

From: billhicksknb@gmail.com
Sent: Wednesday, January 19, 2022 9:43 PM
To: OE.Elections.Reapportionment
Subject: [EXTERNAL] Testimony for the 1/18/22 Continuation of the Oahu Advisory Council Meeting
Attachments: Using Technical Committee Oahu House Map to Create Aligned Senate Districts.pdf

Aloha Chair Finnegan and Councilmembers,

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 Councilmember 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.

I request that the Oahu Advisory Council recommend to the Reapportionment Commission that there must be better alignment between the House and Senate plans.

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

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

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.)

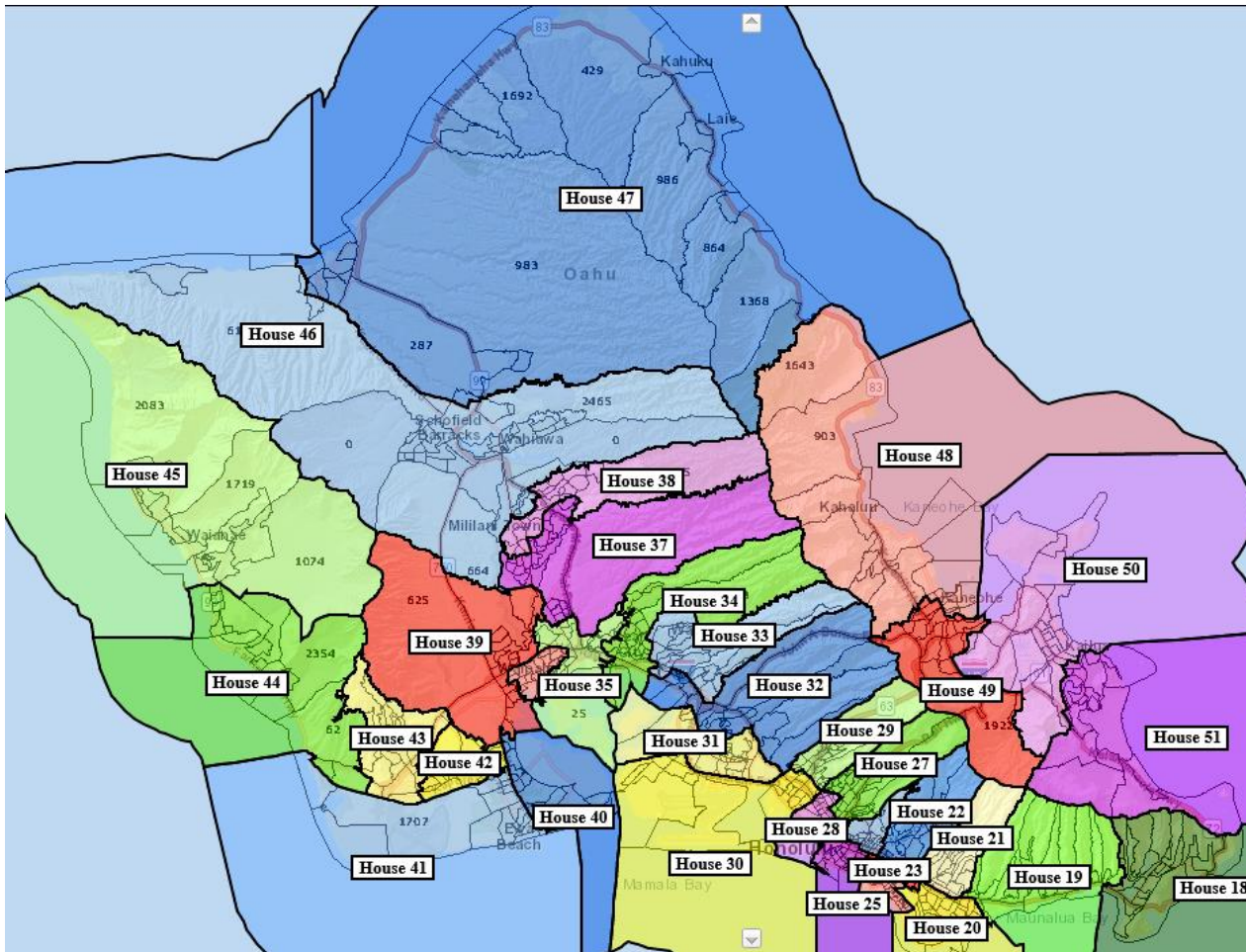
Value of Aligning House and Senate Maps

- 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.”

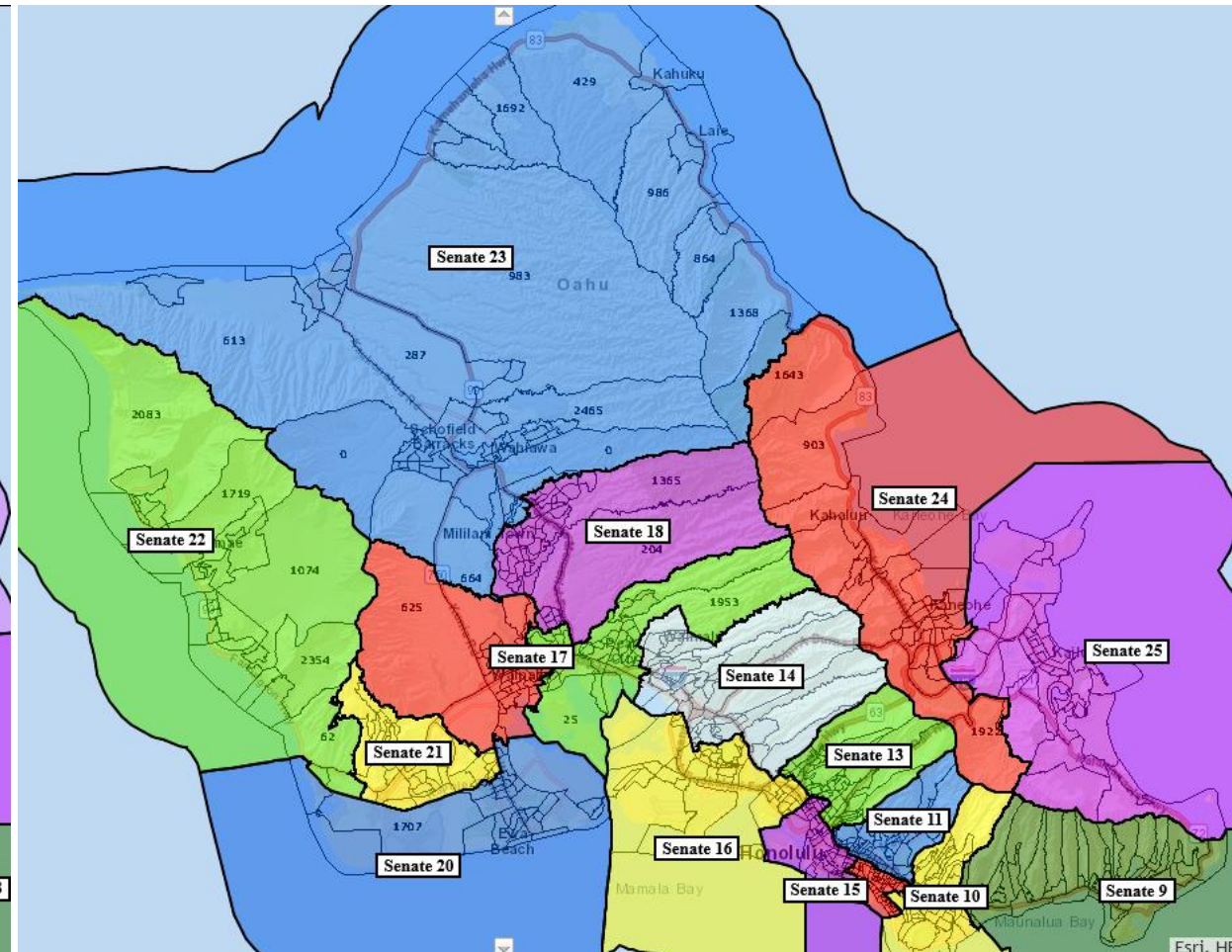
Which is Better?

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
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12	23, 24, 25, 28		18	35, 36, 37, 38, 39, 46		24	48, 49, 50
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Aligned Senate Plan's Alignment of House Districts Within a Single Senate District							
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13	27, 29		19	36, 39		25	50, 51
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Each Senate District Consists of Exactly 2 House Districts



34 House Districts (Technical Committee)

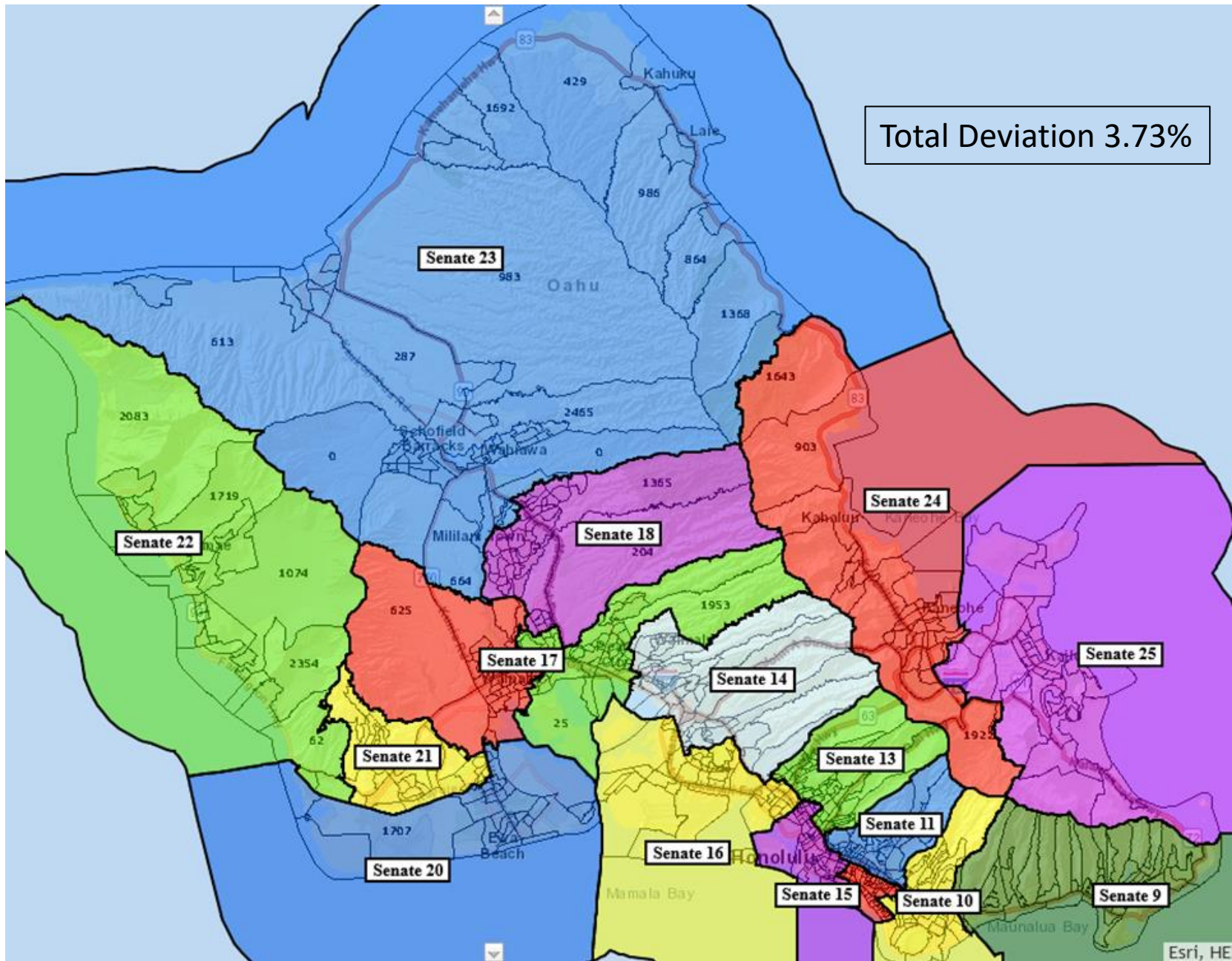


17 Aligned Senate Districts

Aligned Senate Plan (w/Technical Committee House Map)

“...representative districts shall be wholly included within senatorial districts”
Hawaii Constitution Article IV Section 6

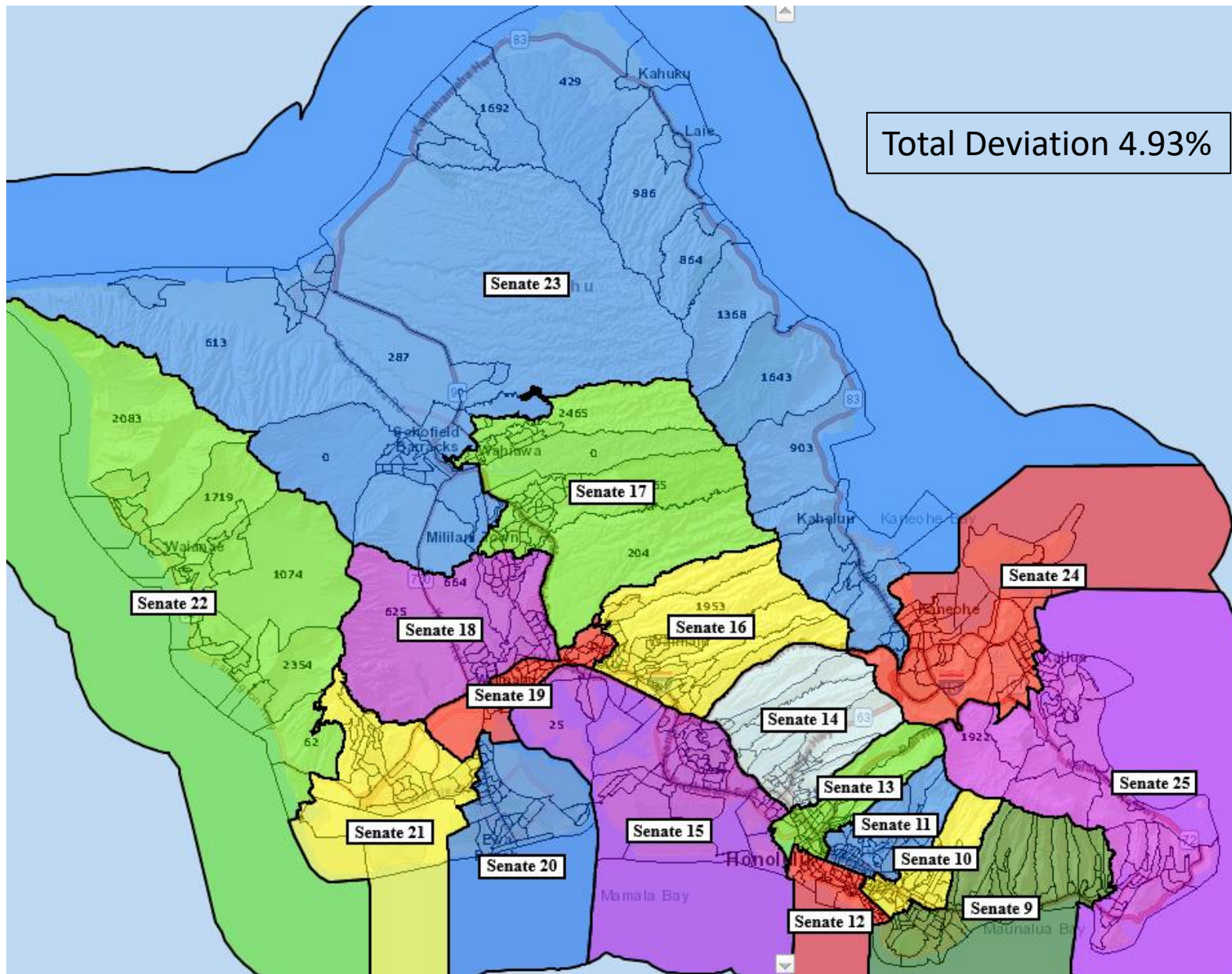
- Aligned Plan: **ALL** 34 House Districts are contained within 1 Senate District
 - Uses Technical Committee’s House Plan & forms Senate Districts from 2 House Districts
- Technical Committee’s Senate Plan:
 - **Only 9 House Districts are contained within 1 Senate District**
 - 13 House Districts are 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



