

ORDINANCE NO. 5223

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

WE HEREBY CERTIFY that the foregoing BILL NO. 52 (2021)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 4th day of June, 2021, by the following vote:

Alice L. LEE Chair	Keani N. W. RAWLINS-FERNANDEZ Vice-Chair	Gabriel JOHNSON	Natalie A. KAMA	Kelly T. KING	Michael J. MOLINA	Tamara A. M. PALTIN	Shane M. SINENCI	Yuki Lei K. SUGIMURA
Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 10th day of June, 2021.

DATED AT WAILUKU, MAUI, HAWAII, this 10th day of June, 2021.

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OFFICE OF THE MAYOR

ALICE L. LEE, CHAIR
Council of the County of Maui

KATHY L. KAOHU, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 18th DAY OF June, 2021.

MICHAEL P. VICTORINO, MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 5223 of the County of Maui, State of Hawaii.

KATHY L. KAOHU, COUNTY CLERK
County of Maui

Passed First Reading on May 21, 2021
Effective date of Ordinance June 18, 2021

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 5223, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

County Clerk, County of Maui

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OFFICE OF THE COUNTY CLERK