

COUNCIL OF THE COUNTY OF MAUI

# GOVERNMENT RELATIONS COMMITTEE

November 21, 2003

Committee

Report No.

03-142

As Amended

NOTE: The committee report was amended by the Council at its meeting on November 21, 2003, by substituting pages 2 through 4 and by deleting the bracketed material in Recommendation 1.f. This committee report was then adopted as amended.

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Government Relations Committee, having met on November 5, 2003, makes reference to County Communication No. 03-23, from the Council Chair, relating to matters of the Hawaii State Association of Counties (HSAC).

By correspondence dated October 30, 2003, your Committee's Chair transmitted the draft 2004 HSAC Legislative Package.

At its meeting, your Committee met with the Corporation Counsel and an Executive Assistant to the Mayor.

Your Committee accepted testimony from one person who questioned the need for increasing the motor vehicle registration fee from \$5 to \$10 to defray costs relating to disposing of abandoned or derelict vehicles. She noted that in addition to the funds generated by the current registration fee, the County also generates funds from car auctions. Finally, she noted that the only car disposal company on the island was currently operating without a Department of Health permit.

Your Committee's Chair provided an overview of the proposals currently included in the draft 2004 HSAC Legislative Package, which includes proposed legislation with the following purposes:

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1. Allow the counties to charge and collect an additional fee for issuance, reissuance, or return of a license after a conviction of driving under the influence of intoxicants.
2. Require the State to transfer fines and forfeitures collected for uncontested traffic infractions to the county in which the violations occurred.
3. Authorize the counties to increase the maximum fee that may be charged for motor vehicle registration from \$5 to \$10 to defray additional costs relating to abandoned or derelict vehicles.
4. Require motor vehicle insurers to notify the police department in the county in which a vehicle is registered of the cancellation or refusal to renew no-fault insurance.
5. Increase from 45 to 75 days the timeframe within which a legislative body must approve or disapprove an affordable housing project under § 201G-118, Hawaii Revised Statutes, and clarify that the expedited deadline for approval or disapproval by the legislative body shall not apply to proposed amendments to a project that has previously been approved.
6. Authorize the counties to establish a general excise tax on the retail sales of tangible personal property.

Your Committee's Chair also provided an updated summary and revised proposed bill authorizing the counties to establish a general excise tax, no longer restricted to the retail sales of tangible personal property.

The Executive Assistant to the Mayor for Environmental Concerns provided comments on the proposed increase in motor vehicle registration fees. He noted that the Outdoor Circle has indicated that it would like to see at least a portion of the additional funds raised allocated for tree planting as well as disposing of abandoned vehicles. He also stated that the County would be issuing a request for proposals for the processing of abandoned vehicles, which would also include coverage for Molokai, Lanai and Hana.

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Your Committee stated its general support for the draft 2004 HSAC Legislative Package, although it noted several concerns.

Your Committee concurred with comments made by the Executive Assistant to the Mayor regarding the expansion of the use of additional revenues generated by an increase in motor vehicle registration fees.

During its discussion of the affordable housing projects covered under § 201G-118, Hawaii Revised Statutes, a member of your Committee stated that it would be his preference to repeal Chapter 201G in its entirety because the fast-tracking process allows developers to develop projects that are contrary to important County ordinances such as the community plans.

Finally, your Committee noted that it would support the revised proposed bill authorizing the counties to establish a general excise tax, only to lend support to the City and County of Honolulu. Further, your Committee noted that it would prefer increasing the population minimum that would allow counties to consider implementing a general excise tax. Currently, the population minimum is at 200,000.

Your Committee's Chair noted that although the draft 2004 HSAC Legislative Package is not subject to revisions by the individual councils, each county would have the opportunity to create its own Legislative Package.

Your Committee voted to recommend approval of the draft 2004 HSAC Legislative Package.

Your Government Relations Committee RECOMMENDS the following:

1. That the following proposals be APPROVED for recommended inclusion in the 2004 Hawaii State Association of Counties Legislative Package:
  - a. A proposal allowing the counties to charge and collect an additional fee for issuance, reissuance, or return of a license after a conviction of driving under the influence of intoxicants;

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- b. A proposal requiring the State to transfer fines and forfeitures collected for uncontested traffic infractions to the county in which the violations occurred;
  - c. A proposal authorizing the counties to increase the maximum fee that may be charged for motor vehicle registration from \$5 to \$10 to defray additional costs relating to abandoned or derelict vehicles;
  - d. A proposal requiring motor vehicle insurers to notify the police department in the county in which a vehicle is registered of the cancellation or refusal to renew no-fault insurance;
  - e. A proposal increasing from 45 to 75 days the timeframe within which a legislative body must approve or disapprove an affordable housing project under § 201G-118, Hawaii Revised Statutes, and clarify that the expedited deadline for approval or disapproval by the legislative body shall not apply to proposed amendments to a project that has previously been approved; and
  - f. A proposal authorizing the counties to establish a general excise tax[ on the retail sales of tangible personal property].
2. That copies of these proposals and this committee report be TRANSMITTED to the Hawaii State Association of Counties Executive Committee.

Adoption of this report is respectfully requested.

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**DAIN P. KANE** **Chair**

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**MICHAEL J. MOLINA** **Member**

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**G. RIKI HOKAMA** **Vice-Chair**

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**CHARMAINE TAVARES** **Member**

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**DANNY A. MATEO** **Member**