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%

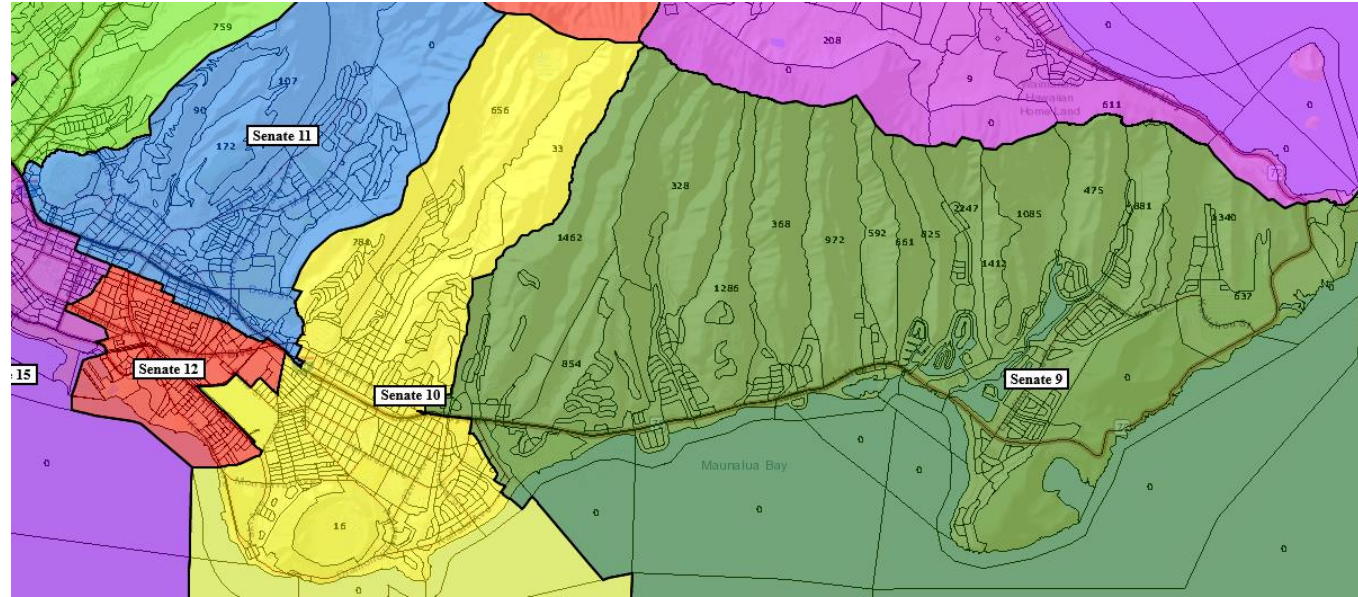
Technical Committee's Oahu Senate Plan

Oahu Senate Differences

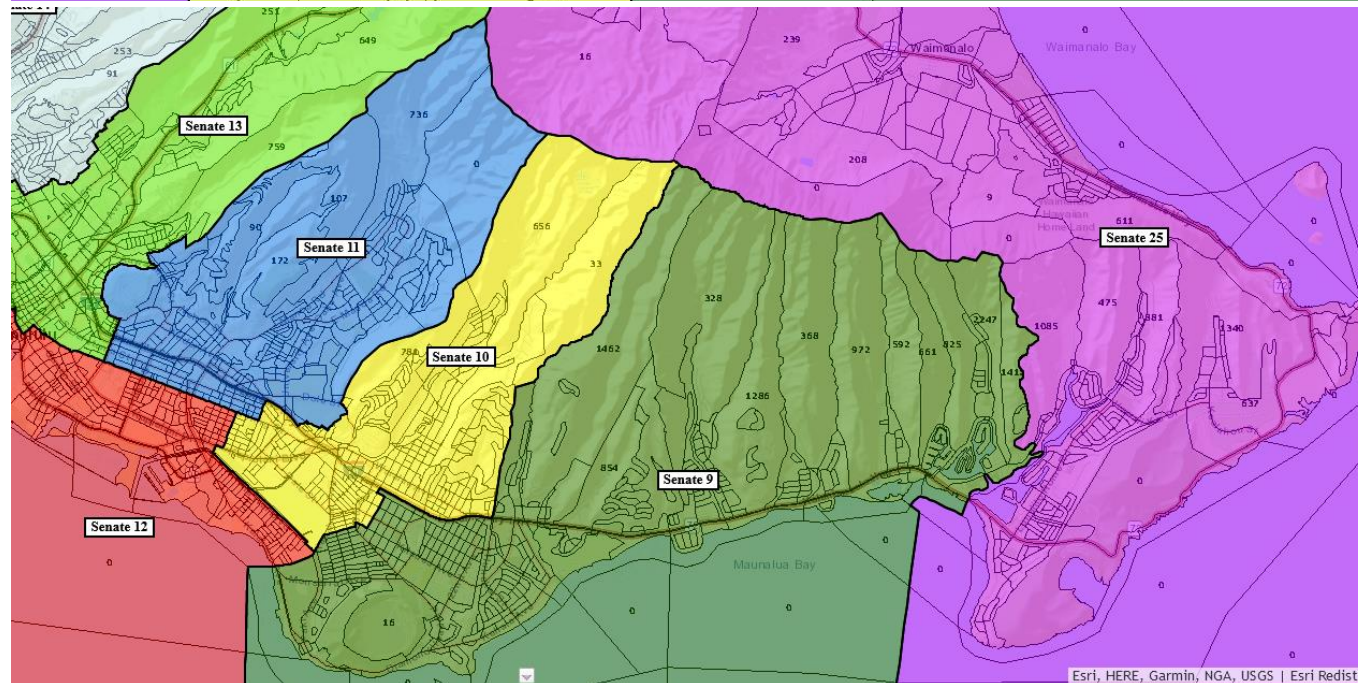
	Aligned Plan	Technical Committee
Total Deviation	3.73%	4.93%
Makapu'u Point	Yes	No
HD w/i 1 SD	Yes	No
HD w/i 1 CD	Yes	No
East Honolulu: Aligned uses Makapu'u Point; TC doesn't		
Downtown		
Central Oahu		
Leeward Oahu		
North Shore		
Windward Oahu: Aligned uses Makapu'u Point; TC doesn't		

East Honolulu Overview

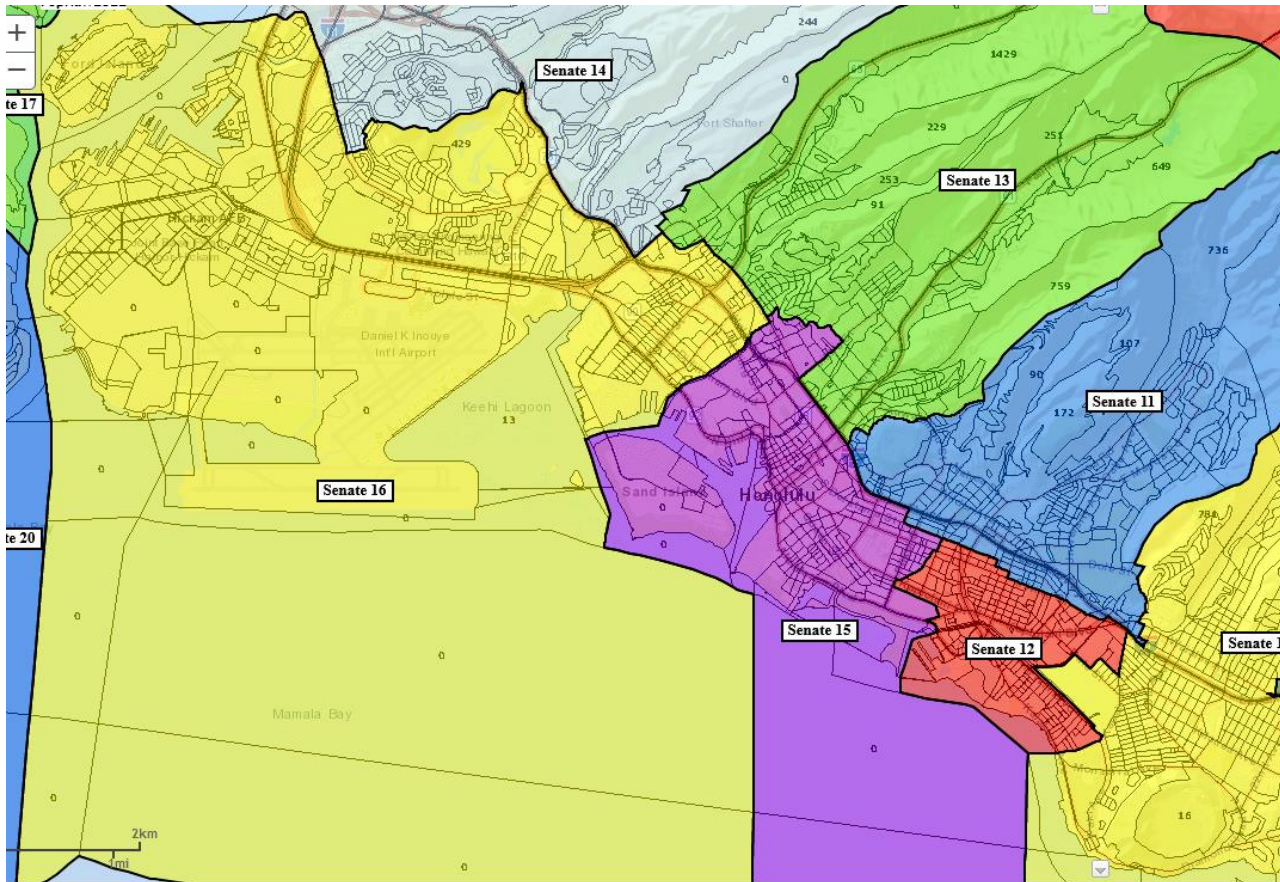
Aligned Plan
(w/TC House Map)



