

JAN 20 2012

A BILL FOR AN ACT

RELATING TO REAPPORTIONMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 25-2, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§25-2 Duties.** (a) Legislative reapportionment. The
4 commission shall reapportion the members of each house of the
5 legislature on the basis, method, and criteria prescribed by the
6 Constitution of the United States and article IV of the Hawaii
7 Constitution. Pursuant thereto, the commission shall conduct
8 public hearings and consult with the apportionment advisory
9 council of each basic island unit. Not more than one hundred
10 days from the date on which all members are certified, the
11 commission shall cause to be given in each basic island unit,
12 public notice of a legislative reapportionment plan prepared and
13 proposed by the commission. At least one public hearing on the
14 proposed reapportionment plan shall be held in each basic island
15 unit after initial public notice of the plan. At least twenty
16 days' notice shall be given of the public hearing. The notice
17 shall include a statement of the substance of the proposed
18 reapportionment plan, and of the date, time, and place where



1 interested persons may be heard thereon. The notice shall be
2 given at least once in the basic island unit where the hearing
3 will be held. All interested persons shall be afforded an
4 opportunity to submit data, views, or arguments, orally or in
5 writing, for consideration by the commission. After the last of
6 the public hearings, [~~but in no event~~] which shall be held no
7 later than one hundred fifty days from the date on which all
8 members of the commission are certified, the commission shall
9 determine whether or not the plan is in need of correction or
10 modification, make the correction or modification, if any, and
11 file with the chief election officer, a final legislative
12 reapportionment plan[-] no later than one hundred eighty days
13 from the date on which the commission members are certified.
14 Within fourteen days after the filing of the final
15 reapportionment plan, the chief election officer shall cause
16 public notice to be given of the final legislative
17 reapportionment plan which, upon public notice, shall become
18 effective as of the date of filing and govern the election of
19 members of the next five succeeding legislatures.

20 (b) Congressional reapportionment. At times that may be
21 required by the Constitution and that may be required by law of
22 the United States, the commission shall redraw congressional



1 district lines for the districts from which the members of the
2 United States House of Representatives allocated to this State
3 shall be elected. The commission shall first determine the
4 total number of members to which the State is entitled and shall
5 then apportion those members among single member districts so
6 that the average number of persons in the total population
7 counted in the last preceding United States census per member in
8 each district shall be as nearly equal as practicable. In
9 effecting the reapportionment and districting, the commission
10 shall be guided by the following criteria:

- 11 (1) No district shall be drawn so as to unduly favor a
12 person or political party;
- 13 (2) Except in the case of districts encompassing more than
14 one island, districts shall be contiguous;
- 15 (3) Insofar as practicable, districts shall be compact;
- 16 (4) Where possible, district lines shall follow permanent
17 and easily recognized features such as streets,
18 streams, and clear geographical features, and when
19 practicable, shall coincide with census tract
20 boundaries;
- 21 (5) Where practicable, state legislative districts shall
22 be wholly included within congressional districts; and



1 (6) Where practicable, submergence of an area in a larger
2 district wherein substantially different socio-
3 economic interests predominate shall be avoided.

4 Not more than one hundred days from the date on which all
5 members are certified, the commission shall cause public notice
6 to be given of a congressional reapportionment plan prepared and
7 proposed by the commission. The commission shall conduct public
8 hearings on the proposed plan in the manner prescribed under
9 subsection (a). At least one public hearing shall be held in
10 each basic island unit after initial public notice of the plan.
11 After the last of the public hearings, [~~but in no event~~] which
12 shall be held no later than one hundred fifty days from the date
13 on which all members of the commission are certified, the
14 commission shall determine whether or not the plan is in need of
15 correction or modification, make the correction or modification,
16 if any, and file with the chief election officer, a final
17 congressional reapportionment plan[-] no later than one hundred
18 eighty days from the date on which the commission members are
19 certified. Within fourteen days after filing of the final
20 reapportionment plan, the chief election officer shall cause
21 public notice to be given of the final congressional
22 reapportionment plan which, upon public notice, shall become



1 effective as of the date of filing and govern the election of
2 members of the United States House of Representatives allocated
3 to this State for the next five succeeding congresses."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval
7 and upon ratification of a constitutional amendment extending
8 the deadline for the filing of the reapportionment plan for the
9 state legislature and the reapportionment plan for the United
10 States congressional districts from one hundred fifty days to
11 one hundred eighty days from the date on which the
12 reapportionment commission members are certified.

13

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Peter Gian", is written over a horizontal line. The signature is cursive and extends below the line.



S.B. NO. 2553

Report Title:

Reapportionment Plan; Public Hearings; Filing Deadlines

Description:

Extends the filing deadline for reapportionment plans from 150 days to 180 days from the date on which reapportionment commission members are certified.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

