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Attorneys for Plaintiff League of Women Voters of Hawaii

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

LEAGUE OF WOMEN VOTERS OF
HAWAII,

Plaintiff,

vs.

STATE OF HAWAII,

Defendant.

CIVIL NO. _____
(Declaratory Judgment)

COMPLAINT; SUMMONS

JUDGE: NONE

TRIAL DATE: NONE

COMPLAINT

Plaintiff League of Women Voters of Hawaii, for its Complaint against
Defendant State of Hawai'i (State), alleges as follows:

1. This action seeks to enforce the constitutional provisions that require the State to provide adequate notice during the legislative process for the public and legislators to be aware of the proposed changes to the laws that govern the people of Hawai'i.

2. Citizens elect and grant authority to legislators to pass laws for the public good. Democracy is a citizen-based process that depends on the will of the people as

expressed in the Constitution. However good their intentions, legislators must respect the role of ordinary citizens in the legislative process. Failure to provide constitutionally required notice reflects a fundamentally undemocratic disregard for the public.

PARTIES

3. The League of Women Voters of Hawaii is a nonpartisan Hawai'i nonprofit corporation that works to improve government function and impact public policies through citizen education and advocacy.

4. Defendant is the government for the State of Hawai'i as recognized in the Hawai'i Constitution.

JURISDICTION AND VENUE

5. The court has jurisdiction over this claim for declaratory relief because this action arises under the Constitution of the State of Hawai'i, Article III, sections 12 and 14; HRS § 632-1; and HRS § 603-21.5(a)(3).

6. Venue is proper in this court pursuant to the Constitution of the State of Hawai'i, Article III sections 12 and 14 and HRS § 603-36(5) for the following reasons: the prohibited act occurred and the claim for relief arose in this circuit.

FACTUAL BACKGROUND

7. The Constitution of the State of Hawai'i provides minimum procedures for enacting legislation.

8. Article III, section 12 of the Constitution of the State of Hawai'i provides in relevant part: "By rule of its proceedings, applicable to both houses, each house shall

provide for the date by which all bills to be considered in a regular session shall be introduced” [bill-introduction deadline].

9. Article III, section 14 of the Constitution of the State of Hawai`i provides in relevant part: “Each law shall embrace but one subject, which shall be expressed in its title” [subject-in-title requirement].

10. On November 25, 2024, the Legislature adopted its timetable for the 2025 legislative session that set January 23, 2025, as the deadline for bill introduction.

11. On January 17, 2025, the Senate introduced S.B. 935.

12. The title of S.B. 935 was “Relating to Government.”

13. Before the January 23 bill-introduction deadline, S.B. 935 only stated that its “purpose” was “to effectuate the title of this Act”; that the Hawai`i Revised Statutes would be “amended to conform to the purpose of this Act”; and that the changes “shall take effect upon its approval.”

14. On February 18, after the bill-introduction deadline, the Senate Committee on Ways and Means recommended amending S.B. 935 to add substance regarding government pension benefits.

15. On June 17, Plaintiff warned Governor Josh Green about the constitutional defects in the passage of S.B. 935 by the Legislature.

16. On July 3, Governor Green signed S.B. 935 into law as Act 290 (2025).

COUNT I
“RELATING TO GOVERNMENT” IS AN
UNCONSTITUTIONALLY BROAD TITLE FOR LEGISLATION

17. The purpose of the subject-in-title requirement is to prevent hodge-podge or logrolling legislation; to prevent surprise or fraud upon the legislature by means of provisions in the bills of which the title give no intimation, and which might therefore be overlooked and carelessly and unintentionally adopted; and to fairly apprise the people through publication of legislative proceedings of the subjects of legislation that are being considered, in order that they may have the opportunity of being heard.

18. The title of a bill should not be so general that it tends to obscure the contents of the act.

19. The public and lawmakers must be able to rely on the title of bills to assess generally the proposed law’s impact and any interest in the bill.