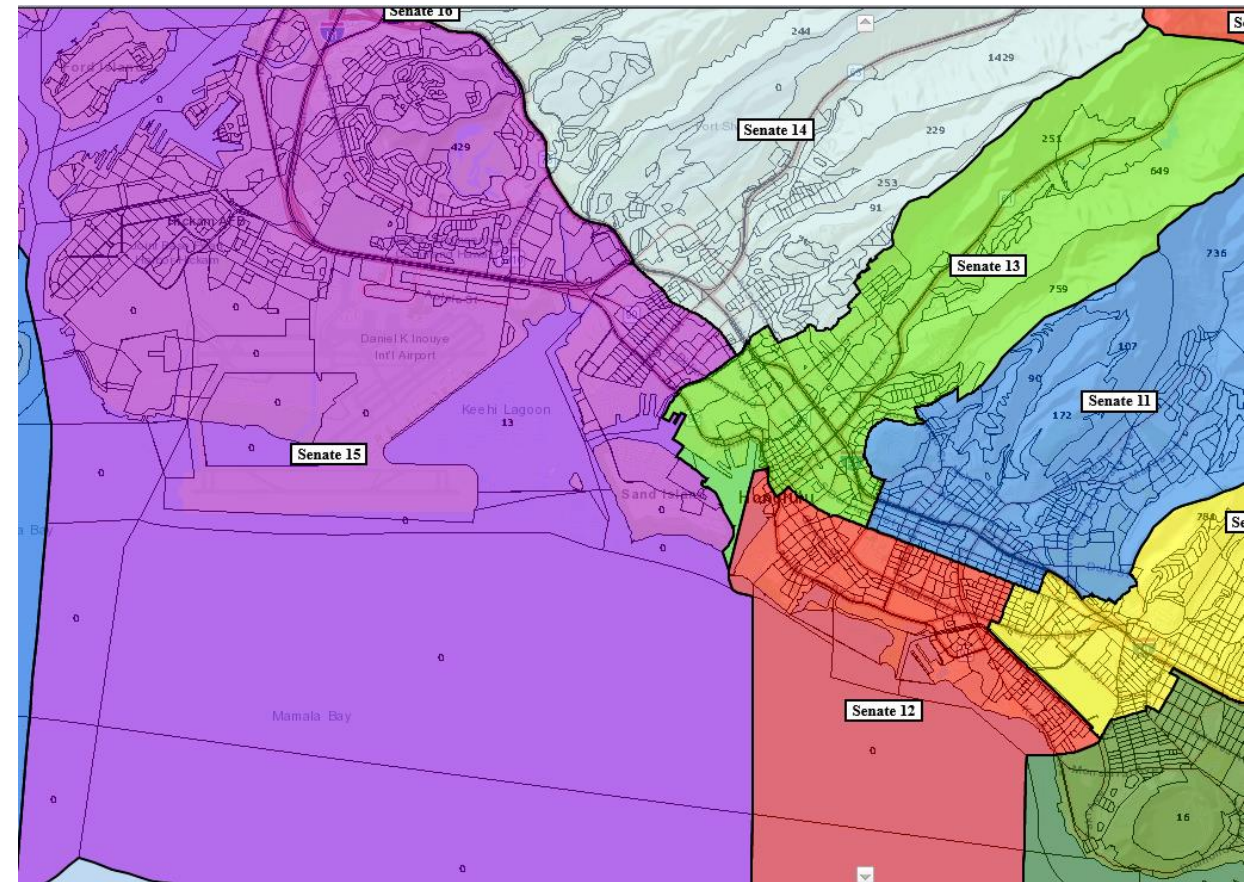
Technical
Committee Plan



Downtown Overview

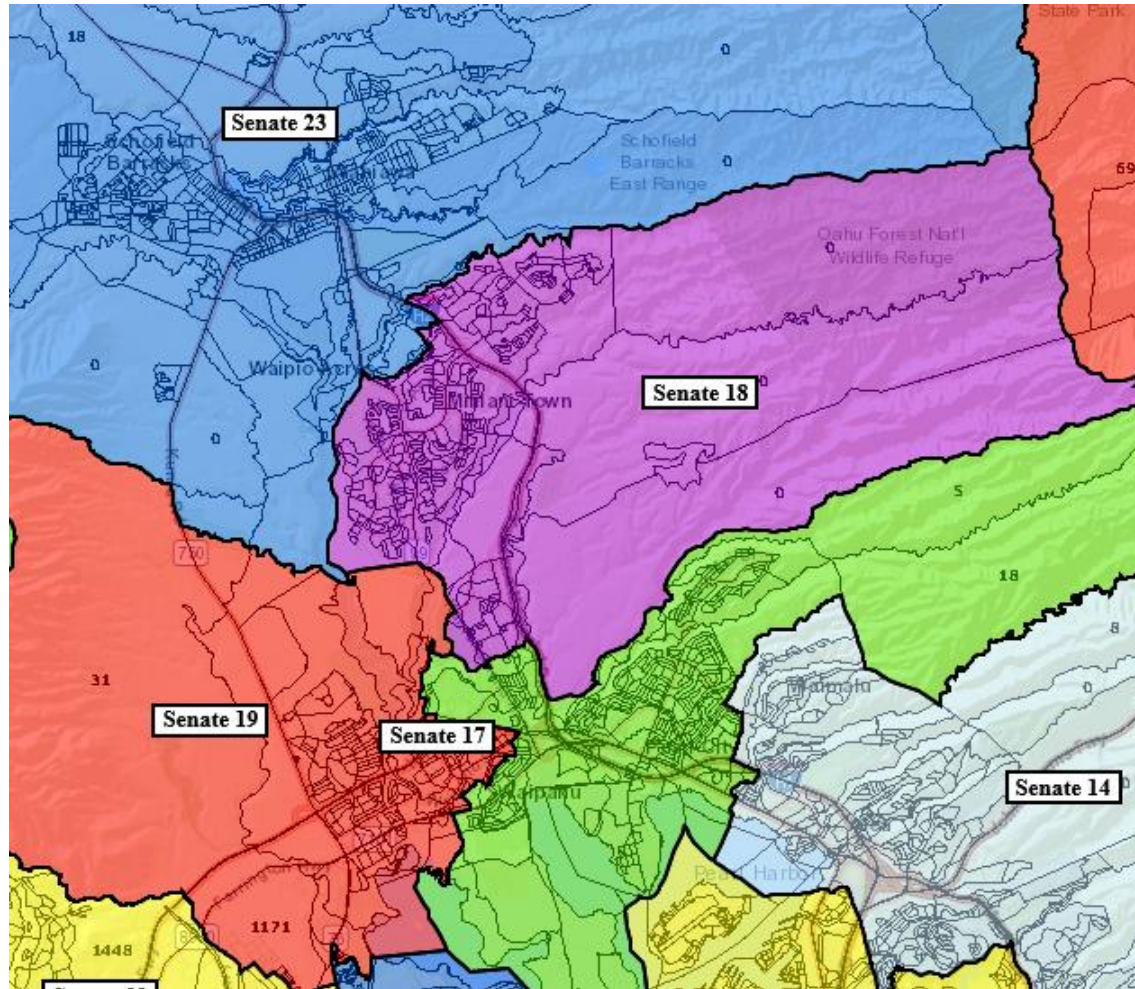


Aligned Plan (w/TC House Map)

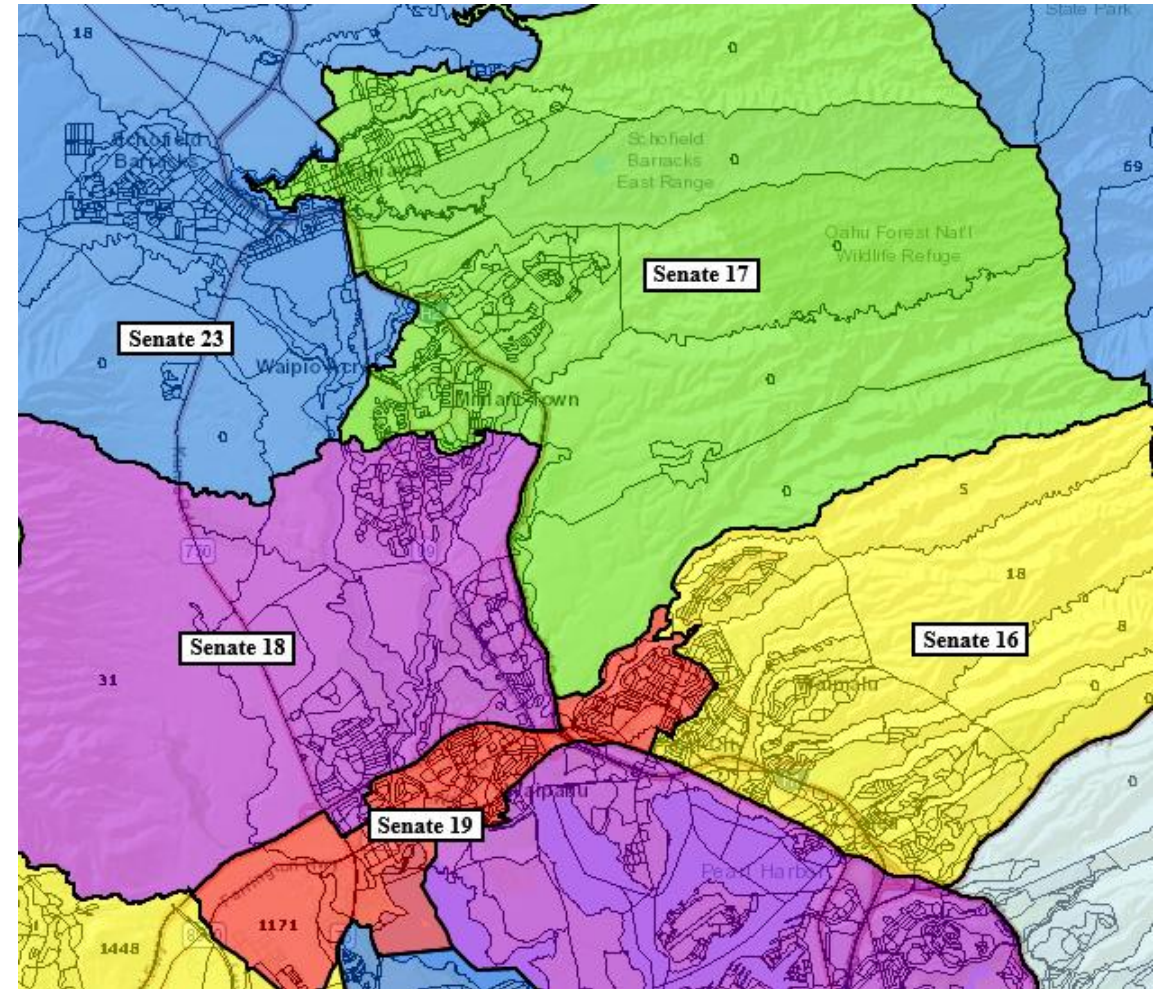


Technical Committee Plan

Central Oahu Overview

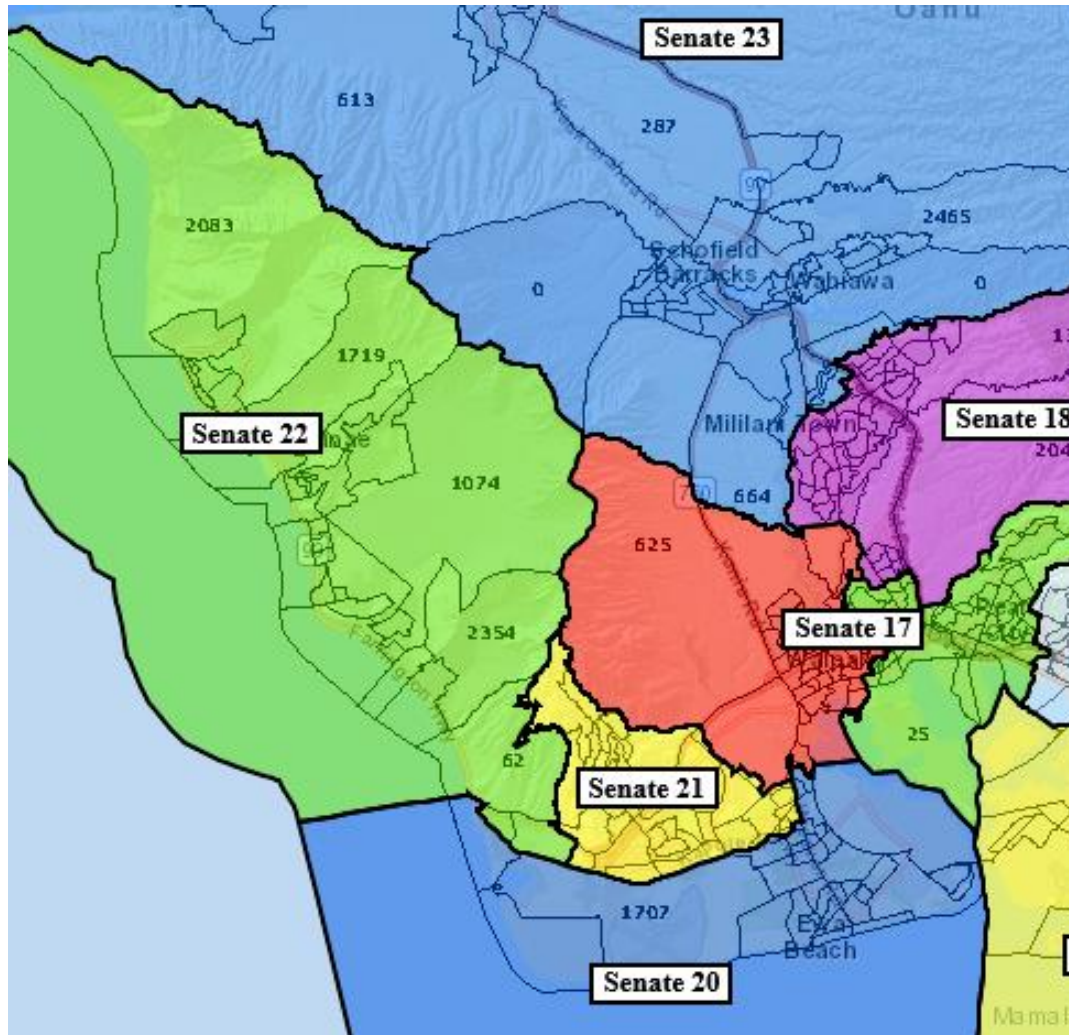


Aligned Plan (w/TC House Map)

