

September 9, 1976

MR. PAUL GILRUTH McCARTHY  
Suite 209, 404 Piikoi Street  
Honolulu, Hawaii 96814

Dear Mr. McCarthy:

The Petition for Declaratory Order Abolishing the 15 Copy Requirement, or in the Alternative, Reimbursing Petitioners for the Needless Required Copies which you filed on August 16, 1976 on behalf of Life of the Land was considered by the Land Use Commission at its meeting on September 1, 1976.

Please be advised that at that meeting, the Land Use Commission voted to deny the petition and suggested that if the petitioner wishes to pursue the matter, he should petition the Land Use Commission for an amendment of the Commission's Rules relating to the subject. The Commission found that the 15 copy requirement is a provision which is contained in the Commission's Rules and Regulations--a document which has been approved by the Governor and filed in the Office of the Lieutenant Governor. The abolishment of the 15 copy requirement is, therefore, a matter which would be more appropriately addressed under rulemaking proceedings.

The Commission further determined that a Declaratory Order cannot be issued for the reimbursement of costs incurred in reproduction of copies as there is no statutory provision for this.

A copy of the Rules and Regulations of the Land Use Commission is enclosed for your information. Part X of the Commission's Rules of Practice and Procedure relates to rulemaking proceedings.

Very truly yours,

AH SUNG LEONG  
Acting Executive Officer

ASL:yk

Encls.

9/9/76 - Copy sent to Mike Marsh.