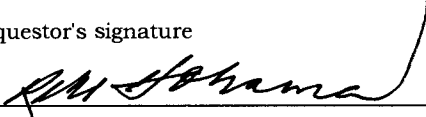
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CORPORATION COUNSEL
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Subject: Fiscal Year 2017 Budget (CC-17) (BF-1)

Background Data: Two proposed bills attached for review. First bill would establish a Fireworks Auditor Fund. Second bill would amend Section 3.48.450, Maui County Code, relating to the real property tax home exemption amount.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

RECEIVED
OFFICE OF THE
COUNTY CLERK

Requestor's signature  Riki Hokama	Contact Person <u>Michele Yoshimura or Carla Nakata</u> (Telephone Extensions: <u>7663 or 7659, respectively</u>)
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- ROUTINE (WITHIN 15 WORKING DAYS)
- PRIORITY (WITHIN 10 WORKING DAYS)
- RUSH (WITHIN 5 WORKING DAYS)
- URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): April 26, 2016, 9:00 a.m.
REASON: For possible posting April 26, for a meeting on May 2.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE):

DEPARTMENT OF THE CORPORATION COUNSEL

Date 4/25/16

By JEFFREY UEOKA

(Rev. 7/03)

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE, TO
ESTABLISH A FIREWORKS AUDITOR FUND

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 3.95

FIREWORKS AUDITOR FUND

Sections:

- 3.95.010 Fund established.
- 3.95.020 Purpose.
- 3.95.030 Administration.

3.95.010 Fund established. A. There is established and created a fund to be known as the “fireworks auditor fund.”

B. Fees for licenses or permits required by Section 132D-7, Hawaii Revised Statutes, shall be deposited into the fund. These fees, established by Section 132D-11, Hawaii Revised Statutes, are set forth in the annual budget ordinance.

3.95.020 Purpose. The fireworks auditor fund is established for the sole use of the department of fire and public safety, as provided by Section 132D-11, Hawaii Revised Statutes, for the salary of an auditor of fireworks and articles pyrotechnic and all expenses incurred to fulfill the duties required, including the inspection of inventory and storage facilities, maintenance of required records, and the training of the auditor. The auditor shall monitor strict inventory and recordkeeping requirements to ensure that sales of fireworks or articles pyrotechnic are made only to license or permit holders under Chapter 132D, Hawaii Revised Statutes.

3.95.030 Administration. A. The director of finance shall establish a separate account to record all revenues derived from fees for licenses and permits required by Section 132D-7, Hawaii Revised Statutes.

B. The revenues derived from the fees are deemed appropriated upon receipt and are authorized to be expended for the purposes of this fund.”

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



Department of the Corporation Counsel
County of Maui

bf:2017bgt:ch 3.95bill01:cmn

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE TO AMEND SECTION 3.48.450,
MAUI COUNTY CODE, RELATING TO THE REAL PROPERTY TAX
HOME EXEMPTION AMOUNT

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

SECTION 1. Section 3.48.450, Maui County Code, is amended by
amending subsection A to read as follows:

“A. Real property owned and occupied only as a principal home, as of the date of assessment, by an individual or individuals, shall be exempt only to the following extent from property taxes:

[1. For tax year ending June 30, 2012:

a. Totally exempt where the value of the property is not in excess of \$300,000; or

b. Where the value of the property is in excess of \$300,000, the exemption shall be in the amount of \$300,000.

2.]1. For tax [years beginning on or after July 1, 2012:]
year ending June 30, 2017:

a. Totally exempt where the value of the property is not in excess of \$200,000; or

b. Where the value of the property is in excess of \$200,000, the exemption shall be in the amount of \$200,000.

2. For tax years beginning on or after July 1, 2017:

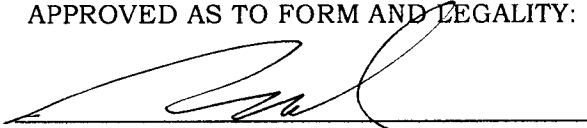
a. Totally exempt where the value of the property is not in excess of \$175,000; or

b. Where the value of the property is in excess of \$175,000, the exemption shall be in the amount of \$175,000.”

SECTION 2. Material to be repealed is bracketed. New material is underscoring. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

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

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

Department of the Corporation Counsel
County of Maui
2014-3082
BF-1 CC-17 2016-04-25 Section 3.48.450