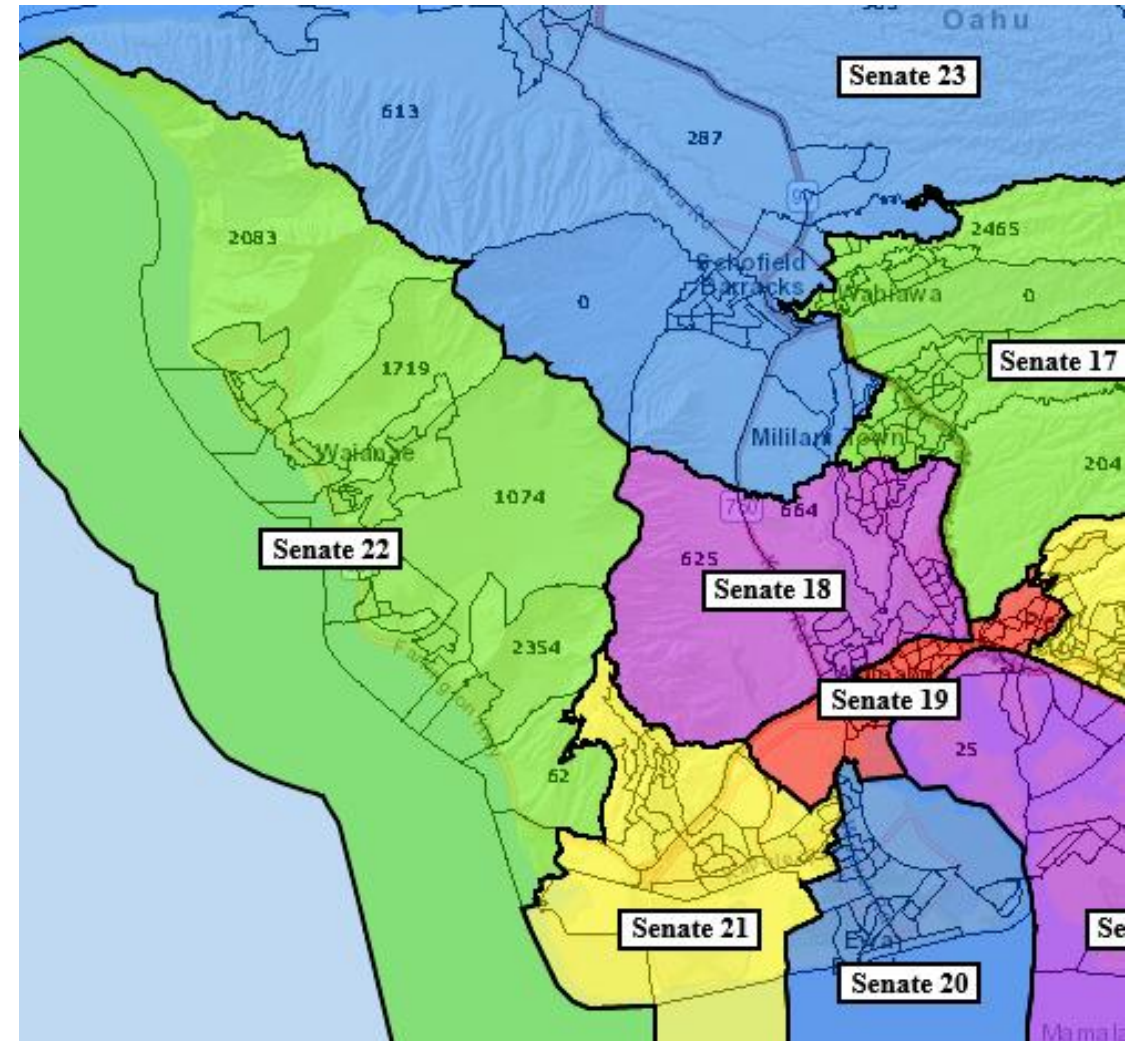


Technical Committee Plan

Leeward Oahu Overview

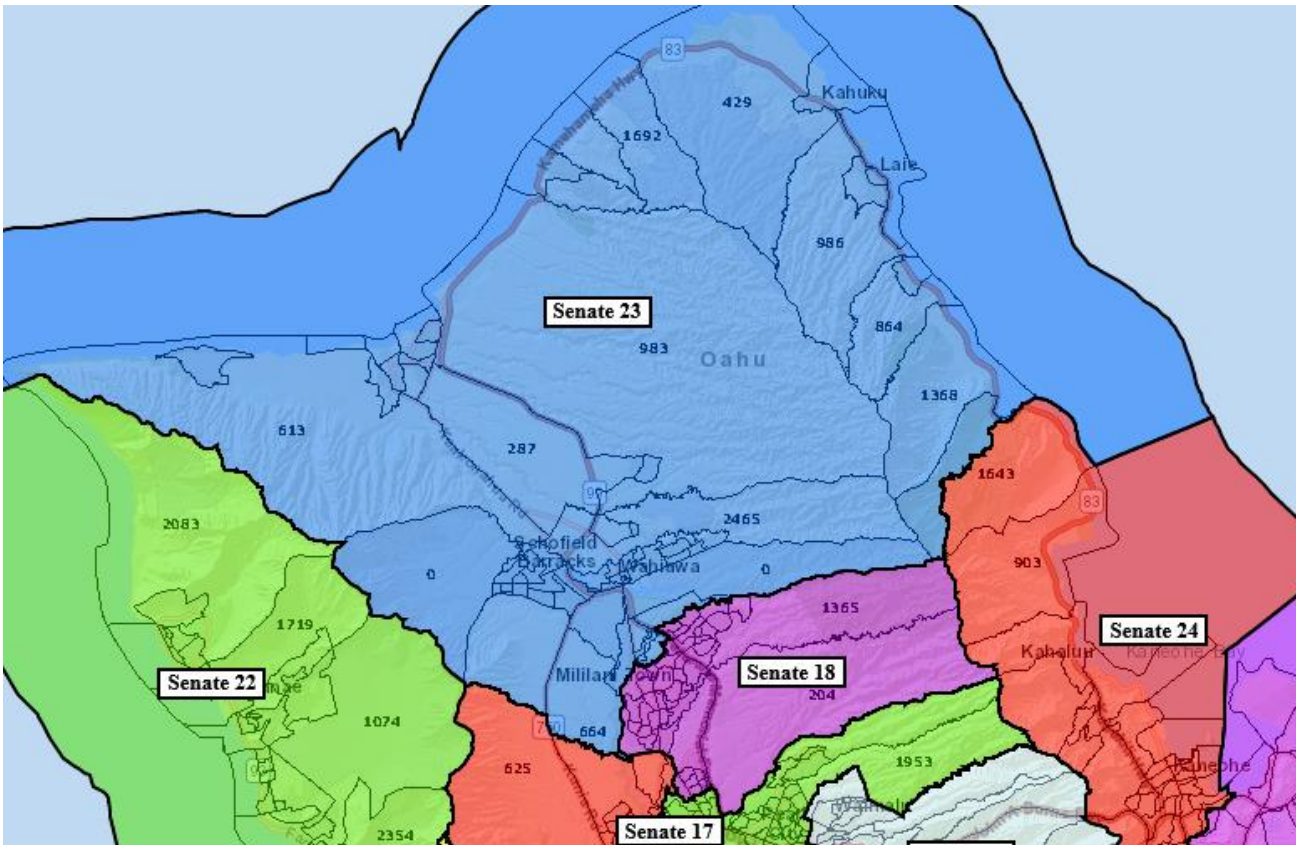


Aligned Plan (w/TC House Map)

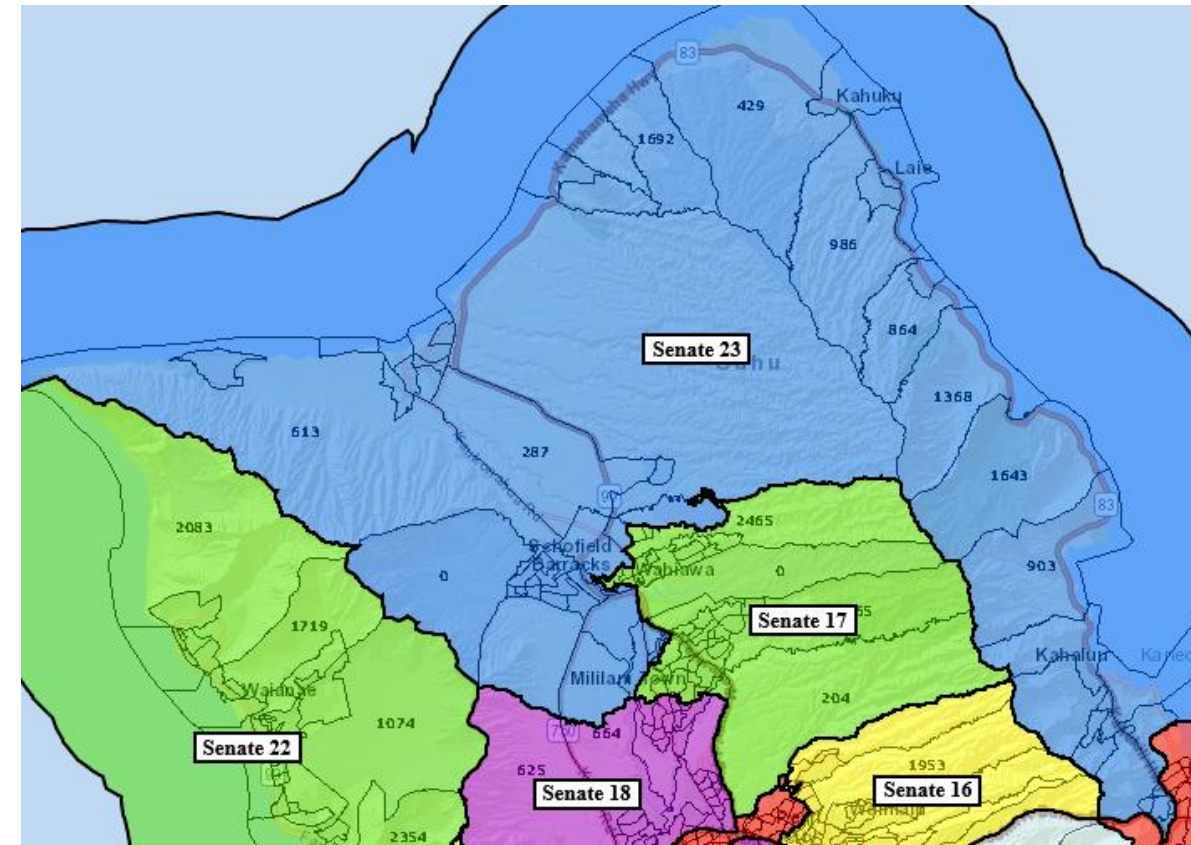


Technical Committee Plan

North Shore Overview

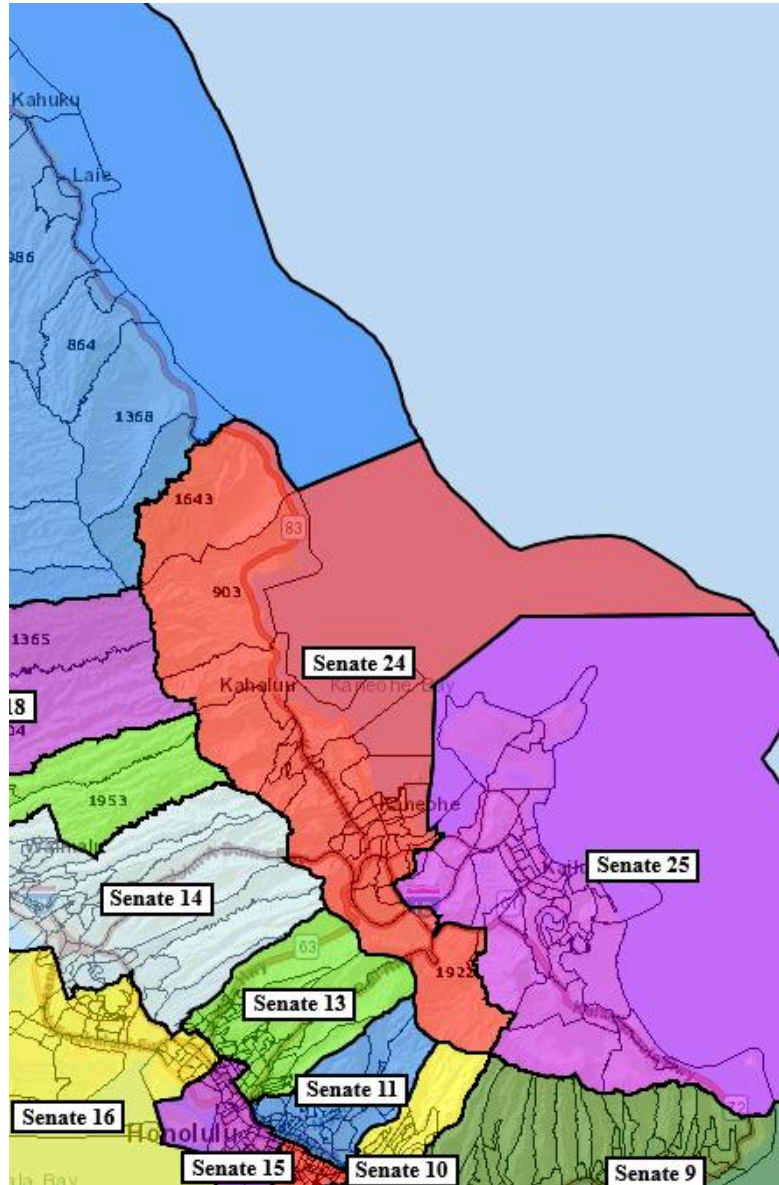


Aligned Plan (w/TC House Map)

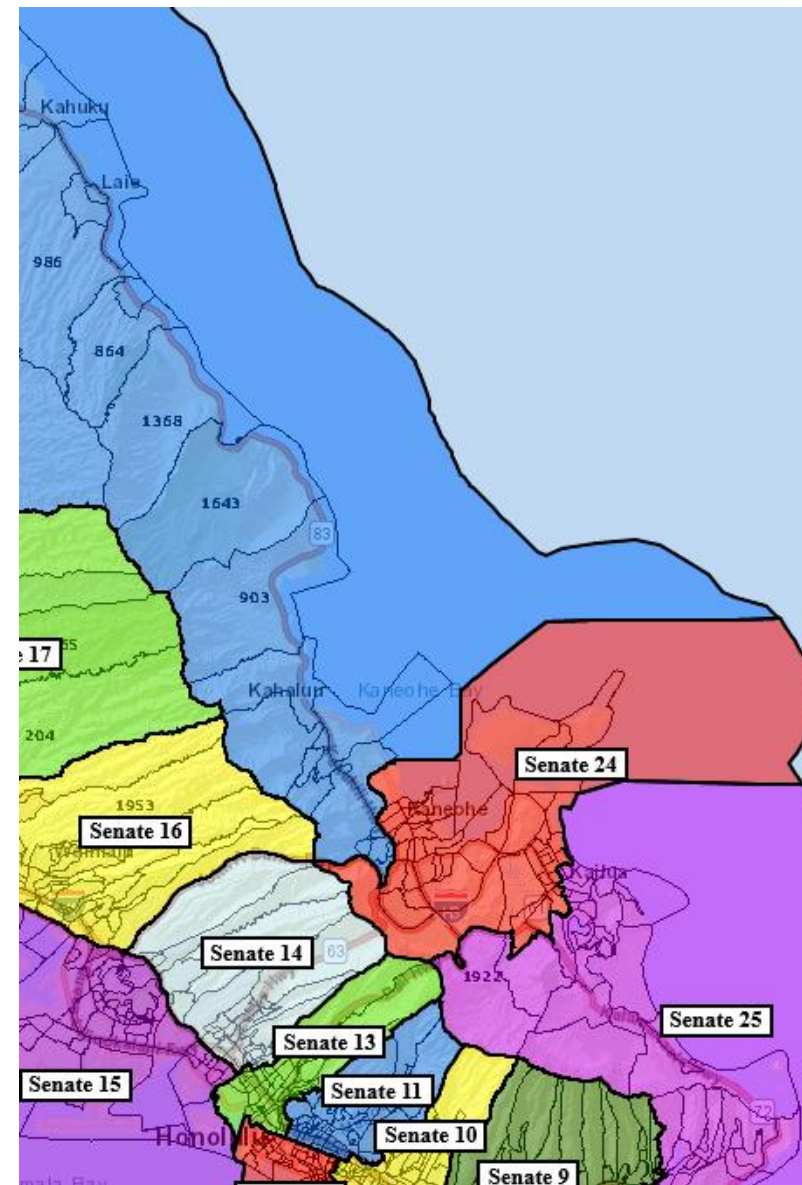


Technical Committee Plan

Windward Oahu Overview



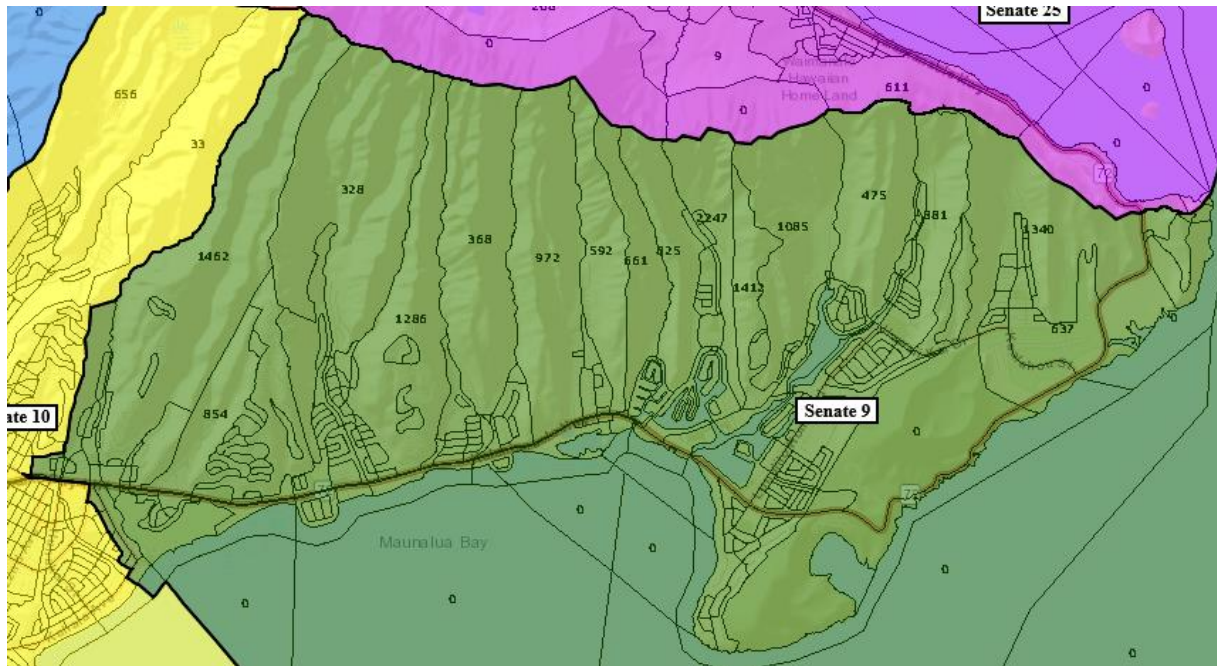
Aligned Plan (w/TC House Map)



