



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

COMMITTEE ON JUDICIARY

THURSDAY, February 1, 2018 9:00 a.m., Room 016
SB 2044 PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII STATE
CONSTITUTION TO ADDRESS THE SELECTION OF MEMBERS OF THE REAPPORTIONMENT
COMMISSION.

TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

Chair Taniguchi, Vice-Chair Rhoads, and Committee Members:

The League of Women Voters of Hawaii offers comments and strongly suggests an amendment to SB 2044 whose purpose is to ensure participation of all political parties on the Reapportionment Commission. This goal has become more urgent since the next Reapportionment Commission would convene about May 2020, after the 2020 U.S. Population census has been conducted. We do not currently have any Republican senators in our State Senate, though this may change after the November 2018 election. Regardless of the election our Constitution should provide for circumstances where one house (or both houses) of our legislature does not have members of both major political parties.

SB2044 is clear and practical in assigning selection responsibility to a specific person when such a gap occurs. On the other hand, though consultation with the chair of the minority party would be required under SB2044, the bill effectively leaves selection to the presiding officer of the majority party of the respective house where the gap occurs. To assure that a minority party does indeed select its representatives to the Commission, the League requests that the bill be amended to assign selection responsibility for the house where a gap occurs to a person selected by the minority party members of the house where there is no gap. Should there be no minority members in either house, then the supreme court should select members of a minority party.

The League supports having a State Constitution that provides for fair and adequate representation and periodic reapportionment. Truthfully, having a nonpartisan Commission, rather than our current bi-partisan approach, deserves consideration. But studying a large-scale change like this is best left to a special study conducted by the Legislative Reference Bureau. Thank you for the opportunity to submit testimony.



Senate Committee on Judiciary
Chair Brian Taniguchi, Vice Chair Karl Rhoads

02/01/2018 9:00 AM Room 016

SB2044 – Proposing and Amendment to Article IV, Section 2 of the Hawaii State Constitution to
Address the Selection of Members of the Reapportionment Commission

TESTIMONY / SUPPORT with Amendments
Corie Tanida, Executive Director, Common Cause Hawaii

Dear Chair Taniguchi, Vice Chair Rhoads, and members of the committee:

Common Cause Hawaii supports SB2044 with amendments which would amend the appointment process to the Reapportionment Commission to ensure participation of all political parties if there are no members belonging to a minority party in a house of the Legislature.

When our state constitution was drafted, no one could have predicted that our State Senate would be dominated by a single party. Thus, we appreciate the Legislature being proactive to address this issue as our next census, the beginning of the reapportionment process, is quickly approaching.

As currently written, we do not believe that this bill provides sufficient guarantee to make the reapportionment process bipartisan. We urge you to explicitly state what “consultation” means. Under the bill before us, for example, could the Senate President “consult” with the Hawaii Republican Party Chair, and then ignore their recommendations? Perhaps requiring the Senate President or House Speaker to select the appointee from a list provided by the minority party chair, could be a way to address this issue.

We also note that the current language in the bill could be interpreted to potentially provide for a 3rd party appointment to the Reapportionment Commission, and we believe this merits further discussion. Ensuring partisan representation on our Reapportionment Commission is key to maintaining fair maps that reflect changes in our population and ensuring that everyone is fairly represented.

Thank you for the opportunity to offer testimony **supporting SB2044 with amendments**.

Bart Dame

710 West Hind Drive, Honolulu, HI

COMMITTEE ON JUDICIARY

Senator Brian Taniguchi, Chair, Senator Karl Rhoads, Vice-Chair

Date: Wednesday, February 1, 2018 9:00 a.m.

Place: Conference room 016

SB2044, PROPOSING A CONSTITUTIONAL AMENDMENT ON APPOINTMENTS TO THE REAPPORTIONMENT COMMISSION

Good Morning Chair Taniguchi, Vice-Chair Rhoads and members of the committee.

My name is Bart Dame and I am testifying as an individual in **STRONG SUPPORT**.

I spent many months monitoring and testifying to the 2011 Reapportionment Commission and, during the course of that period, this potential problem occurred to me and I wondered what would happen if one political party were to hold all the seats in one (or both) of the legislative chambers. What was once an intriguing theoretical puzzle has now become a practical problem.

I like the solution being proposed here.

Although I am a very active member of the dominant, majority political party, I believe it is the public interest that we preserve the structural imperatives built into the bipartisan approach of the process we have used to appoint our previous reapportionment commission. Hawaii has been able to avoid the worst excesses of many other states that have produced shamelessly gerrymandered maps to serve the interests of the party dominant in their state. That was accomplished because representatives of the two major parties, with EQUAL power, were able to ensure neither party's interests determined redistricting. Not surprisingly, there are signs the interests of incumbents, particularly those aligned with the leadership who appointed the commissioners, were looked out for in the last redistricting. Nonetheless, the worst distortions have been avoided. I think this proposal will help ensure that approach continues to protect us.

It may sound strange coming from me, but I hope both parties will have the opportunity to appoint their own advocates to the 2021 Reapportionment Commission. If not, this proposal strikes me as a second-best remedy.

Thank you for this opportunity to testify.

SB-2044

Submitted on: 1/26/2018 10:46:54 PM

Testimony for JDC on 2/1/2018 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow		Support	No

Comments:

This is a good first start, but I believe it does not go far enough. There are non-partisan and/or independent candidates. They should also be represented.

Lynne Matusow