

STAND. COM. REP. NO. 1463

Honolulu, Hawaii

MAR 30 2021

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

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.C.R. No. 261 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 and one individual. Your Committee received comments on this measure from Common Cause Hawaii.

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



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. 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.

Your Committee has amended this measure by:

- (1) Removing members of the state Senate and state House of Representatives from the listed recipients of certified copies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 261, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 261, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



---

KARL RHOADS, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
SCR 261	JDC	3/25/2021
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
RHOADS, Karl (C)	✓	
KEOHOKALOLE, Jarrett (VC)		✓
ACASIO, Laura	✓	
GABBARD, Mike	✓	
KIM, Donna Mercado	✓	
LEE, Chris	✓	
FEVELLA, Kurt		✓
<b>TOTAL</b>	<b>5</b>	<b>0</b>
<b>0</b>	<b>0</b>	<b>2</b>
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: <i>Karl Rhoads</i>		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
Goldenrod Committee File Copy		

\*Only one measure per Record of Votes