



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

NOTICE OF REAPPORTIONMENT COMMISSION MEETING

Date: January 20, 2022
Time: 2:00 P.M.
Place: via Video Conference or Telephone*

*Pursuant to Act 220, Session Laws of Hawaii 2021, and the Governor's Emergency Proclamation Related to Sunshine Law In-Person Meetings, dated December 29, 2021, the Reapportionment Commission will be meeting remotely using interactive conference technology. The public may view the video and audio of the meeting through the following video conferencing link:

Video: <https://zoom.us/j/94622427314>

Telephone: +1 253 215 8782
+1 346 248 7799
+1 669 900 6833
+1 301 715 8592
+1 312 626 6799
+1 929 205 6099

Meeting ID: 946 2242 7314

A G E N D A

- I. Call to Order
- II. Roll Call and Determination of a Quorum
- III. Public Testimony

Individuals may submit testimony in advance of the meeting via email to reapportionment@hawaii.gov or by mail addressed to the 2021 Reapportionment Commission, c/o Scott Nago, Secretary, 802 Lehua Avenue, Pearl City, Hawaii 96782. Individuals interested in signing up to provide oral testimony at the meeting may submit their name, email, and phone number to reapportionment@hawaii.gov. Individuals may provide oral testimony at the

meeting via the above-listed video conferencing link or by calling the above-listed telephone number.

Testimony presented during the meeting will be limited to three minutes each.

- IV. Consideration of Public Testimony Regarding Modified Final Legislative and Congressional Reapportionment Plans Recommended by the Technical Committee Permitted Interaction Group
- V. Reports by the Apportionment Advisory Councils
- VI. Discussion and Potential Action on the January 11, 2022 Letter from the Hawaii State Senate Standing Committee on Government Operations Regarding Informational Briefing on Reapportionment

Pursuant to HRS § 92-5(a)(4), the Commission anticipates that it may need to hold an executive meeting to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities regarding this agenda item.

VII. Adjournment

If audiovisual communication cannot be maintained with all Commissioners participating in the meeting or with the public location identified above, the meeting shall be automatically recessed for up to thirty (30) minutes to allow staff to attempt to restore communication; provided, however, that this shall not apply if a member of the public is unable to maintain their own audiovisual connection to the remote public broadcast.

If audiovisual communication with all participating Commissioners can be restored, the meeting will be reconvened. If, however, audiovisual communication cannot be restored, then the meeting may be reconvened with the audio-only communication using the above-listed telephone number. Any nonconfidential visual aids brought to the meeting by Commissioners or as part of a scheduled presentation will be made publicly available on the Office of Elections website within fifteen (15) minutes after audio-only communication is established.

If it is not possible to reconvene the meeting within thirty (30) minutes after an interruption of communication and the Commission has not provided reasonable notice to the public as to how the meeting will be continued at an alternative date and time, then the meeting shall be automatically terminated.

IF YOU REQUIRE SPECIAL ASSISTANCE OR AUXILIARY AIDS AND/OR SERVICES TO PARTICIPATE IN THE PUBLIC HEARING PROCESS OF THE REAPPORTIONMENT COMMISSION, PLEASE CONTACT THE OFFICE OF ELECTIONS AT LEAST 48 HOURS PRIOR TO THE HEARING SO ARRANGEMENTS CAN BE MADE. FOR FURTHER INFORMATION, PLEASE CALL THE OFFICE OF ELECTIONS AT 453-8683 OR 1-800-442-8683 FROM THE NEIGHBOR ISLANDS.

III. PUBLIC TESTIMONY

To: Chair Mark Mugiishi, M.D.
State Reapportionment Commissioners State Reapportionment Commission,
Staff: reapportionment@hawaii.gov

From: Teresa L. Nakama
73-998 Ahulani Street
Kailua-Kona, HI 96745 Brons10kalei@gmail.com 12 January 2022

Aloha Chair Mugiishi and Commissioners of the State Reapportionment Commission,

My name is Teresa L. Nakama, former Hawaii County Commission Member of GMAC for 2019 of - 2021 Hawai'i County Game Management Commission.

Mahalo to each State Commission and I commend your service and the difficult task and long hours you all were doing to create and establish the various political boundaries throughout each Island. I can fully appreciate your mana'o in allocating the proper adjustments to include all communities for the people of Hawai'i Nei.

I would like to reiterate Bronsten Kossows written support and give my support to his written testimony, and the mapping that he support per the attached. As I reiterate his written testimony of support for his mapping and boundaries as follows in quotation marks:

"House District 1 (Hāwī, Waimea, Honoka'a, Honomū) North Kohala is paired with portions of Waimea and extends to the Honomū - area. The district runs along the Kohala Mountain Rd. that follows into Waimea town and follows the Māmalahoa Hwy and ends at Pu'ukapu Hawaiian Homelands. - To gain numbers proved difficult, if you placed District 1 into similar lines as of the 2011 or 2021 State Commission maps, the district would either further into Kohala or into Hilo to settle the deviations. As Kohala and Hāmākua remain a rural district, splitting Hilo's urban core is not the best obstacle for representation. - District 1 should continue as a rural district. Portions of the leeward coastline geographically are different than that of Hāmākua."

"The commission will take on a difficult task of splitting portions of Hilo, Puna, and Ka'u if this district isn't placed properly. - Splitting Waimea will make for a tough decision, however, the growing populous in Waimea town is something to consider. - In previous testimony to the 2021 State Reapportionment Commission, members of the public testified not to split Native Hawaiian Homelands. In the case for my proposal, I have kept Pu'ukapu into one district. - To note: Kohala High School and Honoka'a High School are still congruent to this map."

"House District 2 (Honomū, Pepe'ekeo, Pāpa'ikou, Hilo) - I recognize the importance of including a bit of outside Hilo, even back toward Honoli'i as many of our community members supported that move in the council redistricting. - If Honomū proves to be too far, perhaps Pāpa'ikou could be the boundary, this would place portions of Waimea back into District 8. - Typically placing Wainaku or Wailuku rivers as the boundary has been a great marker, currently there are some census block irregularities within this area. - Bayfront and downtown Hilo is included into District 2. - In this iteration, I included Mauna Kea into district 2, because of the connectivity to the mountain."

“House District 3 (Portions of Hilo, Keaukaha, Panaewa, and Kea’au) - As many have testified in the Hawaii County Redistricting, the importance here is preserving the representation for Keaukaha and Pana’ewa areas. I combined these 2 locations, which also includes Keaukaha Military Reserve, Hawaiian Homelands, and the Hilo Airport. Steinbeck highway is the boundary for this district. - I included Pōhakuloa into this district because the testimony in the Hawai’i County Redistricting Commission supported the Pōhakuloa’s command post be in the same district.”

“House District 4 (Lower Puna) & House District 5 (Upper Puna) - It is important to keep Upper Puna in Upper Puna and Lower Puna in Lower Puna. - In House District 4, I included HPP and follows Highway 180, the makai portions remain in District 4 while Pahoa, Kalapana, and Wao Kele O Puna is included in this district. - The communities in these areas have always seen representation shift toward Hilo or to Ka’u. - The Puna people deserve these representations, not including Hilo or the Ka’u populous.”

“House District 6 (Pāhala, Na’alehu, Ocean View, Miloli’i, Ho’okena, Honaunau, Captain Cook, Keauhou, portions of Kailua-Kona) - Ka’u and south Kona have similar and unique characteristics that remain in the rural district. - We’ve heard testimony about keeping South Kona and Ka’u together versus previous iterations showed South Kona, Ka’u, and Puna. - This keeps all Ka’u together, which has been proven difficult in previous attempts.”

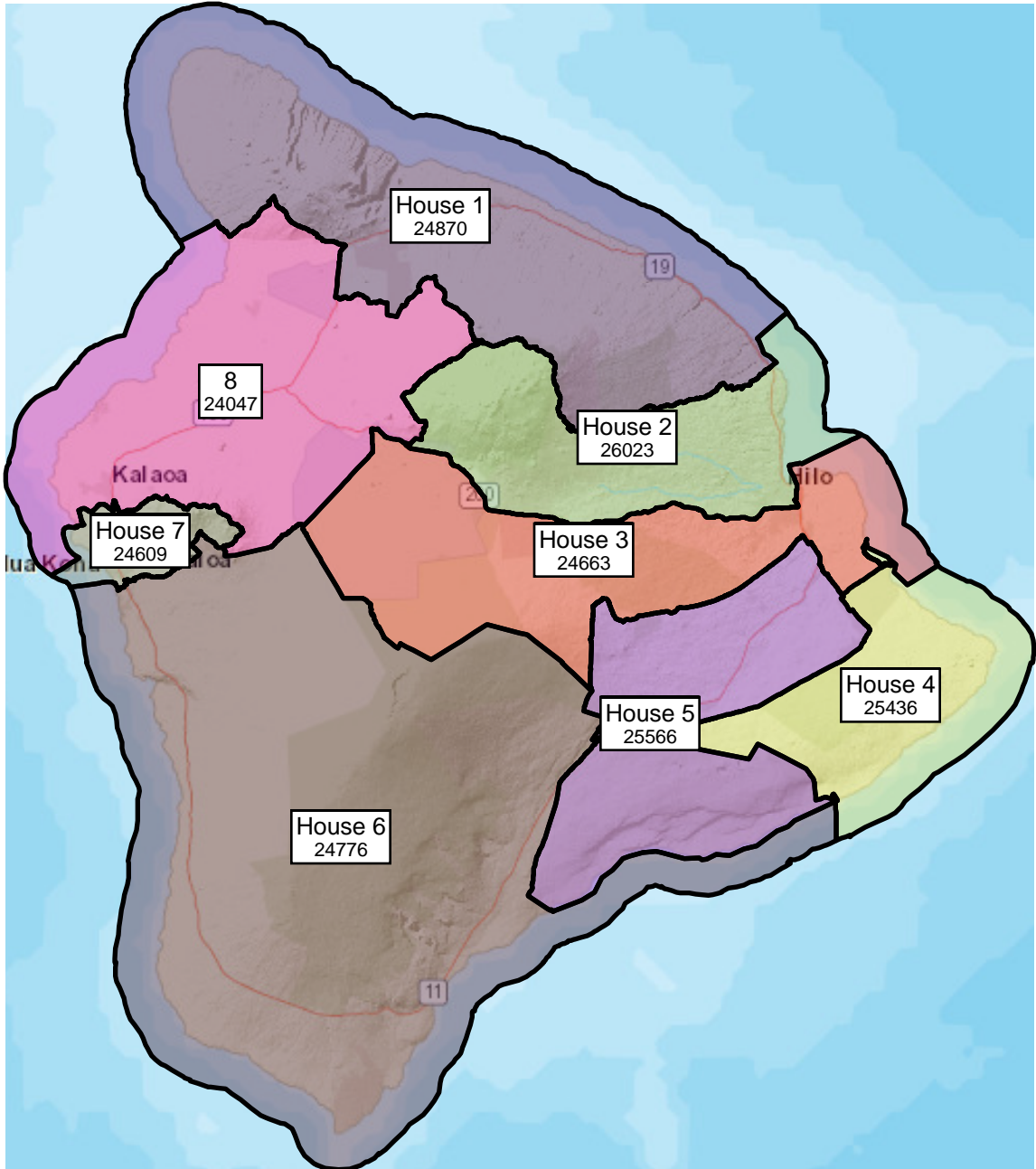
“House District 7 (Kona Proper) - Include all of Kona proper together to Hina Lani St. This will allow a central representative in Kona as in Hilo. - I placed district 7 into the city as the city continues to grow and the district remains centralized.”

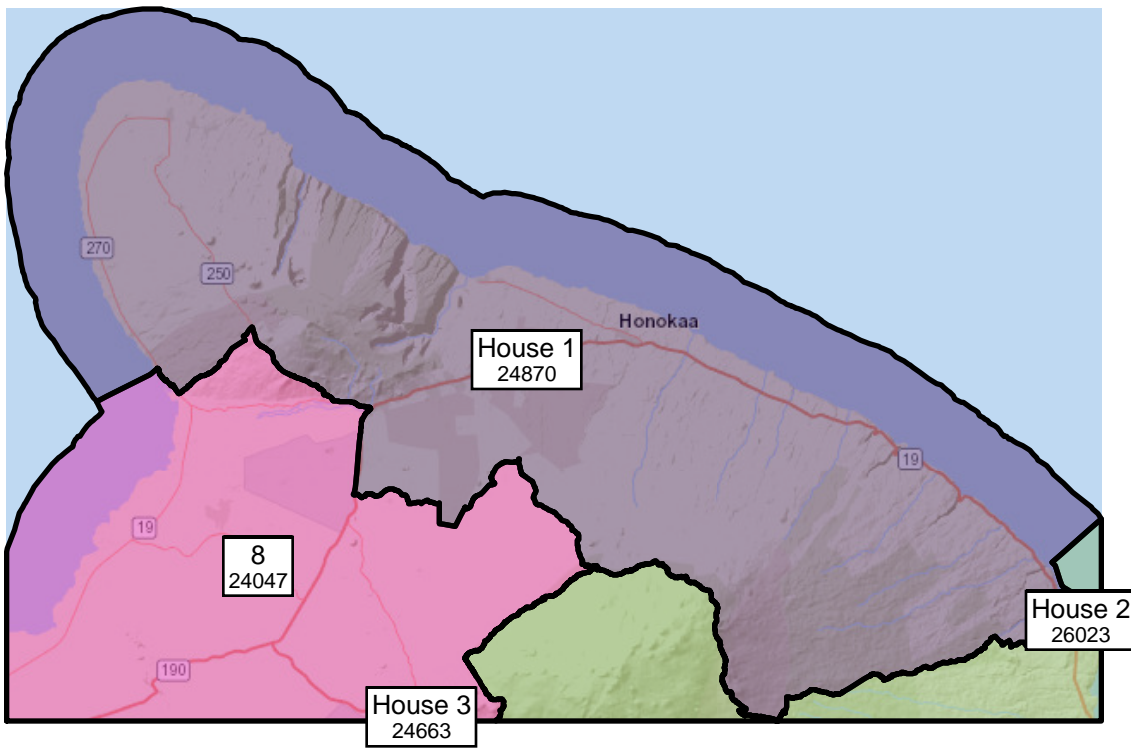
“House District 8 (North Kona, Waikoloa, Waimea) - I placed District 8 into a central north district as palisades, Waikoloa, and the resorts are common, and the expectation of growth in the district. - There could be more of a discussion about how to best serve these communities, as this district does not have a specific town or city. Most of North Kona residents are Kailua-Kona residents, and most of Waikoloa residents view themselves Kona or Waimea residents.”

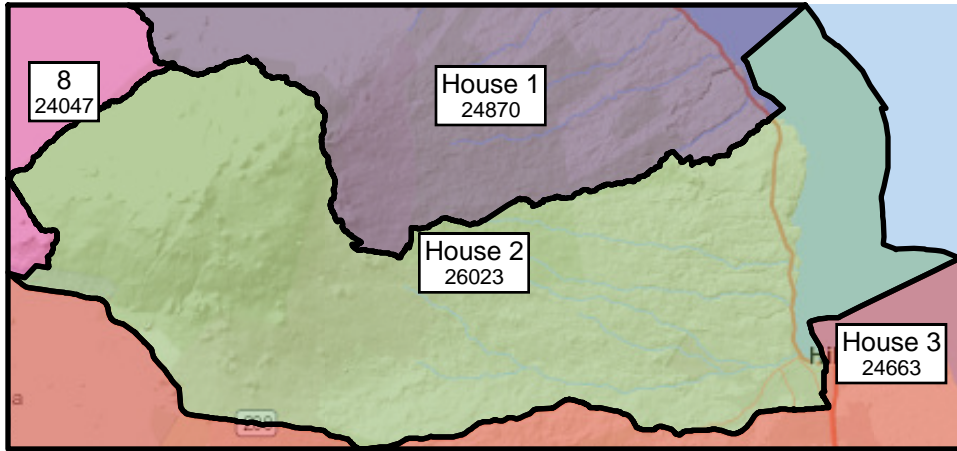
Mahalo Nui Loa for allowing me to give my support on the above.

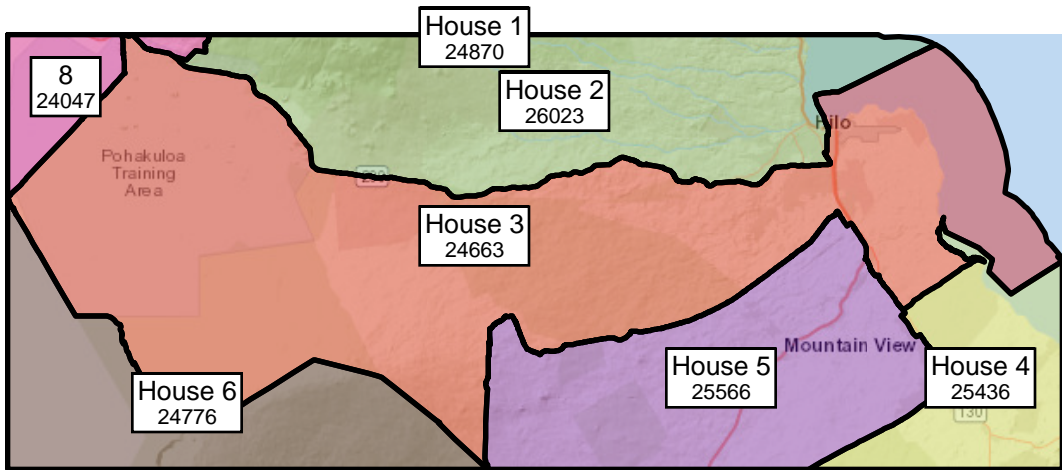
Sincerely,

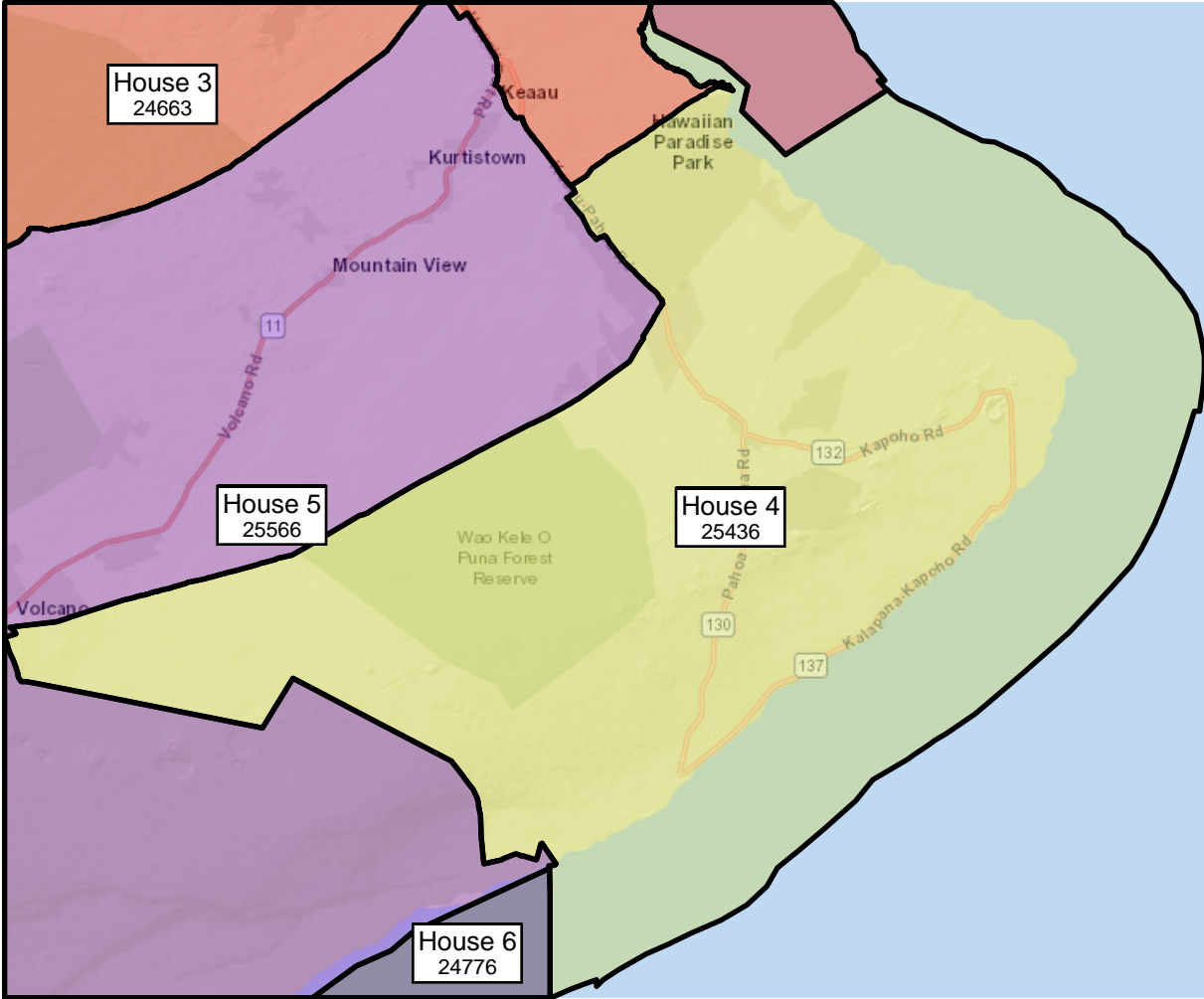
Teresa L. Nakama

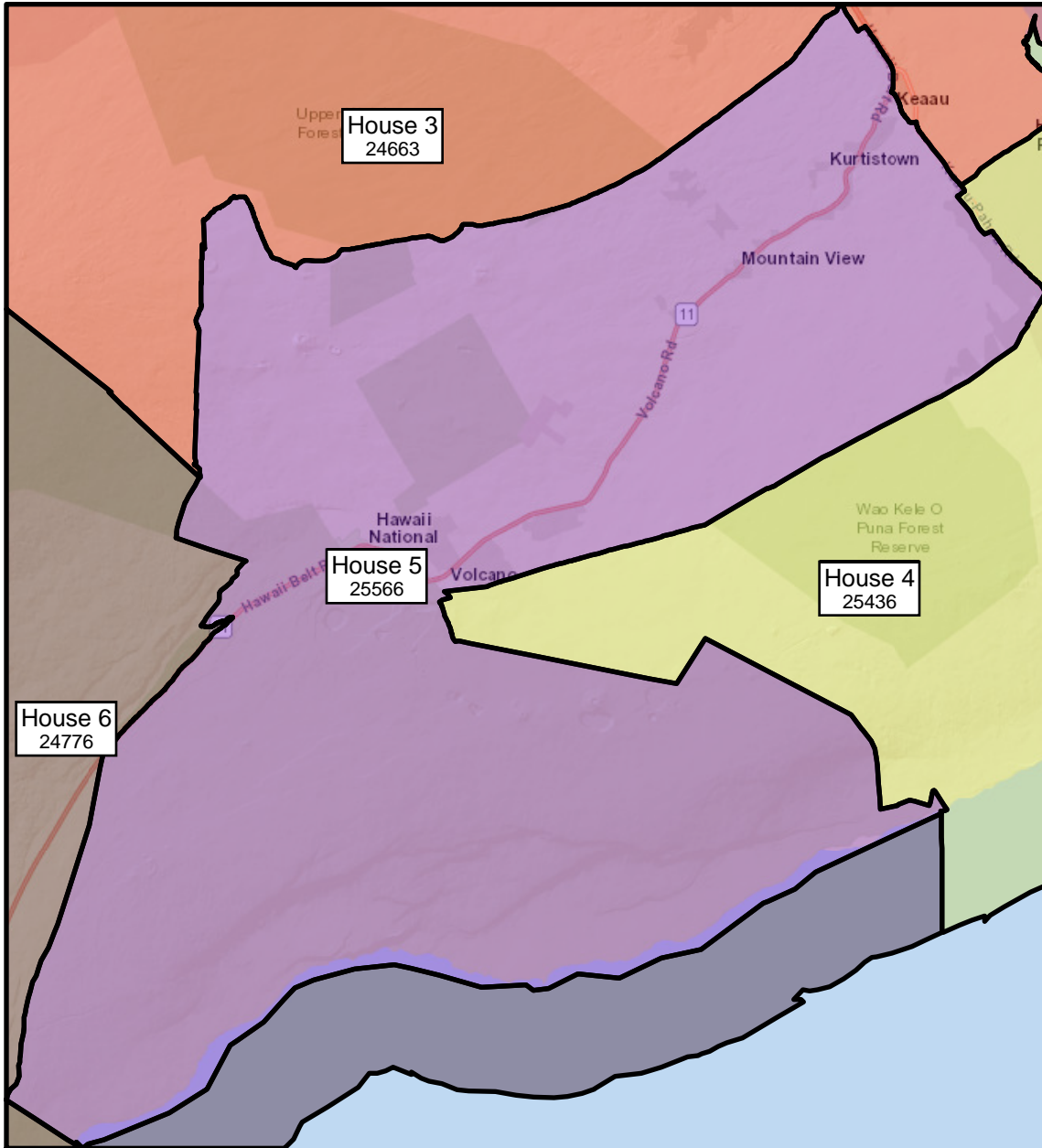


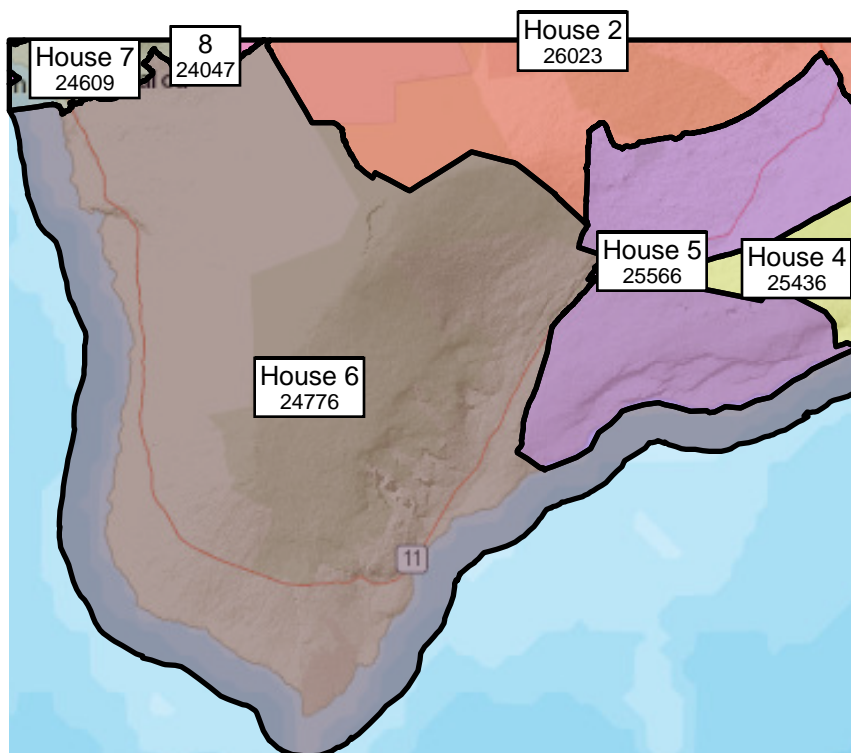


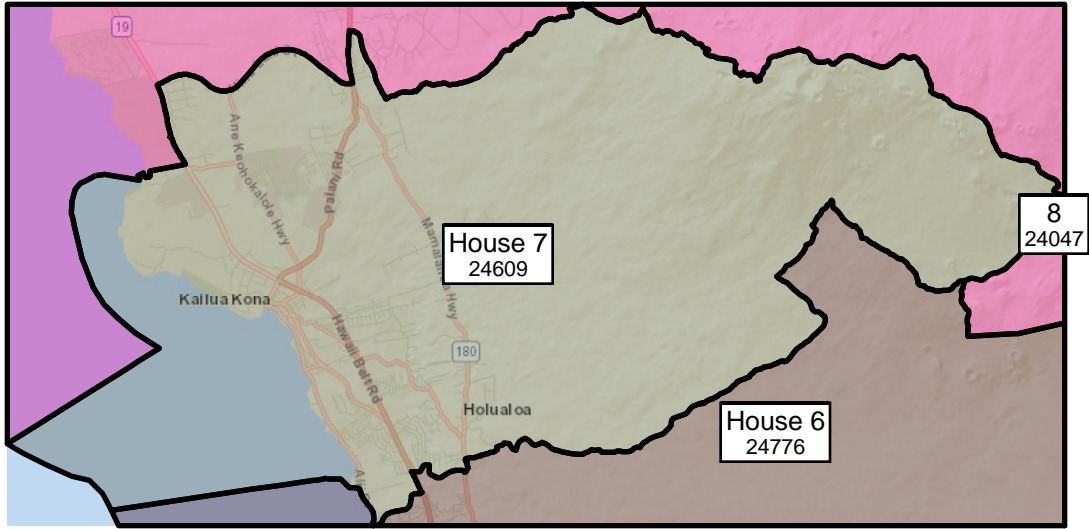


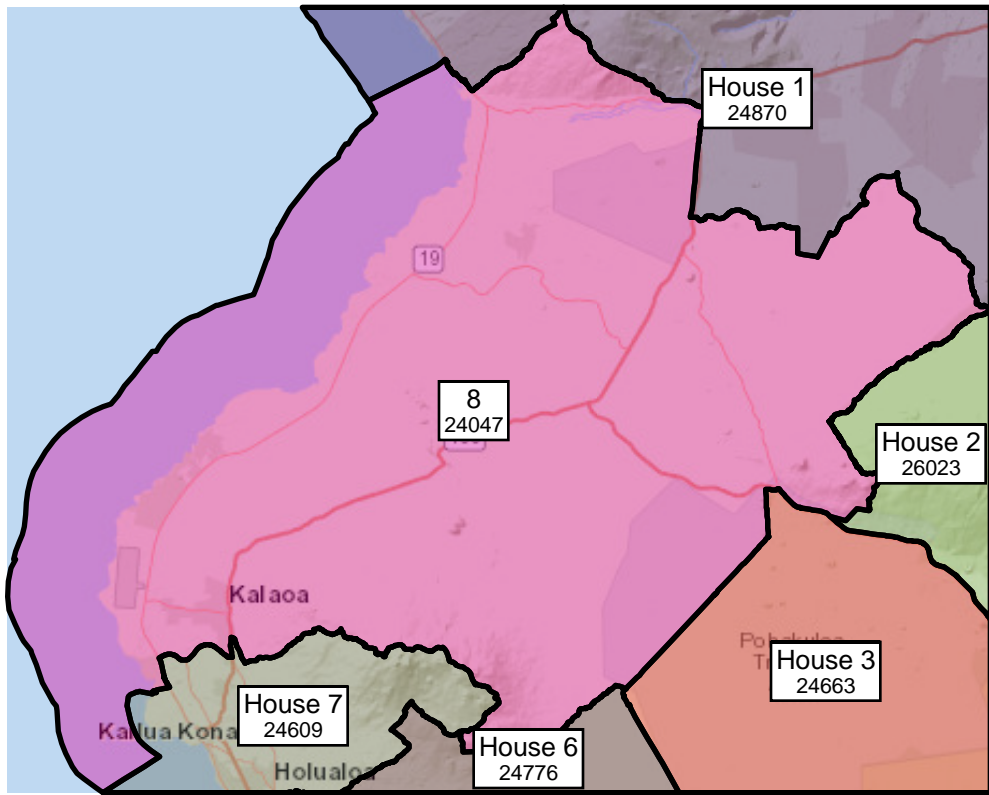












January 13, 2022: State of Hawaii Reapportionment Commission
Support for Commission's Reapportionment Map Revised January 13, 2022

Good Afternoon and thank you for allowing me to speak to you today.

I would like to testify in SUPPORT of the revised Commission's reapportionment map.

My name is Claire Tamamoto and I am a 69-year resident of 'Aiea. For the last 40 years of my life, I have served as a community advocate for my hometown 'Aiea and its surrounding communities of West O'ahu. I feel it is my responsibility as a community member to speak on matters that impact my community. Although I am speaking in my individual capacity today, my activism in many community organizations, such as President of the 'Aiea Community Association, validates my role to accurately express sentiments on policies that impact the 'Aiea community.

I would like the Commission and those attending this meeting to be mindful that we are an island community. Although I would like all policies and decisions be solely in the best interests of 'Aiea, a broader perspective must be taken. The current Red Hill fuel tanks are a perfect example of our island community. The tanks are in 'Aiea: their leakage has contaminated the water that is pumped to varying military areas from Pearl City to Honolulu. The leakage threatens the O'ahu wells of 'Aiea and Halawa. The Halawa well which part of the 'Aiea community provides water from Honolulu to Hawaii Kai. In addition, the Red Hill petroleum storage tanks leakage threatens the O'ahu aquifer which would have serious impacts for our entire island.

I heard testimony at the Central O'ahu public hearing and today, objecting to communities having to share their representation with multiple Representatives and Senators. I find that to be an odd play on the word "share". 'Aiea's already has experience with "sharing"

of multiple representatives at the State and City levels. To be honest, it should be viewed as an asset. After the initial adjustment, it broadened our perspectives and ultimately our understanding of government policies. We are interdependent on each other and it behooves all residents to have knowledgeable and accountable government representation that make the best decisions for us all.

