

STAND. COM. REP. NO.

2080

Honolulu, Hawaii

FEB 08 2018

RE: S.B. No. 2044
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2044 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII STATE CONSTITUTION TO ADDRESS THE SELECTION OF MEMBERS OF THE REAPPORTIONMENT COMMISSION,"

begs leave to report as follows:

The purpose and intent of this measure is to propose an amendment to the Constitution of the State of Hawaii providing that if there are no members belonging to a minority party in a house of the Legislature, the presiding officer of the respective house of the Legislature, after consulting with the chair of a minority party, shall be given the authority to designate persons who are members of a minority party to serve on the Reapportionment Commission.

Your Committee received testimony in support of this measure from Common Cause Hawaii and two individuals. Your Committee received comments on this measure from the League of Women Voters of Hawaii.

Your Committee finds that fair and equitable reapportionment of legislative districts is vital to avoid gerrymandering and best reflect the political affiliations and representative interests of Hawaii's citizens. Article IV, section 2, of the Constitution of the State of Hawaii requires equitable representation by the




minority party on the Reapportionment Commission, but does not address a situation in which all members of a house of the Legislature belong to the same party. Your Committee further finds that allowing the chairperson of the minority party to nominate three persons to the presiding officer of a house of the Legislature in which there are no minority party members, and then directing the presiding officer to select two members of the Reapportionment Commission from the three persons nominated, will allow the minority party chairperson and the legislative leaders balanced discretion.

Your Committee has amended this measure by replacing language authorizing the presiding officer of a house of the respective house of the Legislature to designate persons who are members of a minority party to serve on the Reapportionment Commission after consulting with the chairperson of the minority party with language providing for the chairperson of the minority party to nominate three persons to the presiding officer of each house of the Legislature, who shall then select two members of the Reapportionment Commission from the three persons nominated.

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. 2044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2044, S.D. 1, and be referred to your Committee on Ways and Means.

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


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2044	JDC, WAM	2/1/18		
<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 type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	5	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes