

REQUEST FOR LEGAL SERVICES

Date: June 10, 2024
From: Nohe U'u-Hodgins, Chair
Government Relations, Ethics, and Transparency Committee

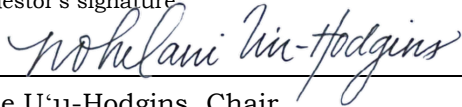
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Victoria J. Takayesu, Esq.

Subject: BILL 64 (2023), RELATING TO AMENDING SECTION 3.16.020, MAUI COUNTY CODE, RELATING TO SETTLEMENT OF CLAIMS AND OTHER CIVIL LITIGATION (GREAT-12)

Background Data: Please see the attached revised bill. Please submit your response to great.committee@mauicounty.us with a reference to GREAT-12.

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

Requestor's signature  Nohe U'u-Hodgins, Chair	Contact Person <u>Kasie Apo Takayama or Richard E. Mitchell</u> (Telephone Extension: <u>7665 or 7662, respectively</u>)
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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): June 13, 2024
REASON: For posting on the June 21, 2024, Council meeting agenda

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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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 _____

By _____

(Rev. 7/03)

great:ltr:012acc01:kmat

Attachment

ORDINANCE NO. _____

BILL NO. **64, CD1** (2023)

A BILL FOR AN ORDINANCE AMENDING SECTION 3.16.020,
MAUI COUNTY CODE, RELATING TO SETTLEMENT OF CLAIMS AND
OTHER CIVIL LITIGATION

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

SECTION 1. Section 3.16.020, Maui County Code, is amended by amending subsections A and B to read as follows:

“A. Workers’ [Compensation Claims.] compensation claims. The corporation counsel, with the approval of the mayor, may settle, compromise, or otherwise resolve any workers’ compensation claim now existing or [which] that may [hereafter] arise[,] requiring payment of a total amount not exceeding the sum of: (1) the applicable permanent partial disability rating; (2) [two per cent] 2 percent for residuals for each injured body part; and (3) no more than \$1,000 for disfigurement. In the case of a workers’ compensation claim that does not involve a permanent partial disability rating, the corporation counsel, with the approval of the mayor, may settle, compromise, or otherwise resolve the claim by payment of a total amount not exceeding [~~\$7,500.~~] \$25,000. Any workers’ compensation settlement in excess of the authority granted by this subsection [shall require] requires council authorization.

B. Other [Claims or Civil Litigation.] claims or civil litigation. The corporation counsel, with the approval of the mayor, may settle, compromise, or otherwise resolve any claim not described in subsection A [of this section,] now existing or [which] that may [hereafter] arise[,] requiring payment of a total amount not exceeding [~~\$7,500;~~] \$25,000 [provided, that] if the fund to settle claims has been appropriated and is available [therefor]. Any settlement in excess of [~~\$7,500~~] \$25,000 [shall require] requires council authorization.”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, bracketed material, or the underscoring.

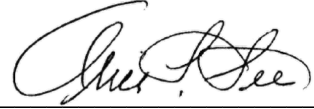
SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND
LEGALITY:

VICTORIA J. TAKAYESU
Corporation Counsel

great:misc:012abill01:kmat

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

ALICE L. LEE

Upon the request of the Mayor.