In particular, the House map, divides 'Aiea along sensible boundaries, using mainly roadways that dissect our community. We originally objected to these roadways that took homes and displaced residents from our communities. We learned to accept these roadways so that the Leeward, Windward and Honolulu communities could move more efficiently. We ask that other communities look beyond localized needs and wants to apply a fair and equitable standard to all O'ahu communities. It must not be about who is most vocal, who has the most influential contacts, or who has the most time from their working day to craft testimony and speak out. It is a documented fact that the residential and business growth on O'ahu has been in the Leeward areas. These developing areas need equal representation as their residents shape their communities.

'Aiea is no stranger to having our particular wants and needs, let's say "put on a back burner". As the first suburb outside of Honolulu, our community is often the first to feel the ramifications of urban Honolulu push outwards. 'Aiea's roots are in our plantation kupunas, whose wishes have often been subordinated to more vocal and wealthier communities. 'Aiea is a demographically rich region, whose residents range from public housing to upper middle-income suburbs. This has

Support for Revised Commission's Reapportionment Map

Claire J. Tamamoto

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taught us the valuable lesson of empathy. As an island community, the needs and wants of particular communities should not be allowed to dictate what is equitable for the majority of O'ahu. The successes of our communities should come from mutual respect for all those who live in and benefit from 'Oahu.

As the Commission finalizes the reapportionment districts, I respectfully ask the Commission to consider what is best for all our intertwined neighborhoods. You must recognize that the interdependence of the O'ahu districts: what happens in one region of the island will invariably affect the entire island. By indulging only in the wishes of vocal communities, you may inherently and adversely impact more working-class Leeward regions. The object of reapportionment is not to pitch communities against each other but to use a standardized and fair method, applicable to all communities so that all our communities can prosper. How nice it would be to have our representatives advocate for their communities while keeping in mind the needs and wants of the entire State?

Again, I support the Commission's revised maps for the House map, in particular, and urge the Commission to uphold the boundaries drawn in the Commission's revised draft as it pertains to 'Aiea. Thank you for your time and opportunity to testify. If you have any further questions, please do not hesitate to contact me. Mahalo for your consideration of my testimony.

Respectfully submitted,

Claire J. Tamamoto

'Aiea resident

claire2164@gmail.com, (808) 429-1282

From: [Ryan Christopher](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Redistricting
Date: Thursday, January 13, 2022 8:58:08 PM

Aloha Commissioners,
I want to voice my support for the H8 Community Plan for redistricting. This is the only acceptable plan.

Ryan Christopher
Honokaa HI

From: marilyn@marilynblee.com
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Testimony for next hearing on Jan 20, etc
Date: Friday, January 14, 2022 12:48:24 PM

Dear Members of the Commission.

This is an addendum to my testimony submitted for the January 13th meeting.

Regarding the removal of the Waipio Acres Subdivision from the Mililani Districts, I want to state an important fact. Waipio Acres, besides being the oldest area in Mililani, is the home of more Ethnic minorities than the rest of Mililani. There are for example, pockets of Micronesians such as Chukese, who reside there. The children begin their education at Kipapa School.

This removal almost seems to have a discriminatory tone to it which may be unintentional. Waipio Acres needs to be part of Mililani(which it is) and I hope the final plan will reflect that.

Respectfully,

Marilyn B. Lee
95-170 Newe Place
Mililani ,Hawaii 96789
808 623-6707

Marilyn B. Lee
marilyn@marilynblee.com

From: billhicksknb@gmail.com
Sent: Monday, January 17, 2022 5:52 AM
To: OE.Elections.Reapportionment
Subject: [EXTERNAL] Testimony for the 1/20/22, 1/21/22, and 1/22/22 Reapportionment Commission Meetings
Attachments: Using Technical Committee Oahu House Map to Create Aligned Senate Districts.pdf

Aloha Chair Mugiishi and Reapportionment Commissioners,

Last Thursday the Reapportionment Commission's Technical Committee presented new House and Senate maps for Oahu. The improvements made to the Oahu House map, including the use of Makapu'u Point and smaller population deviation, are truly appreciated. I understand there is a remaining issue with Papakōlea, but I am otherwise at peace with the Oahu House map.

The Oahu Senate map remains disappointing. It does not correct the problem of not using Makapu'u Point and it is not in alignment with the House map.

I have thought quite a bit about the comments that were made on December 22nd. The context was House District 51, but it is universally applicable. "If you have a district that has synergy between the representative getting elected by the same constituency as the senator, you have a much better chance of effecting meaningful change for your community. And so I'm trying to understand why people would object to aligning their Senate map and their House map? I would think that would be a wonderful thing to do."

Beyond that, the Constitution says "...representative districts shall be wholly included within senatorial districts".

Additionally, on December 17th the Oahu Advisory Council reported "... the OAC recommends that after there is evidence and confidence of accurate extraction numbers, Oahu maps be drawn in accordance with Article IV in it's entirety, which will establish Ka'ena Point and Makapu'u Point as natural boundaries for both house and senate districts."

It bothers me that the obvious way to ensure that House districts are fully contained within a Senate district, simply joining two House districts to form a Senate district, has not been done anywhere in the entire state. Furthermore, the Technical Committee has not even shown the other commissioners what that would look like so

that individual commissioners can apply their judgement and decide whether or not that approach is “practicable”.

I have used the Technical Committee’s 34 Oahu House Districts AS IS to create a Senate map that entirely consists of two House Districts being used to form one Senate District. This plan has been formally submitted on-line to the commission. Additionally, it is described in the attached brief, which also forms part of my written testimony.

Shouldn’t we strive to follow all of the rules first and see what that looks like so we will really know what is “practicable” and what isn’t -- and why?

Shouldn’t following all of the criteria always be the starting point? If some improvement is identified that is so compelling that it would be better than adhering to a particular Constitutional or HRS criteria, then “as practicable” provides an out, but shouldn’t that be the exception rather than the rule, with clear and concise justification provided for any such exception?

The public deserves to understand what the reasons are should the commission eventually decide that following the Constitutional and HRS criteria is not “practicable”.

I submit that using the Technical Committee’s 34 House Districts to form one Senate District from two House Districts is entirely practicable! If it is practicable, I believe the Constitution clearly says it should be done.

I urge every commissioner to thoroughly review the attached brief to understand what that simple concept would look like in practice and to judge that approach against what the Technical Committee has submitted for a Senate map.

I sincerely ask, what do you think is a better approach to achieving what Chairman Mugiishi described in the December 22nd meeting about the synergy between a Senator and a Representative as they work to understand and support the needs of their constituents? The following tables compare the Aligned Plan approach with the Technical Committee’s approach:

Aligned Senate Plan's Alignment of House Districts Within a Single Senate District							
Senate District	House Districts		Senate District	House Districts		Senate District	House Districts
9	18, 19		15	25, 28		21	42, 43
10	20, 21		16	30, 31		22	44, 45
11	22, 26		17	34, 35		23	46, 47
12	23, 24		18	37, 38		24	48, 49
13	27, 29		19	36, 39		25	50, 51
14	32, 33		20	40, 41			

Technical Committee's "Alignment" of House Districts Within a Single Senate District as Practicable							
Senate District	House Districts		Senate District	House Districts		Senate District	House Districts
9	18, 19, 20		15	28, 30, 31, 32, 34, 35		21	39, 41, 42, 43, 44
10	19, 20, 21, 22, 23, 24		16	32, 33, 34		22	41, 44, 45
11	22, 23, 25, 26, 27		17	37, 38, 46		23	46, 47, 48, 49
12	23, 24, 25, 28		18	35, 36, 37, 38, 39, 46		24	48, 49, 50
13	25, 26, 27, 28		19	34, 35, 36, 39, 42		25	18, 49, 50, 51
14	27, 28, 29, 30, 32		20	39, 40, 41, 42			

I suggest the commission may also learn more about the importance of this concept by reviewing Ralph Boyea’s testimony (and others) about applying the same concept on the Big Island.

I would also like to briefly discuss the requirement from Chapter 25 of the Hawaii Revised Statutes that “...state legislative districts shall be wholly included within congressional districts.” In the Technical Committee’s plan on Oahu, six House Districts and five Senate Districts cross the boundaries of CD 1/CD 2. House Districts are the smallest districts and offer the most granularity in their construction. It is better to construct House Districts first and use them as building blocks for not only Senate Districts, but also for Congressional Districts. This year 25 House Districts on Oahu represent the right population to form Congressional District 1 and nine House Districts on Oahu is the right number to construct Oahu’s portion of Congressional District 2. To comply with this HRS criteria, it is best to construct the Congressional Districts last and not first. The attached brief also illustrates what Congressional Districts derived from 25 and 9 of the Technical Committee’s House Districts looks like. Individual commissioners should understand this alternative approach before deciding that following this HRS criteria is not “practicable”. I believe it is entirely practicable for no House District to cross the Congressional District boundary, and for only one of 17 Oahu Senate Districts to do so. If it is practicable, I believe the HRS language clearly says it should be done.

I reiterate, the attached Aligned Oahu Senate District Map and Aligned Oahu Congressional District Map fully use the Technical Committee’s 34 Oahu House Districts AS IS. Mahalo!

Aloha,
 Bill Hicks
 Kailua

Using the Technical Committee's Oahu House Map to Create Aligned Senate & Congressional Districts

Bill Hicks

January 16, 2022

Aligned Oahu Senate Plan & Aligned Oahu Congressional Plan Complies With All Constitutional and HRS Requirements

01/20/2022 Meeting Materials

Constitution Article IV Section 6:

- “...the average number of permanent residents in each district is as nearly equal to the average for the basic island unit as practicable.” YES - Total Deviation 3.73% (Tech Committee Plan 4.93%)
- “...districts shall be contiguous.” YES
- “...districts shall be compact.” YES
- “...district lines shall follow permanent and easily recognized features, such as streets, streams and clear geographical features...” YES – incl. Makapu’u Point (Tech Committee Plan does not for SD 25)
- “...representative districts shall be wholly included within senatorial districts.” YES – ALL of them (Tech Committee Plan only 9 House Districts are; 2 HDs cross 4 SDs, 10 cross 3 SDs, and 13 cross 2 SDs)
- “...submergence of an area in a larger district wherein substantially different socio-economic interests predominate shall be avoided.” YES

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Hawaii Revised Statutes Chapter 25 Section 2:

- “...state legislative districts shall be wholly included within congressional districts” YES – ALL House and 16 of 17 Senate with the Aligned Oahu Congressional Plan aligned with House Districts (Technical Committee plans have 6 House & 5 Senate Districts that cross the CD1/CD2 boundary)

Methodology

Start with the Technical Committee's 34 Oahu House Districts first as they were likely constructed with better granularity.

“...representative districts shall be wholly included within senatorial districts”.

- Approach: Join 2 House Districts to form 1 Senate District. There will be greater synergy with every representative only needing to coordinate with one Senator (the Technical Committee's plan was up to 4 Senators) and every Senator only needing to coordinate with 2 Representatives (the Technical Committee's plan was up to 6 Representatives). (Accomplished with Aligned Senate Plan)

“...state legislative districts shall be wholly included within congressional districts.”

- Placing 25 Oahu HDs within CD1 and 9 Oahu HDs within CD2 achieves acceptable population deviation <1%.
- Approach: Place 25 HDs wholly within CD 1 and 9 HDs wholly within CD 2. (Accomplished with Aligned Congressional Plan; note that all HDs & 16 of 17 SDs are wholly within one CD but one SD must straddle the line. The Technical Committee's plan had 6 House and 5 Senate Districts cross CD lines on Oahu.)

Value of Aligning House and Senate Maps

- Reapportionment Commission Chair Mugiishi might even agree with the concept of using Aligned House and Senate Districts from his comments made on December 22, 2021. The context was House District 51, but it is universally applicable. He said “If you have a district that has synergy between the representative getting elected by the same constituency as the senator, you have a much better chance of effecting meaningful change for your community. And so I’m trying to understand why people would object to aligning their Senate map and their House map? I would think that would be a wonderful thing to do.”

Which is Better?

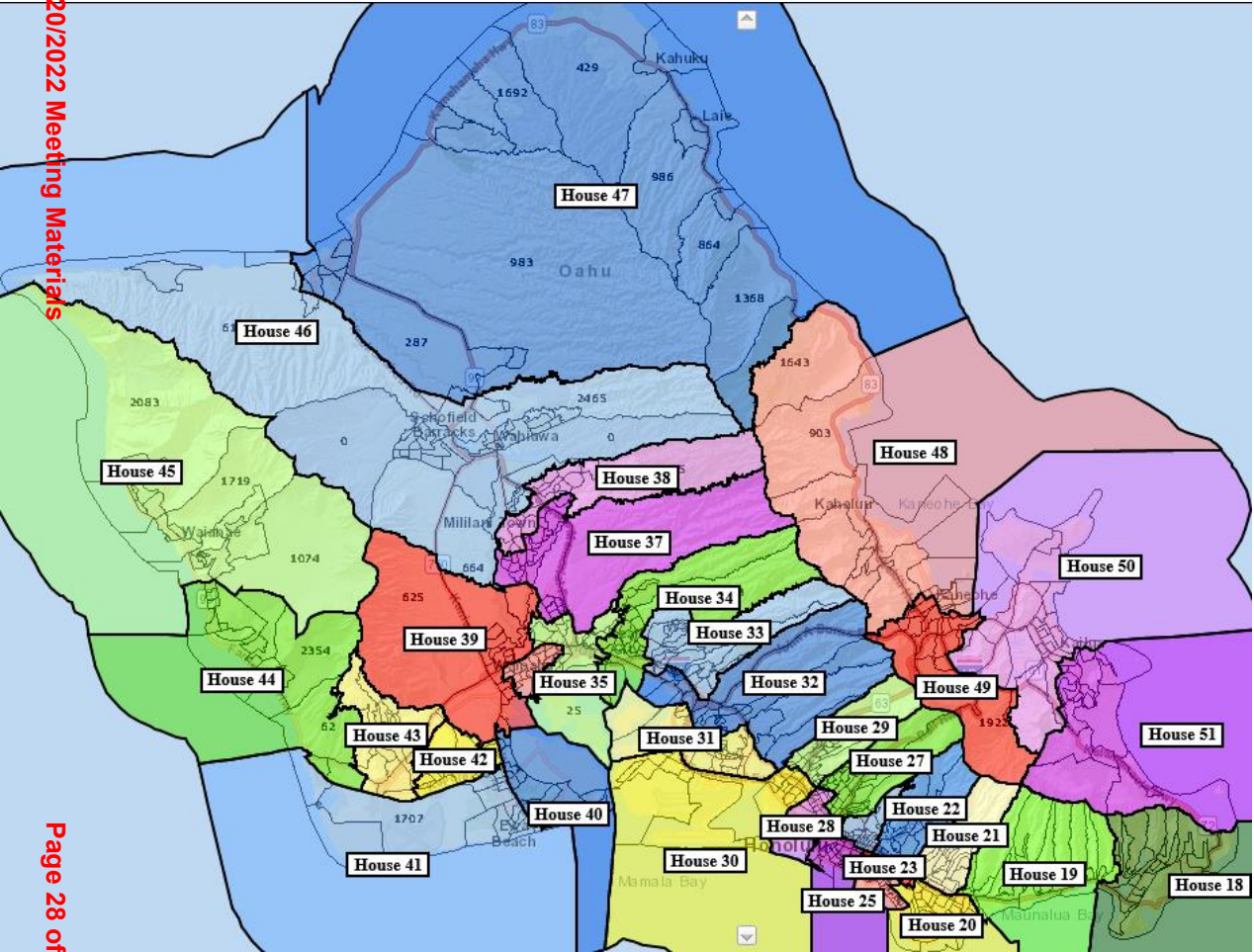
Technical Committee's "Alignment" of House Districts Within a Single Senate District as Practicable

Senate District	House Districts	Senate District	House Districts	Senate District	House Districts
9	18, 19, 20	15	28, 30, 31, 32, 34, 35	21	39, 41, 42, 43, 44
10	19, 20, 21, 22, 23, 24	16	32, 33, 34	22	41, 44, 45
11	22, 23, 25, 26, 27	17	37, 38, 46	23	46, 47, 48, 49
12	23, 24, 25, 28	18	35, 36, 37, 38, 39, 46	24	48, 49, 50
13	25, 26, 27, 28	19	34, 35, 36, 39, 42	25	18, 49, 50, 51
14	27, 28, 29, 30, 32	20	39, 40, 41, 42		

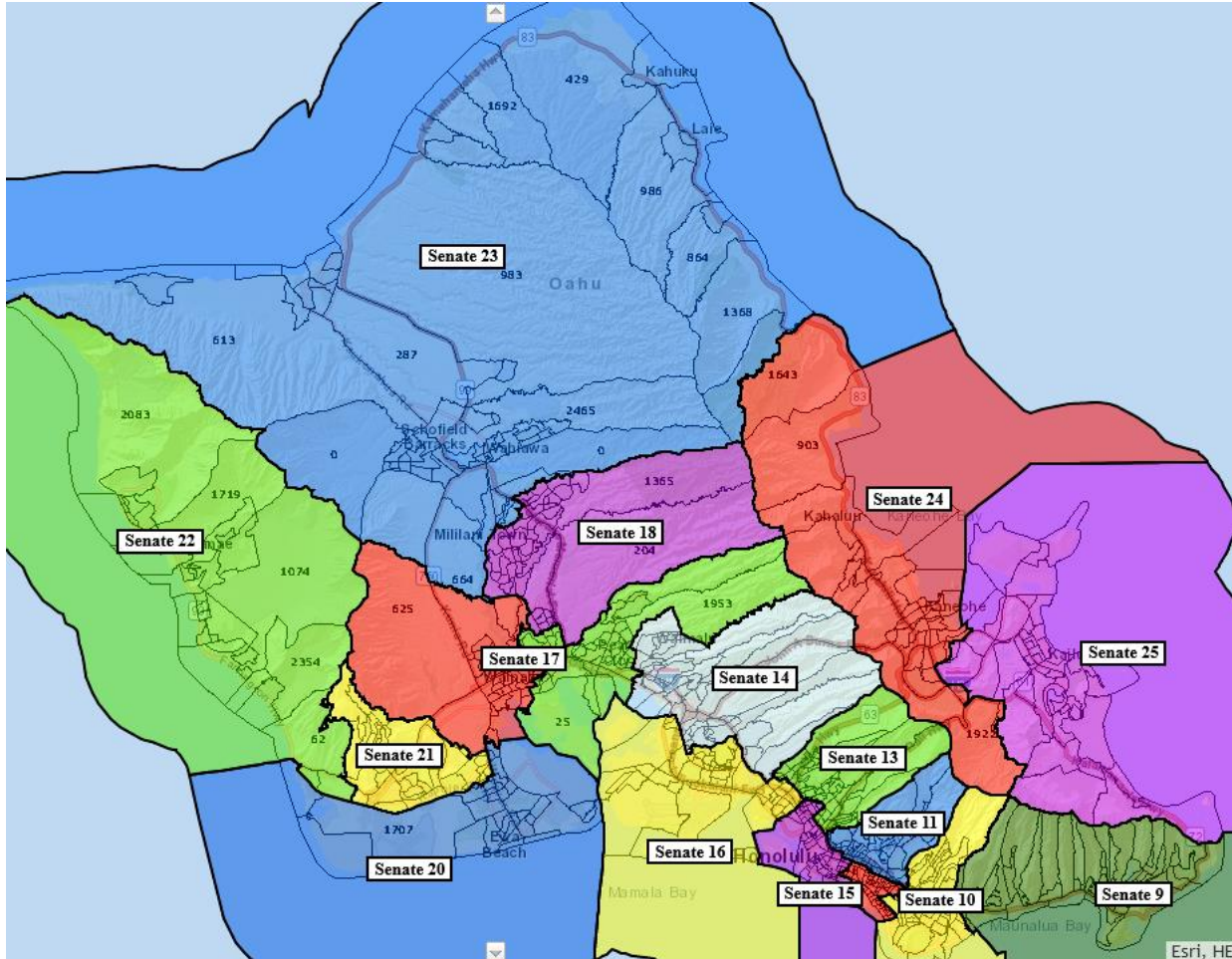
Aligned Senate Plan's Alignment of House Districts Within a Single Senate District

Senate District	House Districts	Senate District	House Districts	Senate District	House Districts
9	18, 19	15	25, 28	21	42, 43
10	20, 21	16	30, 31	22	44, 45
11	22, 26	17	34, 35	23	46, 47
12	23, 24	18	37, 38	24	48, 49
13	27, 29	19	36, 39	25	50, 51
14	32, 33	20	40, 41		

Each Senate District Consists of Exactly 2 House Districts



34 House Districts (Technical Committee)



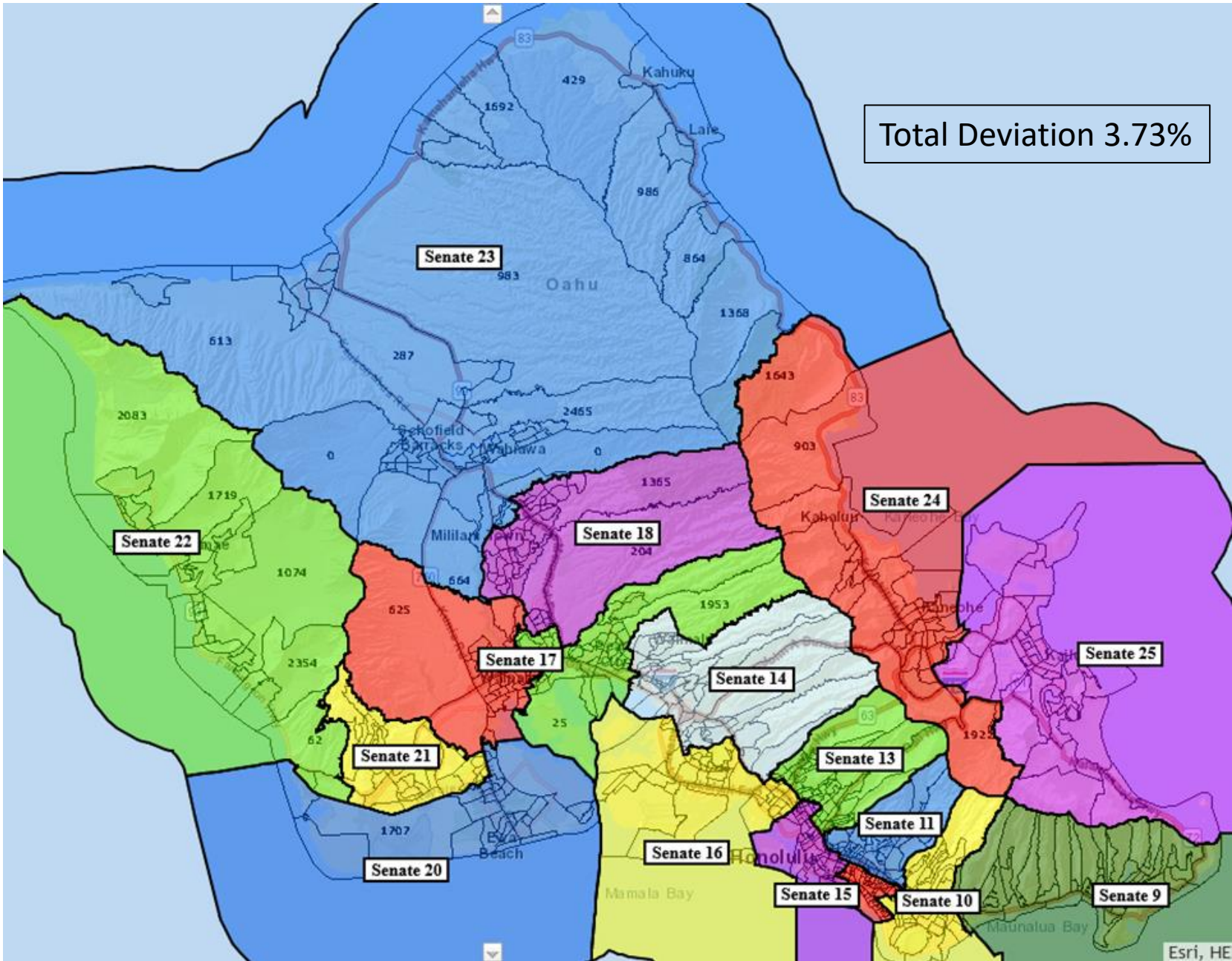
17 Aligned Senate Districts

Aligned Senate Plan (w/Technical Committee House Map)

“...representative districts shall be wholly included within senatorial districts”

Hawaii Constitution Article IV Section 6

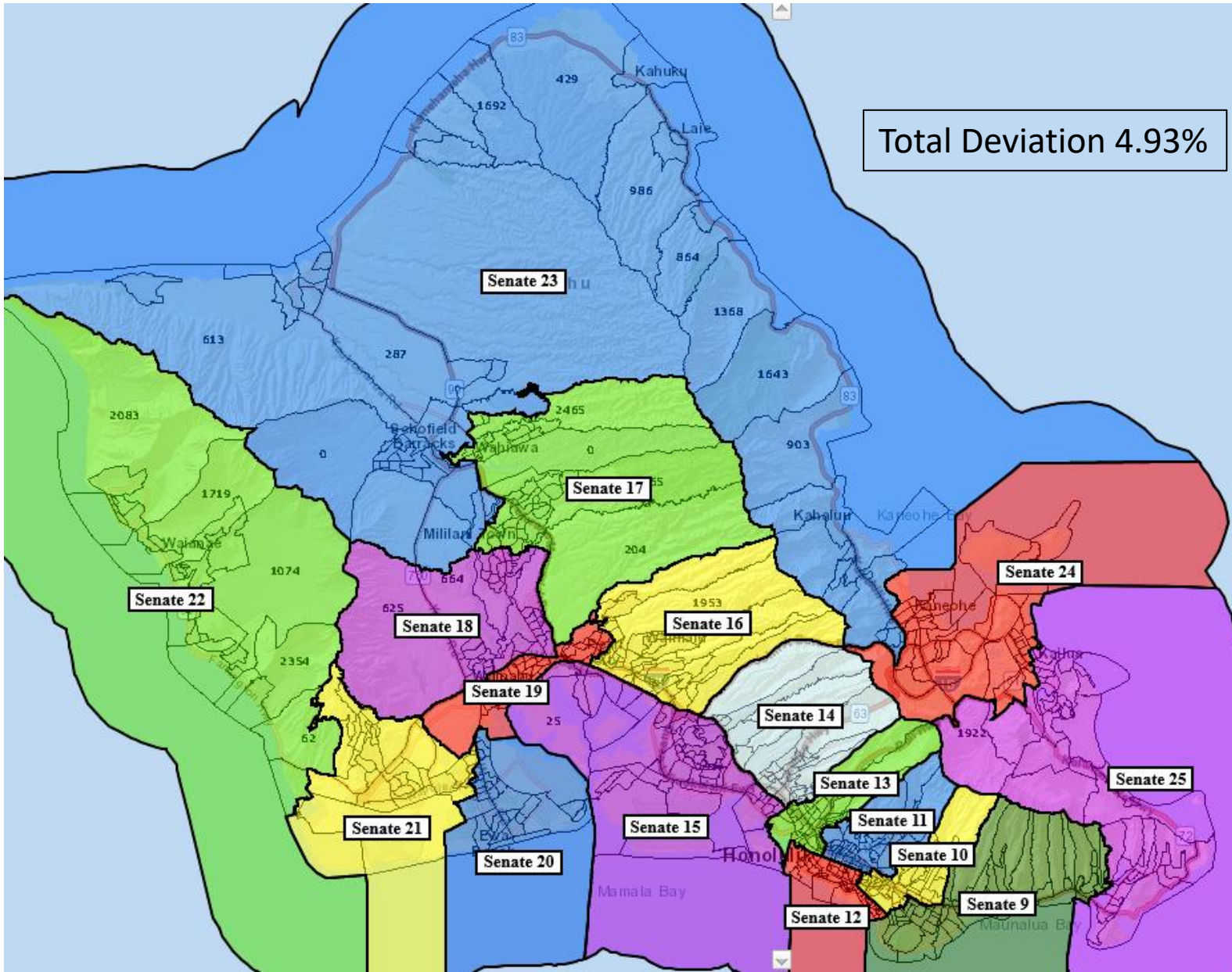
- Aligned Plan: **ALL** 34 House Districts are contained within 1 Senate District
 - Uses Technical Committee’s House Plan & forms Senate Districts from 2 House Districts
- Technical Committee’s Senate Plan:
 - **Only 9 House Districts are contained within 1 Senate District**
 - 13 House Districts are contained within **2 Senate Districts**
 - 10 House Districts are contained within **3 Senate Districts**
 - 2 House Districts are contained within **4 Senate Districts**
 - **No Senate District contains only 2 House Districts; there could’ve been 17 of these**
 - 3 Senate Districts each cross 6 House Districts; another 4 cross 5; and 5 cross 4
 - Even on Maui (3 Senate/6 House) and the Big Island (4 Senate/8 House) no Senate District contains only 2 House Districts



Aligned Senate Plan w/TC's House Map

SD	Deviation	%
9	- 132	-0.25%
10	- 391	-0.73%
11	84	0.16%
12	- 146	-0.27%
13	699	1.31%
14	158	0.29%
15	343	0.64%
16	347	0.65%
17	404	0.75%
18	204	0.38%
19	461	0.86%
20	319	0.60%
21	- 762	-1.42%
22	712	1.33%
23	80	0.15%
24	-1096	-2.05%
25	-1283	-2.40%

Oahu Senate Plan Aligned with Technical Committee's House Map



Total Deviation 4.93%

Technical Committee Plan

SD	Deviation	%
9	- 590	-1.10%
10	55	0.10%
11	53	0.10%
12	258	0.48%
13	998	1.86%
14	1302	2.43%
15	1197	2.23%
16	811	1.51%
17	-1211	-2.26%
18	-1271	-2.37%
19	1104	2.06%
20	848	1.58%
21	1172	2.19%
22	-1122	-2.09%
23	-1087	-2.03%
24	-1340	-2.50%
25	-1176	-2.20%

Technical Committee's Oahu Senate Plan

Oahu Senate Differences

	Aligned Plan	Technical Committee
Total Deviation	3.73%	4.93%
Makapu'u Point	Yes	No
HD w/i 1 SD	Yes	No
HD w/i 1 CD	Yes	No

East Honolulu: Aligned uses Makapu'u Point; TC doesn't

Downtown

Central Oahu

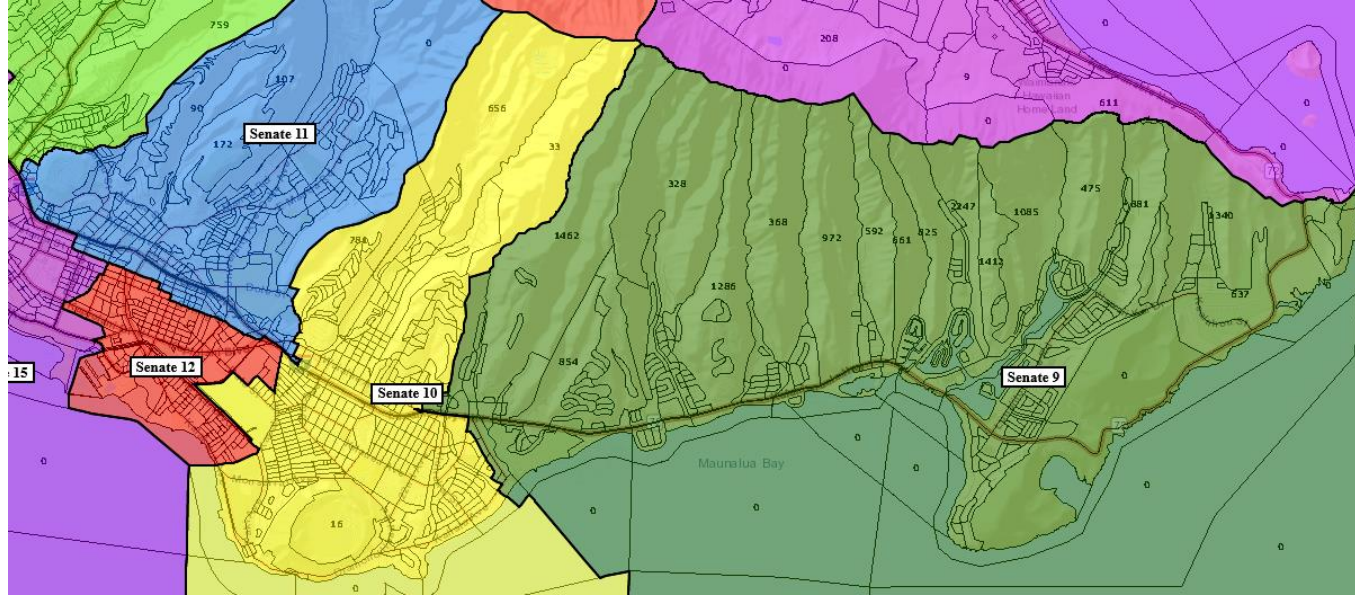
Leeward Oahu

North Shore

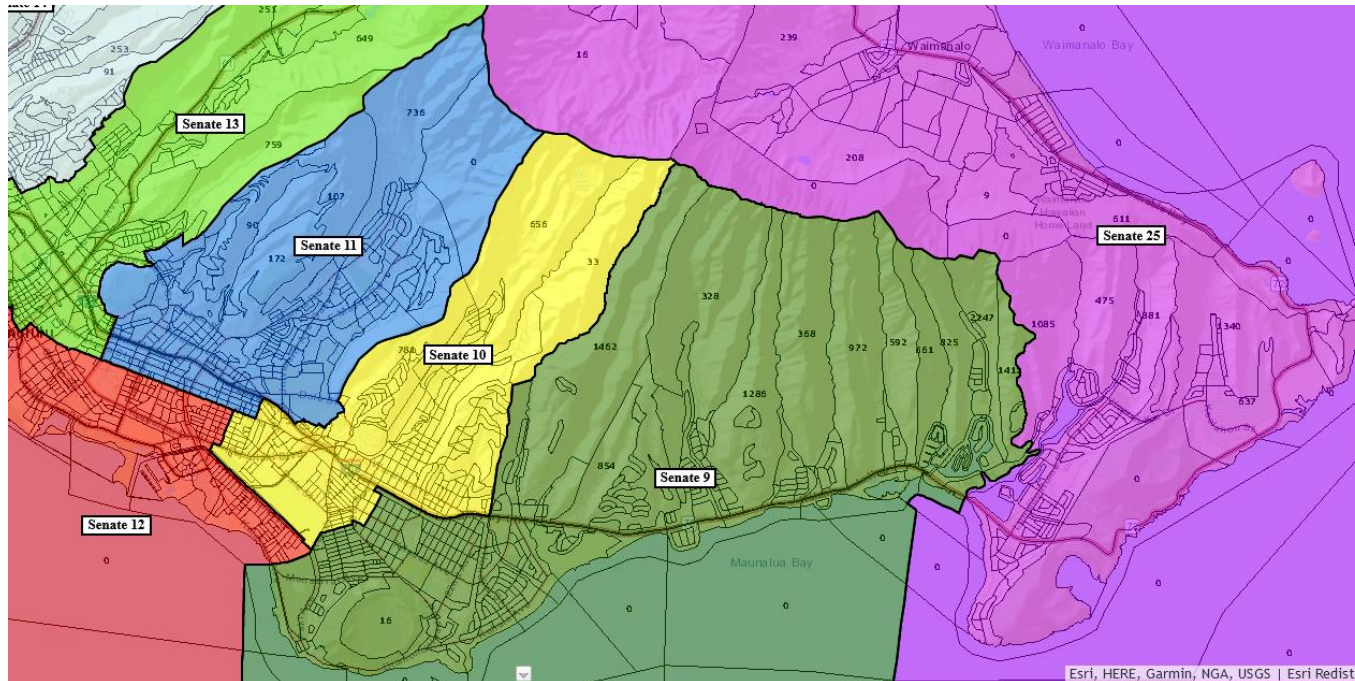
Windward Oahu: Aligned uses Makapu'u Point; TC doesn't

