

JAN 18 2013

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# 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[-], and upon population data of the total number of  
8 permanent residents within the state of Hawaii. Pursuant  
9 thereto, the commission shall conduct public hearings and  
10 consult with the apportionment advisory council of each basic  
11 island unit. Not more than one hundred days from the date on  
12 which all members are certified, the commission shall cause to  
13 be given in each basic island unit, public notice of a  
14 legislative reapportionment plan prepared and proposed by the  
15 commission. At least one public hearing on the proposed  
16 reapportionment plan shall be held in each basic island unit  
17 after initial public notice of the plan. At least twenty days'  
18 notice shall be given of the public hearing. The notice shall



1 include a statement of the substance of the proposed  
2 reapportionment plan, and of the date, time, and place where  
3 interested persons may be heard thereon. The notice shall be  
4 given at least once in the basic island unit where the hearing  
5 will be held. All interested persons shall be afforded an  
6 opportunity to submit data, views, or arguments, orally or in  
7 writing, for consideration by the commission. After the last of  
8 the public hearings, but in no event later than one hundred  
9 fifty days from the date on which all members of the commission  
10 are certified, the commission shall determine whether or not the  
11 plan is in need of correction or modification, make the  
12 correction or modification, if any, and file with the chief  
13 election officer, a final legislative reapportionment plan.  
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) "Permanent resident" means any person counted as a  
21 usual resident of the state of Hawaii in the last preceding  
22 United States census.



1        [~~(b)~~](c) Congressional reapportionment. At times that may  
2 be required by the Constitution and that may be required by law  
3 of the United States, the commission shall redraw congressional  
4 district lines for the districts from which the members of the  
5 United States House of Representatives allocated to this State  
6 shall be elected. The commission shall first determine the  
7 total number of members to which the State is entitled and shall  
8 then apportion those members among single member districts so  
9 that the average number of persons in the total population  
10 counted in the last preceding United States census per member in  
11 each district shall be as nearly equal as practicable. In  
12 effecting the reapportionment and districting, the commission  
13 shall be guided by the following criteria:

- 14        (1) No district shall be drawn so as to unduly favor a  
15                person or political party;
- 16        (2) Except in the case of districts encompassing more than  
17                one island, districts shall be contiguous;
- 18        (3) Insofar as practicable, districts shall be compact;
- 19        (4) Where possible, district lines shall follow permanent  
20                and easily recognized features such as streets,  
21                streams, and clear geographical features, and when



1           practicable, shall coincide with census tract  
2           boundaries;

3           (5) Where practicable, state legislative districts shall  
4           be wholly included within congressional districts; and

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

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



# S.B. NO. 286

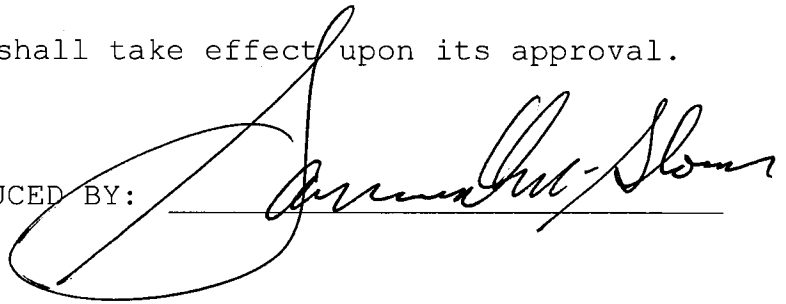
1 cause public notice to be given of the final congressional  
2 reapportionment plan which, upon public notice, shall become  
3 effective as of the date of filing and govern the election of  
4 members of the United States House of Representatives allocated  
5 to this State for the next five succeeding congresses."

6 SECTION 2. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect upon its approval.

9

INTRODUCED BY:



# S.B. NO. 286

**Report Title:**

Reapportionment; Definition of "permanent resident"

**Description:**

Defines "permanent resident" for legislative reapportionment as any individual counted as a usual resident in the last preceding U.S. census within the State of Hawaii.

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

