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IN THE SUPREME COURT OF THE STATE OF HAWAII

LEAGUE OF WOMEN VOTERS OF
HONOLULU and COMMON CAUSE,

Plaintiffs-Appellants,

vs.

STATE OF HAWAII,

Defendant-Appellee.

CIVIL NO. 18-1-1376-09 (GWBC)

ON APPEAL FROM THE:

A) FINAL JUDGMENT,
filed April 3, 2019

CIRCUIT COURT OF THE FIRST
CIRCUIT

HON. GARY W.B. CHANG, Judge

**STATE OF HAWAII'S RESPONSE TO
PLAINTIFFS-APPELLANTS' APPLICATION FOR TRANSFER**

CERTIFICATE OF SERVICE

**STATE OF HAWAII'S RESPONSE TO
PLAINTIFFS-APPELLANTS' APPLICATION FOR TRANSFER**

The State does not oppose Plaintiffs-Appellants' request to transfer this appeal to the Hawai'i Supreme Court. The State respects that the transfer (or non-transfer) of this case is ultimately a matter within this Court's discretion. HRS § 602-58.

The State disagrees, however, with Plaintiffs' generalized characterization that the issues raised in this case are questions of fundamental public importance and/or novel issues that necessitate transfer. For example, whether the title of S.B. No. 2858 complies with the "subject-in-title" requirement set forth in article III, section 14 of our State Constitution is *not* a novel legal question. As the State's answering brief thoroughly explains (ICA 80 at PDF 25-28), this Court has long accepted that bill titles may be broad. The title of S.B. No. 2858, "a bill relating to public safety," clearly encompasses the subject of the bill's text, as that text was amended and changed during the legislative process. This Court thus could not find that any draft of S.B. No. 2858 violates the subject-in-title rule without overturning longstanding precedent.

Moreover, the State also disagrees with Plaintiffs' representation of the "facts." Plaintiffs' statement of facts is improperly argumentative. However, the State will not expand upon particular points of disagreement here, as they are already fully addressed in the State's Answering Brief. (ICA 80.)

DATED: Honolulu, Hawai'i, November 21, 2019.

Respectfully Submitted,

/s/ Kimberly T. Guidry
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STATE OF HAWAII

CERTIFICATE OF SERVICE

I certify that on November 21, 2019, the forgoing document was served electronically (through the Court's JEFS system), or conventionally (by mailing copies via USPS, first class, postage prepaid), upon the following:

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