

TITLE 15
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

SUBTITLE 9
CONVENTION CENTER AUTHORITY

CHAPTER 106
CONVENTION CENTER AUTHORITY
RULES OF PRACTICE AND PROCEDURE

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SUBCHAPTER 1

GENERAL PROVISIONS

§15-106-1 Purpose. This chapter governs procedures of the convention center authority under chapter 206X, HRS, and shall be construed to effectuate the purposes of that chapter and to secure the just and efficient determination of every proceeding. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-2 Definitions. As used in chapters 15-106 to 15-109, except as otherwise required by context:

"Agency" means the same as in section 91-1(1), HRS;

"Authority" means the same as in section 206X-2 (1), HRS;

"Chairperson" means the duly elected chief presiding officer of the authority and, in the absence or incapacity of the chairperson, the duly elected vice chairperson of the authority;

"Convention center district" means the undeveloped Aloha Motors site established pursuant to section 7 of act 7 of the 1993 legislature;

"Convention center facility" or "convention center" means any combination of land, buildings, and improvements thereon, suitable for use as a convention center; any other structure or facility required or useful for the operation of a convention center facility, including, but not limited to, commercial, office, community service, parking, garage, and other supporting service structures; and all necessary, useful and related equipment, furnishings, and appurtenances;

"County" means the city and county of Honolulu or any other political subdivision of the State designated as a county;

"Developer" means any person, partnership, cooperative, firm, nonprofit or for-profit corporation, or public agency possessing the competence, expertise, experience, and resources, including financial, personal, and tangible resources, required to effectuate,

directly or through other developers, the development of a convention center, including planning, design, and construction;

"Executive director" means the chief executive officer of the authority who is appointed by the authority and who serves at the pleasure of the authority;

"Government record" means the same as in section 92F-3, HRS;

"HRS" means the Hawaii Revised Statutes;

"Individual" means a natural person;

"Local governing body" shall be as defined in section 206X-2, HRS;

"Meeting" means the same as in section 92-2(3), HRS;

"Person" means the same as in section 91-1(2), HRS;

"Petitioner" means any person who or which petitions or on whose behalf a petition is made to the authority concerning a matter over which the authority has jurisdiction to decide;

"Proceeding" means any matter brought before the authority or initiated by the authority which it has jurisdiction to decide;

"Public agency" means any office, department, board, commission, bureau, division, public corporation agency, or instrumentality of the federal, state, or county government;

"Public improvement" means any improvement, facility, or service, together with customary improvements and appurtenances, necessary to provide public needs such as vehicular and pedestrian circulation systems, storm sewers, flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, and public utility and energy services;

"Public facilities" include streets, utility and service corridors, and utility lines where applicable, sufficient to adequately service developable improvements in the district, sites for schools, parks, parking garages, sidewalks, pedestrian ways, and other community facilities. "Public facilities" shall also include public highways, as defined by statute, storm drainage systems, water systems, street lighting systems, off-street parking facilities, and sanitary sewerage systems;

"Public projects" means any project or activity of the State, the county, or any agency of the State or the county, conducted to fulfill a governmental function for public benefit and in accordance with public policy;

"Real property" means lands, structures, and interests in land, including lands under water and riparian rights, space rights, and air rights and any and all other things and rights usually included within the term. Real property also means any and all interest in such property less than full title, such as easements, incorporeal hereditaments and every estate, interest, or right, legal or equitable, including terms for years and liens thereon by way of judgments, mortgages, or otherwise;

"Rule" means same the as in section 91-1(4), HRS;

"State" means the State of Hawaii. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4, L 1993, c7, §7)

§15-106-3 Office of the authority; office hours. (a) The office of the authority is in Honolulu, Hawaii. All communications to the authority shall be addressed to the authority's office, unless otherwise directed by the authority.