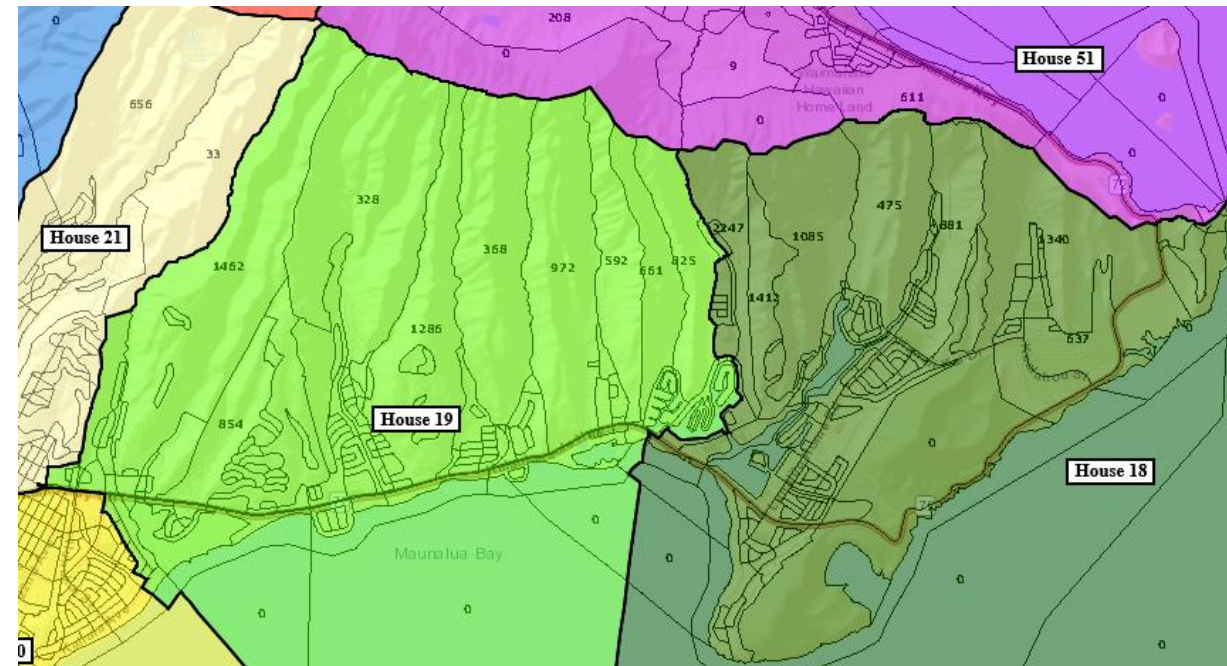
Technical Committee Plan

Senate District 9

Exactly Aligned with TCs House Districts 18 & 19



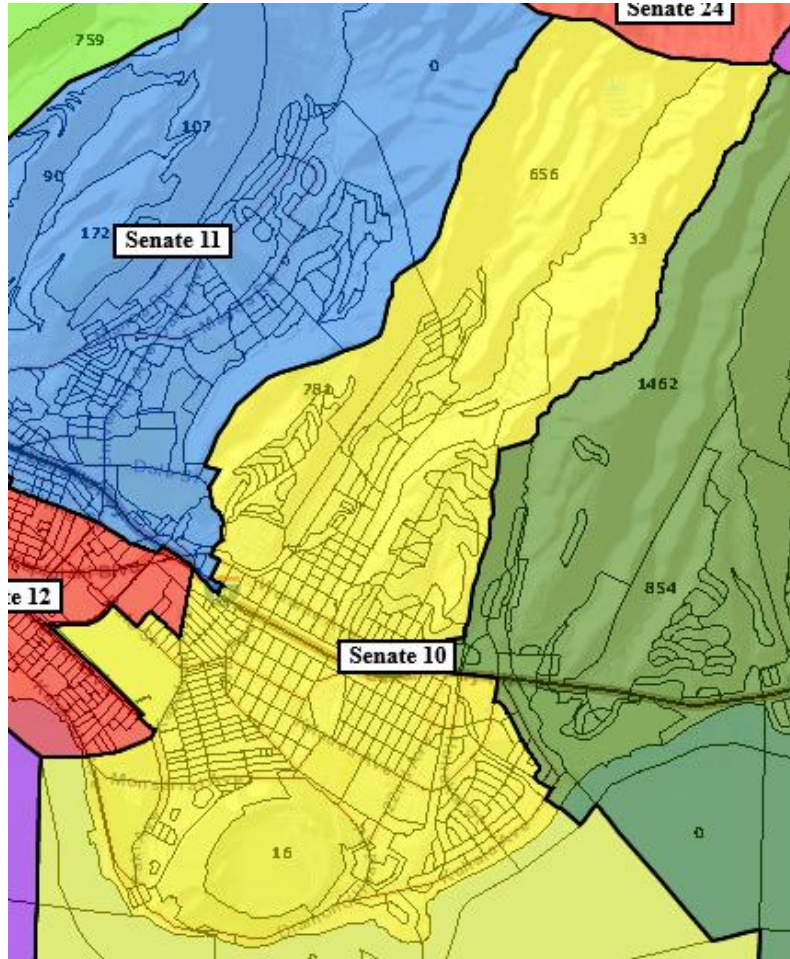
Aligned Senate Plan



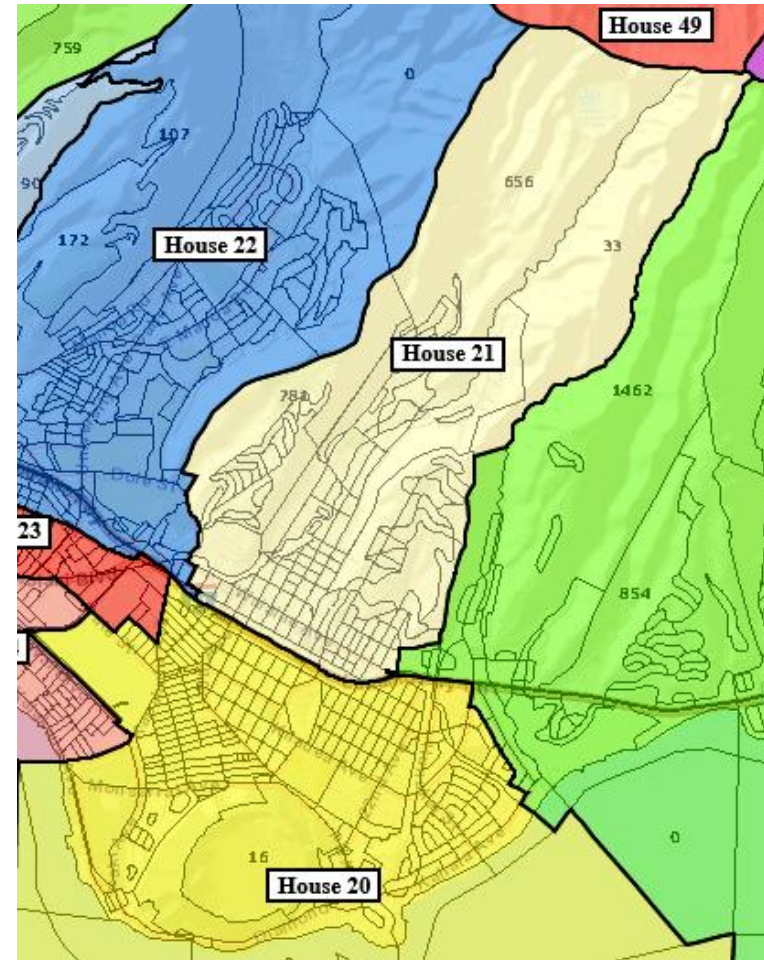
Technical Committee's House Map

Senate District 10

Exactly Aligned with TCs House Districts 20 & 21



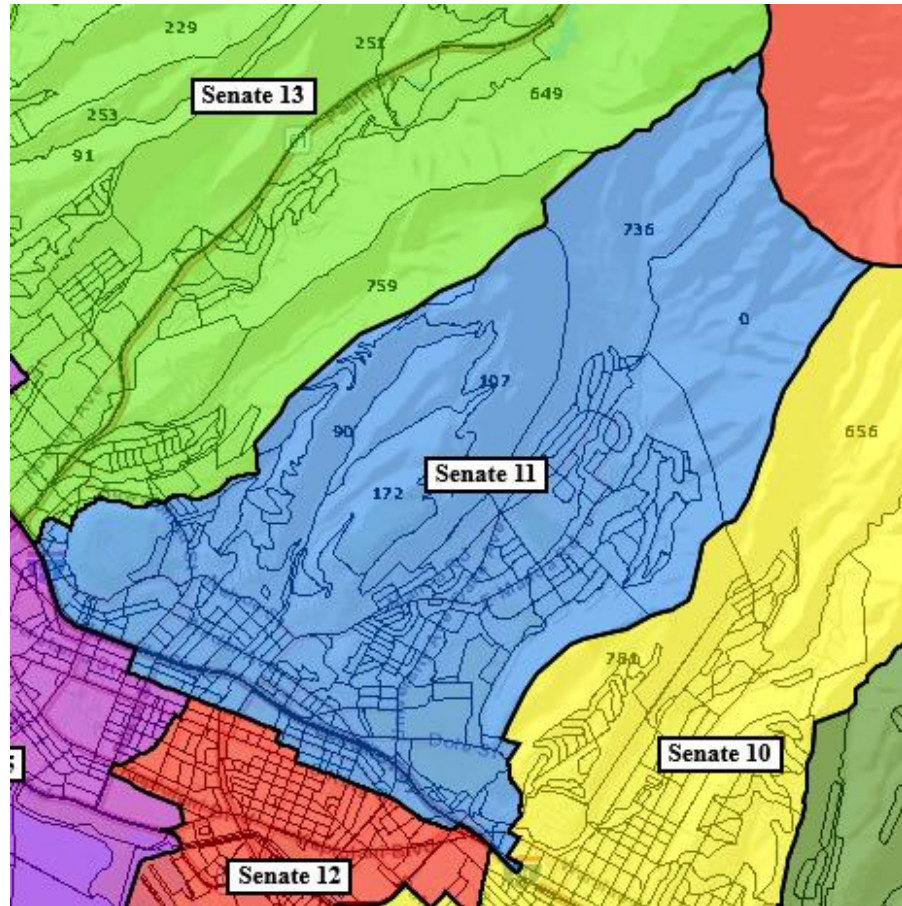
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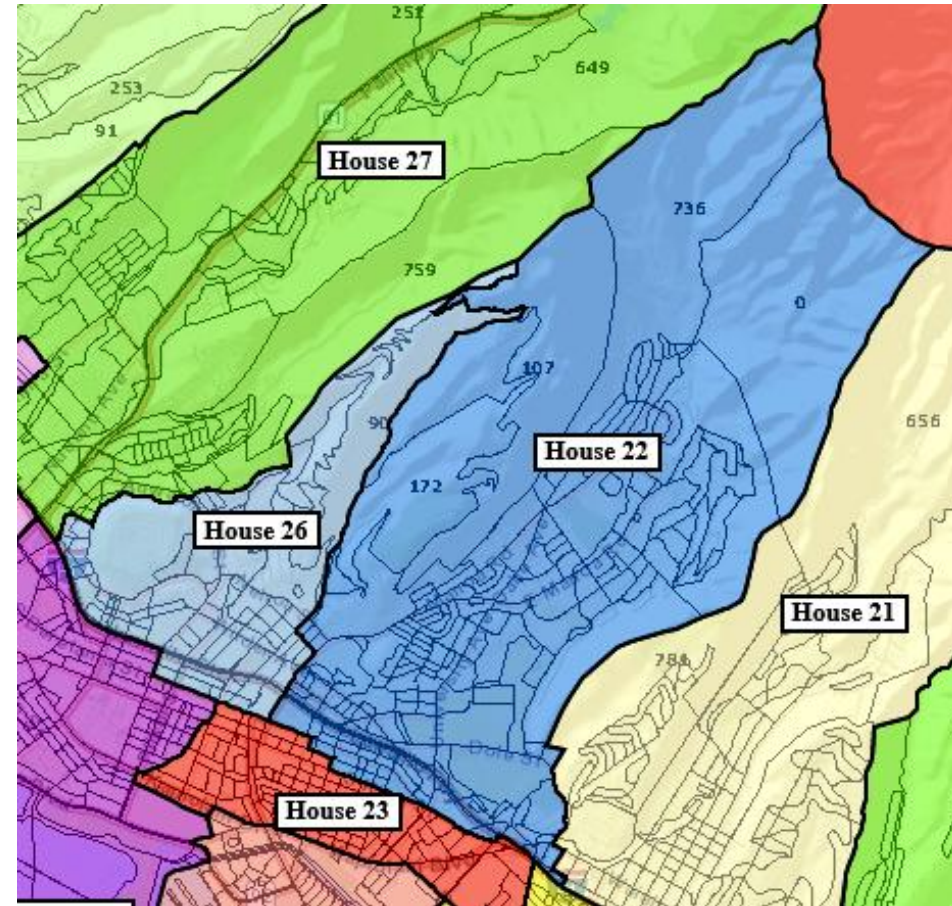
Technical Committee's House Map