East Honolulu Overview

Aligned Plan
(w/TC House Map)

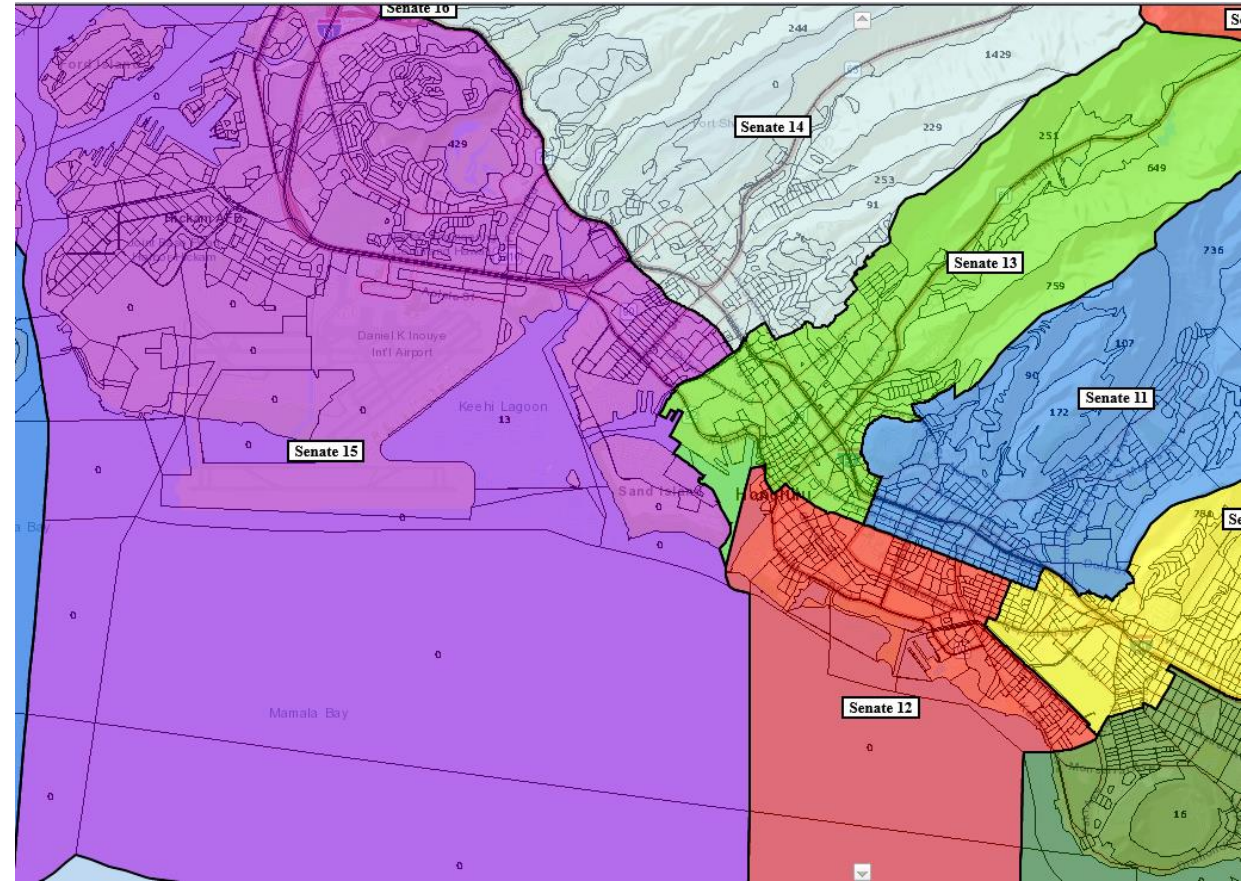
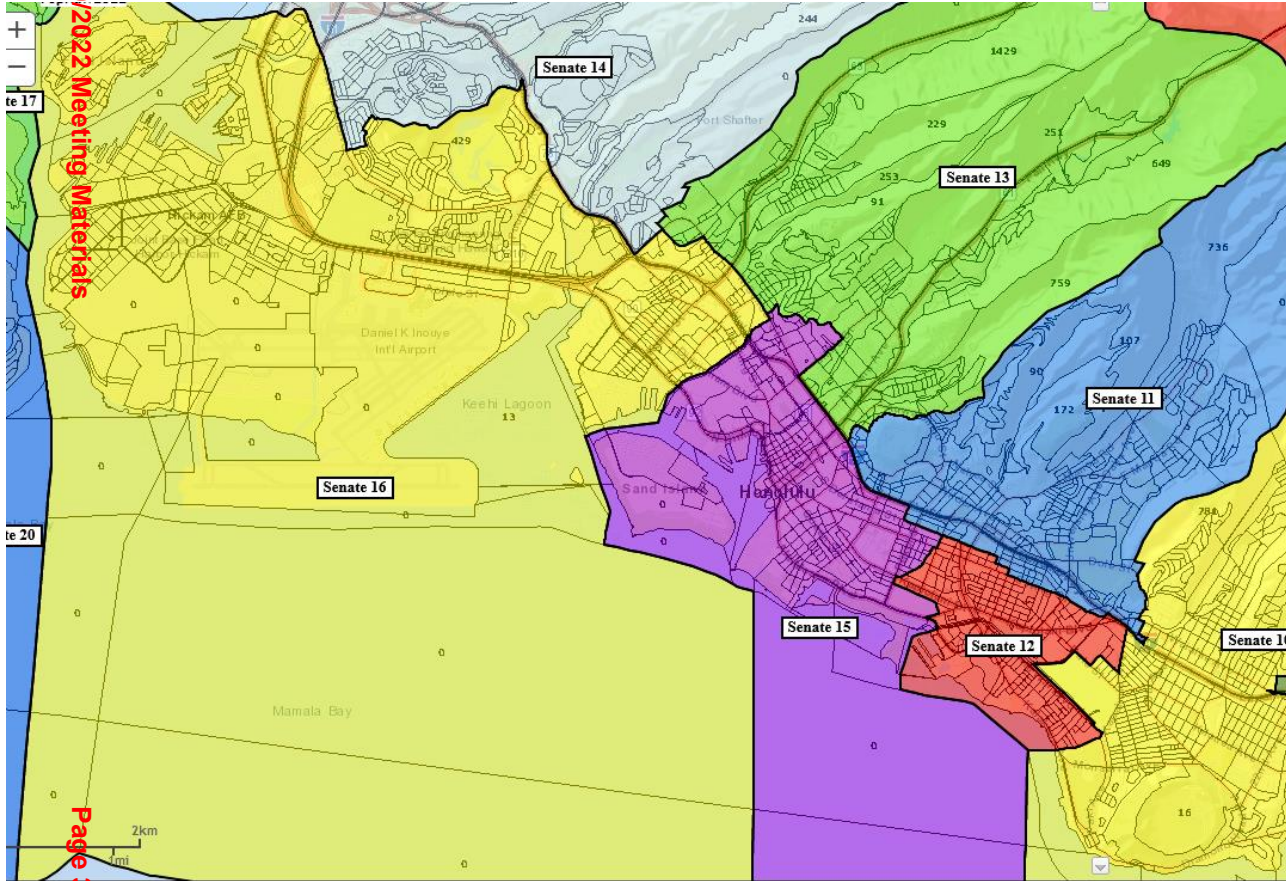


Technical
Committee Plan



Downtown Overview

01/20/2022 Meeting Materials

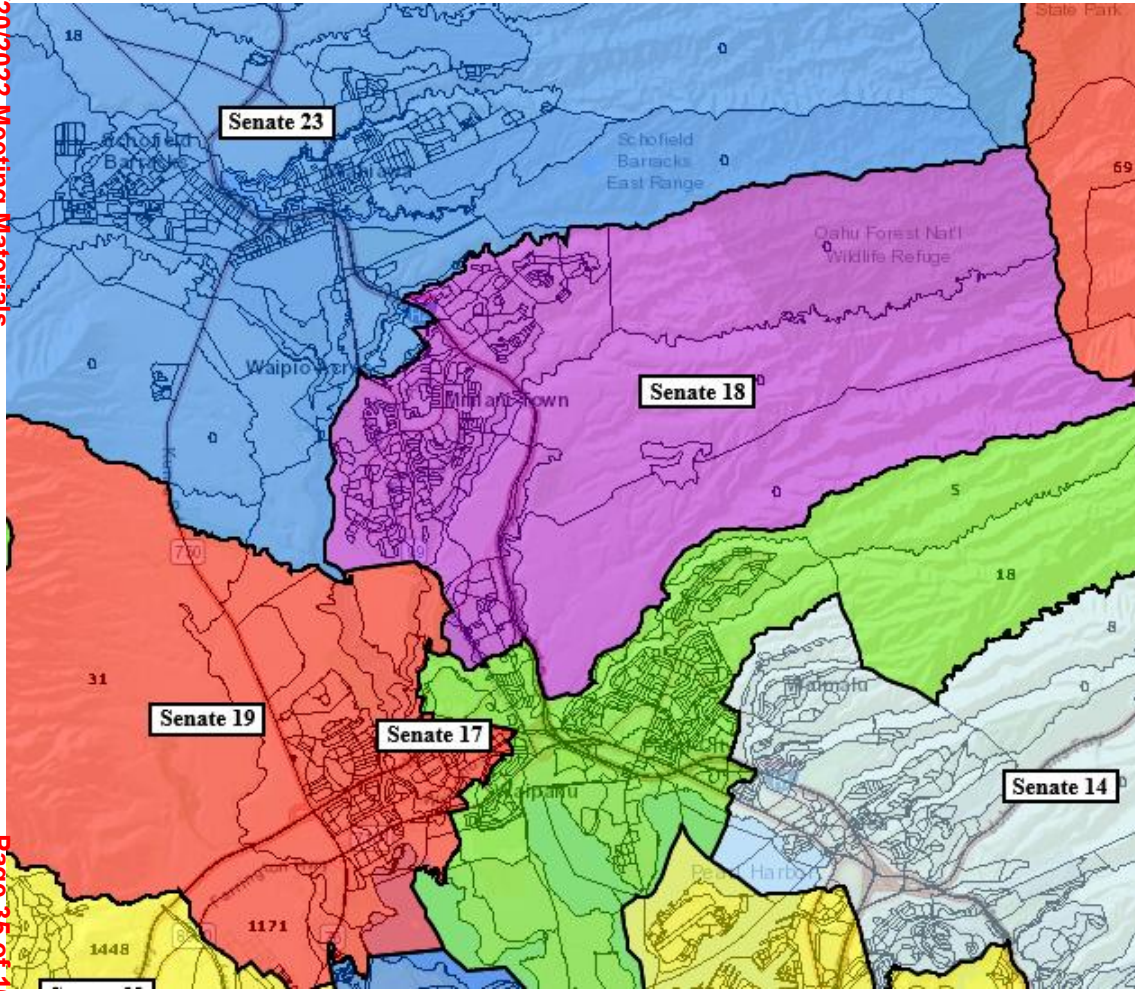


Aligned Plan (w/TC House Map)

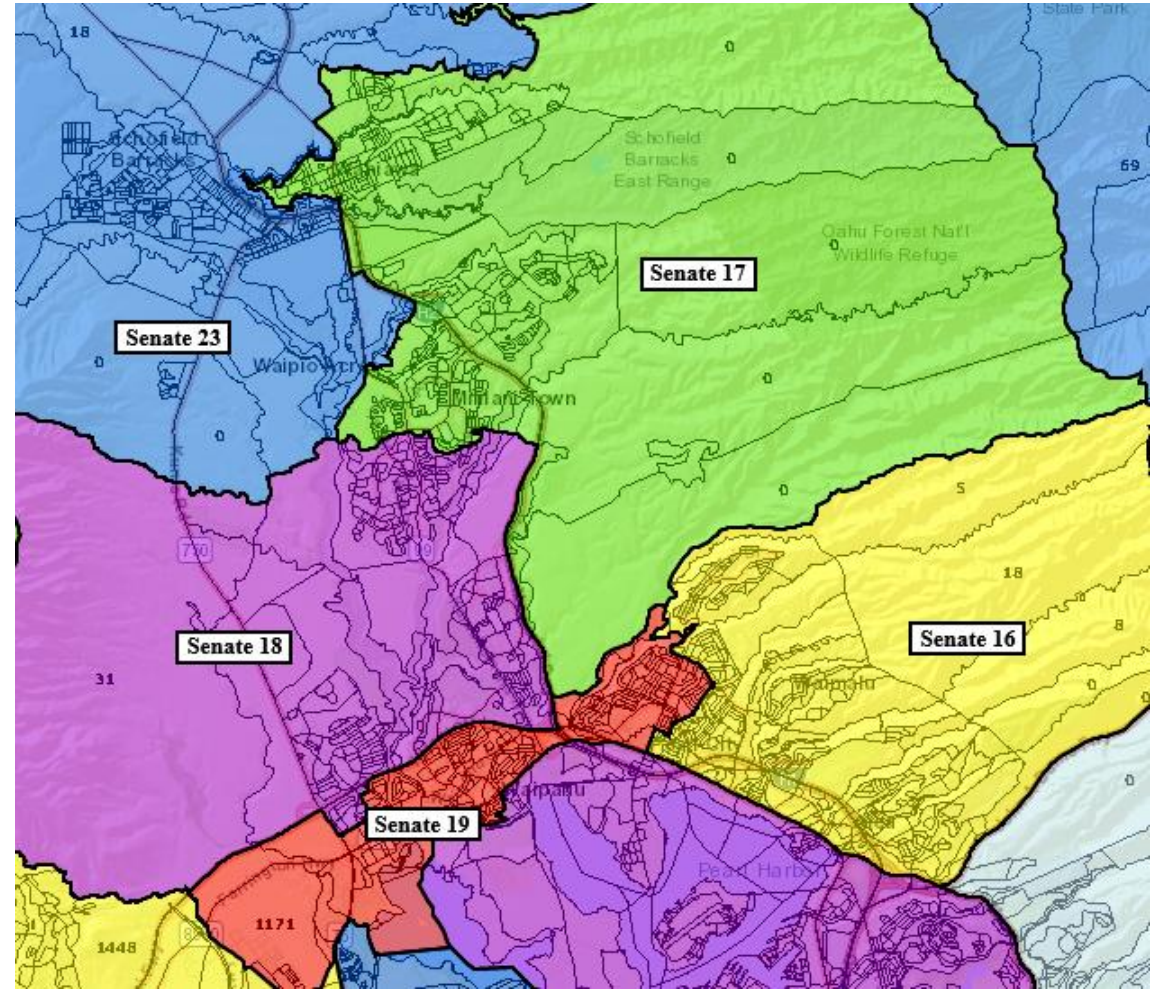
Technical Committee Plan

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Central Oahu Overview

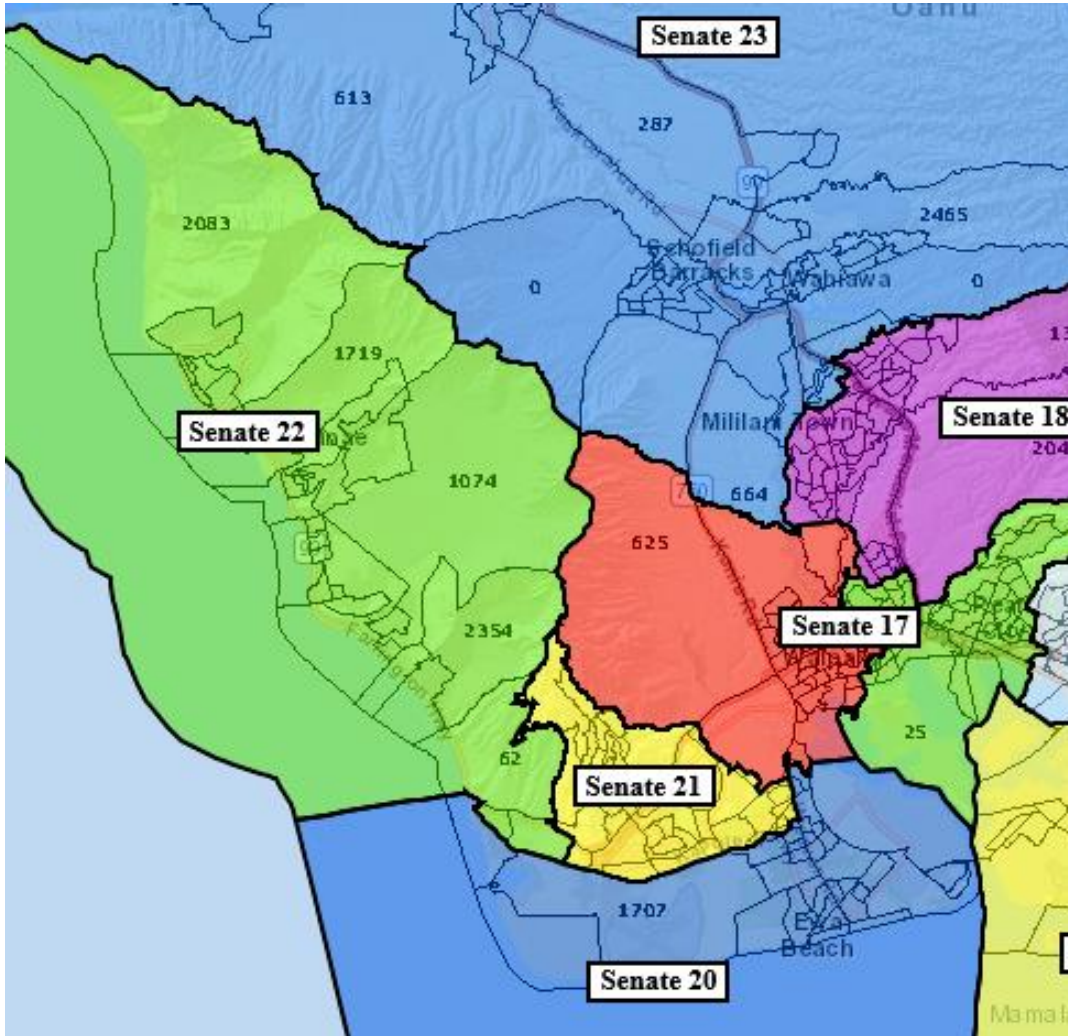


Aligned Plan (w/TC House Map)

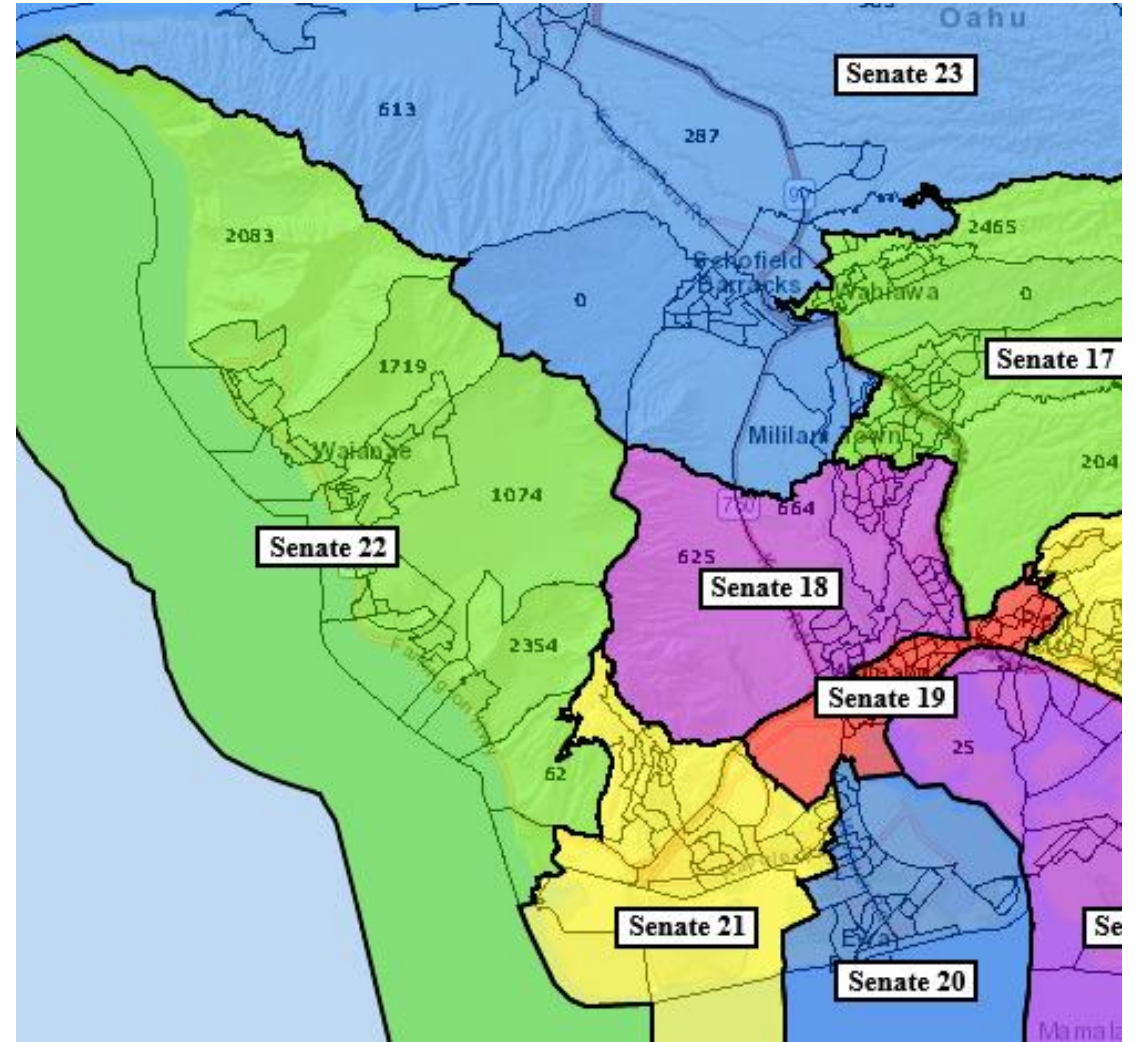


Technical Committee Plan

Leeward Oahu Overview

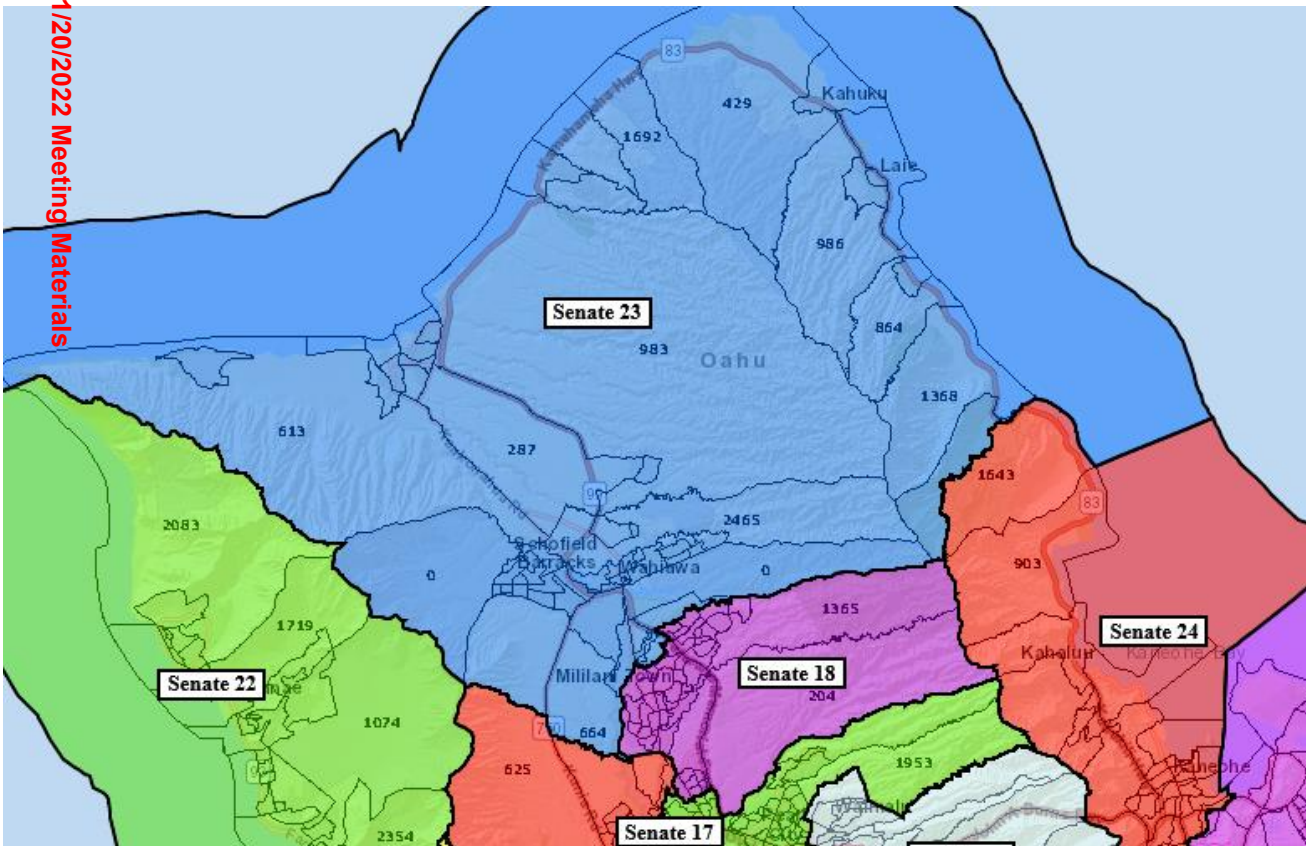


Aligned Plan (w/TC House Map)

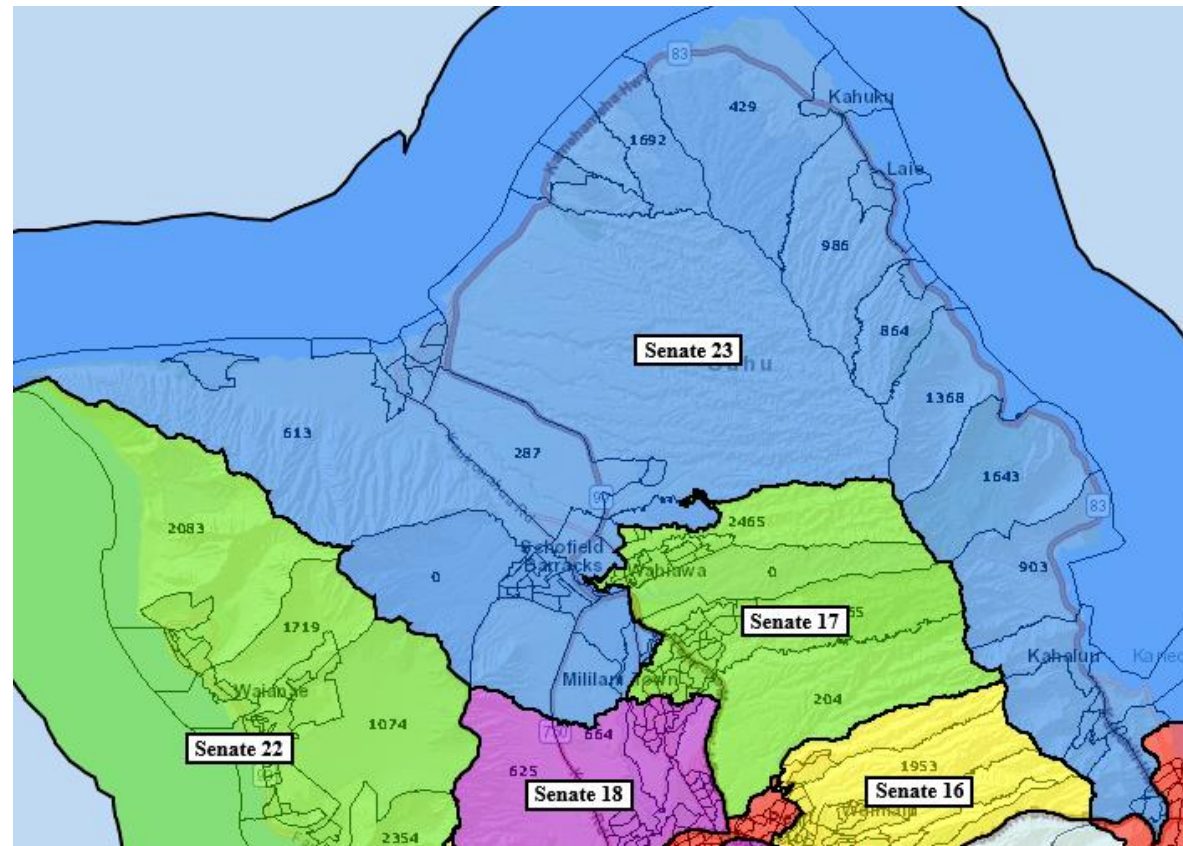


Technical Committee Plan

North Shore Overview

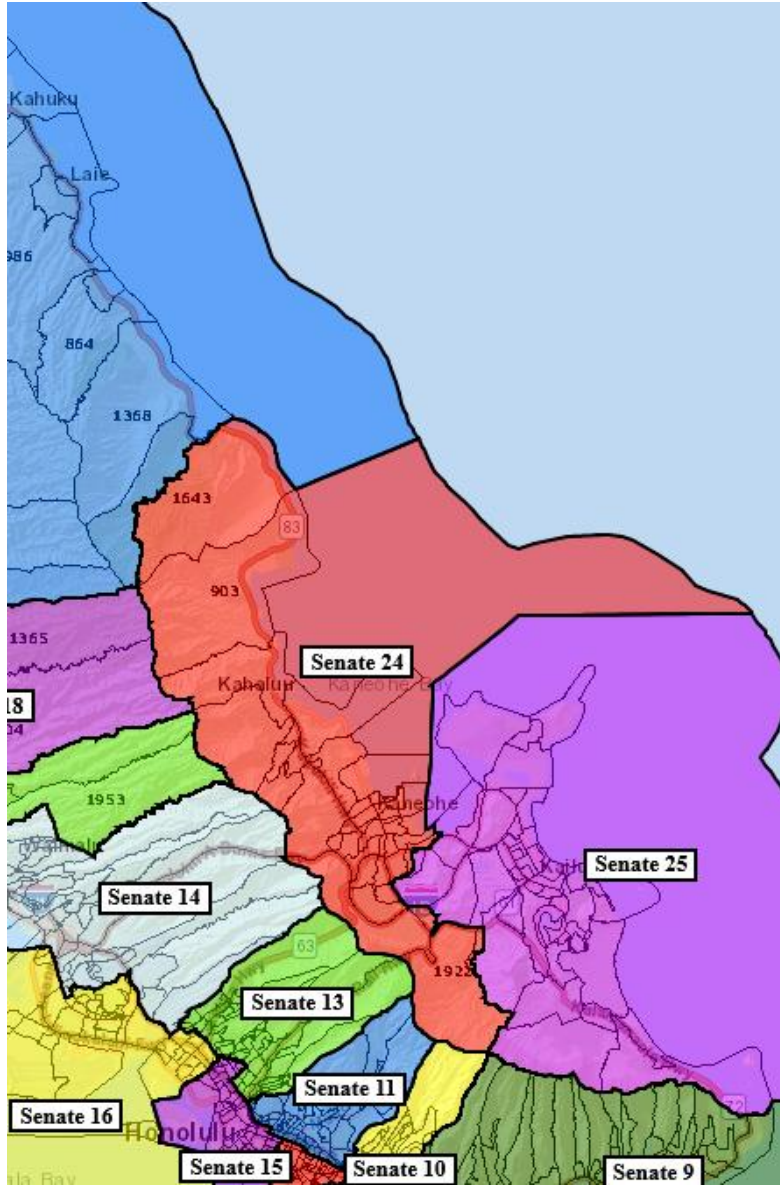


Aligned Plan (w/TC House Map)

