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**COURT UPHOLDS GOVERNOR IGE'S APPOINTMENT  
OF TOM GORAK TO THE PUBLIC UTILITIES COMMISSION**

HONOLULU – State circuit court Judge Edwin C. Nacino ruled today that Governor Ige's appointment of Tom Gorak to the Public Utilities Commission (PUC) was valid.

Commissioner Gorak had been appointed on an interim basis to the PUC after Commissioner Mike Champley's term expired on June 30, 2016. Commissioner Gorak's interim appointment lasts only until the next legislative session ends in May 2017, unless he is confirmed for a full-term appointment by the Senate before then. Former PUC Commissioner Hermina Morita sued Commissioner Gorak claiming Governor Ige's appointment was improper.

According to the Hawaii Constitution, the governor may fill vacancies in certain public offices under the constitution's interim appointments provision. Article V, section 6 of the Hawaii Constitution provides that "when the senate is not in session and a vacancy occurs in any office, appointment to which requires the confirmation of the senate, the governor may fill the office by granting a commission which shall expire, unless such appointment is confirmed, at the end of the next session of the senate."

**Attorney General Doug Chin** said, "The interim appointments authority is part of Hawaii's constitution. Today's ruling affirms Governor Ige's exercise of that authority."

The case turned on whether there was a "vacancy" for purposes of the interim appointments provision of the constitution when Commissioner Champley's term expired on June 30, 2016. Judge Nacino heard arguments on the case yesterday and today ruled entirely in Commissioner Gorak's favor.

The circuit court will enter a final order and judgment shortly. The petitioner may elect to appeal within 30 days after the judgment is entered.

A copy of today's minute order is attached.

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