

STAND. COM. REP. NO.

**2366**

Honolulu, Hawaii

**FEB 16 2022**

RE: S.B. No. 3254

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 3254 entitled:

"A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE IV,  
SECTIONS 4 AND 6, OF THE HAWAII STATE CONSTITUTION REGARDING  
REAPPORTIONMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a  
constitutional amendment to specify that reapportionment shall be  
based on the resident population, as counted in the most recent  
decennial United States Census.

Your Committee received testimony in support of this measure  
from Common Cause Hawaii and four individuals. Your Committee  
received testimony in opposition to this measure from nine  
individuals. Your Committee received comments on this measure  
from the Department of the Attorney General and Office of  
Elections.

Your Committee finds that the Hawaii State Constitution is  
unique in its determination of resident population for  
reapportionment purposes. Reapportionment is the process of re-  
distributing seats for elected officials so that the seats are  
relatively evenly distributed based on the resident population.  
Since being ratified by voters in November 1992, sections 4 and 6,  
of the Hawaii State Constitution, have required that  
reapportionment for state senators and representatives be based on



the average number of "permanent residents" in each district. Any resident not deemed permanent, even if included in the decennial United States census, counts as a "usual resident" of the State, is extracted, or deleted, from the total used by the State Reapportionment Commission, and therefore not factored into the allocation of state senate and house districts. This measure will ensure that all individuals that are extracted but live in a specific area are counted for representation purposes for that district.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3254 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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



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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:	
SB 3254	JDC, WAM	02-04-22	
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313			
Members	Aye	Aye (WR)	Nay
RHOADS, Karl (C)	✓		
KEOHOKALOLE, Jarrett (VC)	✓		
ACASIO, Laura			✓
GABBARD, Mike		✓	
KIM, Donna Mercado			✓
LEE, Chris	✓		
FEVELLA, Kurt			✓
<b>TOTAL</b>	<b>3</b>	<b>1</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>			
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report   Clerk's Office   Drafting Agency   Committee File Copy			

\*Only one measure per Record of Votes