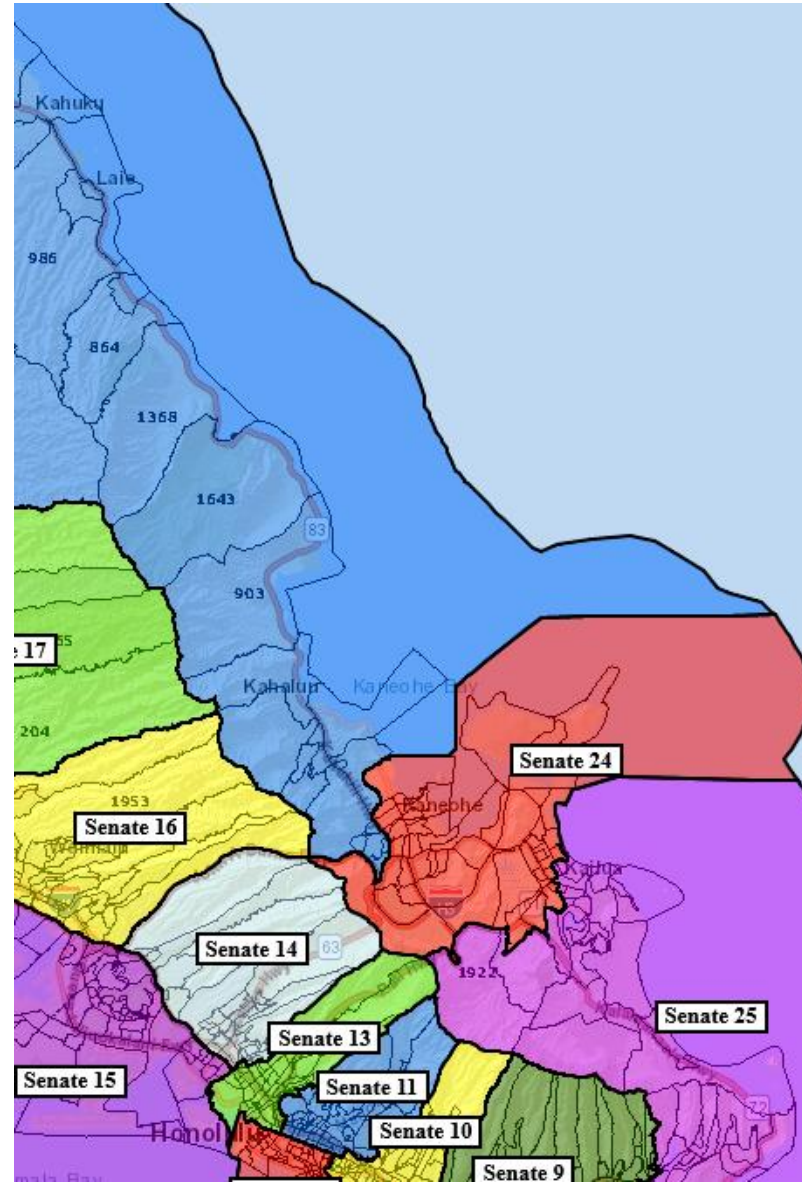


Technical Committee Plan

Windward Oahu Overview



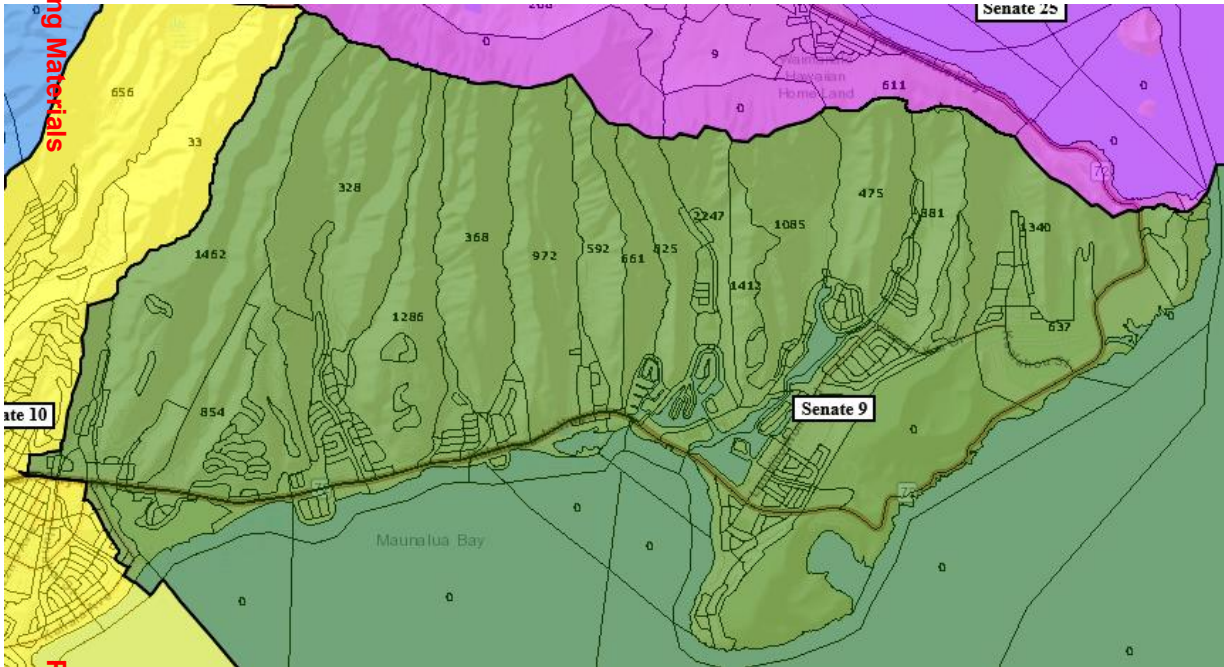
Aligned Plan (w/TC House Map)



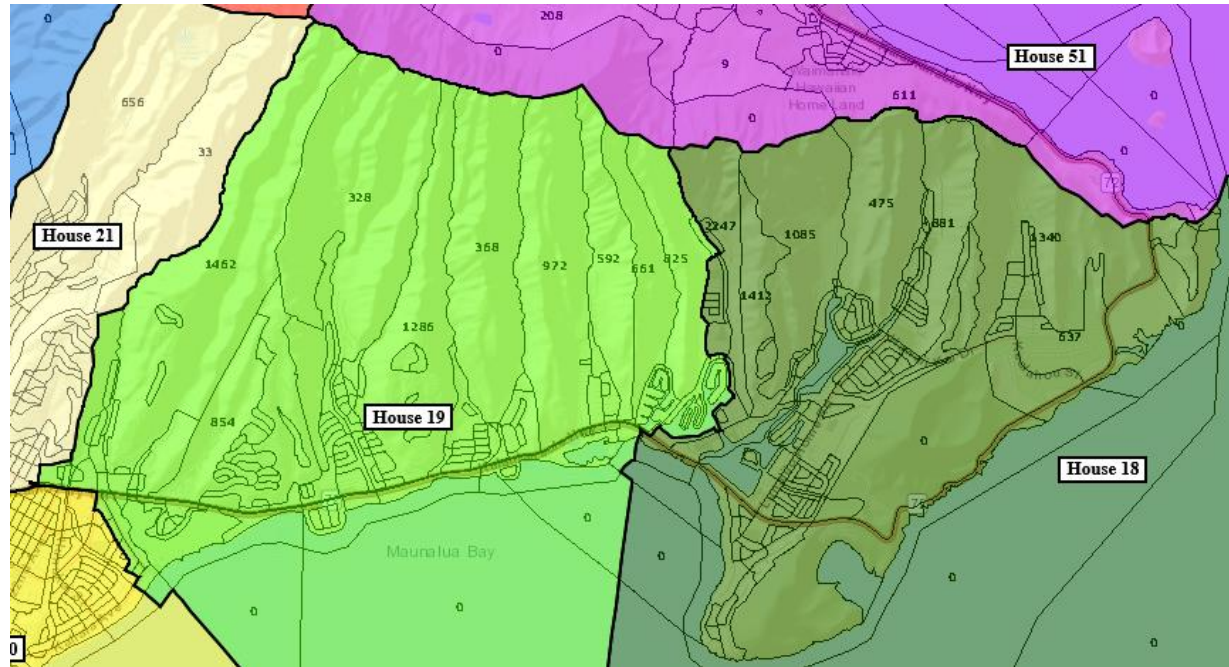
Technical Committee Plan

Senate District 9

Exactly Aligned with TCs House Districts 18 & 19



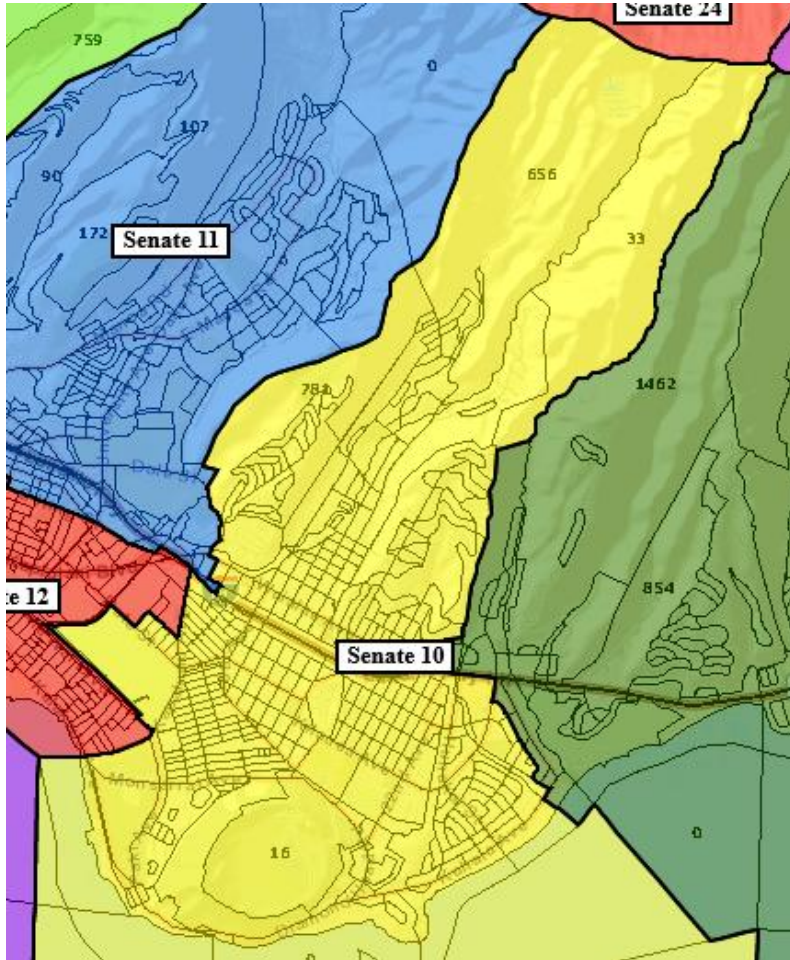
Aligned Senate Plan



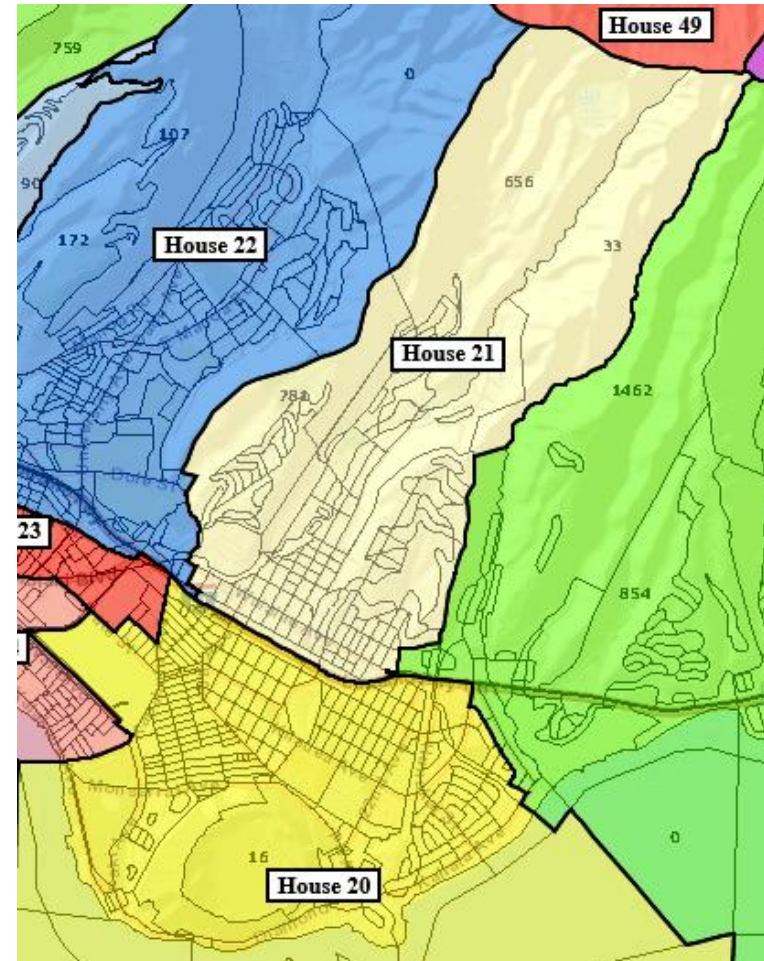
Technical Committee's House Map

Senate District 10

Exactly Aligned with TCs House Districts 20 & 21



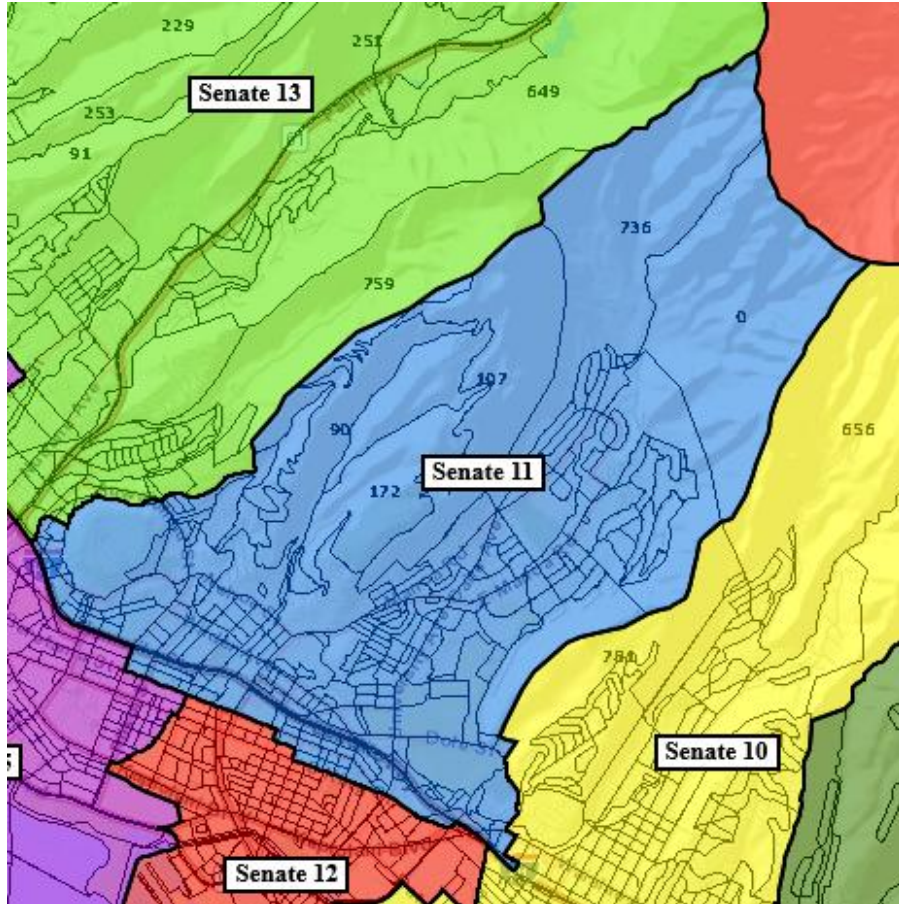
Aligned Senate Plan



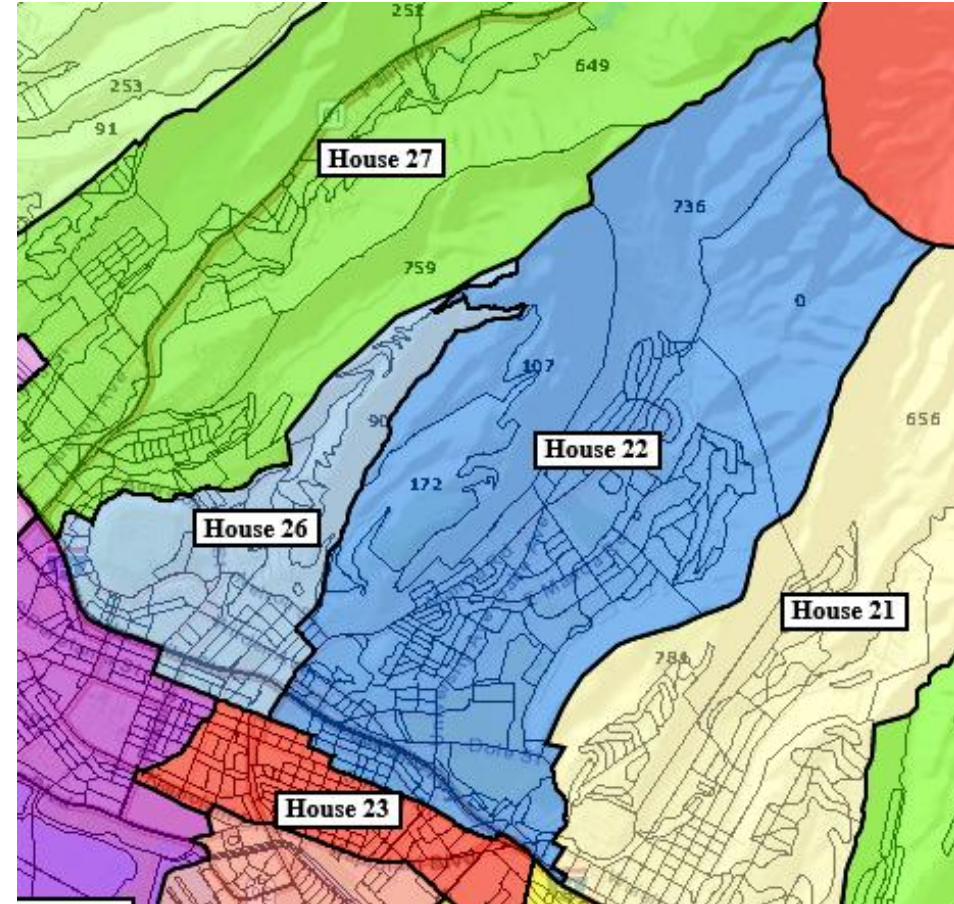
Technical Committee's House Map

Senate District 11

Exactly Aligned with TCs House Districts 22 & 26



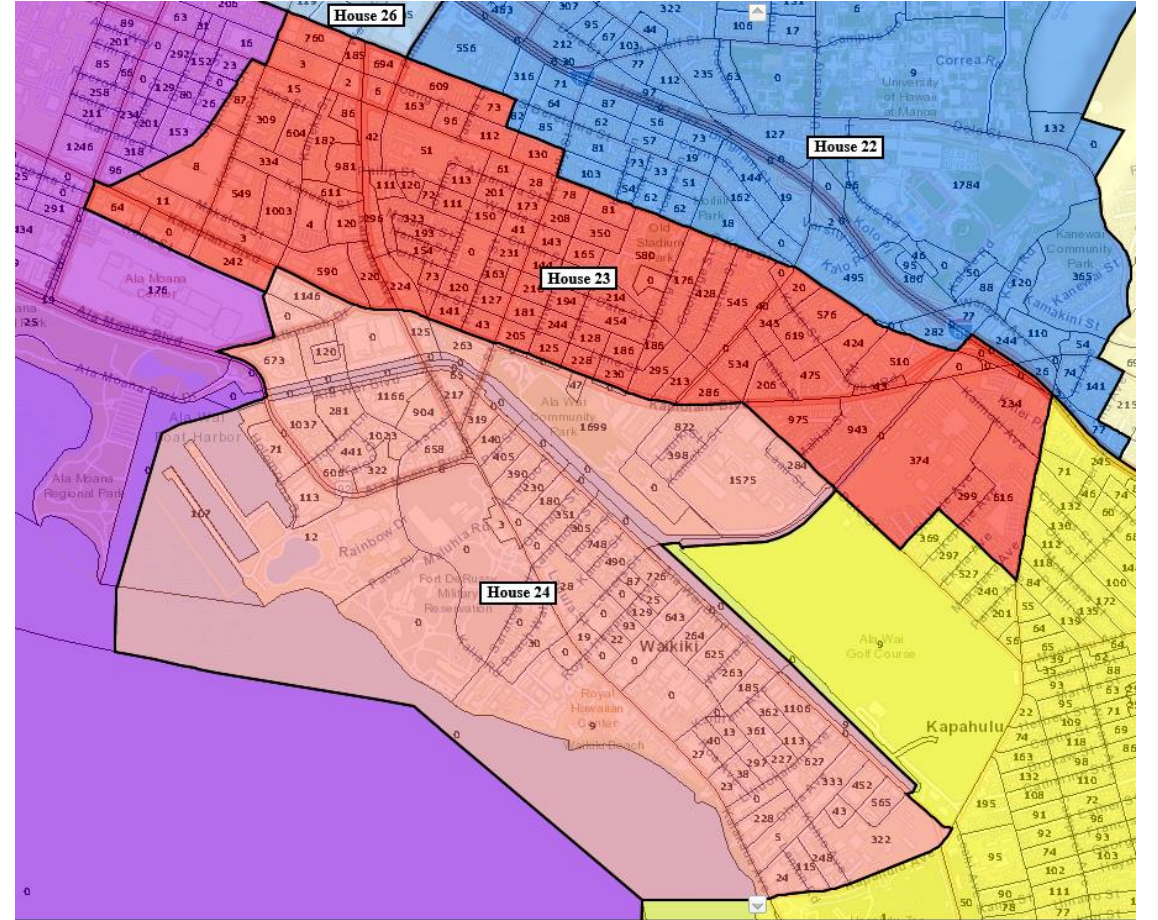
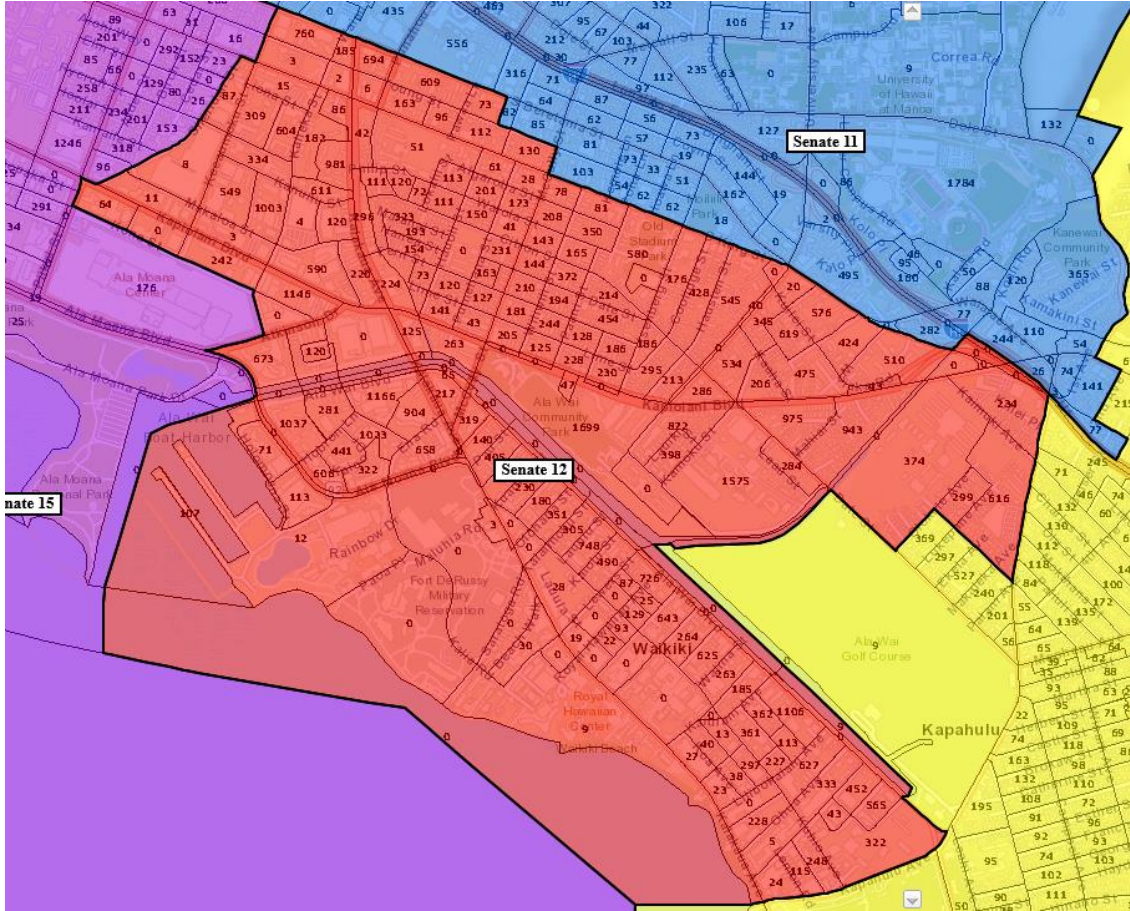
Aligned Senate Plan



