

STAND. COM. REP. NO.

1632

Honolulu, Hawaii

APR 07, 2021

RE: S.C.R. No. 261  
S.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.C.R. No. 261, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO PETITION THE HAWAII SUPREME COURT SEEKING RELIEF TO PREVENT ACTION AGAINST THE REAPPORTIONMENT COMMISSION FOR THE COMMISSION'S FAILURE TO MEET STATUTORY OR CONSTITUTIONAL DEADLINES RELATING TO THE 2021 REAPPORTIONMENT PLANS,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Attorney General to petition the Hawaii Supreme Court seeking relief to prevent action against the Reapportionment Commission for the Commission's failure to meet statutory or constitutional deadlines relating to the 2021 reapportionment plans.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that article IV, section 2, of the Hawaii State Constitution requires and provides procedures and a timetable for the convening of the Reapportionment Commission to be tasked with creating a reapportionment plan for the Legislature and the United States congressional districts within the State. Your Committee further finds that the Reapportionment Commission relies on data from the United States Census Bureau for accurate

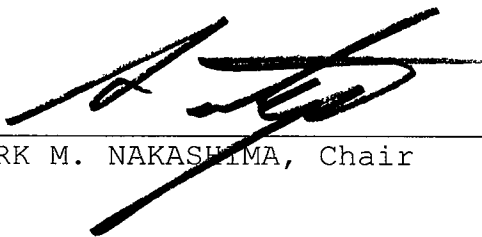
SCR261 SD1 HSCR JHA



counts of the United States population on which to base reapportionment plans. Your Committee additionally finds that, because of the coronavirus disease 2019 pandemic, the United States Census Bureau has already indicated that redistricting data will not be available until after the constitutional deadline for the Reapportionment Commission to submit a final plan has passed. The Reapportionment Commission is not to blame for a delay caused by the United States Census Bureau. This measure requests the Attorney General to petition the Hawaii Supreme Court seeking relief to prevent action against the Reapportionment Commission stemming from this unavoidable delay.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 261, S.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,

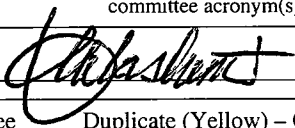
  
Pd MARK M. NAKASHIMA, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature

HSCR 1632

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SCR 261 SD1	Committee Referral: JHA, FIN	Date: APR 5, 2021		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	X			
2. MATAYOSHI, Scot Z. (VC)	X			
3. ICHIYAMA, Linda				X
4. KOBAYASHI, Dale T.	X			
5. LoPRESTI, Matthew S.	X			
6. LOWEN, Nicole E.	X			
7. McKELVEY, Angus L.K.				X
8. NAKAMURA, Nadine K.	X			
9. TAKUMI, Roy M.	X			
10. TODD, Chris	X			
11. TOKIOKA, James Kunane	X			X
12. WARD, Gene	X			
TOTAL (12)	9	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				