20. The title of a bill thus must be specific enough so as to provide notice of the general contents of the legislation.

21. The title “Relating to Government” conveys nothing about the bill’s contents.

22. The title “Relating to Government” obscures the actual content of the legislation it proposes and is misleading.

23. Plaintiff seeks an order declaring Act 290 void because its title does not satisfy the subject-in-title requirement of article III, section 14 of the Hawai`i Constitution.

COUNT II
S.B. 935 DID NOT SATISFY THE BILL-INTRODUCTION DEADLINE

24. The purpose of the bill-introduction deadline is to allow the public to review every bill that will ever be introduced in the legislative session, providing the public an opportunity to familiarize itself with legislation, prepare testimony, and consult with legislators and resulting in a more deliberative, open, and rational legislative process that leads to better legislation.

25. Proposals without content—even if given a bill number and title—are not “bills” for purposes of the requirements in the Hawai`i Constitution.

26. S.B. 935 had no content before the January 23 bill-introduction deadline.

27. The public could not research issues raised by S.B. 935, prepare testimony, or consult with legislators based on S.B. 935 as introduced because the proposal had no substance.

28. Plaintiff seeks an order declaring Act 290 void because S.B. 935—as of the January 23 bill-introduction deadline—had no content and thus was not a bill under article III, section 12 of the Hawai`i Constitution.

DEMAND FOR RELIEF

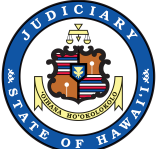

Based on the foregoing, Plaintiff respectfully requests that this court:

A. Enter an order declaring that (1) the process for adopting Act 290 was unconstitutional; and (2) Act 290 is void.

B. Grant such other and further relief as the court deems reasonable and just.

DATED: Honolulu, Hawai'i, September 2, 2025

/s/ Robert Brian Black
ROBERT BRIAN BLACK
BENJAMIN M. CREPS
Attorneys for Plaintiff

STATE OF HAWAII CIRCUIT COURT OF THE FIRST CIRCUIT	SUMMONS TO ANSWER CIVIL COMPLAINT	CASE NUMBER
PLAINTIFF LEAGUE OF WOMEN VOTERS OF HAWAII	VS.	DEFENDANT(S) STATE OF HAWAII
PLAINTIFF'S NAME & ADDRESS, TEL. NO. Robert Brian Black Benjamin M. Creps Public First Law Center 700 Bishop Street, Suite 1701 Honolulu, HI 96813 (808) 531-4000		
<p>TO THE ABOVE-NAMED DEFENDANT(S)</p> <p>You are hereby summoned and required to file with the court and serve upon</p> <p>Robert Brian Black</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p>plaintiff's attorney, whose address is stated above, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.</p> <p>THIS SUMMONS SHALL NOT BE PERSONALLY DELIVERED BETWEEN 10:00 P.M. AND 6:00 A.M. ON PREMISES NOT OPEN TO THE GENERAL PUBLIC, UNLESS A JUDGE OF THE ABOVE-ENTITLED COURT PERMITS, IN WRITING ON THIS SUMMONS, PERSONAL DELIVERY DURING THOSE HOURS.</p> <p>A FAILURE TO OBEY THIS SUMMONS MAY RESULT IN AN ENTRY OF DEFAULT AND DEFAULT JUDGMENT AGAINST THE DISOBEYING PERSON OR PARTY.</p>		
The original document is filed in the Judiciary's electronic case management system which is accessible via eCourt Kokua at: http://www.courts.state.hi.us	<div style="display: flex; justify-content: space-between;"> <div> Effective Date of 28-Oct-2019 Signed by: /s/ Patsy Nakamoto Clerk, 1st Circuit, State of Hawaii </div> <div style="text-align: center;">  </div> </div>	
<div style="display: flex; align-items: center;">  <div> <p>In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require a reasonable accommodation for a disability, please contact the ADA Coordinator at the Circuit Court Administration Office on OAHU- Phone No. 808-539-4400, TTY 808-539-4853, FAX 539-4402, at least ten (10) working days prior to your hearing or appointment date.</p> </div> </div>		