Technical Committee's House Map

Senate District 12

Exactly Aligned with TCs House Districts 23 & 24

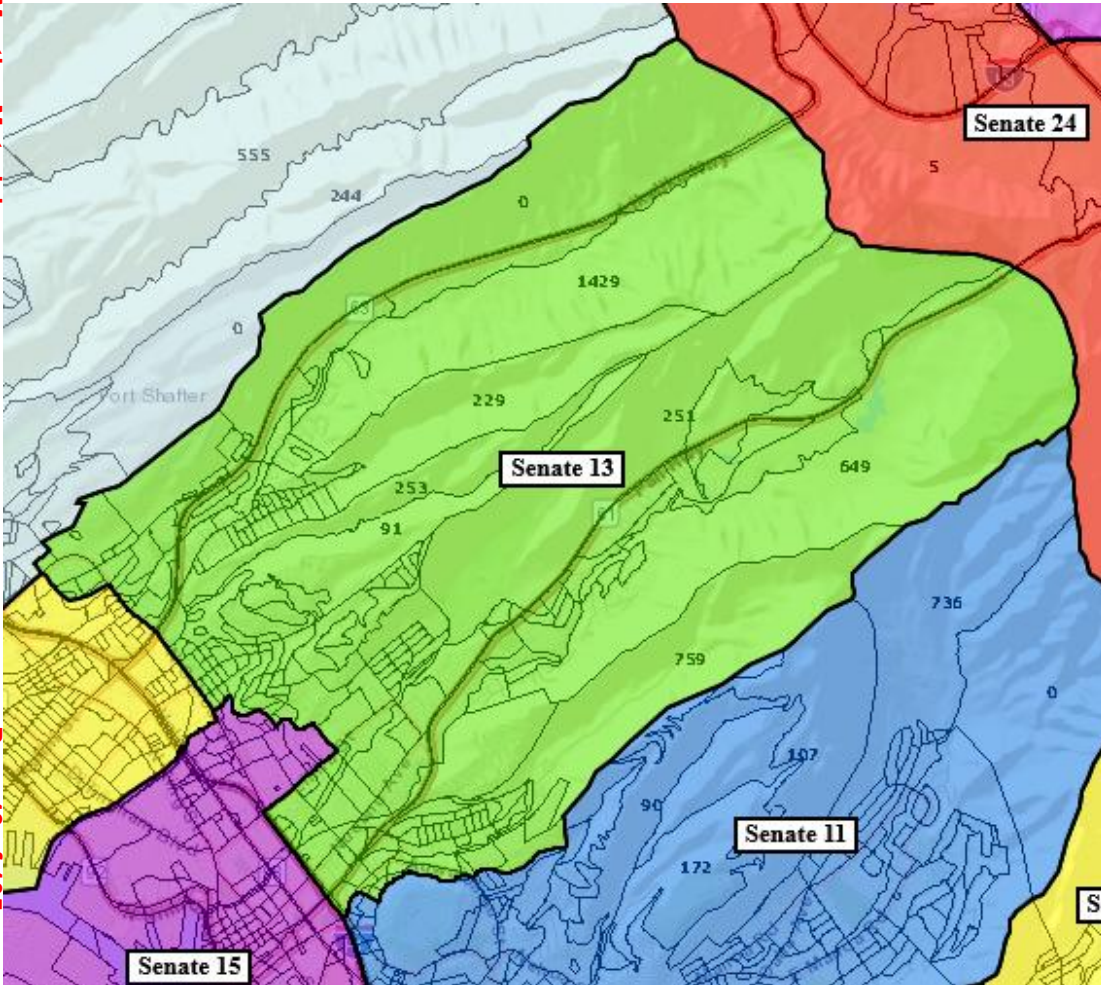


Aligned Senate Plan

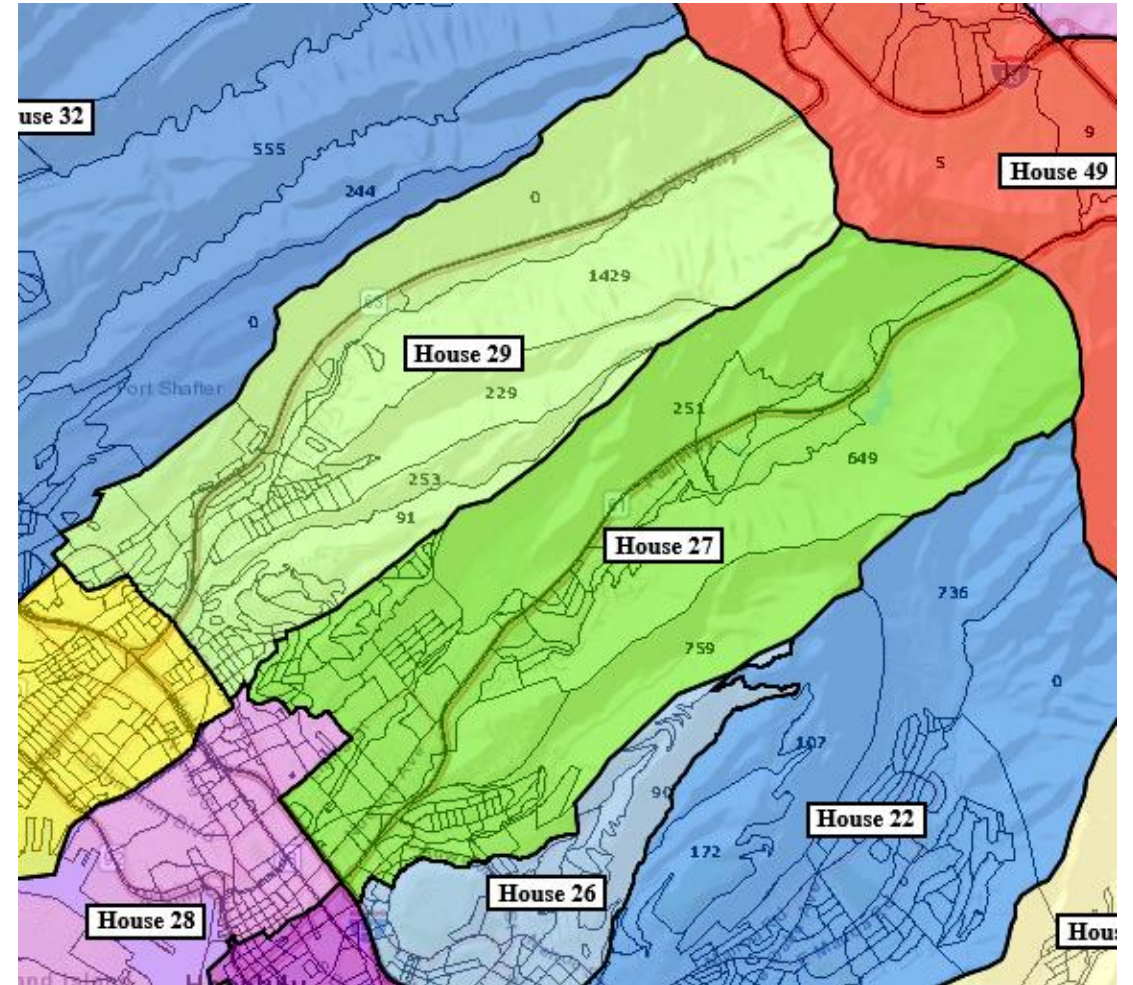
Technical Committee's House Map

Senate District 13

Exactly Aligned with TCs House Districts 27 & 29



Aligned Senate Plan

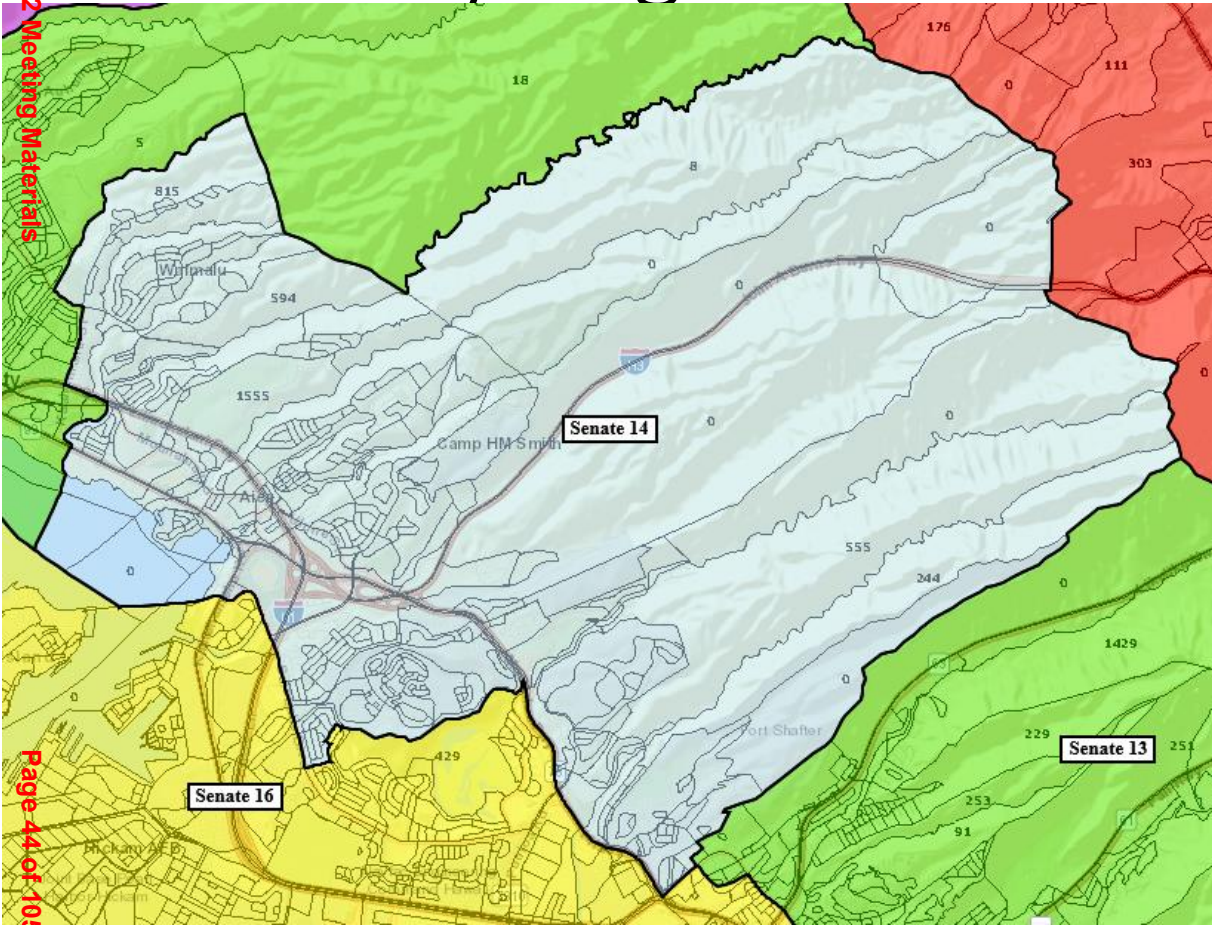


Technical Committee's House Map

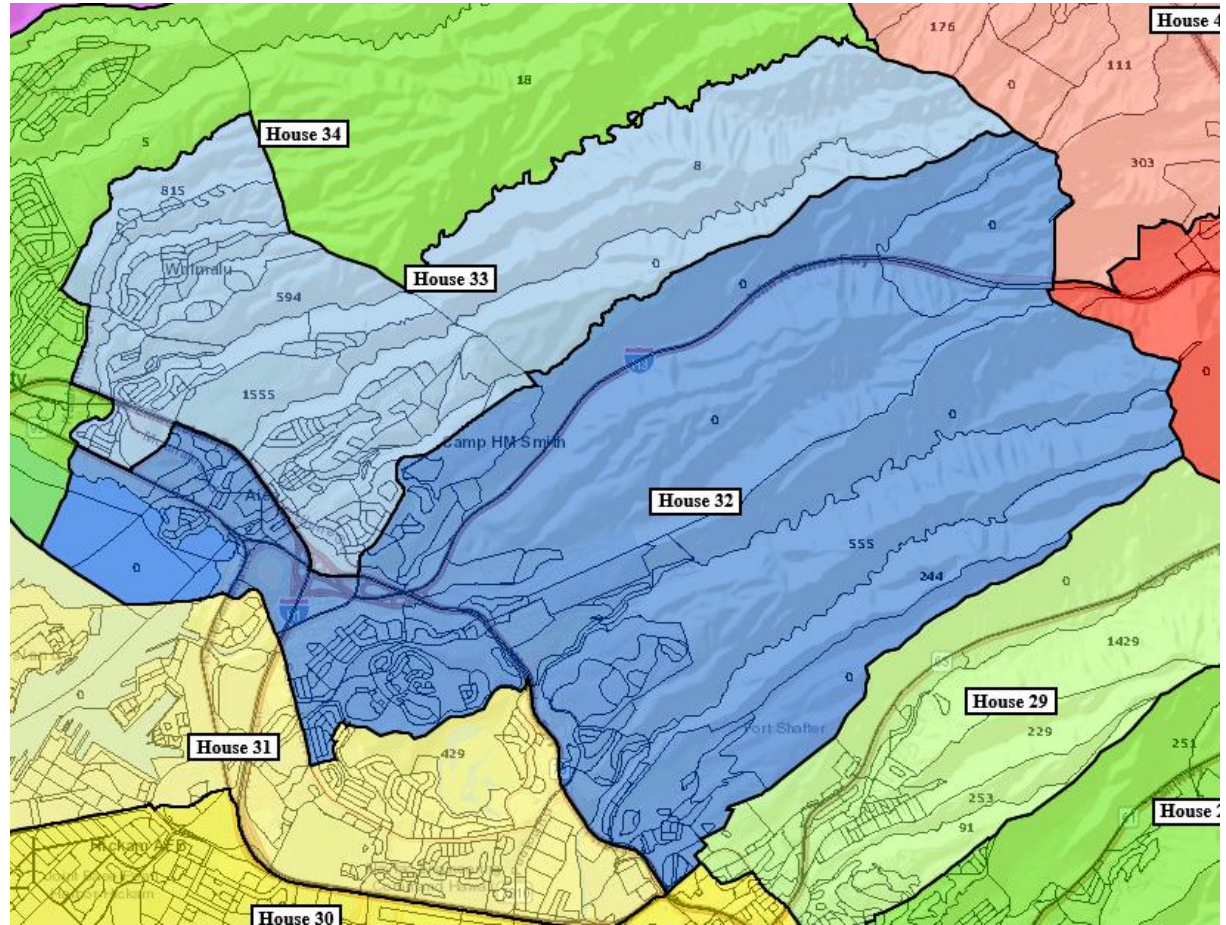
Senate District 14

Exactly Aligned with TCs House Districts 32 & 33

01/20/2022 Meeting Materials



Aligned Senate Plan

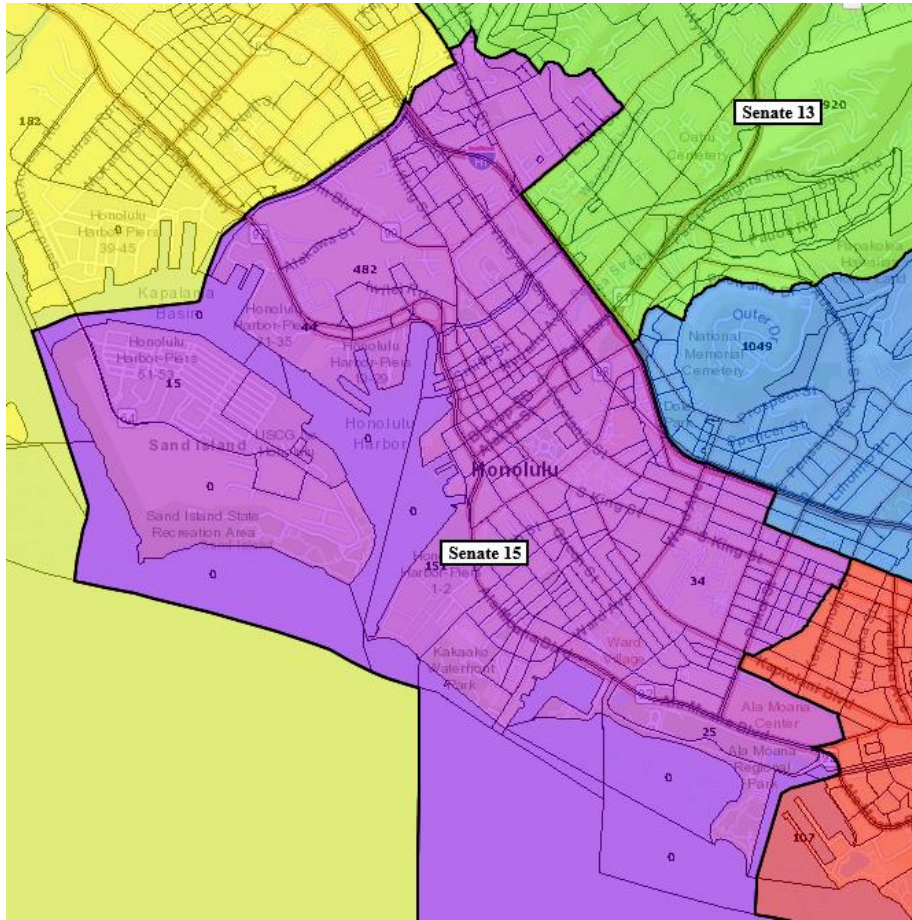


Technical Committee's House Map

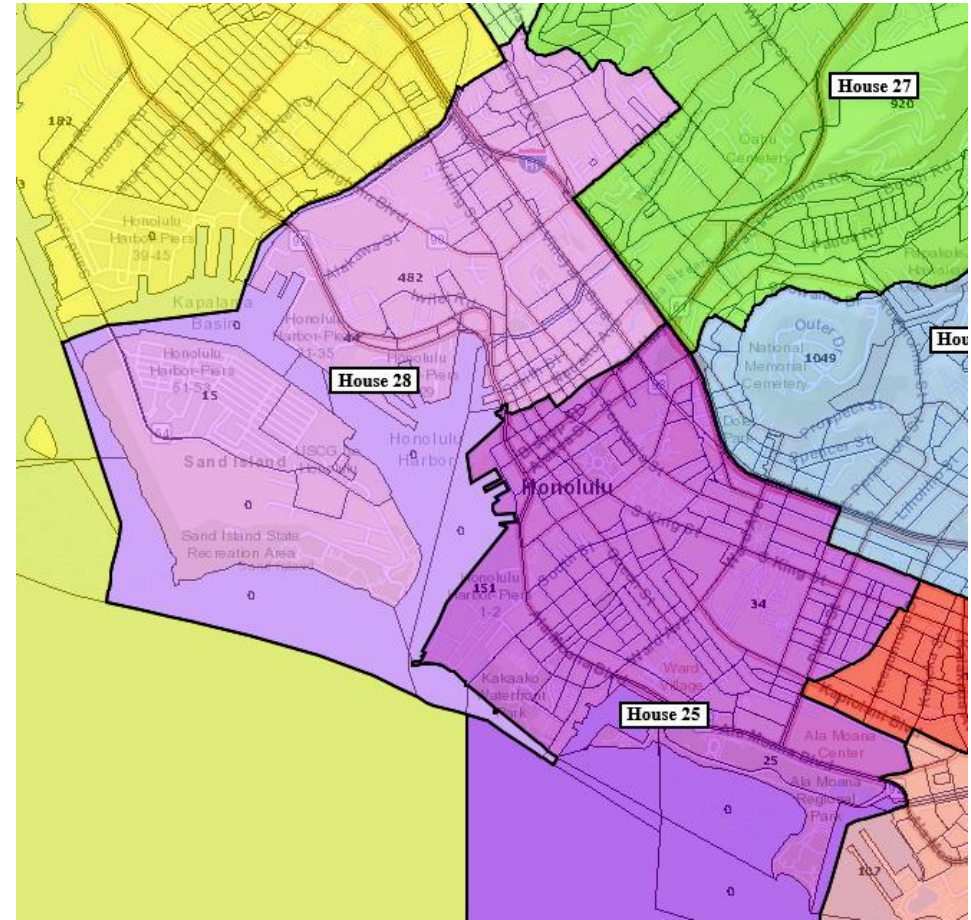
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Senate District 15

Exactly Aligned with TCs House Districts 25 & 28



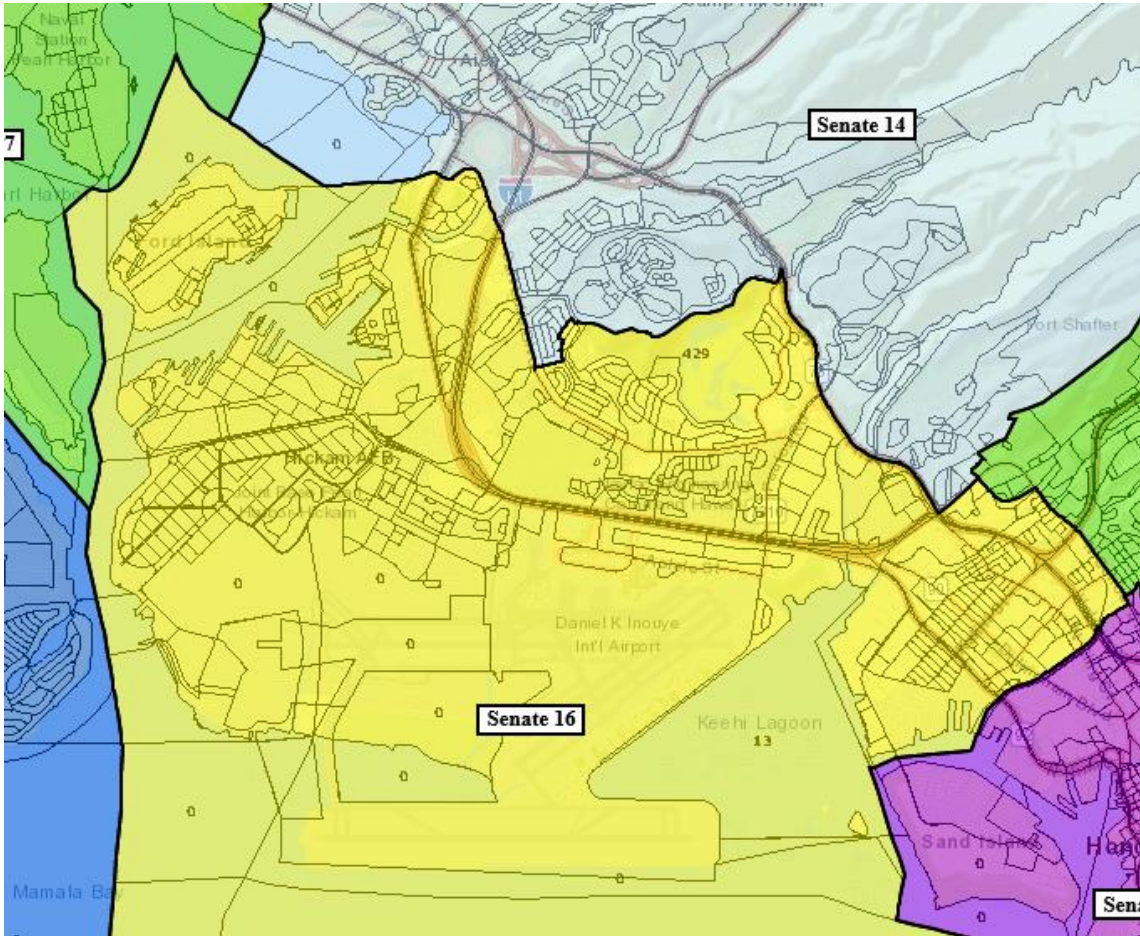
Aligned Senate Plan



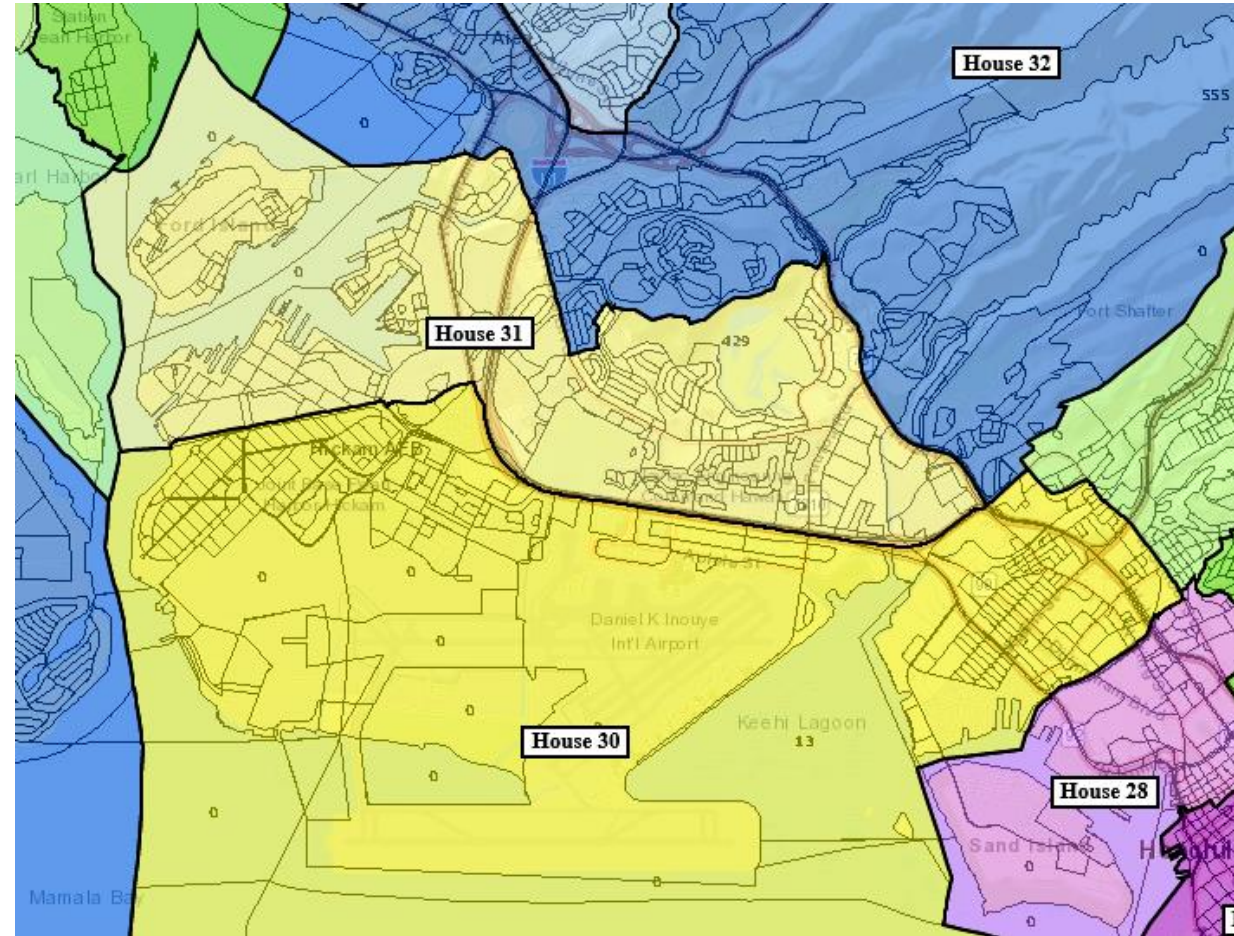
Technical Committee's House Map

Senate District 16

Exactly Aligned with TCs House Districts 30 & 31



Aligned Senate Plan



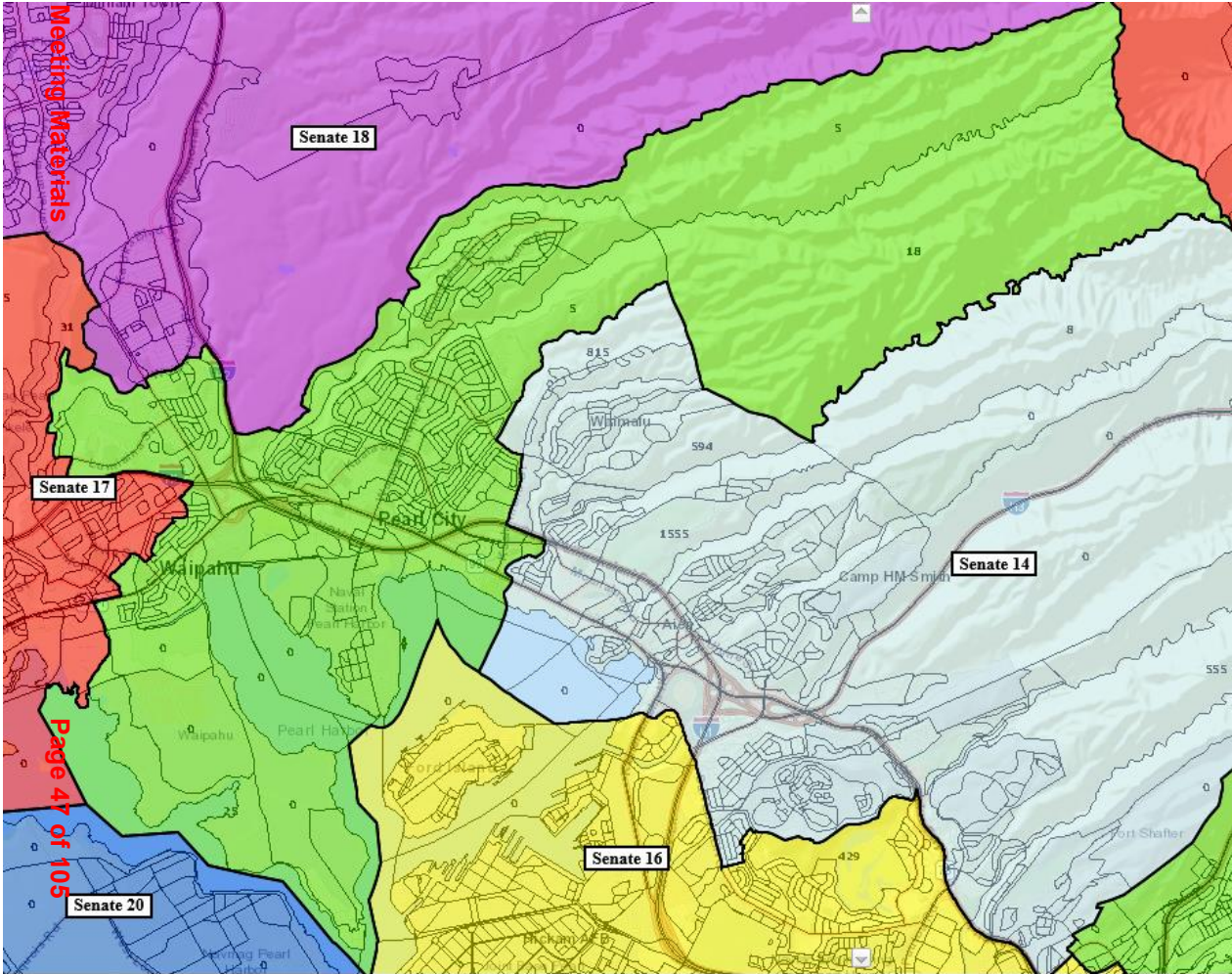
Technical Committee's House Map

Senate District 17

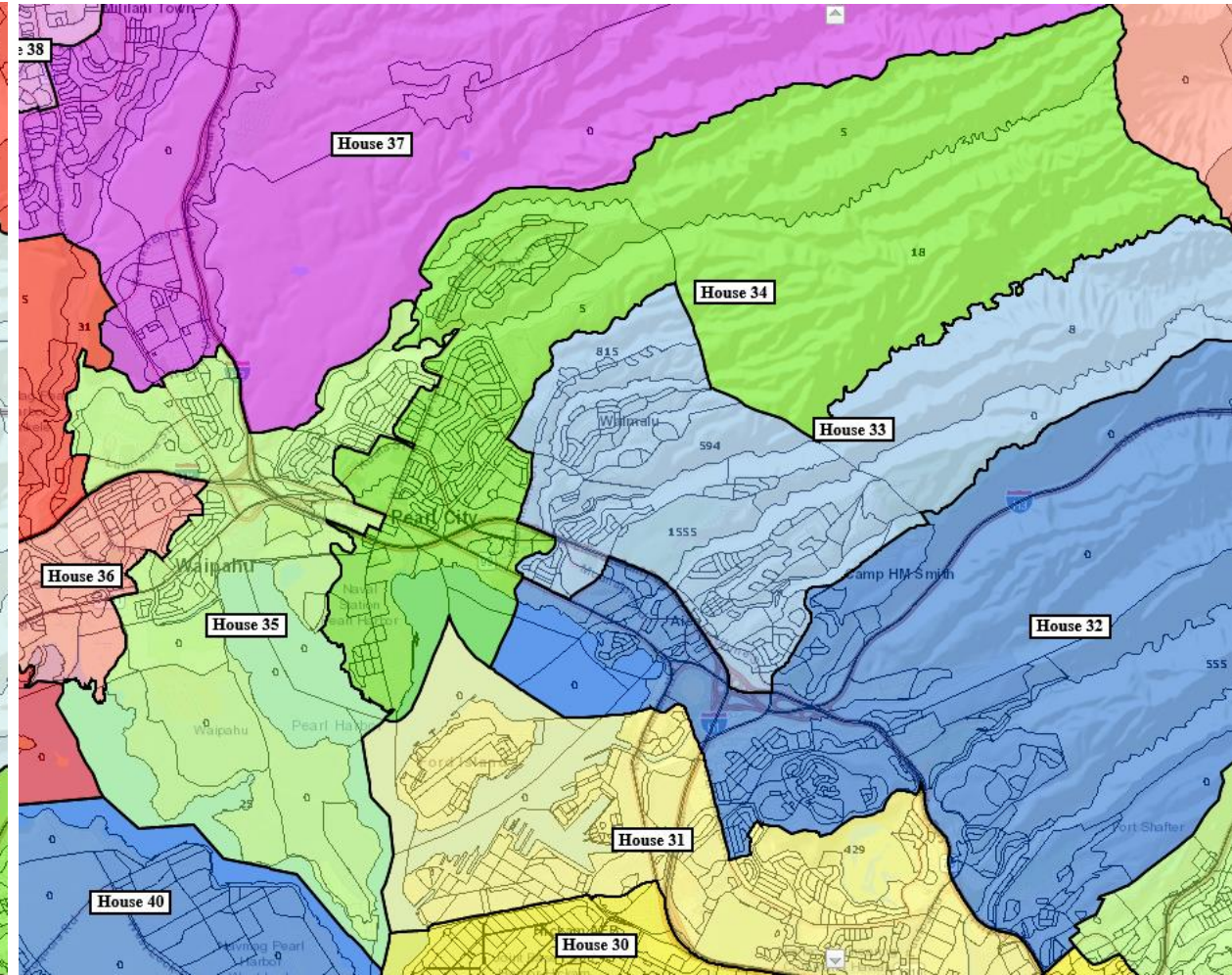
Exactly Aligned with TCs House Districts 34 & 35

01/20/2022 Meeting Materials

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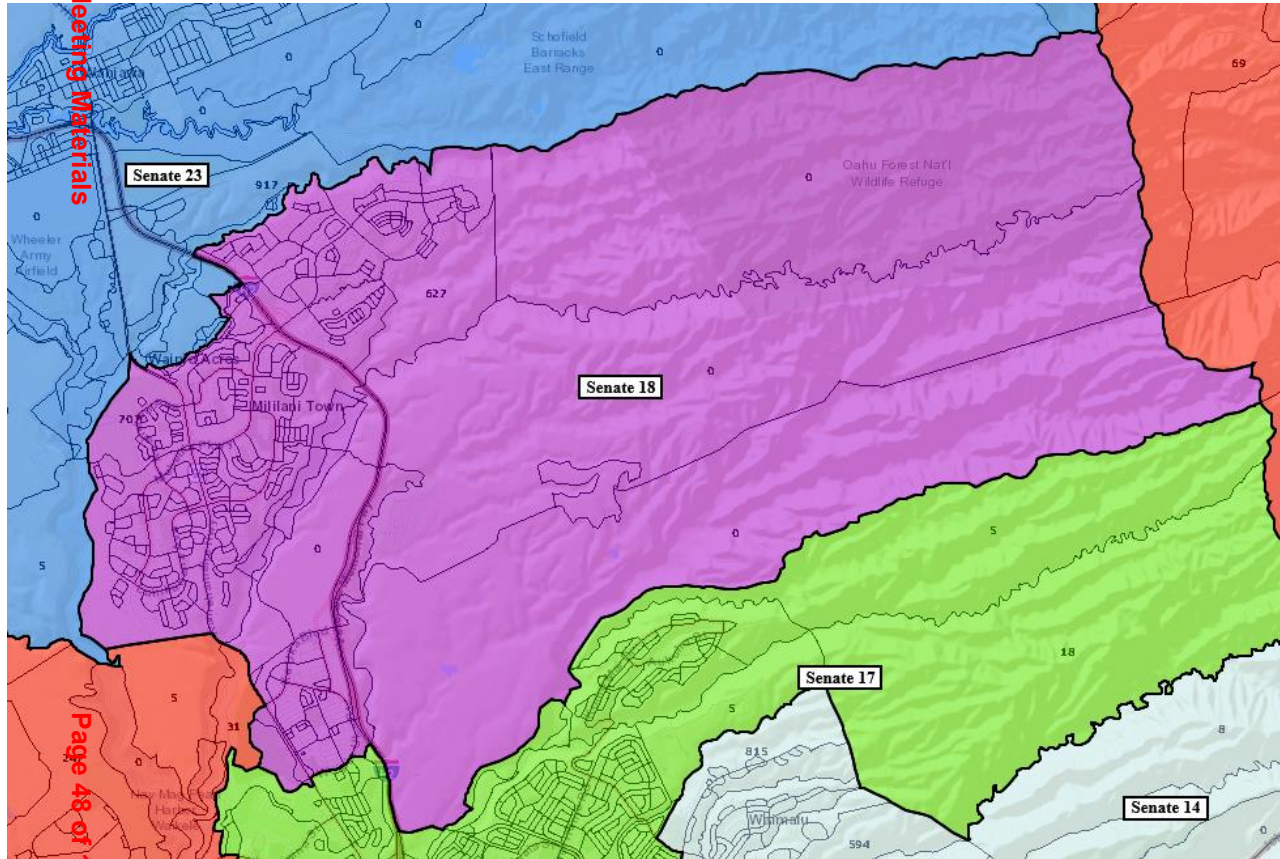
Aligned Senate Plan



