STAND. COM. REP. NO. 1464

Honolulu, Hawaii MAR 3 0 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.



STAND. COM. REP. NO. 1464 Page 2

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:

- 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,

/al Nho

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:	
5R 2 20	JOC			312512021	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended X Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Ауе	Aye (WR) Nay	Excused
RHOADS, Karl (C)		\checkmark			
KEOHOKALOLE, Jarrett (VC)					~
ACASIO, Laura		V			
GABBARD, Mike		\checkmark			
KIM, Donna Mercado		V			
LEE, Chris		V			
FEVELLA, Kurt					V
		· · · · · · · · · · · · · · · · · · ·	[
· · · · · · · · · · · · · · · · · · ·					
TOTAL		5	0	0	2
Recommendation: Not Adopted Not Adopted					
Chair's or Designee's Signature: Kal Mboach					
Distribution: Original Yellow File with Committee Report Clerk's Office			Pink Drafting Agence		denrod e File Copy

*Only one measure per Record of Votes