
A BILL FOR AN ACT

RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURES ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 91-1, Hawaii Revised Statutes, is amended as follows:

1. By amending the definition of "contested case" to read:

"Contested case" means a proceeding in which the legal rights, duties, or privileges of specific parties are required by law to be determined after an opportunity for agency hearing. The term does not include an agency decision regarding the disposition of land by sale, lease, license, permit, or otherwise."

2. By amending the definition of "rule" to read:

"Rule" means each agency statement of general or particular applicability and future effect that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice requirements of any agency. The term does not include ~~regulations~~:

(1) Regulations concerning only the internal management of an agency and not affecting private rights of or



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procedures available to the public[, ~~nor does the term~~
~~include declaratory~~];

(2) Declaratory rulings issued pursuant to section 91-8[~~r~~
~~nor intra-agency~~];

(3) Interagency memoranda[~~-~~]; or

(4) Documents or agreements regarding the disposition of
land by sale, lease, license, permit, or otherwise."

SECTION 2. This Act does not affect rights and duties that
matured, penalties that were incurred, and proceedings that were
begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: _____



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Report Title:

Hawaii Administrative Procedures Act; Definitions; Contested Case; Rule

Description:

Amends the definitions of "contested case" and "rule" in the Hawaii Administrative Procedures Act.

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