

STAND. COM. REP. NO. 72

Honolulu, Hawaii

FEB 07 2023

RE: S.B. No. 927  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 927 entitled:

"A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE IV, SECTIONS 4 AND 6, OF THE HAWAII STATE CONSTITUTION REGARDING REAPPORTIONMENT, "

begs leave to report as follows:

The purpose and intent of this measure is to propose a constitutional amendment to specify that reapportionment shall be based on the resident population, as counted in the most recent decennial United States census.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from seven individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the Hawaii State Constitution is unique in its determination of resident population for reapportionment purposes. Reapportionment is the process of redistributing seats for elected officials so that the seats are relatively evenly distributed based on the resident population. Since being ratified by voters in November 1992, Article IV, sections 4 and 6, of the Hawaii State Constitution, have required that reapportionment for state senators and representatives be



based on the average number of "permanent residents" in each district. Any resident not deemed "permanent" is extracted or deleted from the total number of "permanent residents" used by the Reapportionment Commission. Thus, even if such resident is included in the decennial United States census count as a "usual resident", they are not factored into the allocation of state senate and house districts. This measure will ensure that all individuals who live in a specific area are not extracted and are counted for representation purposes for that district.

Your Committee has amended this measure by:

- (1) Specifying that the reapportionment be based on the resident population, as counted in the decennial United States census for the respective reapportionment year; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 927, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 927, 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,



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KARL RHOADS, Chair



