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



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 on July 1, 2050.

9



Report Title:

Reapportionment; Definition of "permanent resident"; Census

Description:

Requires reapportionment to be based in part on population data of the total number of permanent residents in the State. 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. Effective 07/01/50.
(SD1)

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