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STATE OF HAWAI'I

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CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

LEAGUE OF WOMEN VOTERS OF
HONOLULU and COMMON CAUSE,

Plaintiffs,

vs.

STATE OF HAWAI'I,

Defendant.

CIVIL NO. 18-1-1376-09 GWBC

DEFENDANT STATE OF HAWAI'I'S
ANSWER TO COMPLAINT;
CERTIFICATE OF SERVICE

DEFENDANT STATE OF HAWAI'I'S ANSWER TO COMPLAINT

Defendant State of Hawai'i (the "State") through Russell A. Suzuki,
Attorney General, and his undersigned deputies, answers the Complaint filed
herein on September 5, 2018 as follows:

1. The State admits that the public is entitled to follow legislation pending before the Legislature but denies all remaining allegations in paragraph 1 of the Complaint.

2. The allegations set forth in paragraph 2 of the Complaint appear to be general statements of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies those allegations.

3. The allegations set forth in paragraph 3 of the Complaint appear to be general statements of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies those allegations.

4. With respect to the allegations set forth in paragraph 4 of the Complaint, the Complaint speaks for itself and on this basis, the State denies those allegations.

5. The allegations set forth in paragraph 5 of the Complaint appear to be general statements of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies those allegations.

6. The State is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 6 of the Complaint and on this basis, denies those allegations.

7. The State is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 7 of the Complaint and on this basis, denies those allegations.

8. The State admits the allegation in paragraph 8 of the Complaint.

9. The State denies the allegation in paragraph 9 of the Complaint.

10. The State denies the allegation in paragraph 10 of the Complaint.

11. With respect to the allegation set forth in paragraph 11 of the Complaint, the State admits that the Hawai'i Constitution includes provisions that pertain to legislation.

12. The State admits the allegations in paragraph 12 of the Complaint.

13. The State admits the allegations in paragraph 13 of the Complaint.

14. The State admits the allegations in paragraph 14 of the Complaint.

15. The State admits the allegations in paragraph 15 of the Complaint.

16. The State admits the allegations in paragraph 16 of the Complaint.

17. The State admits the allegations in paragraph 17 of the Complaint.

18. The State admits the allegations in paragraph 18 of the Complaint.

19. The State admits the allegations in paragraph 19 of the Complaint.

20. The State admits the allegations in paragraph 20 of the Complaint.

21. The State admits the allegations in paragraph 21 of the Complaint.

22. With respect to the allegations in paragraph 22 of the Complaint, the State admits the House recommended changes be made to Senate Bill No. 2858 and denies any remaining allegations.

23. With respect to the allegations in paragraph 23 of the Complaint, the State admits that changes were made to Senate Bill No. 2858 and denies any remaining allegations.

24. With respect to the allegations in paragraph 24 of the Complaint, the State admits that changes were made to Senate Bill No. 2858 and denies any remaining allegations.

25. With respect to the allegations in paragraph 25 of the Complaint, the State admits that Senate Bill No. 2858 was heard in the House on March 21, 2018.

26. The state admits the allegation in paragraph 26 of the Complaint.

27. With respect to the allegations in paragraph 27 of the Complaint, the States admits that Senate Bill No. 2858 passed third reading in the House and denies any remaining allegations.

28. The State admits the allegations in paragraph 28 of the Complaint.

29. With respect to the allegations in paragraph 29 of the Complaint, the State admits that Senate Bill No. 2858 passed final reading in the House and in the Senate on May 1, 2018 and denies any remaining allegations.

30. With respect to the allegations in paragraph 30 of the Complaint, the State admits that Senate Bill No. 2858 passed final reading in the House and in the Senate on May 1, 2018 and denies any remaining allegations.

31. The State admits the allegation in paragraph 31 of the Complaint.

32. The State admits the allegation in paragraph 32 of the Complaint.

33. The allegations set forth in paragraph 33 of the Complaint appear to be general statements of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies those allegations.

34. The allegation set forth in paragraph 34 of the Complaint appears to be a general statement of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies those allegations.

35. The allegation set forth in paragraph 35 of the Complaint appears to be a general statement of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies those allegations.

36. The allegation set forth in paragraph 35 of the Complaint appears to be a general statement of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies that allegation.

37. The State denies the allegation in paragraph 37 of the Complaint.

38. The State denies the allegation in paragraph 38 of the Complaint.

39. With respect to the allegation in paragraph 39 of the Complaint, the Complaint speaks for itself and on this basis, the State denies that allegation.

40. The State admits the allegation in paragraph 40 of the Complaint.

41. The allegation set forth in paragraph 41 of the Complaint appears to be a general statement of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies that allegation.

42. The allegation set forth in paragraph 42 of the Complaint appears to be a general statement of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies that allegation.

43. The State denies the allegation in paragraph 43 of the Complaint.

44. The allegation set forth in paragraph 44 of the Complaint appears to be a general statement of opinion to which no response is required, however, to the extent that Plaintiffs allege that the State has acted improperly, the State denies that allegation.

45. With respect to the allegations set forth in paragraph 45 of the Complaint, Plaintiffs' demand for relief speaks for itself and on this basis, the State denies those allegations.

46. The State denies each and every other allegation not heretofore specifically admitted.

FIRST DEFENSE

47. The Complaint fails to state a claim upon which relief can be granted.

SECOND DEFENSE

48. The Court lacks jurisdiction to determine the claims Plaintiffs set forth in the Complaint.

THIRD DEFENSE

49. Plaintiffs lack standing to assert their claims against the State.

FOURTH DEFENSE

50. Plaintiffs' claims are barred by the doctrine of Separation of Powers.

FIFTH DEFENSE

51. Plaintiffs' claims are not justiciable.

SIXTH DEFENSE

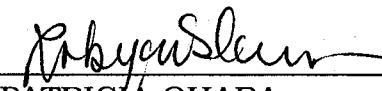
52. Plaintiffs' claims are barred by sovereign immunity.

WHEREFORE, the State Defendants pray that the Court:

1. Dismiss the Complaint with prejudice;
2. Award the State its attorneys' fees and costs incurred herein; and
3. Grant the State such further relief as may be just and equitable.

DATED: Honolulu, Hawai'i, September 26, 2018.

RUSSELL A. SUZUKI
Attorney General



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CERTIFICATE OF SERVICE


CERTIFICATE OF SERVICE

I hereby certify that on this date a true and correct copy of the forgoing document was duly served by U.S. Mail, postage prepaid, to the following party listed below:

ROBERT B. BLACK, ESQ.
Civil Beat Law Center for the Public Interest
700 Bishop Street, Suite 1701
Honolulu, Hawai'i 96813

Attorney for Plaintiffs

DATED: Honolulu, Hawai'i, September 26, 2018.



PATRICIA JOHARA
ROBYN B. CHUN
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STATE OF HAWAI'I