Senate District 11

Exactly Aligned with TCs House Districts 22 & 26



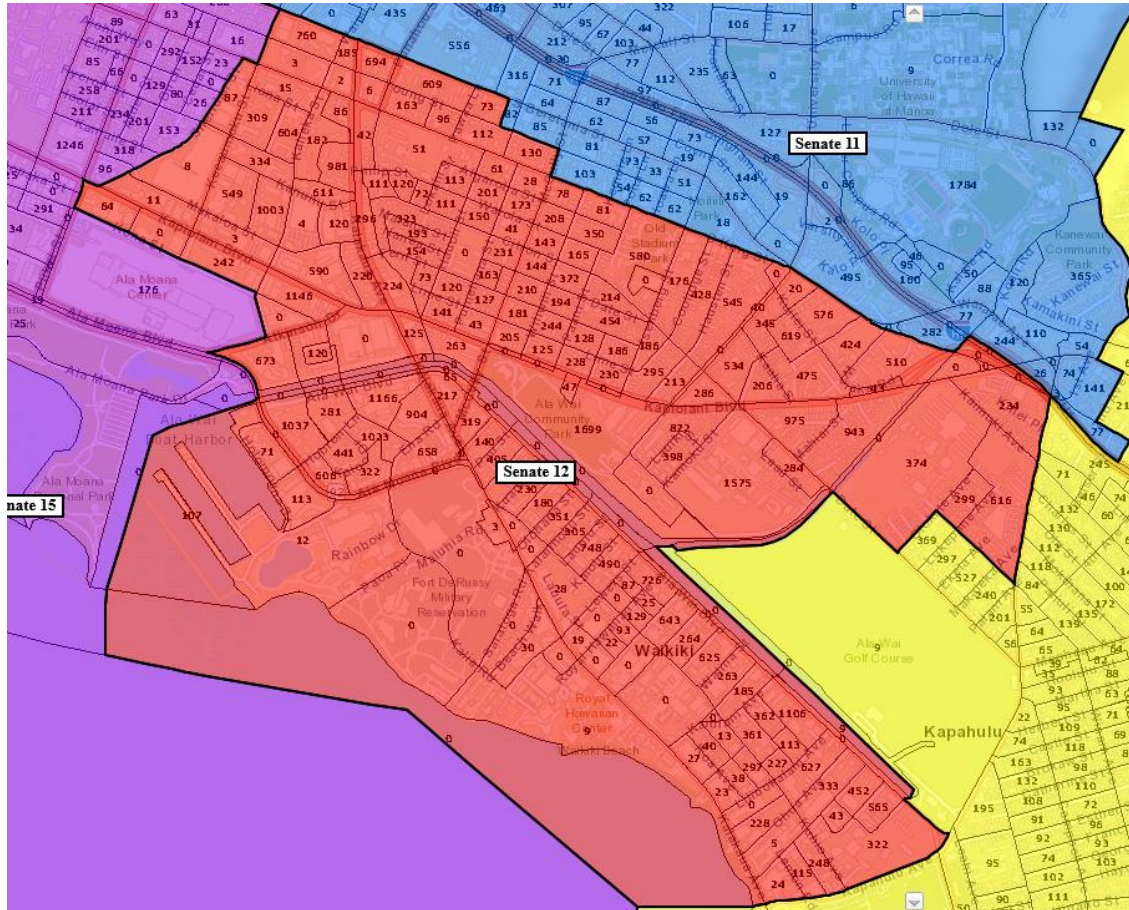
Aligned Senate Plan



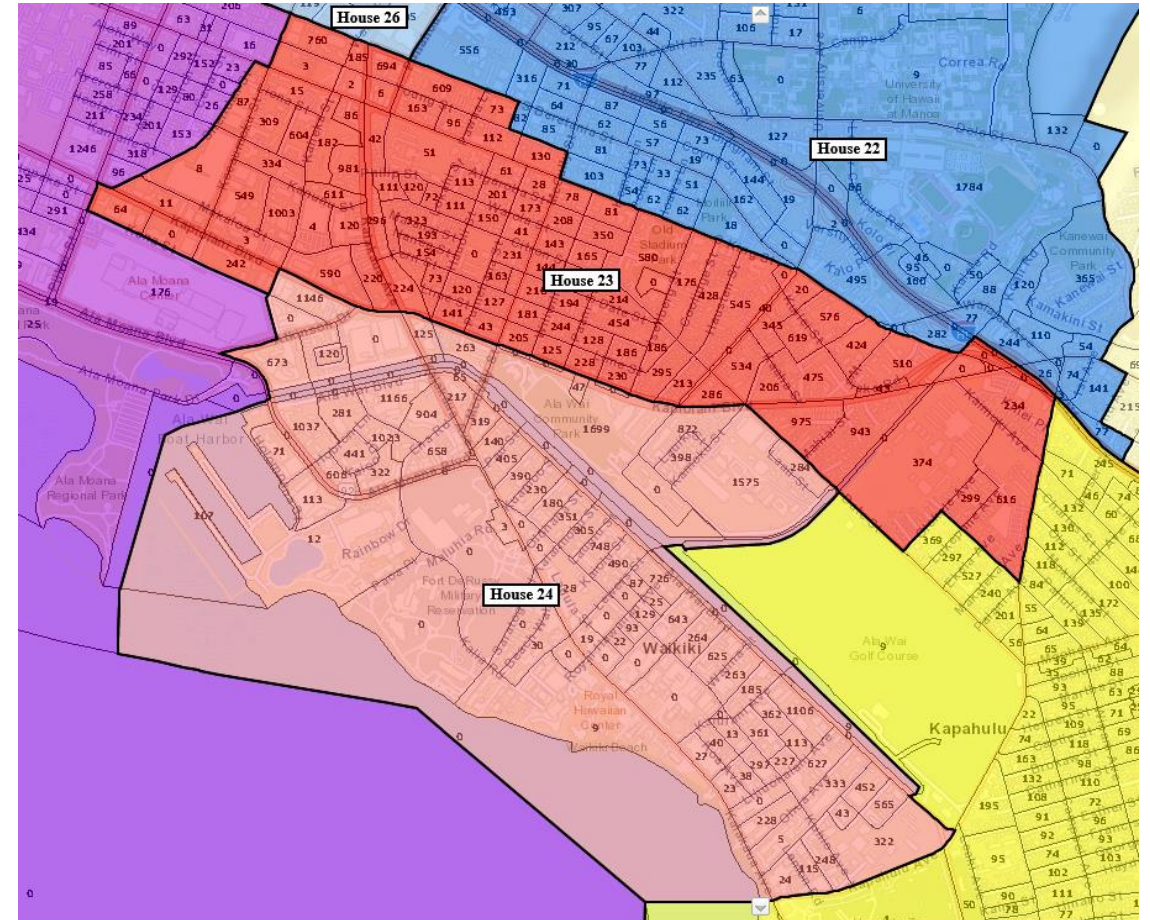
Technical Committee's House Map

Senate District 12

Exactly Aligned with TCs House Districts 23 & 24



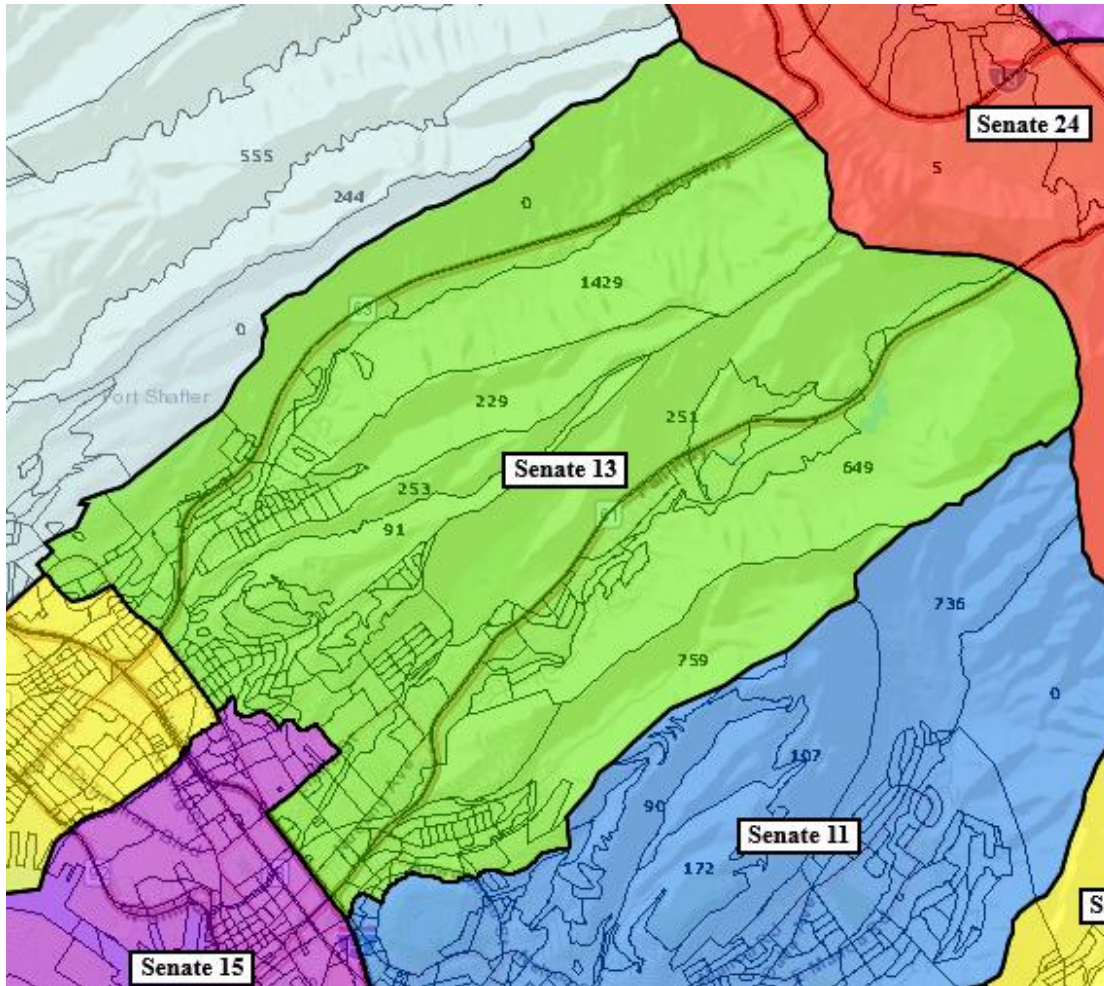
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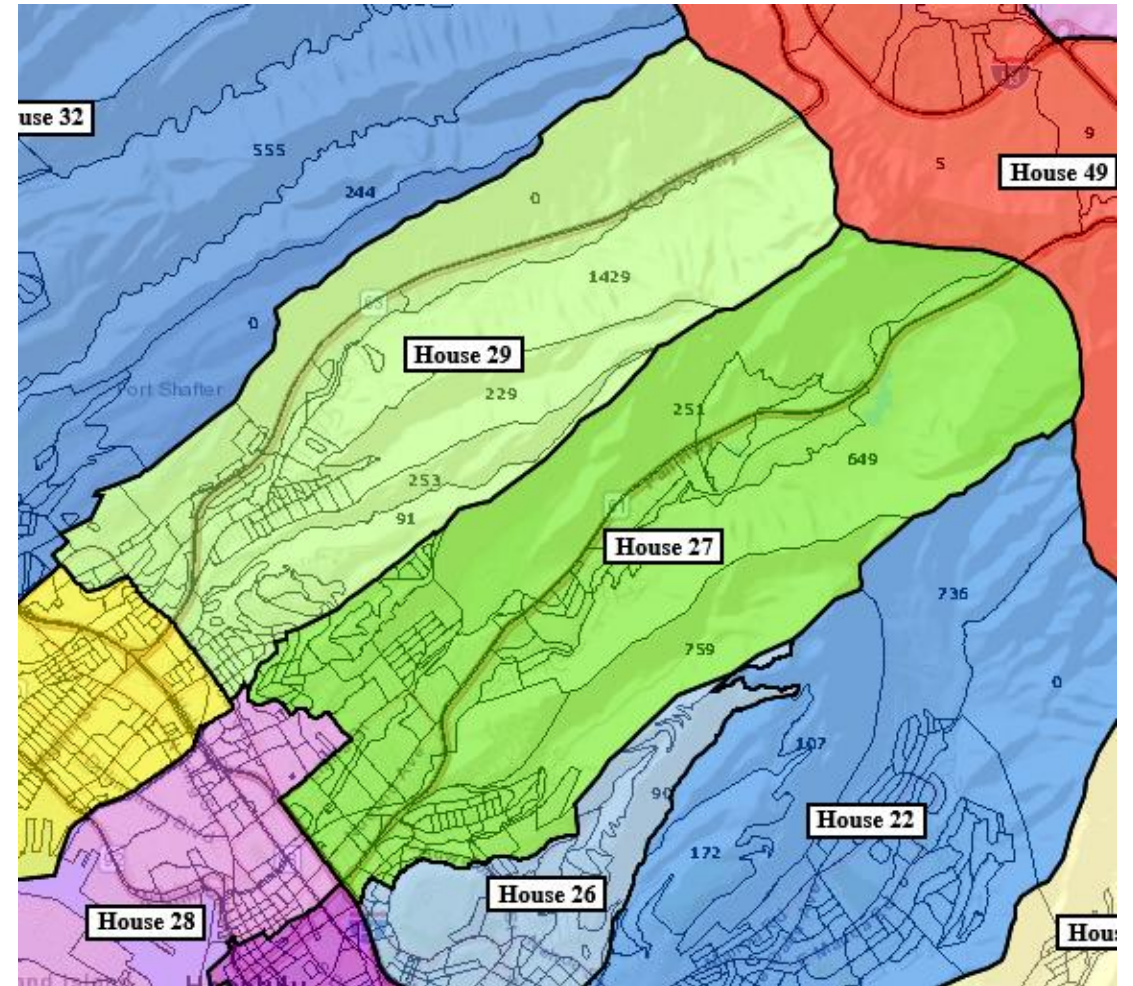
Technical Committee's House Map

