

STAND. COM. REP. NO. 1464

Honolulu, Hawaii

MAR 30 2021

RE: S.R. No. 220
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.R.
No. 220 entitled:

"SENATE 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 testimony in opposition to this measure from 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.R. No. 220, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 220, S.D. 1.

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



KARL RHOADS, Chair