(b) The office of the authority shall be open from 7:45 a.m. to 4:30 p.m. of each weekday, unless otherwise provided by statute or executive order. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§ 91- 2, 206X-4)

§15-106-4 Meetings. (a) The authority may meet and exercise its powers in any part of the State. Except as provided in sections 92-4 and 92-5, HRS, all meetings of the authority shall be open to the public. Public notice of all meetings, except emergency meetings, shall be made pursuant to section 92-7, HRS. The authority shall not change the agenda of any meeting, once it is filed in the office of the lieutenant governor, by adding items to the agenda without a recorded vote of two-thirds of all members to which the authority is entitled, provided that no item shall be added to the agenda if it is of reasonably major importance such that action on the item will affect a significant number of persons. Items that will affect a significant number of persons not decided at a scheduled meeting shall be considered only at a meeting continued to a reasonable day and time. Notices of meetings of the authority may be sent to interested persons, and distributed to the news media. The parliamentary procedure to be utilized by the authority in the conduct of its meetings shall be based on Robert's Rules of Order, Newly Revised, 1981 Edition, only if it does not conflict with chapters 91 and 92, HRS, or this chapter.

(b) Regular meetings may be held at the regular meeting place of the authority on the first Wednesday of each month, provided that if that date falls on a legal holiday, then the regular meeting for that date shall be held on the weekday immediately following the holiday. Any business of the authority may be transacted at regular meetings. The authority may hold its regular meetings on other than the stipulated dates and times, and at other than the stipulated place, provided that proper notice is given of the changes.

(c) Special meetings shall be held at such times and places as the authority may determine, and may be called by the chairperson at such times and places as the chairperson may determine. A special meeting may be called at the written request of any member of the authority filed with the executive director. Written notice of any special meeting shall be given to each member of the authority within a reasonable time prior to the date of the special meeting. At the special meeting, no business shall be considered other than as specifically designated in the written notice and in the public notice given pursuant to section 92-7, HRS.

(d) The authority may hold an executive meeting closed to the public pursuant to section 92-4, HRS. An executive meeting may be held only for one or more of the purposes specified in section 92-5(a), HRS. The authority shall not make a decision or deliberate toward a decision in an executive meeting on matters not directly related to the purposes specified in section 92-5(a), HRS.

(e) The authority may hold an emergency meeting that does not comply with the public notice requirements of section 92-7, HRS, under the conditions specified in section 92-8, HRS. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 92-3, 92-4, 92-5, 92-7, 92-8, 206X-4)

§15-106-5 Quorum and number of votes necessary for a decision. The power of the authority shall be vested in the members of the authority in office from time to time. A quorum to do business shall consist of a majority of all the members to which the authority

is entitled, and the affirmative vote of at least that number of members shall be necessary to make any action of the authority valid. [Eff 11/20/ 89 ; comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 92-15, 206X-4)

§15-106-6 Minutes. (a) The authority shall keep written minutes of all its meetings, setting forth an accurate record of votes and actions taken. Unless otherwise required by law, neither a full transcript nor a recording of the meeting shall be required, but the written minutes shall give a true reflection of the matters discussed at the meeting and the views of the participants. All or any part of a meeting of the authority may be recorded by any person in attendance by means of a tape recorder or any other means of sonic reproduction, except when a meeting is closed pursuant to section 92- 4, HRS, provided that the recording does not actively interfere with the conduct of the meeting. The minutes shall include, but need not be limited to, the information specified in section 92-9(a), HRS.

