

CONCURRING OPINION BY KIM, J.

I agree with the analysis and conclusion regarding the political question doctrine and its application to this case as set forth in Section IV.B. of the instant opinion. However, I also agree with the contention of the Defendant-Appellee and the conclusion of the Circuit Court that, based on applicable authority, *see, e.g., Rees v. Carlisle*, 113 Hawai'i 446, 153 P.2d 1131 (2007), the Plaintiff-Appellant lacks the private right of action necessary to seek the desired declaratory relief, and I would therefore affirm the Circuit Court's ruling on this ground also. Accordingly, I respectfully concur.

*Glenn J. Kim*