



The Senate

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HONOLULU, HAWAII 96813

NEWS RELEASE

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SEN. MALAMA SOLOMON THANKS U.S. SUPREME COURT AND LEGAL TEAM FOR PROTECTING HAWAII ISLAND'S RIGHT TO EQUAL REPRESENTATION AS GUARANTEED IN BOTH THE U.S. AND STATE CONSTITUTIONS

Honolulu – State Sen. Malama Solomon today issued a public “Mahalo” on behalf of all Hawai'i Island residents to both the U.S. Supreme Court and the legal team working “to protect Hawai'i Island's right to equal representation as guaranteed by both the U.S. and State of Hawai'i Constitutions.”

Sen. Solomon's message of gratitude comes as more than two years of intense litigation concluded Tuesday, January 21, 2014, when the U.S. Supreme Court formally resolved a case she and several Hawai'i Island residents had taken to the State Supreme Court challenging the 2011 State Reapportionment Commission's initial plan based on the 2010 Census to count out-of-state military members and their families stationed in the islands and out-of-state students when re-drawing legislative districts.

Sen. Solomon and her legal team – working with the State Attorney General – challenged the plan on the basis that it denied Hawai'i Island residents equitable representation which they believed required adding a 4th State Senate seat for Hawai'i Island because of the nearly 25% increase in resident population on the island between 2000 and 2010. During this same period of time, the island of Oahu had experienced only an 8% growth.

The addition of a 4th Senate seat to Hawai'i Island meant Oahu would lose a Senator.

It became a very complicated case but the heart of the issue was inequitable representation for Hawai'i Island residents in the first reapportionment plan. The State Supreme Court agreed with Sen. Solomon's challenge and the plan was revised, adding a 4th Senate seat for Hawai'i Island in the 2012 elections.

In the meantime, however, opponents to the decision filed a judicial challenge to the U.S. Federal District Court (*Kostick v. Nago* (Case No. 13-456)). A three-judge U.S. Federal Court upheld the Hawaii Supreme Court decision. The opposition had an automatic right to appeal to the U.S. Supreme Court in Washington, D.C. and did so.

“The battle is over; let us move forward working together for all the people of Hawai‘i,” said Sen. Solomon, who added her acknowledgement of the legal team that served to protect the rights of Hawai‘i Island residents, including Stan Roehrig of Hilo, Robert Kim of Kona and Peter Esser of Honolulu, and also State Attorney General David M. Louie and Deputy Attorney General Charleen M. Aina.

Sen. Solomon also thanked Public Utilities Commission Chair Hermina M. Morita, a former State Representative, for providing testimony for the Supreme Court docket related to her experience representing a “canoe district” – a now illegal practice of combining residents from more than one island into a representative districts of approximately the same population size. Such districts were banned in recent years by the State legislature because they “seriously undermine equitable representation for all residents of the district,” said Sen. Solomon. Both Hermina Morita and Sen. Solomon represented “canoe districts” before the Legislature banned this practice.

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