(b) The minutes shall be public records and shall be available within thirty days after the meeting, except where such disclosure would be inconsistent with section 92-5, HRS, provided that minutes of executive meetings may be withheld for so long as their publication would defeat the lawful purpose of the executive meeting. but no longer. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 92-9, 206X-4)

§15-106-7 Authentication of authority actions. All actions, decisions, and orders of the authority requiring authentication shall be in writing and signed by the chairperson or, in the chairperson's absence by the executive director. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-8 Submittals and requests. All submittals and requests requiring authority action which may be taken at an authority meeting shall be made in writing and filed with the office of the authority ten calendar days before the scheduled meeting or by order of the authority. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-9 Conduct of meeting. The authority shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item at any meeting of the authority, except executive meetings. The authority shall afford all interested persons an opportunity to present oral testimony on any agenda item at any meeting of the authority, except executive meetings. The authority may reasonably administer oral testimony so as to limit testimony of excessive duration or limit or prohibit any redundant, immaterial, impertinent, or scandalous matter. The authority may remove any person who willfully disrupts a meeting to prevent or compromise the conduct of the meeting. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 92-3, 206X-4) (Imp: HRS §§91-2, 92-3, 206X-4)

§15-106-10 Delegation of administrative duties; executive director. (a) An executive director shall be appointed by the authority and shall serve at the pleasure of the

authority. The executive director shall have control over and responsibility for the execution of the board's policies, the administration of its affairs, and the supervision of its staff.

(b) The executive director shall prepare a hearing calendar and the agenda for all meetings, under the direction of the chairperson.

(c) The executive director shall prepare for the authority the draft of an annual report of the authority's activities, accomplishments, and recommendations for submission to the governor and, if required, to the legislature through the governor.

(d) The executive director in conjunction with and as directed by the authority shall assist in the evaluation of proposals for the development of the convention center.

(e) The executive director, with the approval of the authority, may employ planning, financial, economic, legal, architectural and other consultants as the authority may determine in its sole discretion is necessary or desirable to help carry out the statutory purposes of the authority.

(f) The executive director, with the authority's approval, shall appoint such officers, agents, and employees as are necessary to fulfill the purposes of chapter 206X, HRS, and shall prescribe their duties and qualifications, and fix their salaries, without regard to chapters 76 and 77, HRS.

(g) The authority may delegate to the executive director such other power or authority vested in the authority as it deems reasonable and proper for the effective administration of chapter 206X, HRS, except the power to adopt, amend, or repeal rules and any power or authority reserved to the authority by statute, rule, or other applicable law.

(h) The authority may appoint a hearings officer to conduct a proceeding as provided in this chapter and pursuant to the requirements of chapters 91 and 92, HRS. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§ 91-2, 206X-4)

§15-106-11 Public access to records. All government records of the authority are open to public inspection during regular office hours unless public inspection of those records is contrary to state or federal law, or any court order. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-12 Grammatical usage. (a) Words used in the present tense include the future tense.

(b) The singular number includes the plural; and the plural, the singular.

(c) The word "shall" is always mandatory.

(d) The word "may" is always permissive.

(e) Terms not defined in this chapter shall have the meanings customarily assigned to them. [Eff and comp FEB 25 1994] (Auth: HRS §§206X-4) (Imp: HRS None)

§§15-106-13 to 15-106-20 (Reserved).

SUBCHAPTER 2

PROCEEDINGS BEFORE THE AUTHORITY

§15-106-21 General rule. All persons shall comply with this subchapter when appearing in a proceeding before the authority. Procedures to be followed by the authority, unless specifically prescribed in this chapter or by chapters 91 and 92, HRS, shall be such as in the opinion of the authority will best serve the purposes of the proceeding. The authority may waive or suspend the provisions of this chapter to the extent permitted by law. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§ 91-2, 206X-4)

§15-106-22 Appearances before the authority. (a) Any person appearing before the authority may appear pro se or may be represented by an authorized representative.