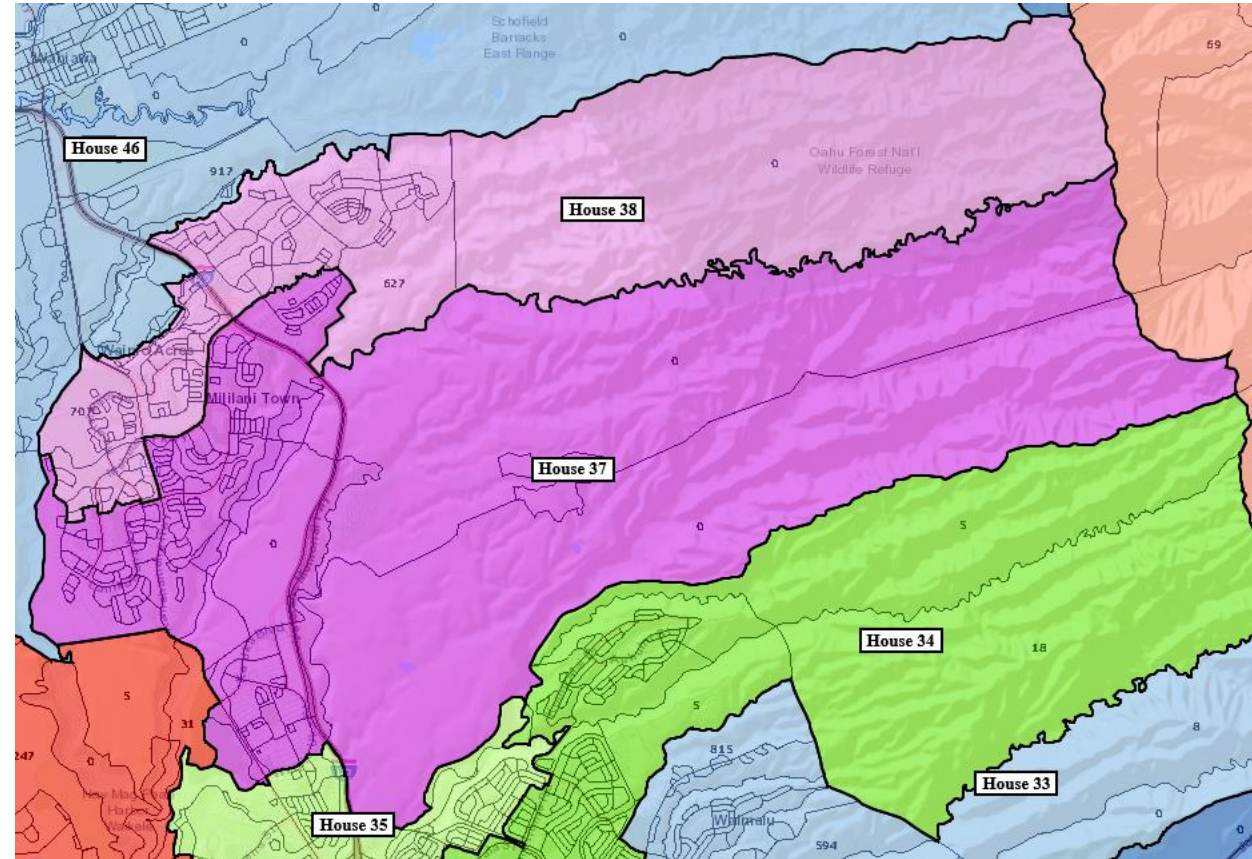
Technical Committee's House Map

Senate District 18

Exactly Aligned with TCs House Districts 37 & 38



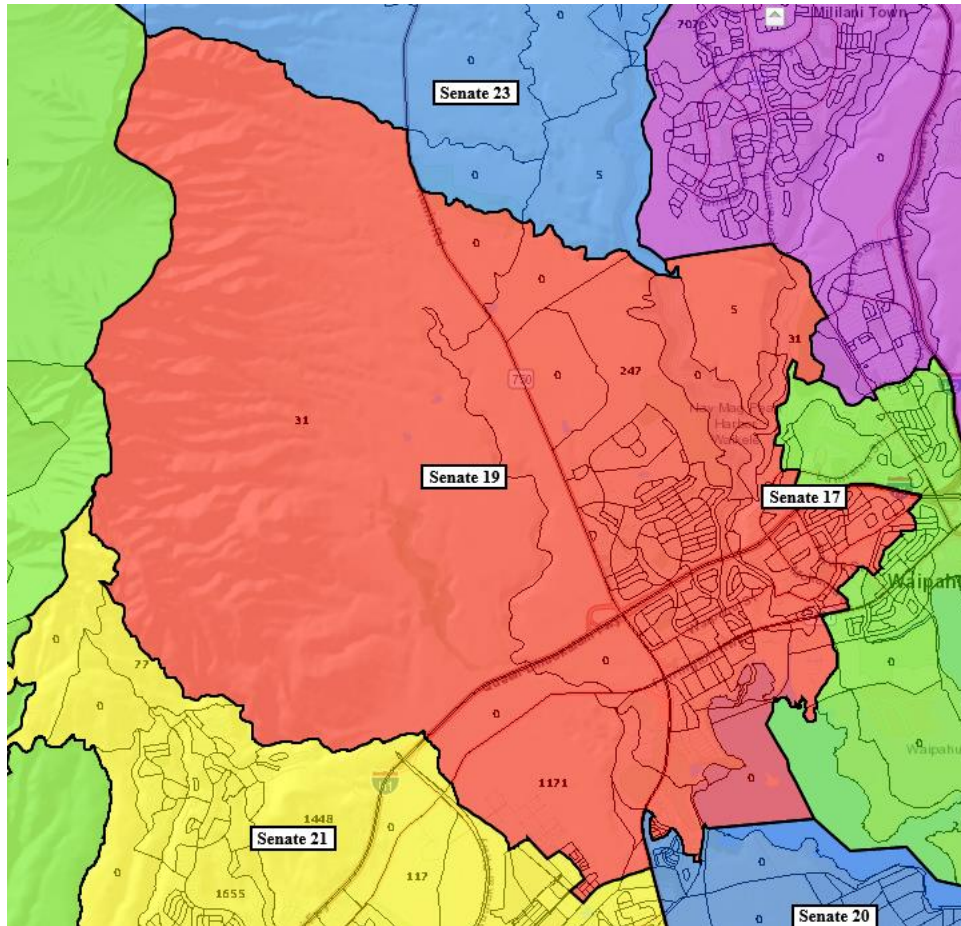
Aligned Senate Plan



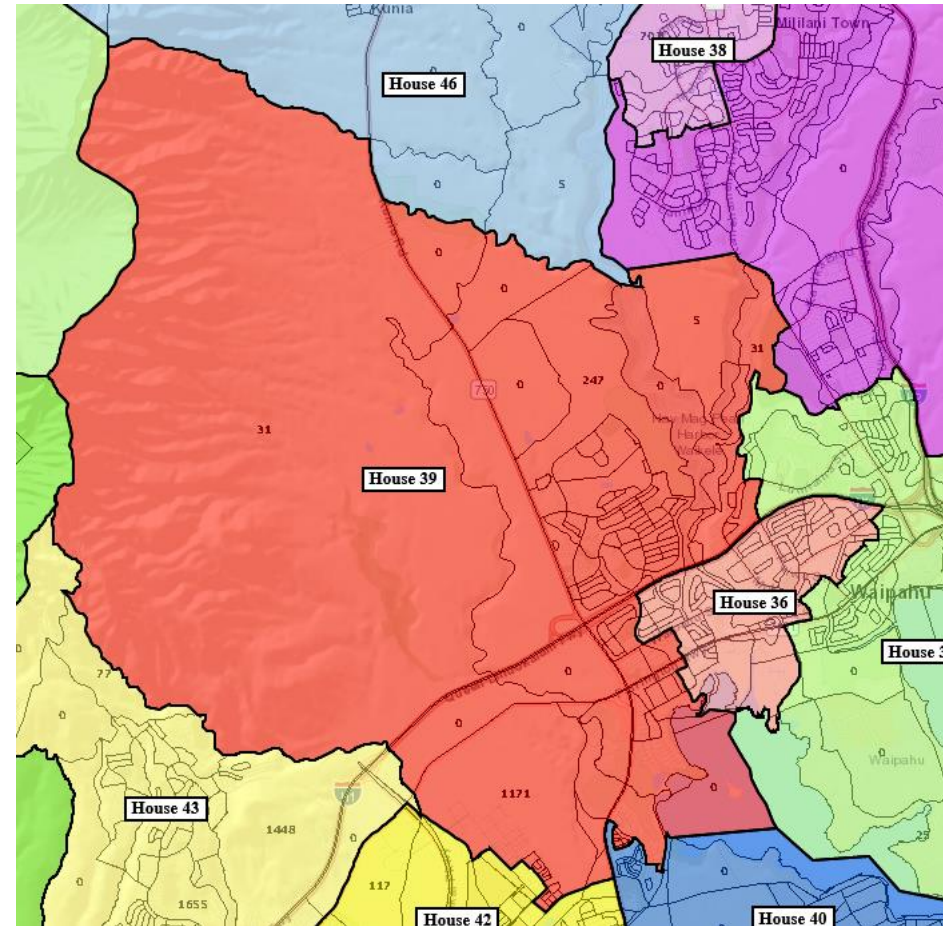
Technical Committee's House Map

Senate District 19

Exactly Aligned with TCs House Districts 36 & 39



Aligned Senate Plan

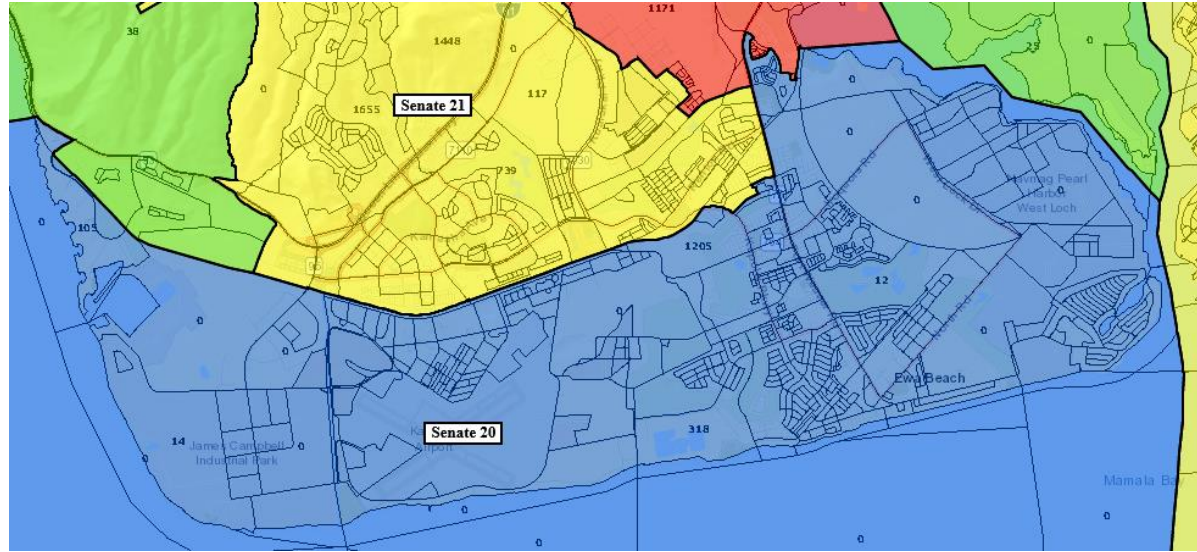


Technical Committee's House Map

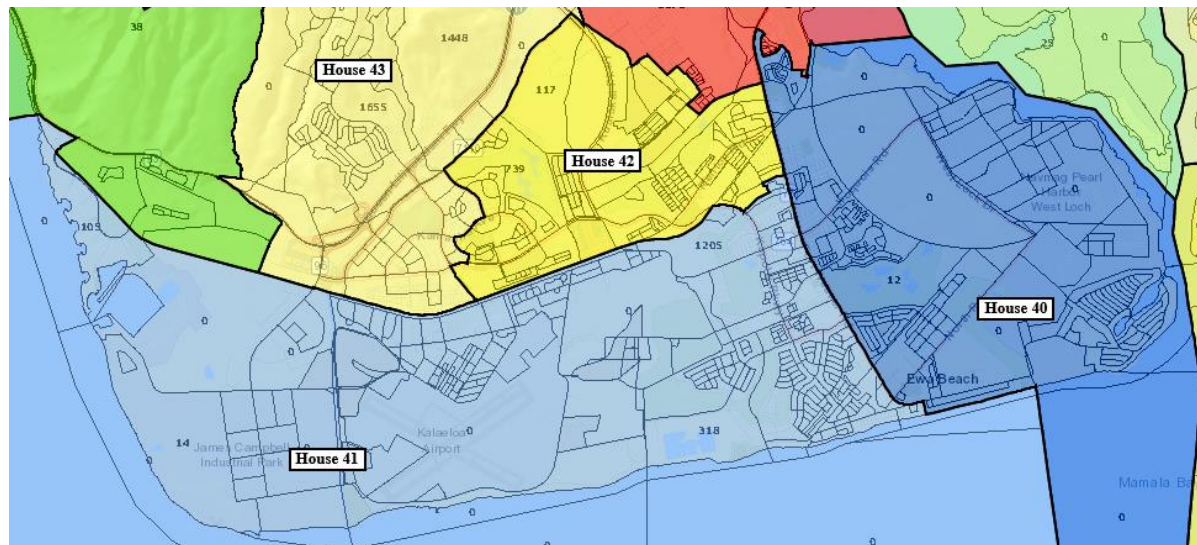
Senate District 20

Exactly Aligned with TCs House Districts 40 & 41

Aligned Senate Plan

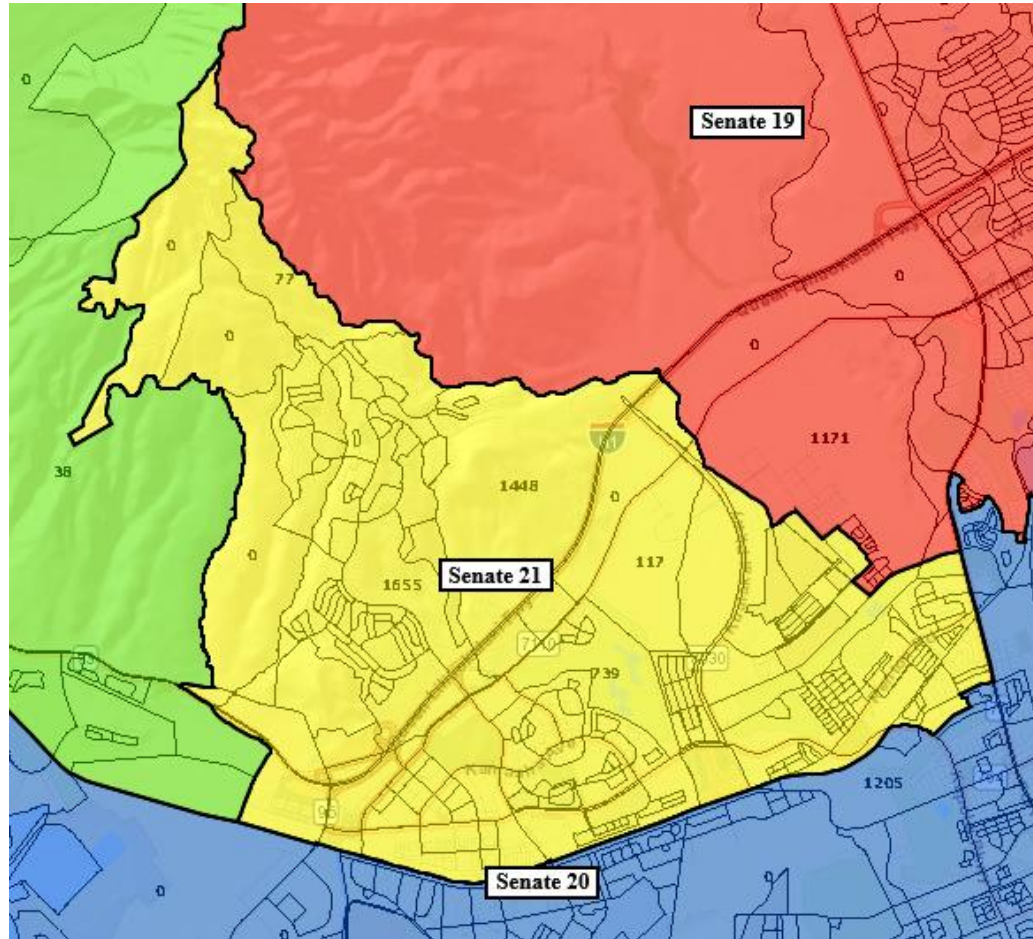


Technical Committee's House Map

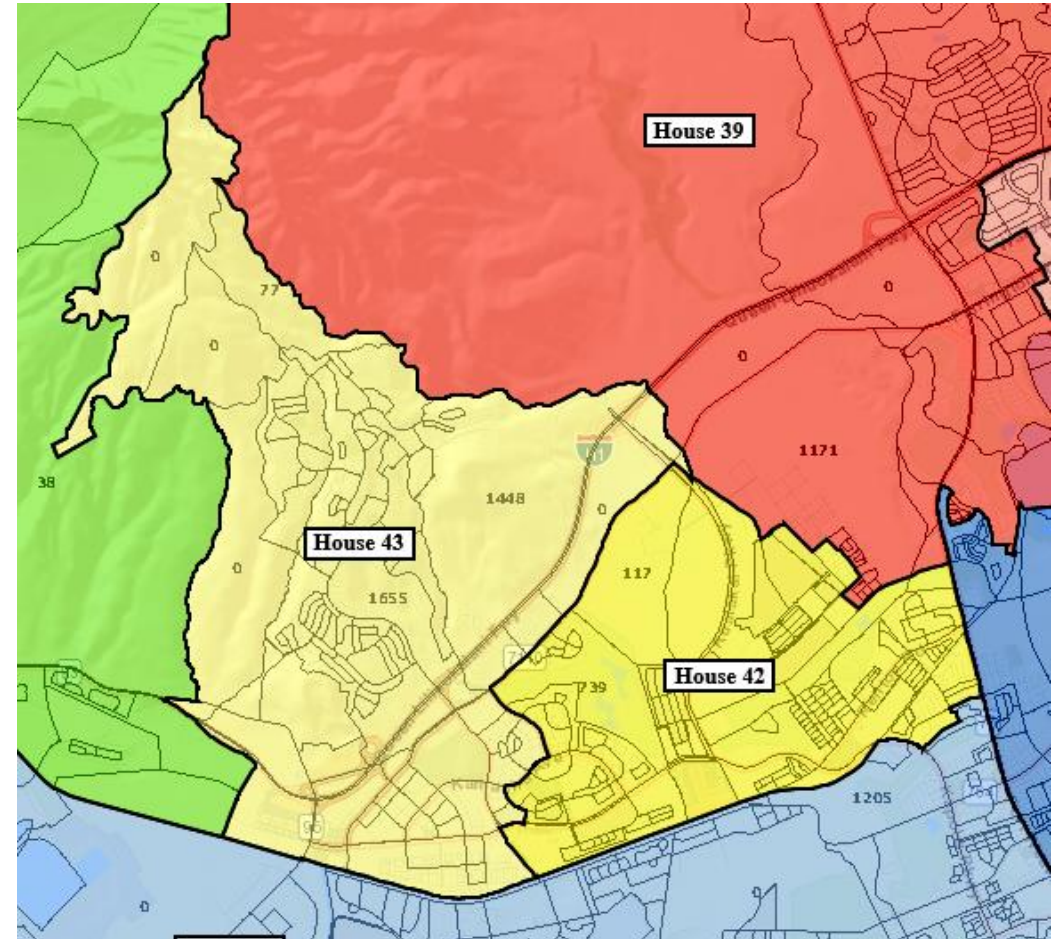


Senate District 21

Exactly Aligned with TCs House Districts 42 & 43



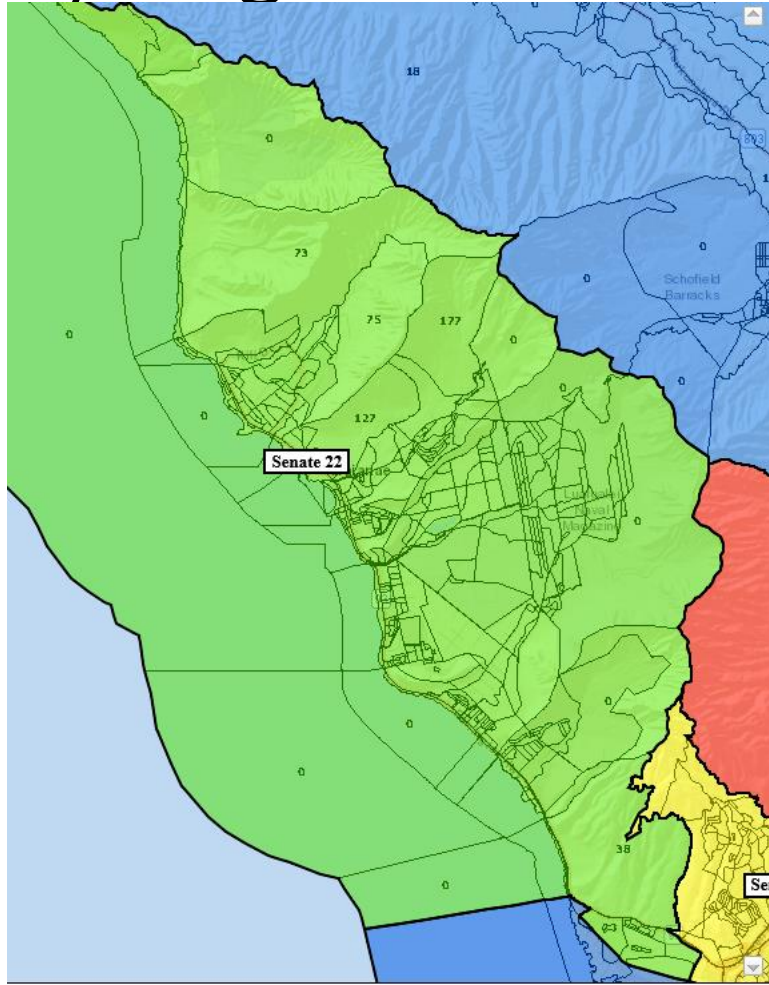
Aligned Senate Plan



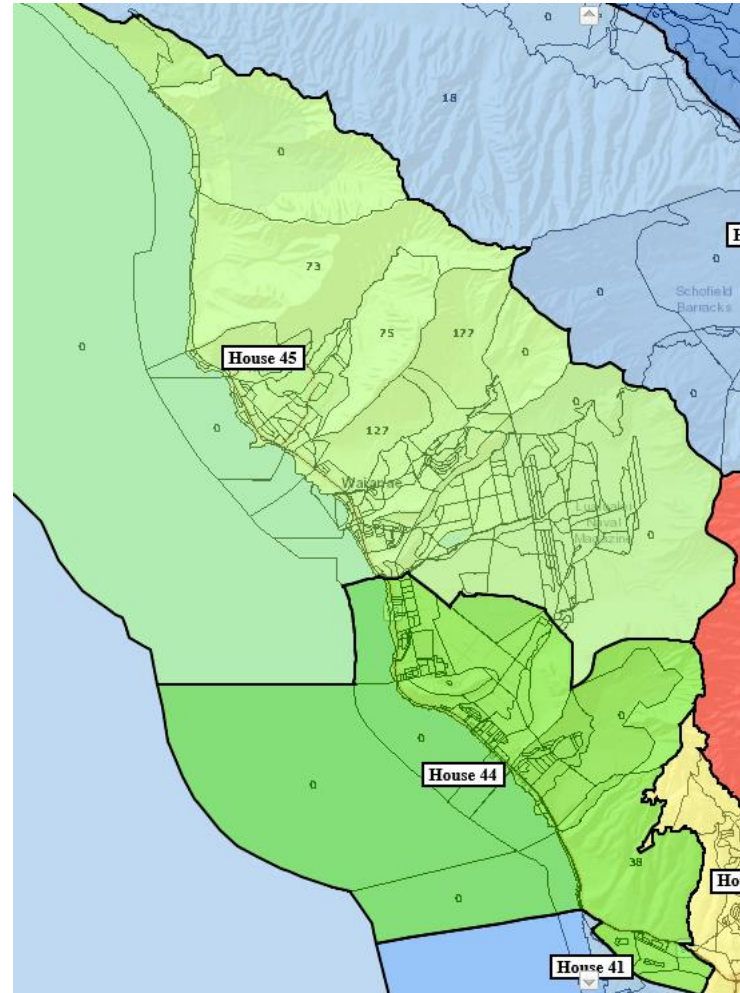
Technical Committee's House Map

Senate District 22

Exactly Aligned with TCs House Districts 44 & 45



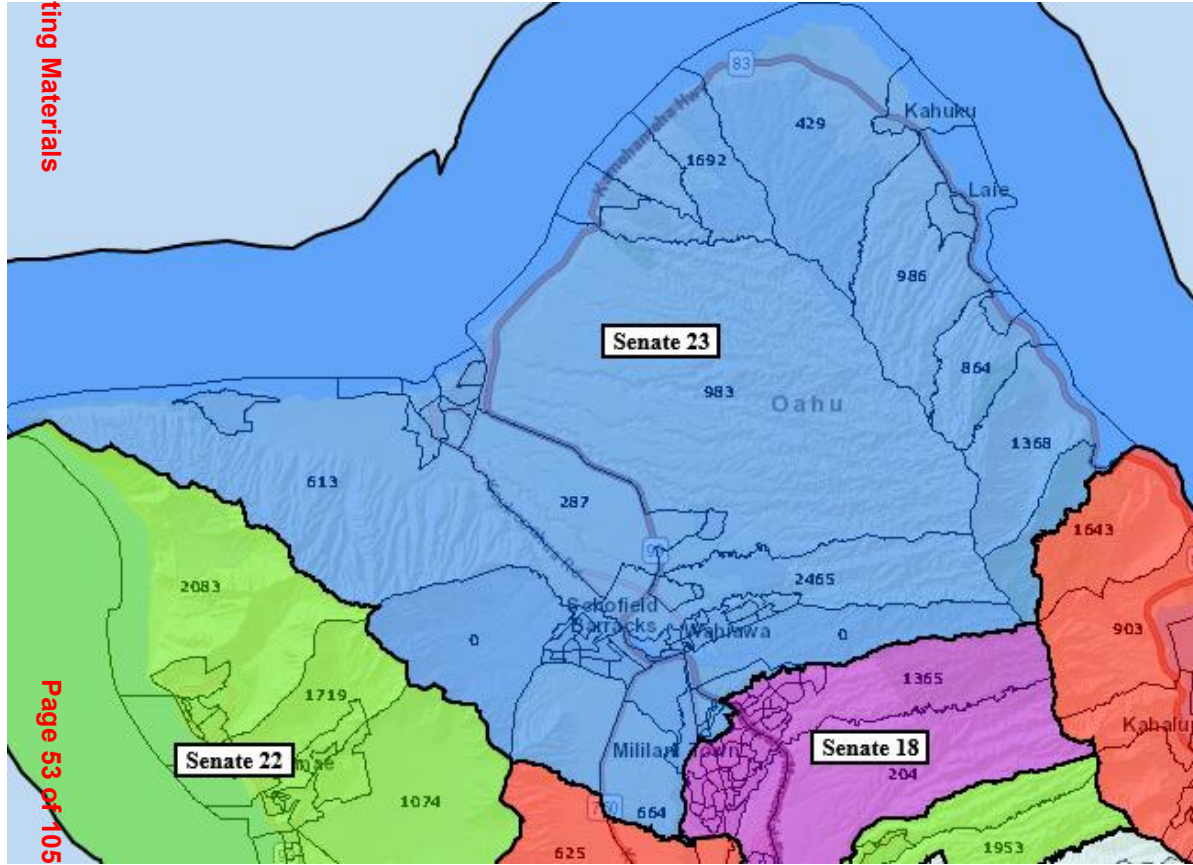
Aligned Senate Plan



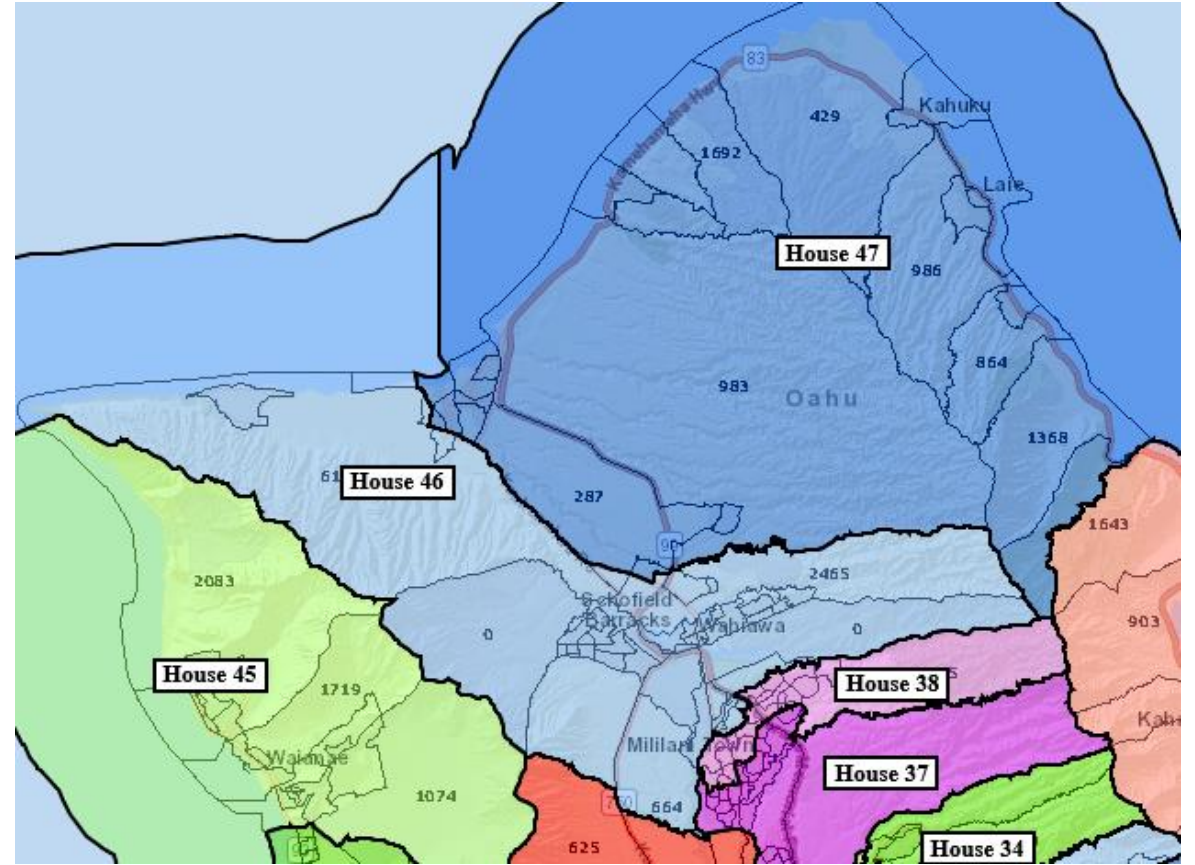
Technical Committee's House Map

Senate District 23

Exactly Aligned with TCs House Districts 46 & 47



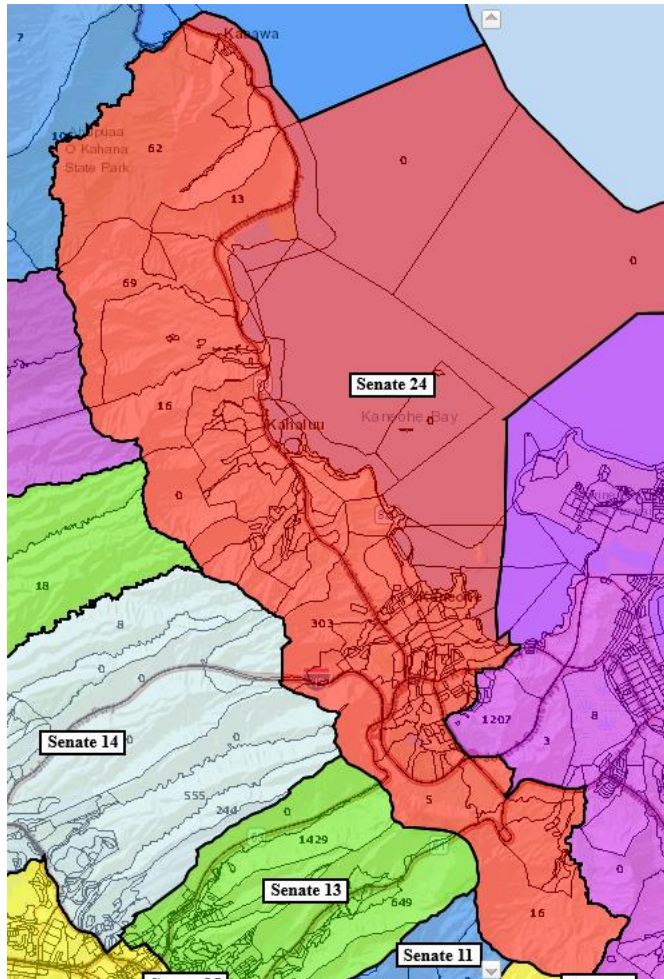
Aligned Senate Plan



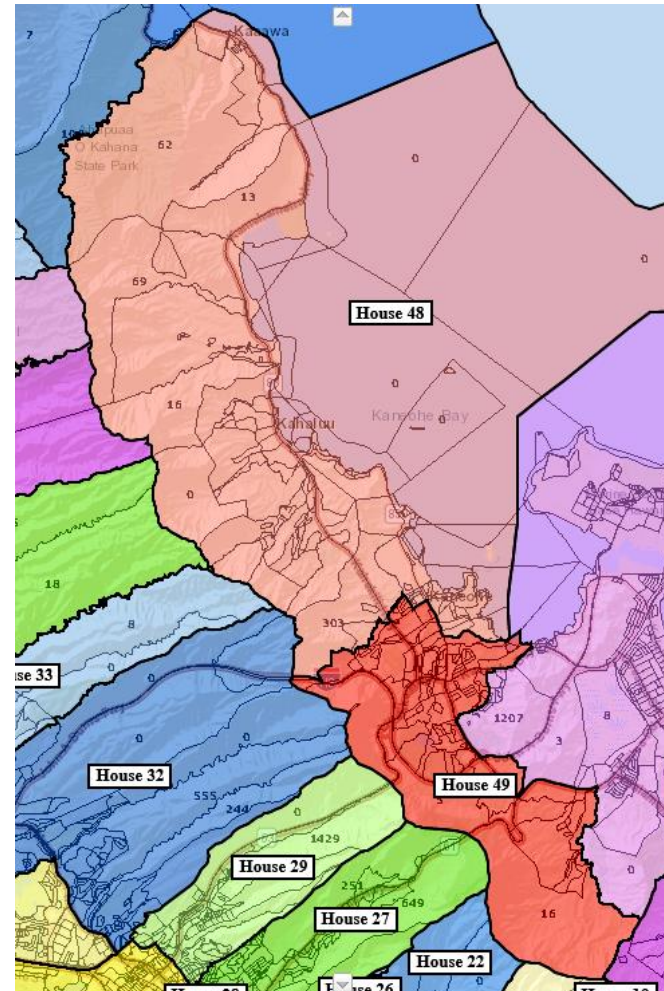
Technical Committee's House Map

Senate District 24

Exactly Aligned with TCs House Districts 48 & 49



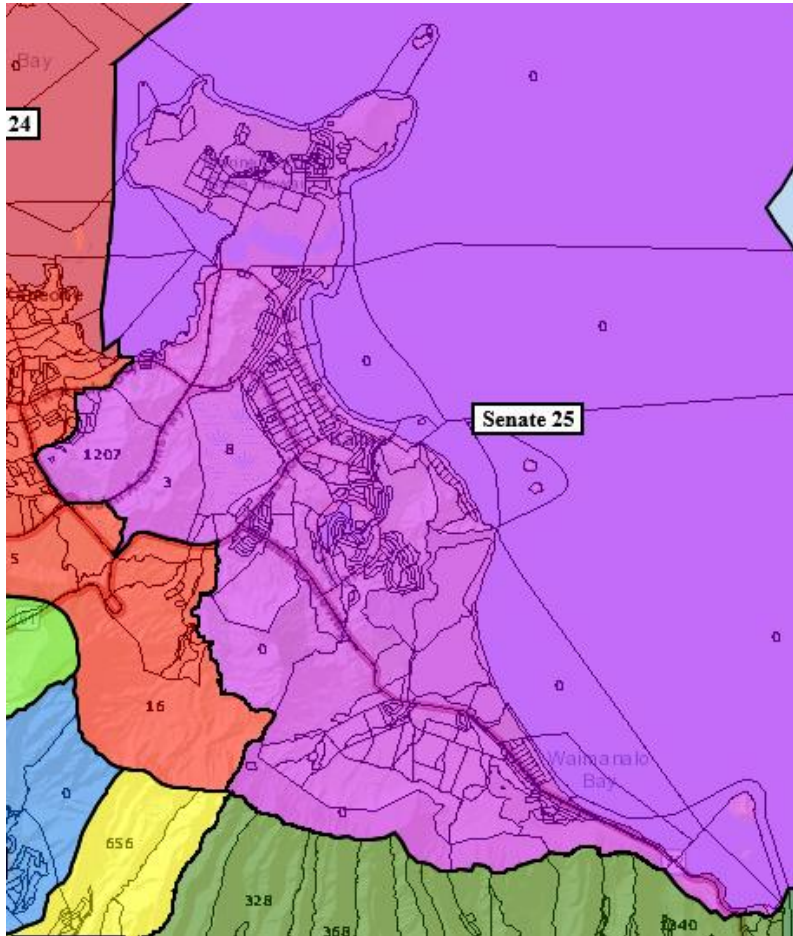
Aligned Senate Plan



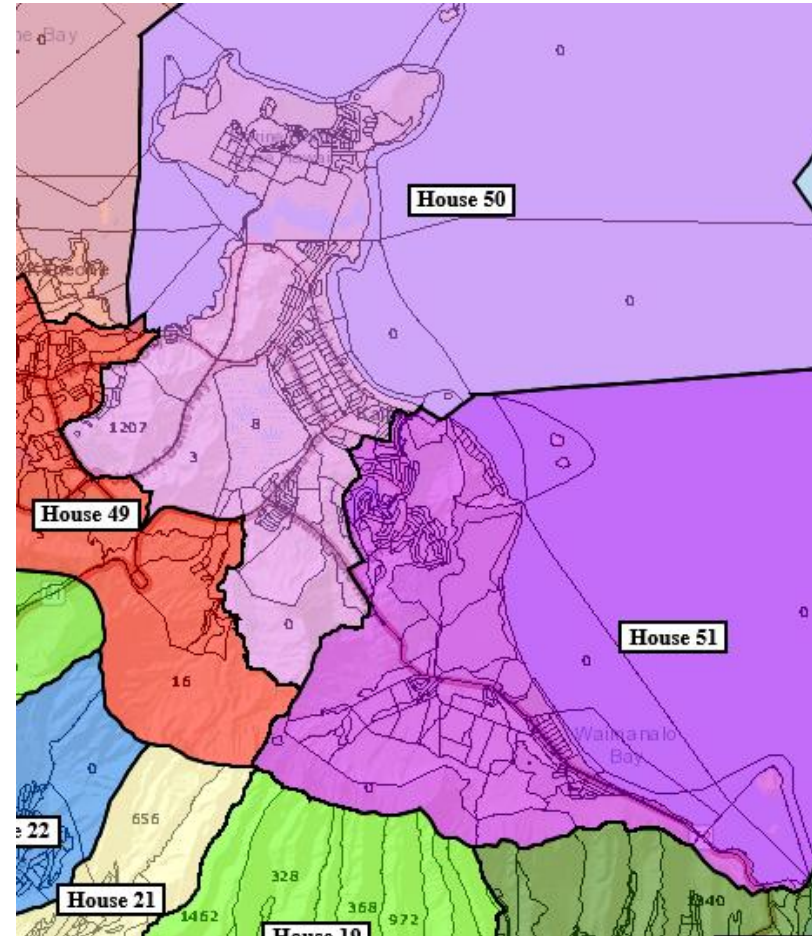
Technical Committee's House Map

Senate District 25

Exactly Aligned with TCs House Districts 50 & 51



Aligned Senate Plan



Technical Committee's House Map

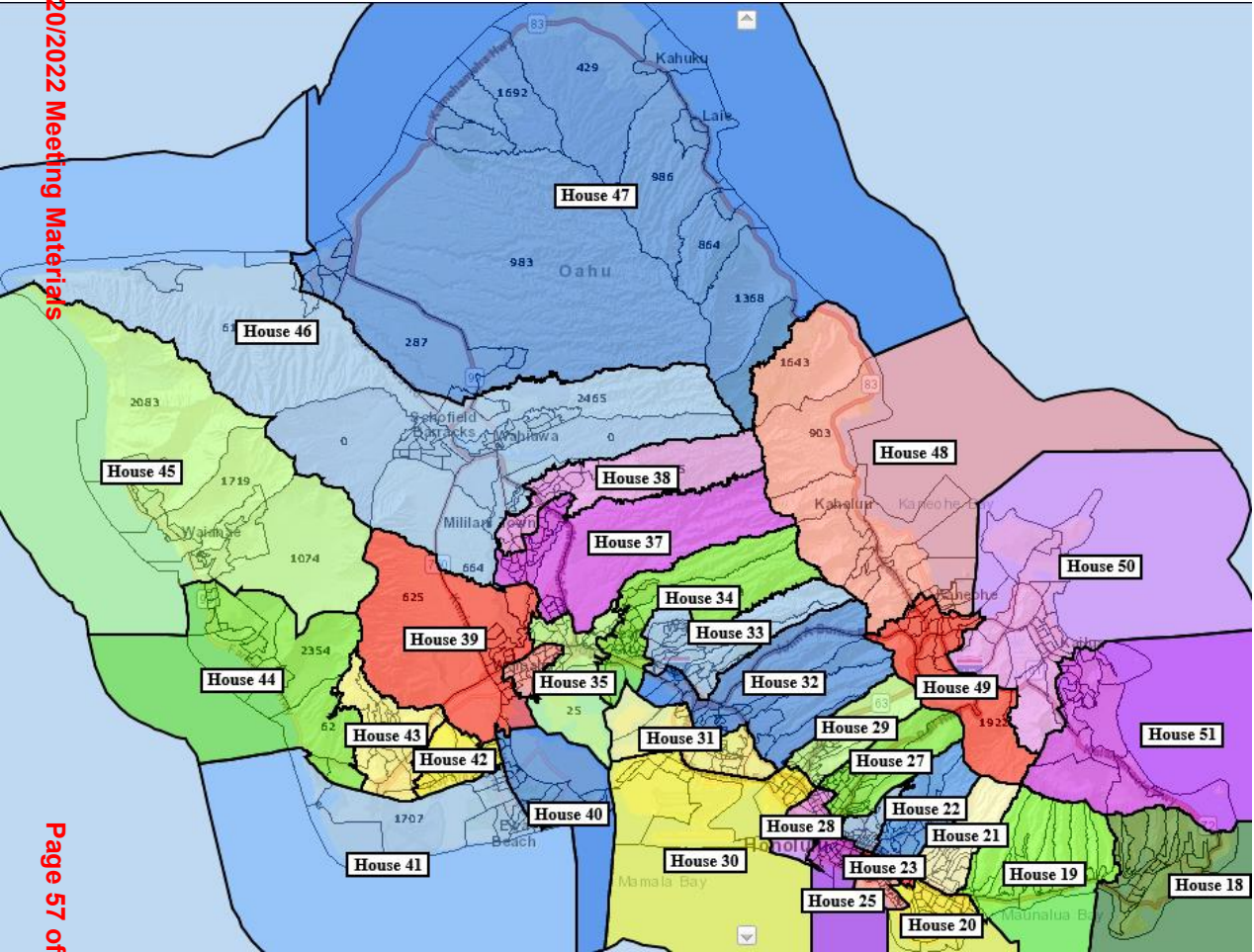
“...state legislative districts shall be wholly included within congressional districts.”

Chapter 25 Hawaii Revised Statutes

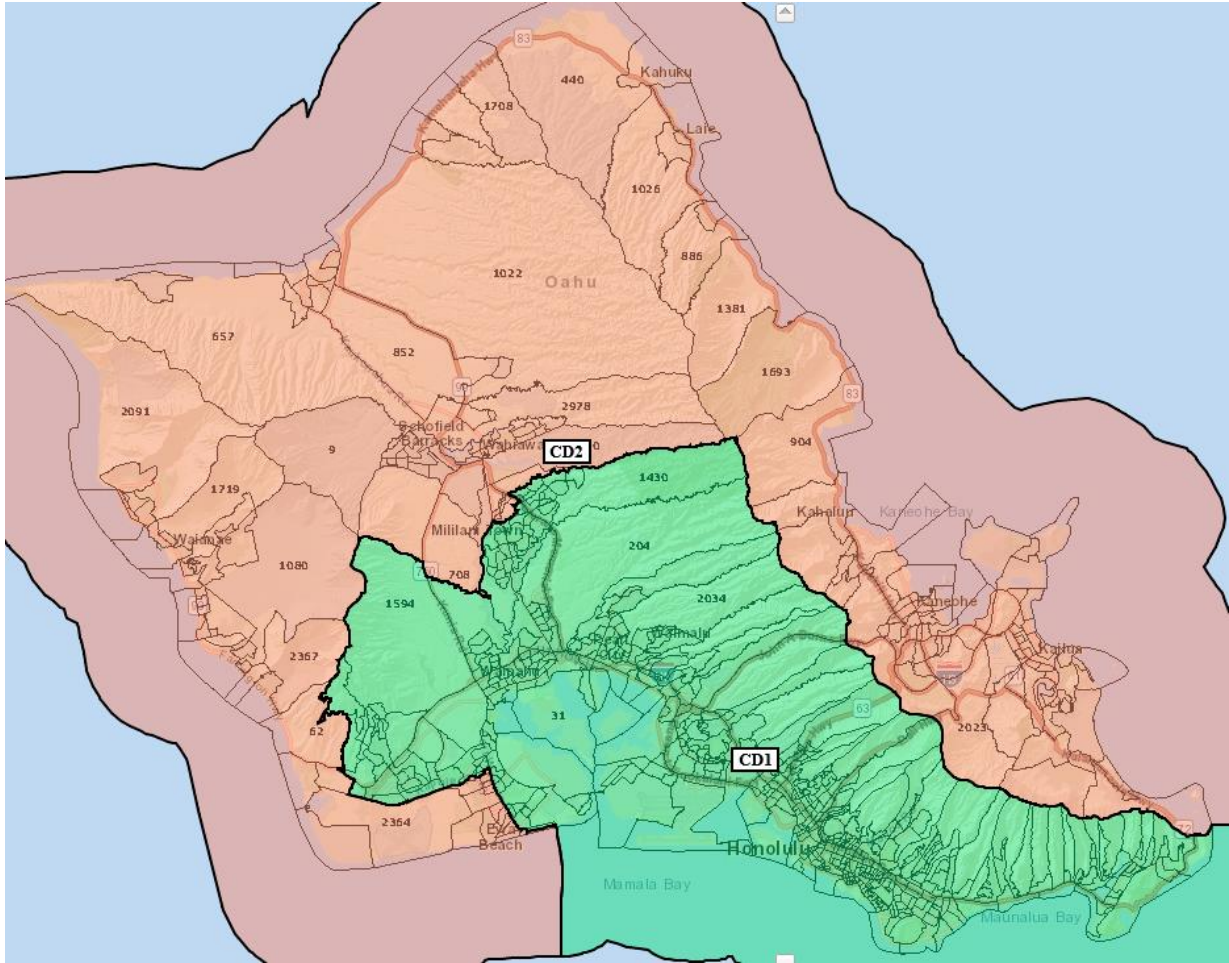
Aligned Plan: **ALL** 34 House Districts are contained within 1 Congressional District

- Uses Technical Committee’s House Plan & forms the Congressional District boundary along House District lines
- Technical Committee’s Plan:
 - On Oahu 6 House and 5 Senate Districts cross the Congressional District boundary

Every House District Fully Contained Within a Congressional District



34 House Districts (Technical Committee)



2 Congressional Districts Aligned with House Map

Aligned Congressional Plan (w/Technical Committee House Map)

Recommendations

- I urge the Reapportionment Commission to carefully examine the advantages of using an aligned approach for the Oahu Senate and Congressional maps.
 - It is logical
 - It provides greater coordination between 1 Senator and 2 Representatives who are all familiar with a community's local needs for schools, roads, and infrastructure
 - It complies with ALL Constitutional and HRS requirements
- Additionally on December 17, 2021 the Oahu Advisory Council recommended:
 - “Furthermore the OAC recommends that after there is evidence and confidence of accurate extraction numbers, Oahu maps be drawn in accordance with Article IV in it's entirety, which will establish Ka'ena Point and Makapu'u Point as natural boundaries for both house and senate districts.”

From: [Amy Fine](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Hawaii island reapportionment
Date: Monday, January 17, 2022 9:12:06 AM

I am writing in support of the "Boyea Plan" to create 8 representative districts for our island. It would use the current Senate districts, creating 2 representatives for each, and in doing so, the residents around the island will be proportionately represented.

I am a resident of what is currently House District 3, and therefore my representation would change with reapportionment. I support the Boyea Plan because it does a better job of dividing the districts.

Thank you for your consideration.

Amy R. Fine
99-7822 Kapoha Place
Volcano HI 96785

(mailing address P.O. Box 234, Hawaii National Park, HI 96718)

From: [Jeff McKnight](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Hawaii Island House Reapportionment
Date: Monday, January 17, 2022 2:23:57 PM

Aloha Hawaii Redistricting Committee Members,

My name is Jeff McKnight. I am a resident on the island of Hawaii. I support the Boyea-Community Plan and ask that you adopt the House districts for the Island of Hawaii as presented in that plan.

The Boyea-Community Plan (BCP) does a far better job of keeping groups with similar socio-economic interests in the same district. It closely follows all of the criteria set forth in Article IV, Section 6 of the Hawaii State Constitution. The HRC Plan does not follow at least 3 of the 8. The BCP places two House Districts into each of the Senate Districts. The HRC Plan does not follow this constitutional criteria. The BCP also has a lower deviation in resident population numbers assigned to each district. The BCP is 3.79% vs 4.74% for the HRC plan.

Mahalo for your consideration.

Sincerely,

Jeff McKnight
43-432 Hale Hookipa Pl.
Paauilo, HI 96776

From: [P.Macs](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Puna district
Date: Monday, January 17, 2022 3:54:49 PM

It was with concern we listened to kona commissioners take over redistricting and reapportionment .

We are in favor of puna third house and opposed to kona tourists getting third house
We vote for Ralph Boyea map

We OPPOSE
Dylan Nakano map .

Patrice macdonald
Michele macdonald
Jordan Bernard
Kass Elise
Marjorie wilmouth
Rene Siracusa
Luana Jones
Luana
Steven sayer
Karin seawater
Asa seawater
Brad tradly

From: Mary Smart
Mililani Town resident
For: January 20, 2022 Meeting – Plan to Testify at the Meeting

As a member of the Mililani/Waipio/Melemanu Neighborhood Board #25 I am speaking for myself. I spend my time on the Board to represent my neighborhood and have direct contact with our elected officials. Many residents question whether the elected officials hear and are accountable for acting to resolve our concerns. If the Reapportionment Technical Committee disregards the cohesion of the Neighborhood Board structure when developing reapportionment maps, the voice of the people is weakened. When asked, the people voted to retain and fund the Neighborhood Board process. Please look at the Neighborhood Board structure in the development of District Maps so taxpayer funds are not squandered.

I am disappointed that the Technical Committee's redistricting maps were not updated following the January 13 2022 testimony. Many testifiers pointed out that the plans do not follow-the guidelines of Article 4 of the Hawaii State Constitution, Article IV, 4.6, items 2, 3, 4, 6, and 8 per the guidelines listed below:

1. No district shall extend beyond the boundaries of any basic island unit.
2. No district shall be so drawn as to unduly favor a person or political faction.
3. Except in the case of districts encompassing more than one island, districts shall be contiguous.
4. Insofar as practicable, districts shall be compact.
5. Where possible, district lines shall follow permanent and easily recognized features, such as streets, streams and clear geographical features, and, when practicable, shall coincide with census tract boundaries.
6. Where practicable, representative districts shall be wholly included within senatorial districts.
7. Not more than four members shall be elected from any district.
8. Where practicable, submergence of an area in a larger district wherein substantially different socio-economic interests predominate shall be avoided.
[Add Const Con 1978 and election Nov 7, 1978; am HB 2327 (1992) and election Nov 3, 1992]

I am happy for the communities that have house districts aligned with common communities however, in resolving Mililani Town alignment with the North Shore with which there is little commonality, the plans have needlessly divided Mililani Mauka and continue to connect Mililani Town with distant and unrelated communities.

The unvalidated military extraction data (we don't know what address the military used on the census form, we don't know if they completed the form as they may have been deployed, we don't know if their dependents are registered voters/tax payers/jurors for

the state of Hawaii or not, yet we extracted a large number of military and dependents around Schofield Barracks area, extracting even more than were in the census track for the military member's zip code which affected nearby neighborhoods. That process needs to be improved but that will probably be left for the next reapportionment process that will occur ten years from now. **However this extraction drove the need to redraw maps and although some problems were resolved, Mililani Town and Mililani Mauka were negatively affected, and for no justifiable reason.** If I remember correctly, the Pearl City Neighborhood Board Chair also had strong objections to the new maps.

There is no rationale for dividing Mililani Mauka. When Mililani Mauka is divided as proposed, items 2, 3, 5, 6, and 8 are violated. Mililani Mauka has their own Neighborhood Board. Their interests are addressed by that board, not the Mililani Town #25 board. Their elementary and middle schools are Mililani Mauka schools, not Mililani Town schools. Mililani Mauka has united issues, especially the one way in and one way out of the community, no grocery store, etc. Mililani Mauka is uniquely identified (not combined with Mililani Town) in the US Census as a unique community of interest and their united data is represented in this data:

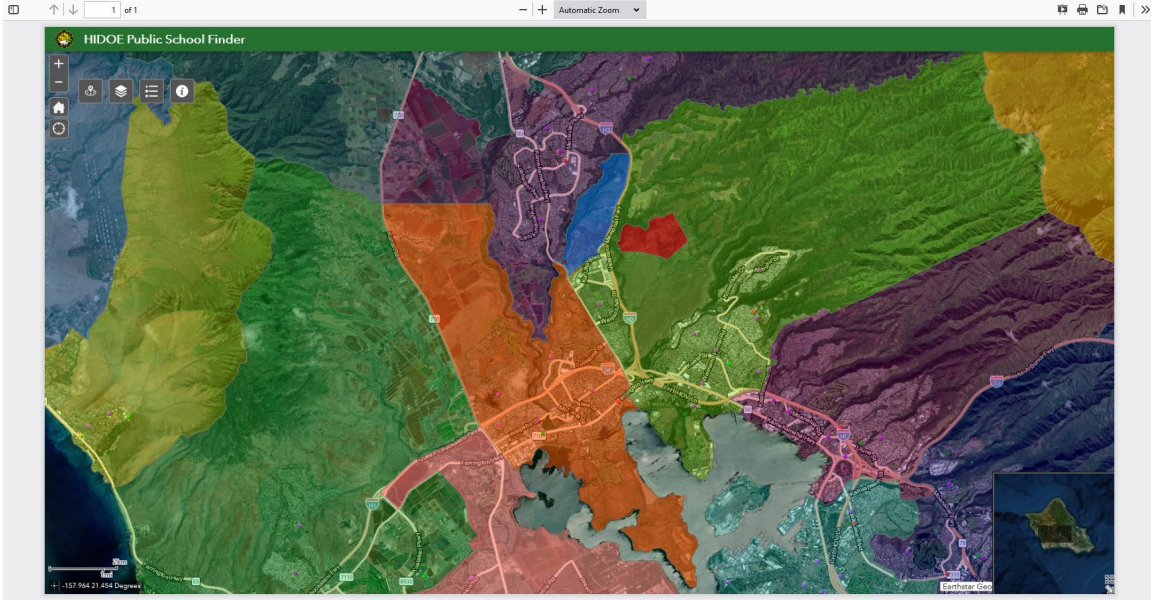
<https://www.census.gov/quickfacts/fact/table/mililanimaukacdphawaii,oceanpointecdphawaii/PST045219>

By breaking up Mililani Mauka the criteria for compactness, keeping a socio-economic community aligned, and not favoring a person or political faction has been violated, and thus when drawing Senatorial lines, it becomes difficult to satisfy Constitutional guideline #6 above. The guidelines are facilitated when item #2 is not violated.

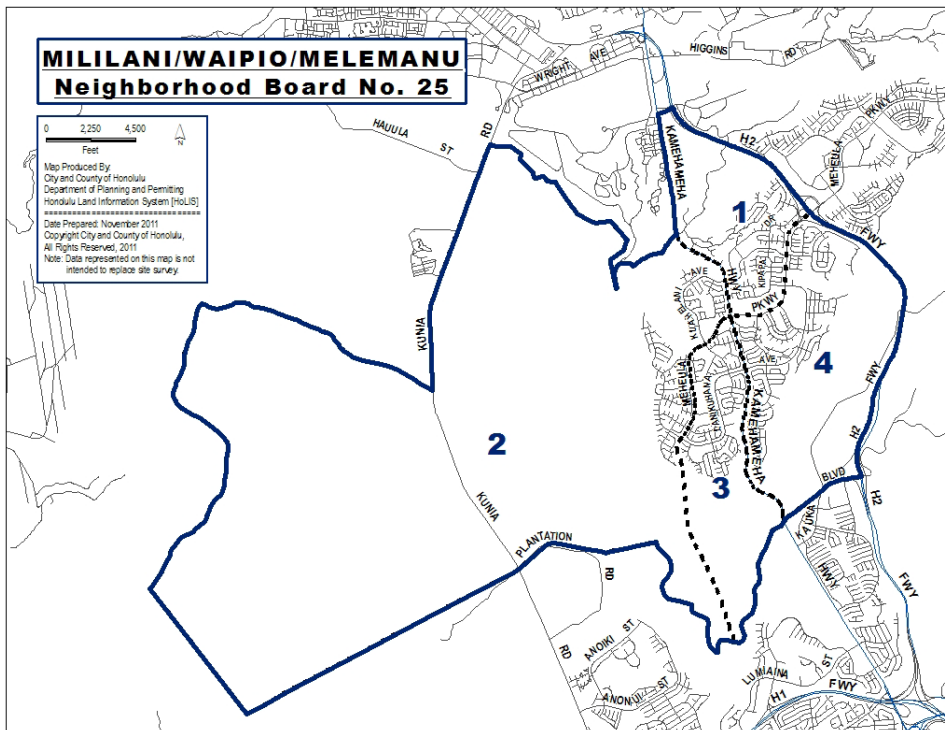
Mililani Town should be kept compact and aligned with contiguous communities with common issues, and socio-economic backgrounds. This plan does not do that. Mililani Town is also a unique community tracked by the census. They do not split Mililani Town in two and combine each half with a portion of Mililani Mauka.

<https://www.census.gov/quickfacts/mililanitowncdphawaii>

