

ORDINANCE NO. _____

BILL NO. 52 (2021)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.81,
MAUI COUNTY CODE, RELATING TO ECONOMIC DEVELOPMENT
AND CULTURAL PROGRAMS REVOLVING FUND

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

SECTION 1. Chapter 3.81, Maui County Code, is amended to read as follows:

“Chapter 3.81

ECONOMIC DEVELOPMENT AND CULTURAL PROGRAMS
REVOLVING FUND

Sections:

- 3.81.010 - Fund establishment.
- 3.81.020 - Purpose.
- 3.81.030 - Administration.
- 3.81.040 - Use of fund.
- [3.81.050 - Term of fund.]

3.81.010 – Fund establishment. There is established and created a fund known as the economic development and cultural programs revolving fund.

3.81.020 – Purpose. The purpose of the economic development and cultural programs revolving fund shall be to provide funds for economic development and economic development programs; cultural restoration and cultural programs in the County of Maui. The council finds that the creation of the fund is necessary to strengthen and diversify the County's economy; to support existing County businesses; to promote job creation; to attract new business, industry, construction, and events that will foster economic development in the County; to restore cultural and historic sites and facilities; to promote cultural programs; and to

improve the overall economic, cultural, and social well-being of the County.

3.81.030 – Administration. A. The director of finance shall establish a separate account to record all revenues and expenses as a result of the economic development and cultural programs established in the County.

B. There shall be deposited into the economic development and cultural revolving fund any council appropriations to the fund and all moneys donated to the County for economic development and cultural programs.

C. Any proposed appropriation shall 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.

D. The director of finance with the coordinator for the office of economic development may adopt administrative rules necessary to carry out the purpose of this chapter. Prior to the adoption of any administrative rules, pursuant to section 91-3, Hawaii Revised Statutes, the council shall have an opportunity for review of the proposed administrative rules.

E. A request for use of the fund shall be initiated by filing an application with the director of economic development. Applications may include a non-refundable application processing fee as set forth in the annual budget ordinance. The fees collected pursuant to this section are deemed appropriated upon receipt and are authorized to be expended for processing of the application.

3.81.040 – Use of fund. Council appropriations from the economic development and cultural programs revolving fund shall be for the public purposes set forth in section 3.81.020. Such appropriations may include authorizing grants or loans to any nonprofit or for-profit organization; leveraging funds provided by federal, State, nonprofit, or for-profit organizations and other non-County entities to expand economic development and cultural program opportunities in the County; and other economic development and cultural program initiatives.

[3.81.050 – Term of fund. The ordinance codified in this chapter shall automatically expire on June 30, 2021, unless reenacted by the council as provided by law.]”

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 takes effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:

/s/Kristina C. Toshikiyo

KRISTINA C. TOSHIKYO
Department of Corporation Counsel
County of Maui
2020-0931
2021-03-25 Ord Amd 3.81 re EDRF

DIGEST

ORDINANCE NO. _____
BILL NO. 52 (2021)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.81,
MAUI COUNTY CODE, RELATING TO ECONOMIC DEVELOPMENT
AND CULTURAL PROGRAMS REVOLVING FUND

This bill proposes to amend Chapter 3.81, Maui County Code, to include cultural programs and remove the expiration date of the fund.

I, KATHY L. KAOHU, County Clerk of the County of Maui, State of Hawaii, DO
HEREBY CERTIFY that the foregoing BILL NO. 52 (2021) was passed on First Reading
by the Council of the County of Maui, State of Hawaii, on the 21st day of May, 2021, by
the following vote:

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

NOES: None.

EXCUSED: Councilmembers Natalie A. Kama and Yuki Lei K. Sugimura.

DATED at Wailuku, Maui, Hawaii, this 25th of May, 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.