(b) When an individual acting in a representative capacity appears in person or signs a paper submitted to the authority, the personal appearance or signature of that individual shall constitute a representation to the authority that under the provisions of this chapter and applicable law, the individual is authorized and qualified to represent a particular person or persons. The authority may at any time require any person transacting business with the authority in a representative capacity to authenticate the person's authority and qualification to act. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§ 91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-23 Disqualification of authority members. Any person, up to five calendar days before the proceeding, may file an affidavit that one or more of the members of the authority has a personal bias or prejudice with respect to the proceeding. The affidavit shall state the facts and reasons for the belief that personal bias or prejudice exists. A member against whom the affidavit is filed may answer the affidavit, in which case the remaining members shall decide whether that member should be disqualified from the proceeding. If a member chooses to be disqualified, the member shall file with the chairperson a certificate requesting disqualification stating that the member has a conflict of interest with respect to the outcome of the proceeding or is unable to decide with impartiality. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-24 Filing of papers. (a) All requests, submittals, petitions, reports, maps, exceptions, plans, memoranda, and other papers required to be filed with the authority pursuant to any proceeding shall be filed with the office of the authority within the time limits prescribed by law, rule, or notice or order of the authority. The date on which the papers are received by personal service or by mail shall be regarded as the date of filing.

(b) All papers filed with the authority shall be:

- (1) Written in black ink, typewritten, or printed;
- (2) Plainly and permanently legible; and
- (3) On strong, durable paper no larger than 8-1/2" x 11" in size, except that maps, charts, tables, and other like documents may be larger, folded to the size of the

papers to which they are attached.

(c) Reproduction of papers may be by any process, provided all copies are durable, clear, and permanently legible.

(d) All papers filed by any person in any authority proceeding shall state on the first page the name, mailing address, and business telephone number of the individual or individuals who may be served with any documents filed in the proceeding.

(e) The original of each paper shall be signed in ink by that person or that person's authorized representative. The signature shall constitute a verification that the paper has been read by that person and that to the best knowledge, information, and belief of that person:

- (1) Every statement contained in the paper is true;
- (2) No statement contained in the paper is misleading; and
- (3) It is not interposed for delay.

(f) Unless otherwise required by this chapter or the authority, there shall be filed with the authority an original and eleven copies of each paper. Additional copies shall be promptly provided if requested by the authority.

(g) Service of any paper filed with the authority shall be as prescribed by law, rule, or notice or order of the authority. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-25 Amendment of papers and dismissal. If any paper filed with the authority is not in substantial conformity with the applicable rules and requirements of the authority, the authority may, on its own motion or on motion of any person, strike the paper or require its amendment. If amended, the paper shall be effective as of the date of receipt of the amended paper. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-26 Retention of papers. All papers filed with the authority shall be retained by the authority in its files for a reasonable time or as required by applicable law. The authority may permit the withdrawal of original papers upon submission of properly authenticated copies to replace the original papers. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-27 Continuances or extensions of time. Whenever a person is required to take action within the period prescribed or allowed by this chapter, by notice given under this chapter, or by an order, the authority may:

- (1) With or without notice, extend the period before the expiration of the prescribed period; or
- (2) Upon motion, permit the act to be done after the expiration of the specified period where the failure to act is excusable. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§15-106-28 Repealed [Eff 11/20/89; R FEB 25 1994] (Auth: HRS §§91-2, 206X-4) (Imp: HRS §§91-2, 206X-4)

§§15-106-29 to 15-106-38 (Reserved).

SUBCHAPTER 3 RULE MAKING PROCEDURE

§15-106-39 Initiation of rule making procedure. (a) The adoption, amendment, or repeal of any rule of the authority may be made by the authority on its own motion, or by petition of any interested person.

(b) Petitions for rule making shall be governed and in the form prescribed by sections 15-106-24 and 15-106-25, and shall contain:

- (1) The name, address, and business telephone number of each petitioner;
- (2) The signature of each petitioner;
- (3) A draft or the substance of the proposed rule or amendment or a designation of the provisions the repeal of which is desired;
- (4) A statement of the petitioner's interest in the subject matter; and
- (5) A statement of the reasons in support of the proposed rule, amendment, or repeal.
- (6) The authority, within thirty calendar days following the filing of a petition for rule making, shall either deny the petition or initiate rule making proceedings. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91- 6, 206X-4) (Imp: HRS §§91-2, 91-6, 206X-4)

