

ORDINANCE NO. 3128

BILL NO. 20 (2003)

A BILL FOR AN ORDINANCE AMENDING TITLE 3,
MAUI COUNTY CODE, PERTAINING TO THE OPEN SPACE,
NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS
PRESERVATION FUND

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

SECTION 1. Title 3, Maui County Code is amended by
adding a new chapter to be appropriately designated and to read as
follows:

"Chapter 3.88

**OPEN SPACE, NATURAL RESOURCES, CULTURAL
RESOURCES, AND SCENIC VIEWS PRESERVATION FUND**

Sections:

3.88.010 Fund established.
3.88.020 Purpose.
3.88.030 Administration

3.88.010 Fund established. There is established
and created a fund to be known as the "open space,
natural resources, cultural resources, and scenic views
preservation fund."

3.88.020 Purpose. A. The open space, natural
resources, cultural resources, and scenic views
preservation fund is established for the purpose of
purchasing or otherwise acquiring lands or property
entitlements for land conservation purposes in the County
of Maui for the following purposes:

1. Public outdoor recreation and education;
2. Preservation of historic or culturally
important land areas;
3. Protection of significant habitat or
ecosystems, including buffer zones;
4. Preserving forests, beaches, coastal
areas and agricultural lands;
5. Protecting watershed lands to preserve

water quality;

6. Conserving land for the purpose of reducing erosion, floods, landslides, and runoff; and

7. Improving disabled and public access to, and enjoyment of, public land, open space, and recreational facilities.

B. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one percent of the certified real property tax revenues to the open space, natural resources, cultural resources, and scenic views preservation fund. Any balance remaining in this fund at the end of the fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The appropriations to this fund shall not substitute, but shall be in addition to, those appropriations historically made.

C. The revenues in this fund shall not be used for any purpose except those listed in subsection A of this section.

3.88.030 Administration. A. The director of finance shall establish a separate account to record revenues and supplemental transfers credited to, and expenditures made from, the fund."

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



TRACI FUJITA VILLAROSA
Deputy Corporation Counsel

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WE HEREBY CERTIFY that the foregoing BILL NO. 20 (2003)

1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on 23rd day of May, 2003, by the following votes:

Dain P. KANE Chair	Robert CARROLL Vice-Chair	G. Riki HOKAMA	Jo Anne JOHNSON	Dennis A. MATEO	Michael J. MOLINA	Wayne K. NISHIKI	Joseph PONTANILLA	Charne TAVAR
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 27th day of May, 2003.

DATED AT WAILUKU, MAUI, HAWAII, this 27th day of May, 2003.

RECEIVED
2003 MAY 27 AM 11:24
OFFICE OF THE MAYOR

DAIN P. KANE, CHAIR
Council of the County of Maui

ROY T. HIRAGA, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 9 DAY OF June, 2003.

ALAN M. ARAKAWA, MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BI was designated as ORDINANCE NO. 3128 of the County of Maui, State of Hawaii.

DIANE A. WAKAMATSU, DEPUTY COUNTY CLERK
County of Maui

Passed First Reading on May 13, 2003.
Effective date of Ordinance June 9, 2003.

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2003 JUN 10 AM 7:50
OFFICE OF THE
COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinar No. 3128, the original of which is on file in the Office of the Cour Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

County Clerk, County of Maui