Senate District 13

Exactly Aligned with TCs House Districts 27 & 29



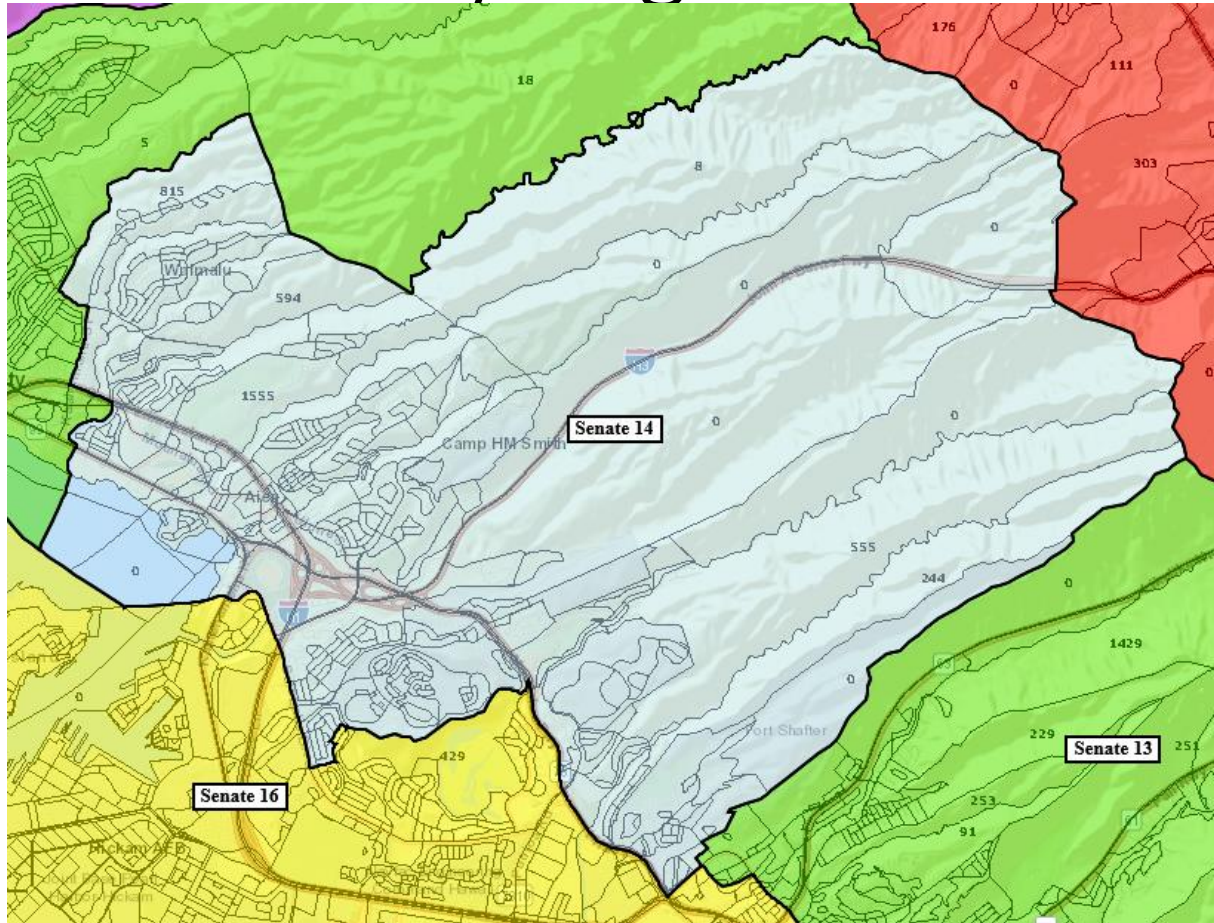
Aligned Senate Plan



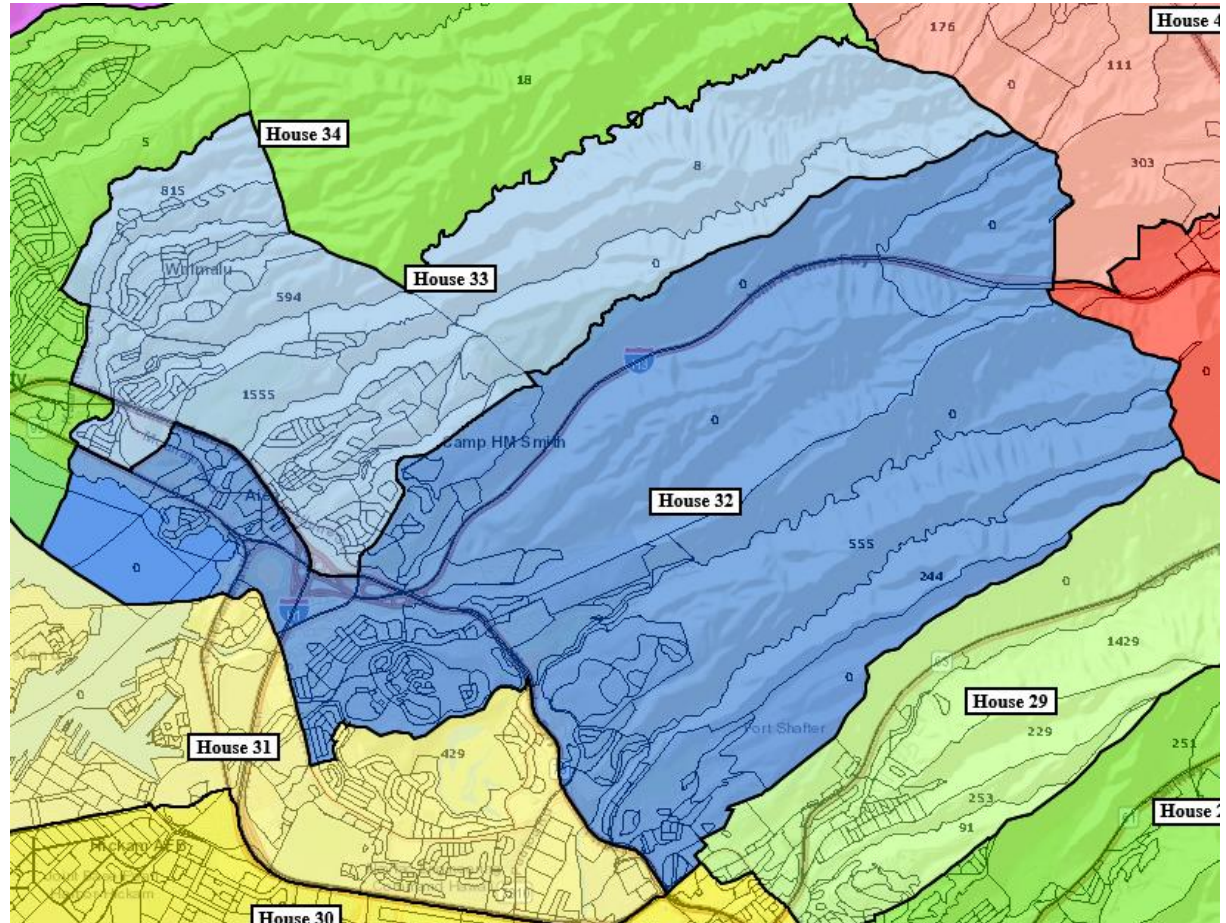
Technical Committee's House Map

Senate District 14

Exactly Aligned with TCs House Districts 32 & 33



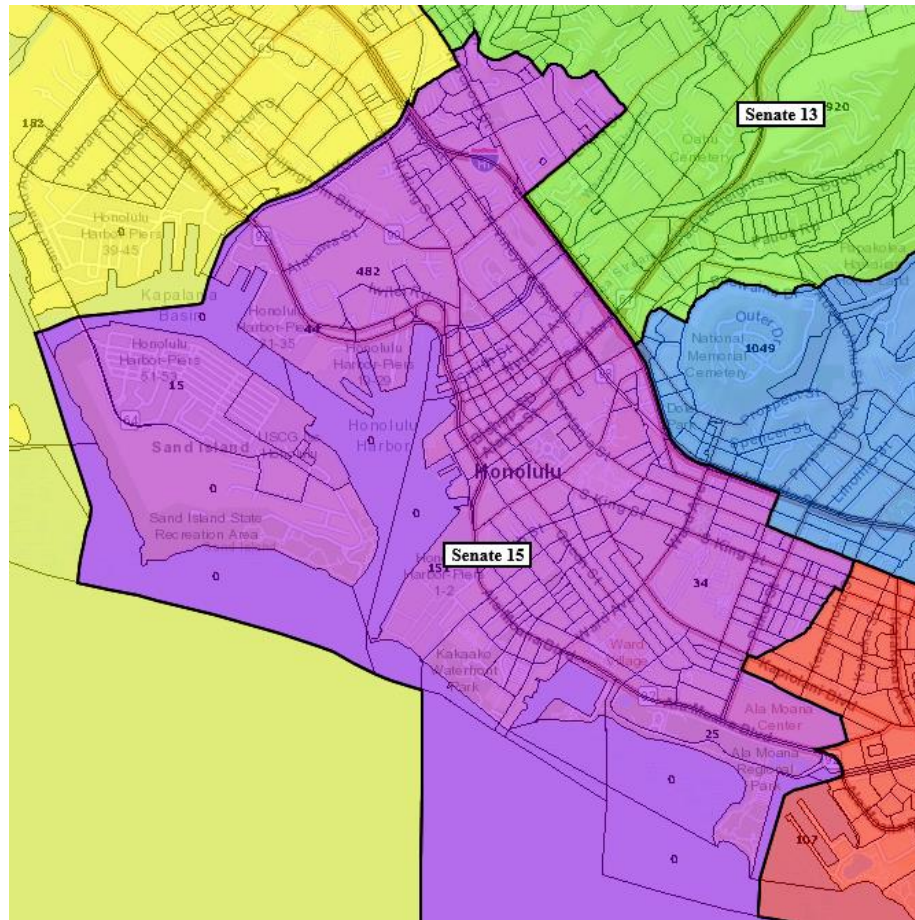
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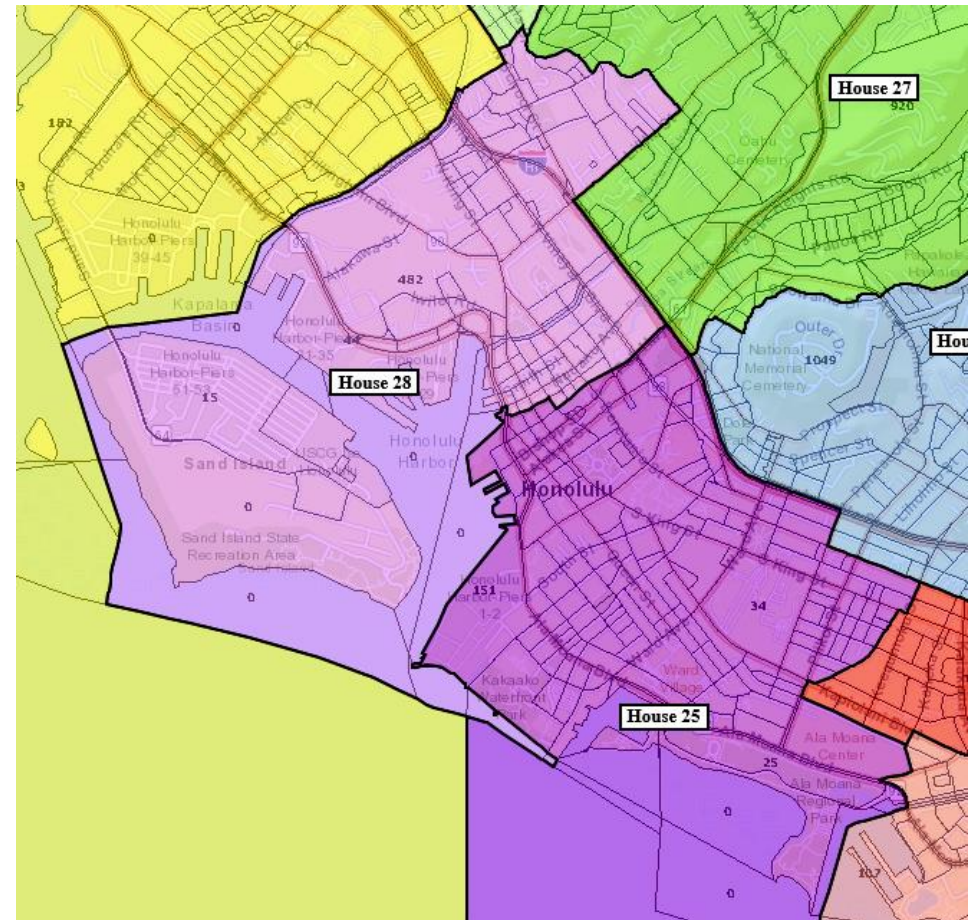
Technical Committee's House Map

