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TODD SHUMWAY  
SCOTT UNGER

**2009-2010  
HAWAI'I COUNTY  
CHARTER COMMISSION**

TO: HAWAII COUNTY CHARTER COMMISSIONER

FROM: Scott Unger, CHAIRPERSON, AD HOC COMMITTEE  
FORMED TO INVESTIGATE THE POSSIBILITY OF AMENDING  
ARTICLE 3, SECTION 17, OF THE HAWAII COUNTY  
CHARTER.

RE: COMMITTEE REPORT AND FINDINGS

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The Ad Hoc Committee formed to investigate the possibility of amending Article 3, Section 17, of the Hawai'i County Charter consists of Chairperson Scott Unger and members Casey Jarmen and Sue Osborn.

The Committee discussed and considered, among other things, changing the title and scope of Section 3-17 "County Reapportionment Committee. The Committee determined that: See attachment.

**COMM. 32**

## **DRAFT REPORT – AD HOC COMMITTEE ON REAPPORTIONMENT**

The Ad Hoc Committee on Reapportionment makes the following recommendations based upon a review of § 3-17 of the Hawai`i County Charter.

1. Any reference to the County Reapportionment Commission be changed to the “County Redistricting Commission”.

Rationale: Although the words “reapportionment” and “redistricting” are at times used interchangeably, “reapportionment” generally refers to the assignment of U.S. House of Representatives based on population of the U.S. in a particular census year. States may gain an extra representative, lose a representative, or remain the same, depending on the size of their population. “Redistricting” refers to establishing of voting district boundaries to ensure that each district has approximately equal populations, thereby preventing the dilution of any individual’s vote.

2. Change the language in § 3-17, first part of first sentence to read: “The redistricting commission shall adhere to the following criteria in establishing the boundaries of the council districts: . . .”

Rationale: Under the current language, the commission is to be “guided” by the 4 criteria; however, it should be made clear that they need to follow all of the criteria and justify their decisions based solely on those criteria. They cannot ignore one criterion in favor of one or more others.

3. Add a new section that requires the commission to prepare a written report to be submitted to the Mayor and the Council with their district boundary plan. The report should give an explanation of their reasoning and how the plan complies with the 4 criteria.

Rationale: This provision would add transparency to the redistricting plan and ensure that they adequately considered all four criteria and not other factors.

4. Add a new section that requires the commission to hold at least one public hearing in each of the nine council districts prior to completing the draft of the plan and one public hearing in east Hawai`i and one in west Hawai`i after completion of the draft plan.

Rationale: This provision would add transparency to the redistricting plan, educate the public, and allow for public input.

5. Change § 3-17(d) to be appointed and confirmed by July 1 of the U.S. census year before the start of the redistricting year.

Rationale: Under the current provision, the Commission has only 10 months from the date of confirmation of the final member to complete their work. The importance of the work of this commission, the amount of information that must be gathered to draft a new plan, and the time needed for commissioners to get up to speed on redistricting means that the commissioners need adequate time to do their work. Therefore, we have added additional time. This time is also needed to allow for the public hearings and for the completion of a written report justifying the plan that we are recommending.