§15-106-40 Denial of petition. Any petition for rule making that fails in any material respect to comply with the requirements of this chapter or that fails to disclose sufficient reasons to justify the institution of rule making proceedings shall not be considered by the authority. The authority shall notify the petitioner in writing of its denial of the petition, stating the reasons for the denial. Denial of a petition shall not operate to prevent the authority from acting, on its own motion, upon any matter disclosed in the petition. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91-6, 206X-4) (Imp: HRS §§ 91-2, 91-6, 206X-4)

§15-106-41 Acceptance of petition. If the authority determines that the petition is in order and that it discloses sufficient reasons in support of the proposed rule making to justify the institution of rule making proceedings, the procedures to be followed shall be as set forth in this chapter and applicable law. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS 91-2, 91-6, 206X-4) (Imp: HRS §§91- 2, 91-6, 206X-4)

§15-106-42 Notice of public hearing. (a) Whenever, pursuant to a petition or upon its own motion, the authority proposes to adopt, amend or repeal a rule, a notice of proposed rule making shall be published at least once in a newspaper of general circulation in the State. The notice shall also be mailed to all persons who have made timely written request of the authority for advance notice of its rule making proceedings. The notice shall be published and received at least thirty days prior to the date set for public hearing on the proposed rule making.

(b) The notice of proposed rule making shall include the information and statements required by section 91-3(a) (1), HRS. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 91-6, 206X-4) (Imp: HRS §§91-2 91-3, 91-6, 92-41, 206X-4)

§15-106-43 Public hearing procedures. (a) The public hearing before the authority shall be presided over by the chairperson, or by another member or hearings officer designated by the authority. A quorum of the authority shall not be required in the conduct of the public hearing. A clear and orderly record of the public hearing shall be maintained. The presiding officer shall be authorized to administer oaths or affirmations and to take all other actions necessary to the orderly conduct of the public hearing.

(b) The public hearing shall be held at the time and place set in the notice of proposed rule making, but may at such time and place be continued by the presiding officer from day to day, or adjourned to a later date or to a different place, or both, without notice other than the announcement at the public hearing.

(c) At the commencement of the public hearing, the presiding officer shall outline briefly the procedure to be followed. Testimony shall then be received with respect to the matters referred to in the notice of proposed rule making in such order as the presiding officer prescribes.

(d) The presiding officer may limit the number of witnesses or the time for testimony upon a particular issue.

(e) Any person who willfully disrupts a public hearing to prevent or compromise the conduct of the hearing shall be removed from the hearing. The presiding officer may reasonably administer oral testimony so as to limit testimony of excessive duration or limit or prohibit any redundant, immaterial, impertinent, or scandalous matter.

(f) Before proceeding to testify, witnesses shall state their names, addresses, and whom they represent at the public hearing, and shall give such information respecting their appearances as the presiding officer may reasonably request. The presiding officer shall confine the testimony to the matters for which the hearing has been called but shall not apply the technical rules of evidence. Witnesses shall be subject to questioning by the members of the authority or by any other representative of the authority. Cross examination by other persons shall be permitted only at the discretion of the presiding officer.

(g) Any provision of this section to the contrary notwithstanding, at the public hearing, all interested persons shall be afforded an opportunity to submit data, views, or arguments, orally or in writing, that are relevant to the matters referred to in the notices of proposed rule making. The period for filing written submissions may be extended beyond the hearing date by the presiding officer for good cause. An original and eleven copies shall be required for written submissions.

