



**STATE OF HAWAII
OFFICE OF ELECTIONS**

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SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON JUDICIARY
ON SENATE CONCURRENT RESOLUTION NO. 261
AND SENATE RESOLUTION NO. 220

REQUESTING THE ATTORNEY GENERAL TO PETITION THE HAWAII
SUPREME COURT SEEKING RELIEF TO PREVENT ACTION AGAINST THE
REAPPORTIONMENT COMMISSION FOR THE COMMISSION'S FAILURE TO
MEET STATUTORY OR CONSTITUTIONAL DEADLINES RELATING TO THE
2021 REAPPORTIONMENT PLANS

March 25, 2021

Chair Rhoads and members of the Senate Committee on Judiciary, thank you for the opportunity to testify in support of Senate Concurrent Resolution No. 261 and Senate Resolution No. 220.

The U.S. Census Bureau has already indicated that redistricting data will not be available until after the Constitutional deadline for the Reapportionment Commission to submit a final plan to our Office. This resolution would mitigate any unnecessary delays that could further hold up the 2021 Reapportionment Plan and our implementation and conduct of the 2022 Elections.

Once the final plan is in place, the State will further divide the districts into precincts to create ballot type. We also use the reapportionment data to assign candidates and voters to the correct districts for candidate filing, ballot mailing, and voter education. The Counties are required to send out notification cards to

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every registered voter, which includes the voter's electoral districts prior to the 2022 Elections. We are also statutorily required to publish an election proclamation by May 28, 2022, which includes the list of contests, districts, and terms of office.

Thank you for the opportunity to testify in support of Senate Concurrent Resolution No. 261 and Senate Resolution No. 220.

Statement Before The
SENATE COMMITTEE ON JUDICIARY

Thursday, March 25, 2021

10:00 AM

Via Video Conference

In consideration of

SCR 261 / SR 220**REQUESTING THE ATTORNEY GENERAL TO PETITION THE HAWAII SUPREME COURT SEEKING RELIEF TO PREVENT ACTION AGAINST THE REAPPORTIONMENT COMMISSION FOR THE COMMISSION'S FAILURE TO MEET STATUTORY OR CONSTITUTIONAL DEADLINES RELATING TO THE 2021 REAPPORTIONMENT PLANS.**

Chair RHOADS, Vice Chair KEOHOKALOLE, and Members of the Senate Judiciary Committee

Common Cause Hawaii provides comments on SCR 261 / SR 220, requesting the Attorney General to petition the Hawaii Supreme Court to seek relief to prevent action against the reapportionment commission for the commission's failure to meet statutory or constitutional deadlines relating to the 2021 reapportionment plans.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to upholding the core values of American democracy. We work to promote transparency in our legislative processes and reforms for a more fair and transparent redistricting process.

Common Cause Hawaii notes that Hawaii State Constitution, Article IV, Section 2 (Reapportionment Commission) provides that:

A reapportionment commission shall be constituted on or before May 1 of each reapportionment year [2021] and whenever reapportionment is required by court order. . . .

Not more than one hundred fifty days from the date on which its members are certified, the commission shall file with the chief elections officer a reapportionment plan for the state legislature and a reapportionment plan for the United States congressional districts which shall become law after publication as provided by law. . . .

Given that the U.S. Census data will not be available to states until September 30, 2021, this 150-day requirement after the certification of the reapportionment commission to have reapportionment maps will be difficult to timely satisfy, as the commission will initially be constituted on May 1, 2021. [See <https://www.census.gov/newsroom/press-releases/2021/statement-redistricting-data-timeline.html>](https://www.census.gov/newsroom/press-releases/2021/statement-redistricting-data-timeline.html). It may be necessary to have court intervention to settle when maps are drawn.

Thank you for the opportunity to provide comments on SCR 261 / SR 220. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,
Sandy Ma
Executive Director, Common Cause Hawaii



SCR-261

Submitted on: 3/22/2021 11:02:15 AM

Testimony for JDC on 3/25/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments:

Absolutely support SCR261/SR220. The ability to develop the state's reapportionment plan is contingent on receiving the US Census Data which has been significantly delayed till approximately September 2021.