

REQUEST FOR LEGAL SERVICES

Date: October 5, 2020
From: Michael J. Molina, Chair
Governance, Ethics, and Transparency Committee

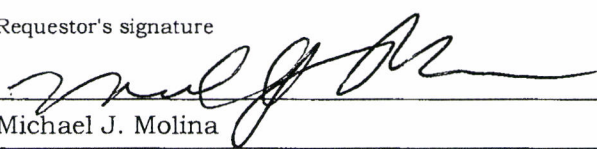
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Gary Murai, Esq.

Subject: COUNTY RECORDS MANAGEMENT SYSTEM (GET-62)

Background Data: Please see the attached bill.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Michael J. Molina	Contact Person Shelly Espeleta (Telephone Extension: 7134)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): October 13, 2020
REASON: For possible posting on October 20, 2020 Committee meeting agenda.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>gmjm</u>	ASSIGNMENT NO. <u>2020-0065</u>	BY: <u>SPW</u>
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date 10-14-2020 By gmurai

(Rev. 7/03)

get:ltr:062acc01:ske

Attachment

ORDINANCE NO. _____

BILL NO. _____ (2020)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.84, MAUI COUNTY
CODE, RELATING TO MANAGEMENT OF RECORDS

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

SECTION 1. Section 2.84.060, Maui County Code, is repealed.

“[2.84.060 Records disposition committee. Records disposition lists and schedules submitted by agencies shall be reviewed by the managing director for the identification and selection of those records series which have sufficient historical value to warrant their preservation for archival purpose, or as required by law, ordinance or resolution to be retained permanently or for a specified period of time. After this identification and selection, the lists and schedules shall be submitted for approval to a committee, designated as the records disposition committee, composed of the managing director, director of finance, the corporation counsel, the county clerk, and the chairperson of the finance committee of the county council. Any county officer of the committee may designate a representative to act in the officer’s place and stead all matters covered by this section. The committee shall return the approved records disposition lists and schedules to the appropriate department or agency through the managing director for implementation.]”

SECTION 2. Section 2.84.070, Maui County Code, is amended as follows:

“2.84.070 Approved lists and schedules. Approved records disposition lists and records disposition schedules are mandatory, except no records pertaining to unsettled accounts, claims, incomplete investigations, audits or litigation [shall] may be destroyed until all such matters have been permanently resolved.”

SECTION 3. Section 2.84.080, Maui County Code, is amended as follows:

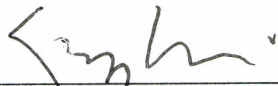
“2.84.080 Exceptions. Any request for exceptions to records disposition standards for records series on already approved records

disposition lists and schedules other than those exceptions [set forth] identified in section 2.84.070 [shall] may be submitted to the managing director [and the records disposition committee] in accordance with the requirements of this chapter.”

SECTION 4. 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 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



GARY MURAI
Department of the Corporation Counsel
County of Maui
LF2020-0065
GET-62 2020-10-14 Amd 2.84