

REQUEST FOR LEGAL SERVICES

Date: November 18, 2016

From: DON S. GUZMAN, Chair

Economic Development, Energy, Agriculture, and Recreation Committee

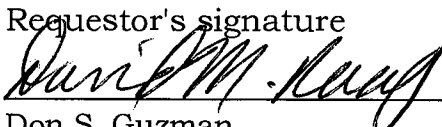
TRANSMITTAL

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

Subject: ESTABLISHING AN HAWAIIAN CULTURAL RESTORATION REVOLVING FUND (EAR-55)

Background Data: Please review and, if appropriate, approve as to form and legality, the attached proposed bill to establish the Hawaiian Cultural Restoration Revolving Fund. Please provide a hard copy response.

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

Requestor's signature  Don S. Guzman	Contact Person <u>Sharon Brooks</u> (Telephone Extension: <u>7137</u>)
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)
☐ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): November 22, 2016
REASON: To meet posting deadline for the EAR Committee's November 29, 2016 meeting.

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 _____

By _____

(Rev. 7/03)

ear:ltr:055acc01:scb

Attachment

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE TO ESTABLISH THE
HAWAIIAN CULTURAL RESTORATION REVOLVING FUND

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

SECTION 1. Purpose. The purpose of this ordinance is to establish a fund for the deposit of all proceeds from the parking concession located on County property on the area identified as tax map key (2) 4-6-007:001 and (2) 4-6-007:036 in Lahaina, Maui, Hawaii. The funds deposited shall be used for the preservation and restoration of Hawaiian historic and cultural sites and artifacts relating to Moku`ula and the ponds of Mokuhinia.

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

“Chapter 3.38

HAWAIIAN CULTURAL RESTORATION REVOLVING FUND

Sections:

- 3.38.010 Purpose.
- 3.38.020 Fund established.
- 3.38.030 Administration.

3.38.010 Purpose. The Hawaiian Cultural Restoration Revolving Fund will provide funds for the preservation and restoration of Hawaiian historic and cultural sites and artifacts relating to Moku`ula and the ponds of Mokuhinia at Lahaina, Maui, Hawaii, including maintenance of the sites.

3.38.020 Fund established. There is established and created a fund to be known as the "Hawaiian Cultural Restoration Revolving Fund." Proceeds collected from the parking concession located on County property on the area identified as tax map key (2) 4-6-007:001 and (2) 4-6-007:036 in Lahaina, Maui, Hawaii shall be deposited in the fund.

3.38.030 Administration. A. The director of finance shall establish a separate account to record all revenue credited to, and expenditures made from, the revolving fund.

B. Proceeds collected from the parking concession are hereby deemed appropriated upon receipt and are authorized to be expended for the payment of costs associated with the preservation and restoration of Hawaiian historic and cultural sites and artifacts relating to Moku`ula and the ponds of Mokuhinia at Lahaina, Maui, Hawaii, including maintenance of the site."

SECTION 3. 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 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

Department of the Corporation Counsel
County of Maui

ear:misc:055abill01