The school board maps are helpful in determining areas of interest. Parents of children who attend a common school districts have common interests and concern. Breaking up this synergy dilutes their voices in the school system (which needs a major overhaul as well). A map showing the Mililani, Pearl City and Waipahu school district is provided below:



In the past Waipio Acres were aligned with Mililani Mauka but it can also be aligned with Mililani Town since it is contiguous with Mililani Town and their residents attend Mililani high school (not Wahiawa) and have a Mililani address. One of the testifiers at the January 13, 2022 meeting mentioned this in oral testimony. Waipio Acres is also included in the Mililani/Waipio Neighborhood Board #25 per the map below:



Note: Waipio Gentry goes to Pearl City High School and Waikele residents go to Waipahu High School.

In the case of Mililani Town, Hawaii Constitution Article IV guidelines 2, 3, 4, 6 and 8 are violated. (Note: A representative of the Democrat party asked for the southern part of the current district 37 be returned to the new district 37, and that has been done, rather than trying to keep Mililani Town intact and aligned compactly with similar and nearby communities.)

Note: between Mililani Town and Waipio Gentry homes is the new community of Koa Ridge which could be included instead of Waipio Gentry/Waikele if additional population were needed to keep Mililani Town more compact. I contacted a real estate agent connected with the sales office and learned that approximately 300 new families have moved into that new neighborhood that was not counted in the 2020 census. Although the residents would go to Pearl City Schools, it is located closer to Mililani Town than Waipio Gentry and Waikele. (This would cause a negative deviation but that is allowed by the Constitution and there is a valid justification for it in this case.

The most recent maps have divided and stretched the Pearl City communities and have broken up Waikele causing the same disruption to their cohesion as previous maps had caused to Mililani Town. I looked at the proposed maps and Waikele is now indeed being broken up into several different districts. It was not appropriate for Mililani Town and it shouldn't be done to other communities, especially at this late date. There is no need to break-up and stretch communities as some of the maps submitted by the public have demonstrated, especially when political interests are not taken into consideration. Just about every testifier pleaded with the Commission to keep their communities intact.

The breaking up of district communities is causing the Senate districts to be misaligned. Under the current maps, the Senator who wins for my district will have to balance and prioritize the needs of six different House districts. That is unacceptable since it dilutes the voices of all our communities in that Senate district. We don't have the same issues and concerns. If the districts were formed in accordance with Article IV guidelines, the Senate maps could be aligned with two districts just as one testifier, Bill Hicks, has suggested. It is the violation of Article 2 of section IV of the Hawaii Constitution that is causing all the alignment problems.

From: [Shannon Rudolph](#)
Subject: [EXTERNAL] ADD Puna House District
Date: Monday, January 17, 2022 6:58:08 PM

Aloha!

I am a 40 year Hawai`i Island resident. Although I live on the Konaside, I support a 3rd House Dist. for Puna. (Boyea map)

The Puna area is one of the fastest growing in Hawai`i & is woefully under-represented.

Mahalo!

Shannon Rudolph - Holualoa

--

How wonderful it is that nobody need wait a single moment before starting to improve the world. ~ Anne Frank

From: [Mialisa Otis](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Jan 20 testimony
Date: Monday, January 17, 2022 7:33:03 PM

Aloha,
I'm unable to attend the January 20 reapportionment meeting. Here is my testimony.

Thank you for hearing the communities of Hawaii Kai, Waimanalo, and Kailua as you upheld the request to keep the boundary line of House district 51.

Please change the Senate District 51 to stop at Makapu'u point, avoiding the wrap around.

Mahalo,
Mialisa Otis

From: [Gordon Aoyagi](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Written Testimony for Reapportionment Commission Meetings (Jan 20, 21 and 22) and Oahu Advisory Committee (Jan 18)
Date: Monday, January 17, 2022 10:09:55 PM

Dear Election Office:

The following letter is submitted as testimony for the Reapportionment Commission scheduled to meet on Jan 20, 21 and 22 and for the Oahu Advisory Committee meeting of Jan 18. Thank you for directing this testimony to the appropriate location for consideration.

Sincerely,

Gordon Aoyagi

December 17, 2022

Dear Chair Mugiishi and Reapportionment Commissioners,

I am Gordon Aoyagi, a resident of Honolulu and reside in Manoa. I am an interested citizen and have submitted oral and written testimony previously to the Commission about the proposed Reapportionment Plan. Thank you for your time and dedication to the reapportionment process in finalizing redistricting plans for the State of Hawaii. I commend you for sitting patiently through hours of meetings and public testimony, your responsiveness and your commitment to fulfilling the responsibilities for your appointment to the Commission.

Community opposition to proposed redistricting plans have focused initially on perceived failings of the Commission's plan to maintain compact and cohesive communities within a district and a failure to use natural geographic and recognized features such as using Ka'ena Point and Makapu'u Point as boundaries. The Commission responded to many of the community concerns and largely addressed many of these issues in its recent Revised Proposed Reapportionment Plan for House Districts. However, there are a few remaining issues raised in recent public testimony - Papakolea, Mililani, Pearl City and Waikale. If consideration could be given to making some adjustment to boundaries in these four (4) areas in response to community concerns, there could be widespread community consensus in supporting the adoption of the Revised Proposed Apportionment Plan for House Districts.

Coming to a consensus first on the House Redistricting Plan demonstrates community and Commission collaboration on the most complicated task of the Commission - House Districts having the largest number, yet smallest geographically, of representative districts, 34, for Oahu local, state and congressional government institutions. Using the Commission's Revised Proposed Reapportionment Plan for House Districts as the foundation for making adjustments where practicable in the four above mentioned areas accepts the knowledge, experience and wisdom of the Commission's Technical Committee for redistricting.

The points of contention between the community and the Commission have involved respective opinions on the applicability of provisions for reapportionment cited in State Constitution. It may be worthwhile to revisit those provision at this time. Section 6, Article 4 of the Hawaii Constitution states: "Upon determination of the total number of members of each house in the state legislature to which each basic island unit is entitled, the commission shall apportion members among the districts therein and shall redraw district lines where necessary in such manner that for each house the average number of permanent residents per member in each district is as nearly equal to the average for the basic island unit as practicable. In effecting such redistricting, the commission shall be guided by the following criteria:

1. No district shall extend beyond the boundaries of any basis island unit.
2. No district shall be drawn as to unduly favor a person or political faction.
3. Except in the case of districts encompassing more than one island, districts shall be contiguous.
4. Inso far as practicable, districts shall be compact.
5. Where possible, district lines shall follow permanent and easily recognized features, such as streets, steams and clear geographical features, and where practicable, shall coincide with census tract boundaries.
6. Where practicable, representative district shall be wholly included within senatorial districts.

7. Not more than four members shall be elected from any district.
8. Where practicable, submergence of an area in a larger district wherein substantially difference socio-economic inters predominate shall be avoided.

Upon adjustment to the four areas of concern - Papakolea, Mililani, Peal City and Waikele - and through mutual accommodation and general consensus on acceptability of the steps taken to address the four areas in the TC's Revised Redistricting Plan, it can be stipulated that compliance with Article 4, Section 6 of the Hawaii has been achieved to the extent practicable as accepted by the Commission and community representatives and the community endorses the Revised Proposed Reapportionment Plan for the House.

Then the Commission can focus on #6 Where practicable, representative districts shall be wholly included within senatorial districts and #2 No district shall be drawn as to unduly favor a person or political faction. The 2020 Census was propitious for Oahu in having 34 House Districts and 17 Senate Districts so that each Senate district will have two House districts. The next process is then to align two adjacent and appropriate House Districts into a single Senate District. It follows then that Congressional District boundaries can be drawn so House and Senate Districts fall wholly within these redrawn Congressional districts.

I urge favorable consideration and Commission adoption of this methodology. It can be timely implemented. It involves collaboration and communication between the Commission and community to arrive at consensus in incremental forward moving steps to achieve State Constitutional compliance for the redistricting of the whole.

Thank you for your consideration.

Gordon Aoyagi

From: [Steve Sparks](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Reapportionment Plan
Date: Tuesday, January 18, 2022 9:21:55 AM

Hello-

In looking at all the plans I think the Boyea Community Plan does the best at keeping all the differences or variations the least and keeps the neighborhood together. Please pass the Boyea Community Plan as our plan for the next 10 years.