(h) Unless otherwise required by law or specific order of the authority, neither a full transcript nor a recording of oral testimony given at the public hearing shall be required, but the record of the public hearing shall give a true reflection of the oral testimony. All written submissions made at the public hearing or accepted beyond the hearing date by the presiding officer for good cause shall be made part of the record of the public hearing. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§ 91-2, 91-6, 92-3, 206X-4) (Imp: HRS §§91-2, 91-6, 92-3, 206X-4)

§15-106-44 Authority action. The authority shall fully consider the record of the public hearing before taking final action in a rule making proceeding. The authority may take final action at the final public hearing or announce then the date as to when it intends to take final action. Upon adoption, amendment, or repeal of a rule, the authority shall, if requested to do so by an interested person, issue a concise statement of the principal reasons for and against its determination. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91- 6, 206X-4) (Imp: HRS §§91-2, 91-3, 91-6, 206X-4)

§15-106-45 Emergency rule making. The authority may adopt emergency rules pursuant to section 91-3(b), HRS. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91-6, 206X-4) (Imp: HRS §§91-2, 91-3, 91-6, 206X-4)

§§15-106-46 to 15-106-55 (Reserved).

SUBCHAPTER 4

DECLARATORY RULINGS

§15-106-56 Petition. Any interested person may petition the authority for a declaratory order as to the applicability of any statutory provision or of any rule or order of the authority. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91-8, 206X-4) (Imp: HRS §§91-2, 91-8, 206X-4)

§15-106-57 Submission of petition. (a) The petition for a declaratory order shall be submitted to the office of the authority.

(b) The petition shall be governed and in the form prescribed by sections 15-106-24 and 15-106-25, and shall set forth the following:

- (1) Designation of the specific statute, rule, or order in question;
- (2) A complete statement of relevant and material facts;
- (3) A statement of the nature of the petitioner's interest, including the reasons for submitting the petition;
- (4) A statement of the position or contention of the petitioner; and
- (5) A full discussion of the reasons, including any legal authorities, in support of the petitioner's position or contention. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91-8, 206X-4) (Imp: HRS §§91-2, 91-8, 206X- 4)

§15-106-58 Rejection of petition. The authority may reject any petition which does not conform to the foregoing requirements. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91-8, 206X-4) (Imp: HRS §§ 91-2, 91-8, 206X-4)

§15-106-59 Refusal to issue declaratory ruling. (a) The authority may refuse to issue a declaratory ruling for good cause.

(b) Without limiting the generality of good cause, the authority may so refuse where:

- (1) The question is speculative or purely hypothetical;
- (2) The petitioner's interest is not a type which would give the petitioner standing to maintain an action if the petitioner were to seek judicial relief; or
- (3) The issuance of the declaratory ruling may adversely affect the interests of the State, the authority, or any of their members, officers, or employees, in litigation which is pending or may reasonably be expected to arise. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91-8, 206X-4) (Imp: HRS §§91-2, 91-8, 206X-4)

§15-106-60 Referral to other public agencies. Where a question of law is involved, the authority may refer the matter to the attorney general. The authority may also obtain assistance from other public agencies, when necessary or desirable. [Eff 11/20/89; am and comp FEB 25 1994] (Auth: HRS §§91-2, 91-8, 206X-4) (Imp: HRS §§91-2, 91-8, 206X- 4)

§15-106-61 Notification of petitioner. The petitioner shall be informed by the authority by certified mail of and upon the final disposition of the petition. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91-8, 206X-4) (Imp: HRS §§91-2, 91-8, 206X-4)

§15-106-62 Status of orders. An order disposing of a petition for a declaratory order shall have the same status as other authority orders. Orders shall be applicable only to the fact situation alleged in the petition or set forth in the order. They shall not be applicable to different fact situations or where additional facts not considered in the order exist. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91-2, 91-8, 206X-4) (Imp: HRS §§91-2, 91-8, 206X-4)

§15-106-63 Time limit. Upon receipt of a complete and proper petition for a declaratory order, the authority shall render a final decision on the petition in a reasonably prompt manner. [Eff 11/20/89; comp FEB 25 1994] (Auth: HRS §§91- 2, 91-8, 206X-4) (Imp: HRS §§91-2, 91-8, 206X-4)