

ORDINANCE NO. _____

BILL NO. 29 (2021)

A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.76,
MAUI COUNTY CODE, CREATING THE MOLOKAʻI FARMING
COST REIMBURSEMENT PROGRAM FUND

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

SECTION 1. Act 387, Session Laws of Hawaii 1988 (“Act 387”), amended in 2016, provides funding to the County of Maui to establish a cost reimbursement program to stimulate business development and growth in diversified agriculture on the island of Molokaʻi. Additionally, Act 387 intends to help Molokaʻi farmers cover the costs of complying with the U.S. Food and Drug Administration Food Safety Modernization Act and state food safety laws. In accordance with Act 387, the County must establish a fund to provide such cost reimbursements. In order to comply with the requirements of Act 387, and to efficiently manage the disbursement of grant funding to recipients, it is now desirable and necessary to establish a dedicated fund.

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

“Chapter 3.76

**MOLOKAʻI FARMING COST
REIMBURSEMENT PROGRAM FUND**

Sections:

3.76.010 Fund established.

- 3.76.020 Purpose and uses.
- 3.76.030 Deposits to the fund.
- 3.76.040 Administration.

3.76.010 Fund established. There is established and created a fund to be known as the "Moloka'i farming cost reimbursement program fund."

3.76.020 Purpose and uses. The Moloka'i farming cost reimbursement program fund is established for the purpose of carrying out a cost reimbursement program in accordance with Act 387, session laws of Hawaii, and subject to the following terms and conditions:

1. No cost reimbursement will be granted unless money has been spent by the applicant toward complying with the U.S. Food and Drug Administration Food Safety Modernization Act or state food safety laws.
2. The total amount of cost reimbursement to any one applicant must not exceed \$5,000.
3. No cost reimbursement will be allowed for costs that were incurred more than five years prior to the date the application for cost reimbursement is received by the County.

3.76.030 Deposits to the fund. There will be deposited into the Moloka'i farming cost reimbursement program fund:

1. Funding received by the County related to Act 387, session laws of Hawaii.
2. Such supplemental transfers as may be provided by law.

3.76.040 Administration. A. The director of finance must establish a separate account to record revenues and supplemental transfers credited to and expenses incurred by the fund.

B. Any proposed appropriation will be submitted to the council for approval as a budget appropriation in either the annual budget or a proposed amendment to the budget ordinance. In adopting each fiscal year's budget and capital program, the council may make appropriations to the fund.

C. The revenues in this fund must not be used for any purpose except the purposes listed in section 3.76.020.

D. The mayor or mayor's designee, in consultation with the state department of agriculture, must adopt administrative rules necessary to carry out the purposes of Act 387, session laws of Hawaii, and this chapter."

SECTION 3. This Ordinance will take effect upon approval.

APPROVED AS TO FORM AND
LEGALITY:

/s/ Stephanie M. Chen

STEPHANIE M. CHEN
Department of the Corporation Counsel
County of Maui
bfed:misc:027abill01:ljam
2021-0012/2020-0130
BFED-27 2021-03-11 Ord Ch 3.76

DIGEST

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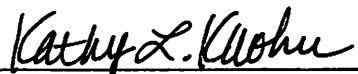
This bill proposes to establish a new Chapter 3.76, Maui County Code, creating the Moloka'i Farming Cost Reimbursement Program Fund in accordance with Act 387, Session Laws of Hawaii 1988.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO
HEREBY CERTIFY that the foregoing BILL NO. 29 (2021) was passed on First Reading
by the Council of the County of Maui, State of Hawaii, on the 19th day of March, 2021, by
the following vote:

AYES: Councilmembers Gabriel Johnson, Natalie A. Kama, Kelly T. King,
Michael J. Molina, Tamara A. M. Paltin, Shane M. Sinenci,
Yuki Lei K. Sugimura, Vice-Chair Keani N. W. Rawlins-Fernandez,
and Chair Alice L. Lee.

NOES: None.

DATED at Wailuku, Maui, Hawaii, this 25th of March, 2021.



KATHY L. KAOHU, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Copies of the foregoing Bill, in full, are on file in the Office of the County Clerk,
County of Maui, for use and examination by the public.