Thank you

--

Steve Sparks
Business Manager
Mg Products, LLC
13-1255 Malama St.
Pahoa, HI 96778
808-965-7061

Lester Michael Klungness
Gretchen H. Klungness
P. O. Box 364
18-4133 Komo Street
Mountain View, HI 96771

January 18, 2022

Hawaii Redistricting Committee members,

We are hereby submitting testimony for your meeting on January 20, 2022. We are not able to appear in person so are submitting our testimony today in writing.

We are both registered voters in the State of Hawai'i and live in Upper Puna District on the Island of Hawai'i. We reside in District 3, Precinct 5.

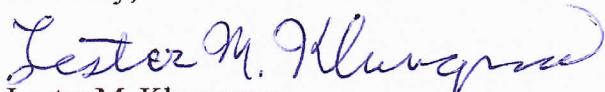
We are writing to urge you to adopt the Boyea-Community Plan for the State House Districts on the Island of Hawaii. With four Senate seats and eight House seats, it makes perfectly good sense to place two House seats into each Senate seat. The Boyea-Community Plan does this.


We have been lived here for several decades and have never felt any support or benefit from the leadership of District 3, which seems to have its focus on Hilo, rather than Upper Puna. We have much more in common with all of Puna than any part of Hilo. We have been dismayed by the fact that Keaau and Puna subdivisions like Orchidland, Hawaiian Acres, Mountain View, and others have been combined with Hilo into one House district for the last ten years. We as residents of Puna are not the beneficiaries of the kind of representation to which we are entitled and which we deserve

The 2020 census showed that the Keaau-Mountain View area grew by 20.3% from 2010 to 2020. This is our area and now has a resident population of 41,210. It is our understanding that the target resident population for each house district is 24,999. This area nearly qualified for two House seats, which begs the question: Why on earth would the Hawai'i Redistricting Commission combine it with Hilo? There should be no question regarding the fact that Puna warrants two House seats.

The Boyea-Community Plan provides for this. The Hawai'i Redistricting Commission plan does not. Please adopt the Boyea Community Plan.

Sincerely,


Lester M. Klungness


Gretchen H. Klungness

Ralph Boyea
HC Box 5626
Keaau, HI 96749
rcb946@gmail.com

1/17/2022

Aloha Hawaii Reapportionment Committee members

My name is Ralph Boyea

On January 11, 2022 I submitted a Community Plan for the recently reapportioned eight [8] House districts for Hawai'i Island. This plan is now called "Boyea Community Plan"

We continue to believe that our Community Plan is a significant improvement over the current draft plan proposed by the Hawaii Redistricting Committee's technical committee. Our plan places two House districts into each of the four senatorial districts; our plan has a lower overall resident deviation than the HRC plan [3.78% vs 4.74%]; and, our plan meets all of the State of Hawai'i Constitutional criteria, the HRC plan does not.

Regarding the Constitutional criteria, I would like to respond to some of the comments made by HRC Commissioners at the January 13, 2022 hearing

- 1. I believe it was Commissioner Kennedy who asked why some criteria were not being met [in the HRC plans] when it appears that is would be "practicable" to meet those criteria.**

As I understood it, Commissioner Nonaka responded by asking "by who's interpretation"? He stated that he could show where other plans [that had been submitted to the Commission] violate the Constitutional criteria.

I respectfully ask Commissioner Nonaka to point out where the "Boyea – Community Plan" doesn't meet the Constitutional criteria

I also ask which plan more grievously violates the State of Hawaii Constitutional criteria, the HRC plan or the "Boyea-Community Plan"? I think it is clear, it is the HRC plan. I will provide more information on this below.

- 2. Commissioner Chun stated that, when using "practicable" sometimes the criteria conflict with each other. This may be true. If it is, the question again becomes "which plan more grievously violates the Constitutional criteria." I don't see any significant conflicts in our plan.**

3. Commissioner Nishimura said that the Technical group listened and tried to accommodate all of the testimony in their maps. We appreciate that but much more can be done. We will show below how additional accommodations can be made. Accommodations that were made in the Community Plan, accommodations that will far better meet the Constitutional criteria.

4. Commissioner Nonaka made the following statements when presenting the Hawai'i island House map:

a. Waipio Valley needs to be connected to Honoka'a, that is the only road in.

Response: We agree, our plan also keeps Waipio Valley connected to Honoka'a.

b. He stated that we had to split Kailua-Kona into two House Districts.

Response: In fact, the HRC plan splits Kailua-Kona right down the middle. This did not have to be done. Our plan keeps Kailua-Kona intact. Our 6th House District line follows the HRC Senate 3 and Senate 4 boundary.

c. He stated we had to make the 5th House District go from Captain Cook to Kea'au based on the numbers.

Response: Our Community Plan shows that the HRC's inordinately large district is not justified "based on the numbers" or anything else. In fact, our plan produces a more compact [Article IV, Section 6, #4] district with an even lower deviation than the HRC plan. HRC -1.94 vs Community Plan at -1.16

Let's look closely at the State of Hawai'i Constitutional criteria contained in Article IV, Section 6. The following criteria were not met by the HRC plan for Hawai'i island. All criteria were met by the "Boyea – Community Plan".

First, before we do that, let's remind ourselves of what the word "practicable" means. According to Merriam-webster.com practicable means: "is capable of being put into practice or of being done or accomplished." So the question is – are you capable of meeting the constitutional criteria? Can meeting the criteria be accomplished? The answer is yes.

Article IV, Section 6:

“In effecting such redistricting, the commission shall be guided by the following criteria:”

“2. No district shall be so drawn as to unduly favor a person or political faction.”

A legitimate question has been raised relating to the drawing of House districts 7 and 8.

In a West Hawaii Today and Hawaii Tribune Herald article published on January 17, 2022 reporter Nancy Cook Lauer states: “The map appears to center District 7 and possibly even District 8, as Republican turf, according to West Hawaii Today’s prior analyses of Trump votes in 2016 and 2020 in that region....Commissioner Dylan Nonaka, who heads the Technical Committee that came up with the new maps, is a Kona resident who’s the former executive director of the state Republican Party and worked in former GOP Gov. Linda Lingle’s administration.”

Were these district lines drawn to unduly favor the Republican Party? I can not answer that with any certainty, but there clearly is a perception of impropriety.

Can House districts 7 and 8 be draw in such a way as to avoid this perception? Definitely. The Community Plan drew up these districts without considering or even being aware of the 2016 and 2020 votes on the island of Hawai’i.

For House District 7 the Community Plan utilizes the HRC Senate district map. We divided Senate district 4 into House districts 7 and 8; guided by the constitutional criteria, access roads and census blocks. One criticism of our plan is that a Representative would have to drive all the way from Pepeekeo to Hawi to service their district. That is true, but considering that a Senator representing that district would have to make that drive as well as having to drive on down to Kalaoa, the Representative has an easier district to cover.

Clearly, there is no political manipulation involved and the State Constitutional criteria are met.

“4. Insofar as practicable, districts shall be compact.”

Clearly House District 5 can be more compact than the version presented in the HRC plan. It is not necessary to stretch the district from Captain Cook to Kea’au based “on the numbers” or for any other reason.

Our plan presents a more compact district with even better numbers than those proposed by the HRC plan.

Clearly it is practicable to do so and, to meet the Constitutional requirement it “shall” be done.

“6. Where practicable, representative districts shall be wholly included within senatorial districts.”

The “Boyea-Community Plan” does this.
The HRC plan does not.

Our plan does this with even better overall deviation numbers [3.79% vs 4.74%] than the HRC plan while doing an even better job of meeting all of the Constitutional criteria.

Clearly, it is practicable to include the eight House districts wholly within the four Senate districts. Therefore, to meet the Constitutional requirements, it shall be done.

“8. Where practicable, submergence of an area in a larger district wherein substantially different socio-economic interests predominate shall be avoided.”

The HRC plan does not do this. Look at the HRC proposed House District 3. It places the rural communities of Kea’au, Kurtistown, Orchidland, Hawaiian Acres, Fern Acres, Ainaloa and Tiki Gardens into a Hilo [urban] dominated district. These communities have substantially different socio-economic interests than those in Hilo.

Our plan places all of these communities along with others on up to Volcano into one House district. And, once again, it should be noted that our House District 3 lines coincide with those drawn by the

Commission for Senate District 2. House 3 and House 4 are wholly included in Senate District 2.

Clearly, it is practicable to avoid submerging these socio-economically diverse communities into one House district. In order to meet the Constitutional criteria the current HRC proposal for House 3 “shall be avoided.”

Is the “Boyea-Community Plan” an East vs. West battle for the 8th House seat as postulated in today’s newspaper article?

Absolutely not. We have done our best to include residents from all over the island. We have nearly 70 residents on our mailing list. I personally have worked in every district [geographical and political] on the island in my 48 years living on the island. I respect the residents in all districts.

The Community Plan paid very close attention to the nine Hawai’i island geographic districts and the 2020 census counts for those districts.

For example in the Puna geographic district, the 2020 census shows 41,210 residents in the Keaau-Mountain View area and 10,494 in the Pahoa-Kalapana area. That’s 51,704 residents. With a target population of 24,999 per district, Puna clearly warrants two House districts. There is no justification for combining Puna and Hilo in one House district. The HRC recognized these population numbers and placed all of Puna in Senate District 2. We then placed House districts 3 and 4 into Senate District 2.

The Community Plan follows the census numbers and the HRC’s Senate apportionment around the entire island. Hilo, Puna and Kona districts get two House seats each. North Hilo to North Kohala gets one House seat; and Ka’u and South Kona gets one House seat. This is all based on population and the census counts in these areas.

Given the above we believe our Community Plan best serves the residents of Hawai’i island. We urge you to seriously consider and adopt our suggestions for the Hawai’i House Districts.

Mahalo.

Ralph Boyea

From: [Joshua Jacobs](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Written Testimony in Support of Boyea map
Date: Tuesday, January 18, 2022 7:16:48 PM

Aloha all, in lieu of a oral testimony at tonight's meeting, I submit my written testimony here.

I would like to submit written testimony in support of the Boyea map. It is the map with the lowest population deviation and is the map that does the most to keep communities together. Alongside that testimony I would like to submit strong written testimony against the commission map. It does a very poor job of providing equal representation to the communities that are growing the fastest. Many thanks, Joshua Jacobs, Resident of Kurtistown.

From: [Maki Morinoue](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] House Redistricting
Date: Tuesday, January 18, 2022 7:23:52 PM

Aloha Redistricting Committee

My name is Maki Morinoue from Holualoa.

After attending the public hearings and being part of the around island residential input. I still feel the Boyea Community Map is a more inclusive, similar issue, keeping communities together and balanced representation of each district. Also it is in line with all the Census guidelines. The commission map violates 3 out of 8 of the criteria. You can visually see the representation and balance just by a glance. It opens up the scope to create awareness and attention to similar needs and being able to advocate cohesively towards roadway development, hospitals, health care support, kupuna care needs and so on. Much more of an equal representation with understanding where the mountains are. It is strange to see large cross overs from the east side stretching into Ka'u. Best representation of our population and with the House district in the Senate districts.

I strongly advocate and support the Boyea House Community Map. It follows the guidelines and is the most sensible from what I see so far while being in line with our constitution.

Mahalo
Maki Morinoue
96725

--
Maki Morinoue

Share your ALOHA

"Aloha Spirit" is the coordination of mind and heart within each person. It brings each person to the self. Each person must think and emote good feelings to others. In the contemplation and presence of the life force, "Aloha,"

From: [Cory Harden](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] support Boyea/community map
Date: Tuesday, January 18, 2022 9:48:44 PM

Aloha Commissioners,

I know there's a time crunch, but why did an advisory council meet the evening of January 18 with very little notice to the public, possibly violating the Sunshine Law?

I continue to support the Boyea/ community plan for Hawai'i Island. The Commission map meets fewer legal criteria, and appears to favor Republicans, after being drawn by the Technical Committee, which is chaired by Republican Dylan Nonaka. It also splits Kailua-Kona and makes the Ka'u District impossibly huge.

Mahalo for your work.
Cory Harden, Hilo

From: [Bett Bidleman](#)
To: [OE.Elections.Reapportionment](#)
Subject: [EXTERNAL] Support for Boyea Community Plan for Hawaii County House Districts
Date: Wednesday, January 19, 2022 11:43:26 AM

I am a resident of Honoka'a on Hawaii Island. I support the "Boyea-Community Plan." I ask that you adopt the House districts for the Island of Hawaii as presented in that plan, which has done the best job of keeping communities together in each district. Honoka'a on the Hamakua Coast is more affiliated with Waimea than Hilo. My rural community's interests are more compatible with the proposed District 8 map as designed by the Boyea Community Plan.

Mahalo,
Bett Bidleman

January 19, 2022

2021 Reapportionment Commission
c/o Scott Nago, Secretary
802 Lehua Avenue
Pearl City, Hawai'i 96782

(Via Email Only)

RE: Testimony for the Hawai'i State Reapportionment Commission's January 20, 2022 Meeting

Dear Hawai'i Reapportionment Commission:

Common Cause Hawai'i is a nonpartisan, nonprofit, grassroots organization dedicated to upholding the core values of American democracy and ensuring a fair and transparent reapportionment and redistricting process.

In our January 13th testimony, Common Cause Hawai'i raised concerns regarding the division of communities of interest. We noted communities like Papakōlea, which is now split between House Districts 26 and 27 in the proposed modified legislative reapportionment plans. Our concern then, as it is now, is the diminished political voice of the Papakōlea community and communities like it. Therefore, Common Cause Hawai'i respectfully asks the 2021 Hawai'i Reapportionment Commission, in keeping with its duties and authority, to revise the current modified legislative reapportionment plan to keep communities like Papakōlea whole. Moreover, we call upon the commission to thoroughly consider each piece of public testimony from communities similarly concerned about being split or who overall feel their communities are harmed by the modified maps.

Additionally, Common Cause Hawai'i respectfully asks this Commission to include our request for a legislative remedy ensuring incarcerated people are counted according to their communities and not their facilities for the 2031 reapportionment process into its report to the Hawai'i State Legislature. Incarcerated persons should not be counted according to the district in which their facilities are located, as this alters the representational proportions and the voting power of residents. Without question, prison gerrymandering is unconscionable and must end.

Further, Common Cause Hawai'i alerts the Commission to Article IV, § 5 of the Hawai'i State Constitution which provides as follows:

The representation of any basic island unit initially allocated less than a minimum of two senators and three representatives shall be augmented by allocating thereto the number of senators or representatives necessary to attain such minimums which number, notwithstanding the provisions of Sections 2 and 3 of Article III shall be added to the membership of the appropriate body until the next

reapportionment. The senators or representatives of any basic island unit so augmented shall exercise a fractional vote wherein the numerator is the number initially allocated and the denominator is the minimum above specified.

As Kauai, a basic island unit for reapportionment, has only been allocated one (1) senator, it is required to have a minimum of two (2) senators with one of them “exercis[ing] a fractional vote wherein the numerator is the number initially allocated and the denominator is the minimum above specified.” Common Cause Hawai‘i suggests that you confer with the Deputy Attorney General as to the legal issues raised by not following the Hawaii Constitution in providing the necessary senatorial representation for Kauai.

If you have any questions or concerns, I am available to discuss further at 808-497-4629 or kainoa@kaiwiula.com.

Very respectfully yours,

Kainoa Kaumeheiwa-Rego

Kainoa Kaumeheiwa-Rego
Common Cause Hawai‘i

V. REPORTS BY THE APPORTIONMENT ADVISORY COUNCILS

Report from the Oahu Advisory Council
to the State of Hawaii Reapportionment Committee
Adopted January 18, 2022

The Oahu Advisory Council met on Friday, January 14, 2022 via zoom. The meeting was called to order by Commissioner Kennedy. Members Takemoto, Wilbur, Toma, and Finnegan were present. Member Finnegan was selected as Chair.

Both written and verbal testimony was offered that encouraged additional revisions to the Modified Proposed Final Congressional and Legislative Plans Based on the 1/6/22 Permanent Resident Base Developed by the Reapportionment Commission's Technical Committee. No testimony received supported the Technical Committee's maps in full. The testimony received revolved around the criteria for redistricting as stated in the State Constitution, Article IV, Section 6 and that the aforementioned maps should do more to follow the criteria by aligning the Senate districts to the changes made to the House districts. Testimony specifically mentioned the opposition to splitting Papakolea into two separate districts. Another set of maps was offered by testimony.

The reapportionment criteria in the State Constitution, Article IV, Section 6 that states:

"In effecting such redistricting, the commission shall be guided by the following criteria:

1. No district shall extend beyond the boundaries of any basic island unit.
2. No district shall be so drawn as to unduly favor a person or political faction.
3. Except in the case of districts encompassing more than one island, districts shall be contiguous.
4. Insofar as practicable, districts shall be compact.
5. Where possible, district lines shall follow permanent and easily recognized features, such as streets, streams and clear geographical features, and, when practicable, shall coincide with census tract boundaries.
6. Where practicable, representative districts shall be wholly included within senatorial districts.
7. Not more than four members shall be elected from any district.
8. Where practicable, submergence of an area in a larger district wherein substantially different socio-economic interests predominate shall be avoided. [Add Const Con 1978 and election Nov 7, 1978; am HB 2327 (1992) and election Nov 3, 1992]"

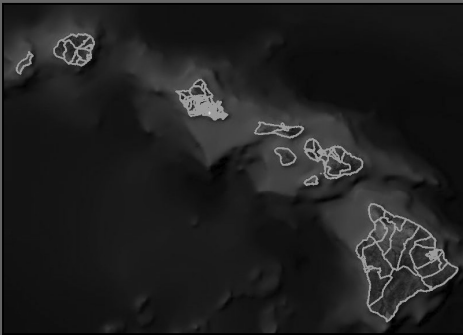
The Council members and testifiers had a chance to ask questions of staff and Commissioner Nonaka of the Technical Committee during the review and discussion agenda items.

The majority of the Council Members decided to not make a recommendation in this report and deferred to the work that was done by the Technical Committee. A consideration to refrain from making any recommendations was also due to the time constraints of the upcoming 2022 election cycle.

**VI. DISCUSSION AND
POTENTIAL ACTION ON THE
JANUARY 11, 2022 LETTER
FROM THE HAWAII STATE
SENATE STANDING
COMMITTEE ON
GOVERNMENT OPERATIONS
REGARDING INFORMATIONAL
BRIEFING ON
REAPPORTIONMENT**

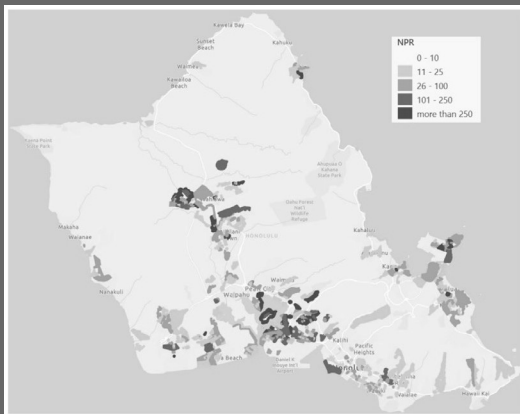


Committee on Government Operations – Reply to Memorandum of January 11, 2022



Reapportionment Commission Meeting January 20, 2022

David Rosenbrock



Reply to Government Operations Memorandum of January 11, 2022

On January 11, 2022, Chair Mugiishi received a memorandum from Senator Sharon Moriwaki, Chair of the Senate Committee on Government Operations. This followed the Committee on Government Operations hearing on January 10, 2022 at which the Chair Mugiishi and others associated with the reapportionment process were invited to testify.

Senator Morikawa's memorandum sought, in part, Chair Mugiishi's "statement regarding the decisions on criteria and methodology based on the Hawaii State Constitution and Act 14 (2021)." Chair Mugiishi responded with his statement on January 12, 2022.

Reply to Government Operations Memorandum of January 11, 2022

Additionally, the same memorandum from Senator Moriwaki sought for the Commission to take into consideration matters discussed at the briefing. These topics included the following:

- (1) accounting for permanent residents of Hawaii that are outside of Hawaii due to being military member or dependent, or as a student at a higher education institution;**
- (2) a consideration of the process that the State of Kansas followed for adjusting its census data to address the military and student populations.**

Reply to Government Operations Memorandum of January 11, 2022

Consideration of Out-of-State Hawaii Permanent Residents

Numbered paragraph 1a appears to suggest offsetting the extraction of nonpermanent residents by the number of Hawaii permanent residents living outside of the state. As it relates to the consideration of military members and their dependents that are Hawaii residents living outside the state, we believe there needs to be clarification by the Commission as to how it wishes staff to proceed.

Specifically, as a starting point, there needs to be an understanding of what the Commission believes the starting point should be for the population for both congressional reapportionment and state legislative reapportionment.

Reply to Government Operations Memorandum of January 11, 2022

Consideration of Out-of-State Hawaii Permanent Residents

As it relates to congressional reapportionment, there is no dispute that we are required to use the data from the U.S. Census Bureau. HRS § 25-2 (i.e. "apportion those members among single member districts so that the average number of persons in the total population counted in the last preceding United States census per member in each district shall be as nearly equal as practicable"). This data is not adjusted by the U.S. Census Bureau to account for permanent residents of one state living in another state. As such, when we use the data from the U.S. Census Bureau for congressional reapportionment it in no way adjusted to account for those present outside of the state.

Reply to Government Operations Memorandum of January 11, 2022

Consideration of Out-of-State Hawaii Permanent Residents

To the extent we understand the proposed consideration of military members and their dependents that are Hawaii residents living outside the state as part of state legislative reapportionment, it would require the "total population" to be different than the one used for congressional reapportionment. In other words, the congressional reapportionment "total population" would be the U.S. Census, while the "total population" for state legislative reapportionment would be U.S. Census plus whatever data could be obtained with reasonable confidence of permanent residents outside of the state. This would be before we extract "nonpermanent residents" to arrive at the "permanent resident" population that Article IV, Section 4 requires.

Reply to Government Operations Memorandum of January 11, 2022

Consideration of Out-of-State Hawaii Permanent Residents

Additionally, HRS § 25-2 provides, in part, the following:

For purposes of legislative reapportionment, a "permanent resident" means a person having the person's domiciliary in the State.

In determining the total number of permanent residents for purposes of apportionment among the four basic island units, the commission shall only extract non-permanent residents from the total population of the State counted by the United States Census Bureau for the respective reapportionment year.

These two sentences were added by Act 14, SLH 2021 and raise questions as to how they are to be interpreted in relation to Article IV, Section 4.

Reply to Government Operations Memorandum of January 11, 2022

Consideration of Out-of-State Hawaii Permanent Residents

For example, the first sentence refers to a "permanent resident" to being someone who is a domiciliary of the state. While this appears to be straightforward, it opens up the question as to whether permanent residents who are temporarily outside of the state at the time of the U.S. Census were meant to be included by the statute as part of the "permanent resident" population for state legislative reapportionment purposes. Additionally, if this was what was meant, then it raises questions as to whether such a statutory clarification is permitted or consistent with the text and structure of Article IV of the state constitution.

Reply to Government Operations Memorandum of January 11, 2022

Consideration of Out-of-State Hawaii Permanent Residents

As for the second sentence, it appears to reflect that the base or "total population" that we initially operate from is what is established by the U.S. Census Bureau and that we then proceed to extract non-permanent residents from that "total population" to arrive at the "permanent resident" population.

Reply to Government Operations Memorandum of January 11, 2022

Consideration of Out-of-State Hawaii Permanent Residents

Ultimately, we take no position on this and defer to the Commission on its interpretation of the state constitution and applicable statutes. However, assuming that the Commission directs staff to adjust and increase the "total population" for state legislative reapportionment purposes before extracting nonpermanent residents, we would require guidance as to how this is to be accomplished. Specifically, a lot would depend on the type and quality of the data provided by the military. For example, if the military data merely refers to a set amount of military and dependents having a state of legal residence of Hawaii, then we will not be able to assign them to a particular census block or perhaps even a basic island unit, without making certain assumptions through a disaggregation model across the state.

Reply to Government Operations Memorandum of January 11, 2022

Consideration of Out-of-State Hawaii Permanent Residents

Likewise, the memorandum refers to permanent residents studying outside of Hawaii (i.e. Numbered Paragraph 1b). The memorandum appears to suggest offsetting the extraction of nonpermanent residents by the number of permanent residents outside of the state. This would functionally require us, as described above, to increase the "total population" or starting point for state legislative reapportionment. Similar to the topic of the military, a lot would depend on the quality of the data and assumptions the Commission wishes to make. Additionally, unlike the military in which it maintains up to date records of military personnel and the state of residence they claim, it is unclear for extraction purposes if we could rely on data relating to those studying outside of the state. For example, it is not clear if we could assume students studying on the mainland may not choose to change their permanent residence to a different state or what the reasonable factors would be for such an analysis.

**Reply to Government Operations Committee Memorandum
of January 11, 2022**

Consideration of Out-of-State Hawaii Permanent Residents

Ultimately, we take no position on this and defer to the Commission on its interpretation of the state constitution and applicable statutes. We understand that the Commission plans to go into Executive Session following this report to discuss this issue. Assuming that the Commission directs staff to adjust and increase the "total population" for state legislative reapportionment purposes before extracting nonpermanent residents, we would require guidance as to how this is to be accomplished.

Reply to Government Operations Committee Memorandum of January 11, 2022

State of Kansas Non-Permenant Resident Extraction Method

The memorandum at numbered paragraph 2 asks the Commission to take into consideration the process followed by the State of Kansas, which prior to the last U.S. Census had a constitutional provision that required nonpermanent residents to be extracted.

With the above in mind, our office reached out to the State of Kansas and was directed to Election Director Bryan Caskey.

Mr. Caskey confirmed our understanding that his state had recently removed its requirement to adjust its census numbers to account for nonresident military and students. However, Mr. Caskey was involved in the last three reapportionments, so he was able to provide us some background on the process that was followed in the past.

Reply to Government Operations Committee Memorandum of January 11, 2022

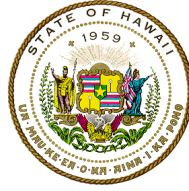
State of Kansas Non-Permenant Resident Extraction Method

As it relates to the military, he confirmed that his state did not actually receive data from the military in the manner that we do (i.e. they did not get a report from DMDC). Instead, he had to reach out to the commander of the four or five main military installations in the state. After establishing that contact, he had to ask them to distribute a survey to all of the military personnel. The survey asked the individual to fill it out and indicate whether they were a resident or not and where they wanted to be counted. The return rate was very low and the state was entirely reliant on the particular base commander's interest in disseminating, collecting, and returning the forms to election officials.

Reply to Government Operations Committee Memorandum of January 11, 2022

State of Kansas Non-Permenant Resident Extraction Method

Mr. Caskey says that he will look to see if he has any prior reports or documentation regarding their procedures. However, as the last time they conducted this process was over ten years ago it may take a while for him to find anything that might be helpful.



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

January 11, 2022

MEMORANDUM

TO: Chair Mark Mugiishi
Reapportionment Commission

FROM: Senator Sharon Moriwaki
Chair, Senate Committee on Government Operations

RE: Informational Briefing on Reapportionment

Dear Chair and Members:

The Hawaii State Senate Standing Committee on Government Operations appreciates your attendance at its briefing on reapportionment held on January 10, 2022. We also appreciate the work of the commission and staff and our mutual goal of an accurate 2020 count of permanent residents. We ask that the Commission take into consideration, the matters discussed at the briefing, including:

1. As discussed at the briefing, the recent count obtained from INDOPACOM revealed large discrepancies that required more study and the Committee requests that the commission consider the following and obtain the necessary information, as suggested by Dr. Sumner La Croix, Senior Research Fellow, University of Hawaii (UH) Economic Research Organization (UHERO) and UH Economics Emeritus Professor, to provide a more accurate extraction by taking into consideration the number of permanent Hawaii residents stationed and/or attending school out of state, as follows:
 - a. Military extraction reduced by the number of permanent Hawaii residents and dependents stationed outside of Hawaii. We have asked for these data from INDOPACOM. A copy of the request is attached. Upon receipt of this information from INDOPACOM, the Committee will furnish it to the Reapportionment Commission.
 - b. Non-permanent resident student (at Hawaii higher education institutions) extraction reduced by the number of Hawaii permanent resident students studying outside Hawaii. Dr. La Croix suggested a better estimate would be to account for the number

of public and private high school graduates enrolled in schools outside Hawaii when determining the appropriate extraction numbers. This data can be obtained from the following sources:

- 1) For public schools—Hawaii Data Exchange Partnership
(http://hawaiidxp.org/research/ccri_reports)
- 2) For private schools: Hawaii Association of Independent Schools
(<https://www.hais.us/>)

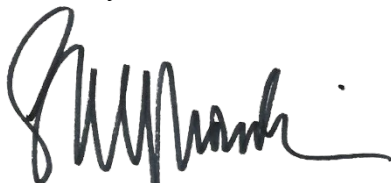
Using publicly available federal data, Dr. La Croix estimated that the commission did not account for up to 18,069 active duty military personnel from Hawaii and their dependents. Dr. La Croix has not estimated the number of Hawaii permanent residents who are students at colleges outside of Hawaii. However, data from *The State of Hawaii Data Book 2020* indicate that 4,116 Hawaii residents left the state in Fall 2018 to enroll as first-year students in mainland and foreign colleges. Given that their studies will take several years, a rough range for the size of this group is 10,000-20,000 students. Should the commission decide to get a more accurate extraction count to take into consideration Hawaii resident students studying outside Hawaii, data are available to make more precise estimates of Hawaii residents studying at mainland and foreign colleges and universities.

2. The criteria and procedure used by the State of Kansas to adjust census population data to count permanent military and student residents prior to its state constitutional amendment in 2019; and, if available, its justification for the amendment.

Please also provide, in writing, Chair Mugiishi's statement regarding the decisions on criteria and methodology based on the Hawaii State Constitution and Act 14 (2021).

Please provide this Committee with Dr. Mugiishi's statement by January 12, 2022; and a response to all other requests by January 20, 2022. Thank you for your attention to this matter. If you have any questions or need further information or clarification, please contact my Committee Clerk, Kaley Vatalaro at (808) 586-6740 or k.vatalaro@capitol.hawaii.gov.

Sincerely,

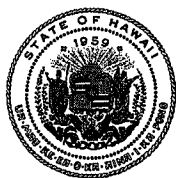


Sharon Y. Moriwaki
Chair, Committee on Government Operations

Dr. Mark Mugiishi
January 11, 2022
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Enclosure

C: Charlotte Nekota
Randall Nishimura
Grant Y.M. Chun
Diane T. Ono
Robin Kennedy
Kevin Rathbun
Cal Chipchase
Dylan Nonaka
Scott Nago, Chief Election Officer
GVO Senate members



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

January 12, 2022

The Honorable Sharon Y. Moriwaki
Senate Committee Chair on Government Operations
Hawaii State Capitol, Room 223
415 South Beretania Street
Honolulu, Hawaii 96813

Aloha Chair Moriwaki:

Thank you for allowing me to provide information to your committee on Monday at the Government Operations info-briefing.

As I mentioned in my oral testimony, the Reapportionment Commission has had multiple hours of conversations between the Commissioners and our attorneys at the State Attorney General's office to ensure that we are complying with both the State Constitution, as interpreted by the Hawaii Supreme Court in the Solomon case, and Act 14.

Specifically, we are following the exact two-step method outlined in the State Constitution for legislative reapportionment: first, apportionment of the total number of Senators and Representatives among the 4 basic island units using the total number of permanent residents in each of the basic island units computed by the method of equal proportions; and second, apportionment of the members within the basic island units and redrawing of district lines in such a manner that for each house the average number of permanent residents per member in each district is as nearly equal to the average for the basic island unit as practicable.

The Commission is also following Act 14, which clarified the definition of a permanent resident and how to determine the total number of permanent residents for purposes of step one. The law states, "For purposes of legislative reapportionment, a permanent resident means a person having a person's domiciliary in the State. In determining the total number of permanent residents for purposes of apportionment among the four basic island units, the commission shall only extract non-permanent residents from the total population of the state

as counted by the United States Census for the respective reapportionment.” We are using the **total population of the state as counted by the United States census** as our starting point, as required by statute. We are then determining which residents do not have a **domiciliary in the State** and extracting those as non-permanent residents, also in compliance with the statute.

As I mentioned Monday in my testimony, the Commission spent many hours on these issues. Because the source of data for the total population is the United States Census which does not ask whether someone is a permanent resident, and the source of data for the extraction is military and university data which does not ask if people took the census, we had to determine what we believe to be the best methodology to approximate the total number of permanent residents for reapportionment. The Commission concluded unanimously, though some with reservations due the inherent difficulties with data sets, that our methods were both in compliance with the law and the best solution as is practicable.

In response to your second request to the Commission as a whole, we will not be able to respond to your inquiry by your date of January 20. The next meeting where we can add that topic to our agenda is January 20, and therefore, in order to comply with the State’s Sunshine Law, we cannot discuss your second request as a Commission until then.

We will provide you a response from the Commission as a whole following resolution of the discussion amongst ourselves and our attorneys at that January 20 meeting, or any subsequent meeting as may be needed.

Sincerely,

Mark Mugiishi

Mark Mugiishi, M.D.
Reapportionment Commission Chair

MM:jk
RC-22-001