Senate District 15

Exactly Aligned with TCs House Districts 25 & 28



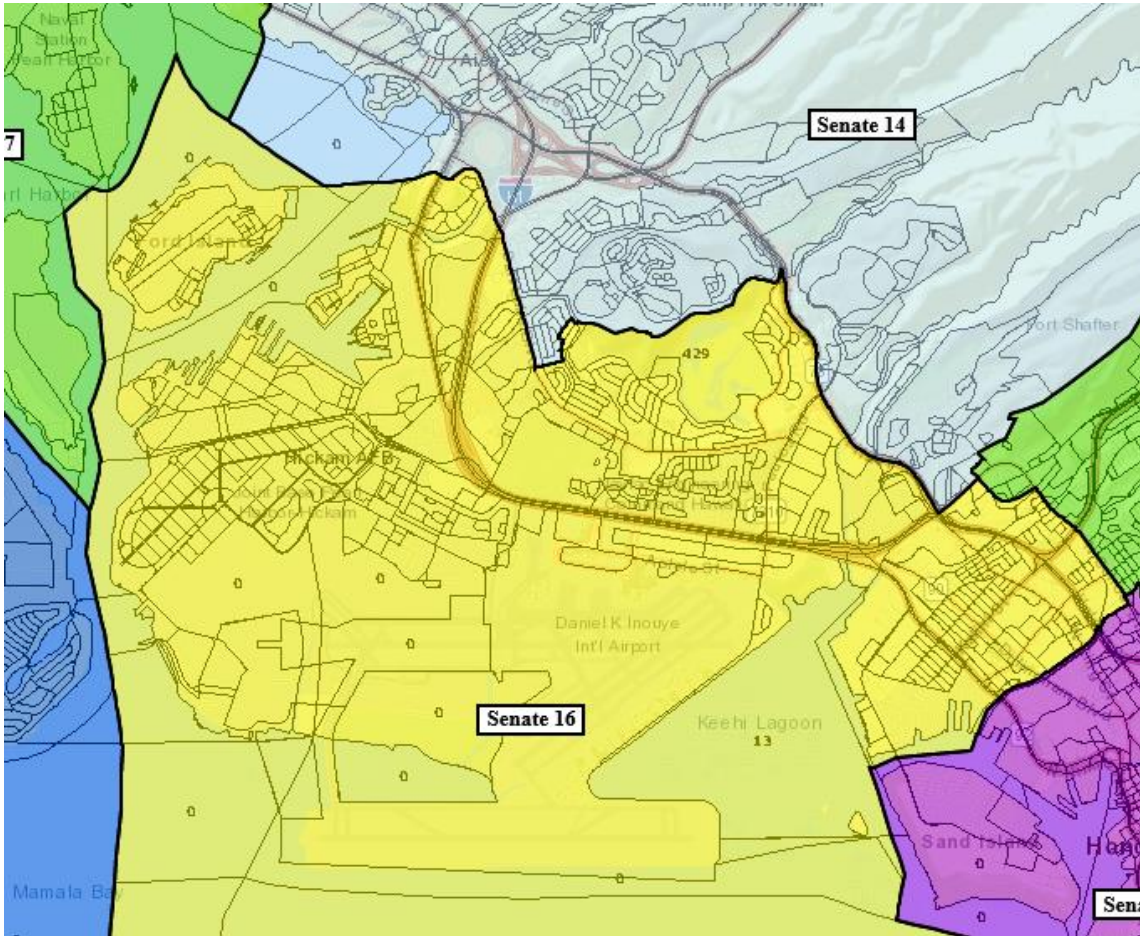
Aligned Senate Plan



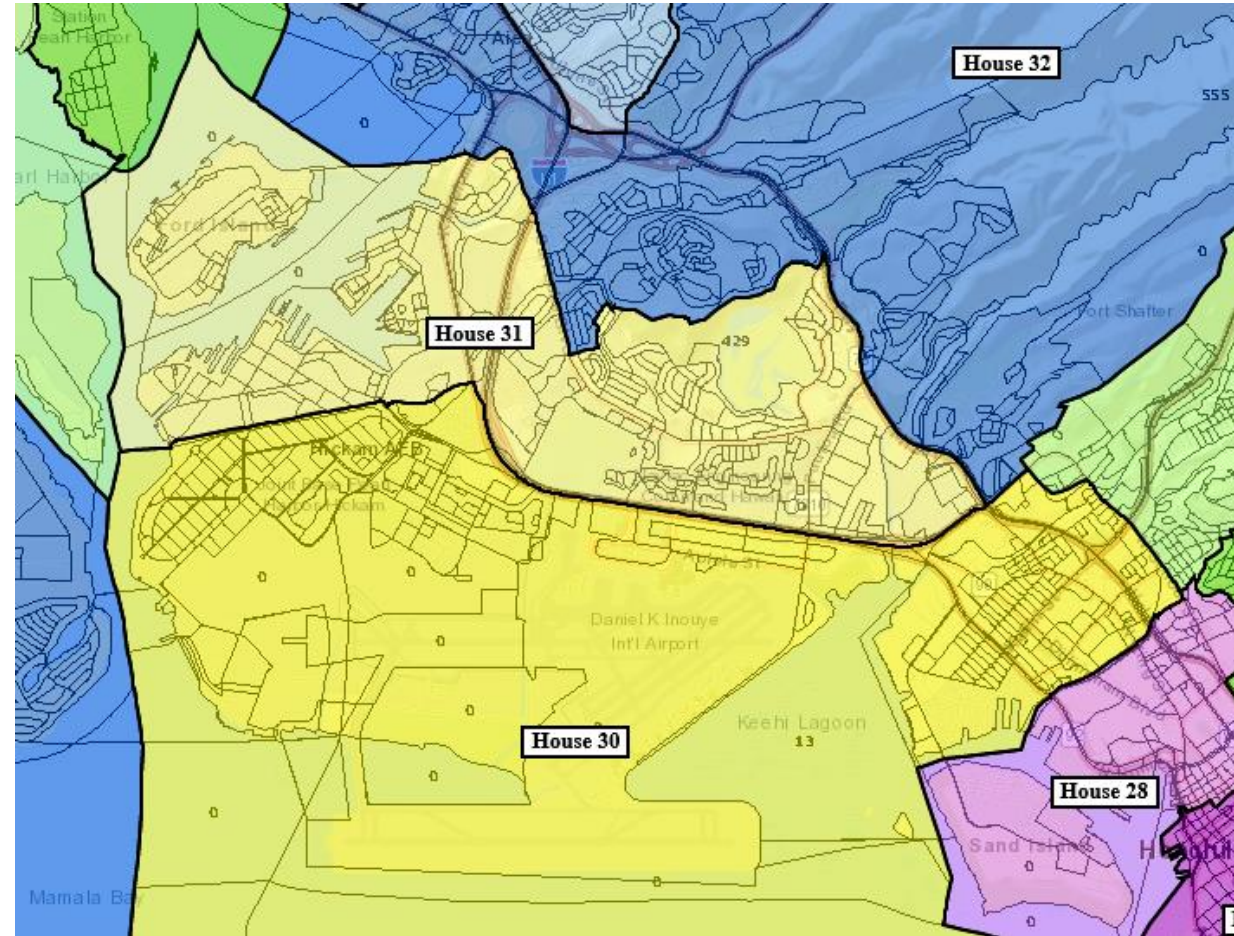
Technical Committee's House Map

Senate District 16

Exactly Aligned with TCs House Districts 30 & 31



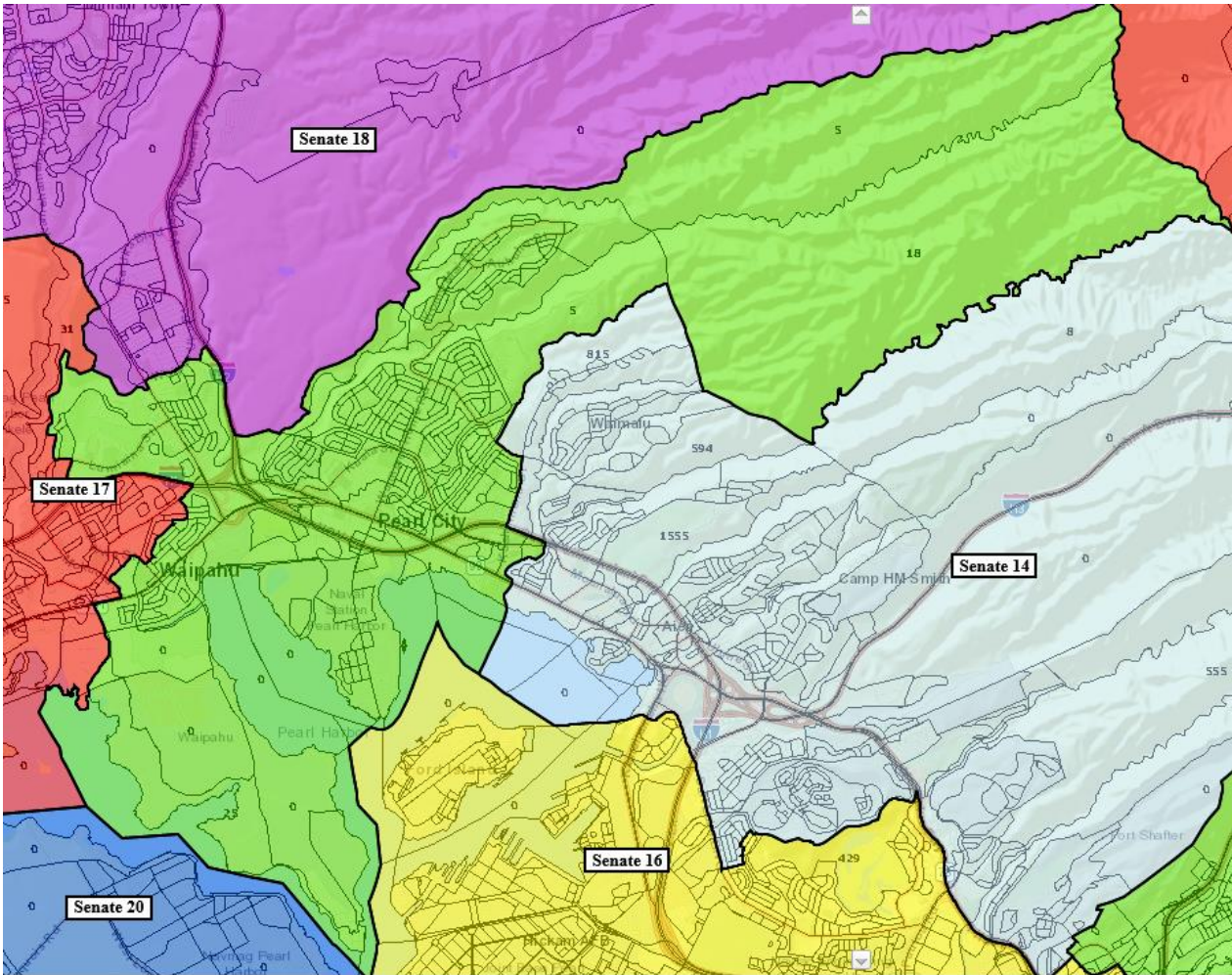
Aligned Senate Plan



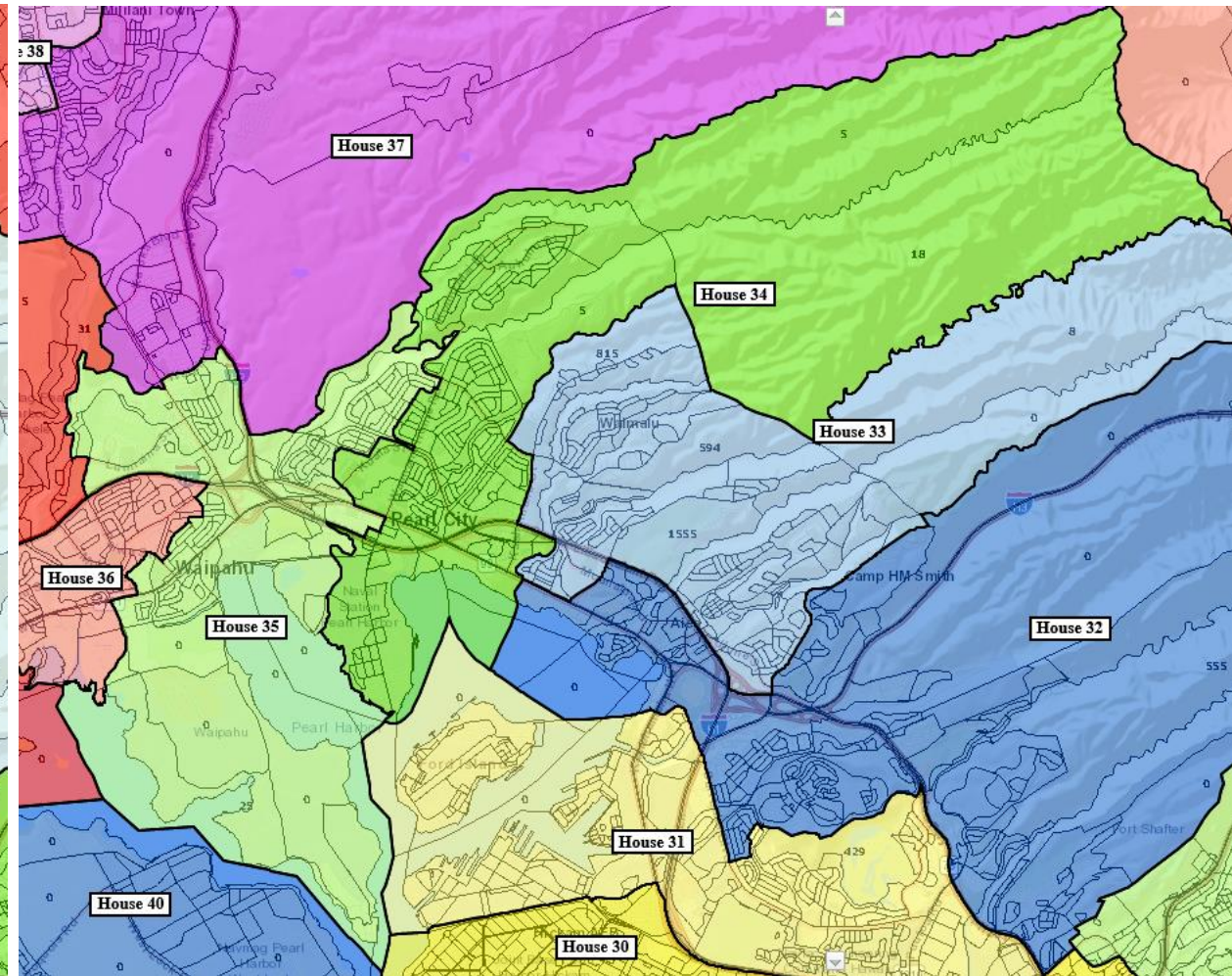
Technical Committee's House Map

Senate District 17

Exactly Aligned with TCs House Districts 34 & 35



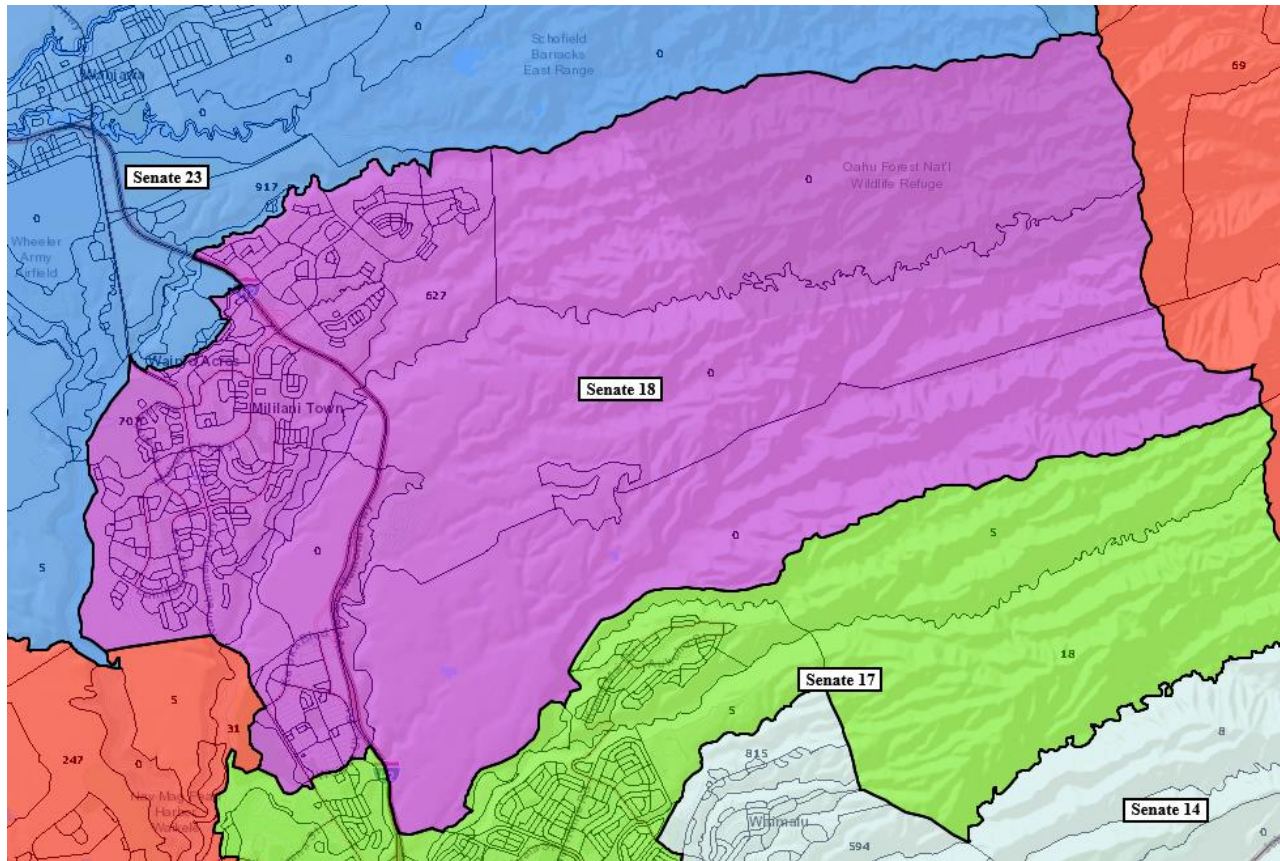
Aligned Senate Plan



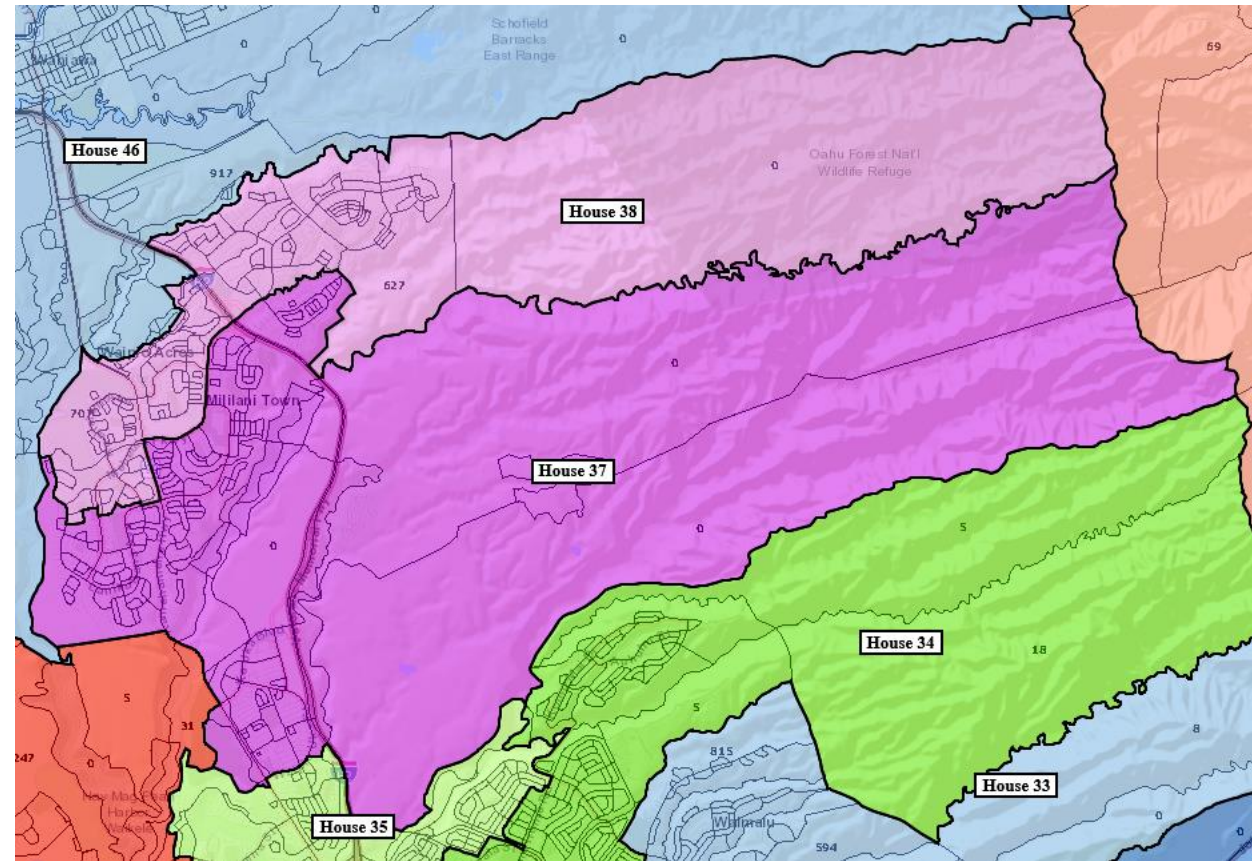
Technical Committee's House Map

Senate District 18

Exactly Aligned with TCs House Districts 37 & 38



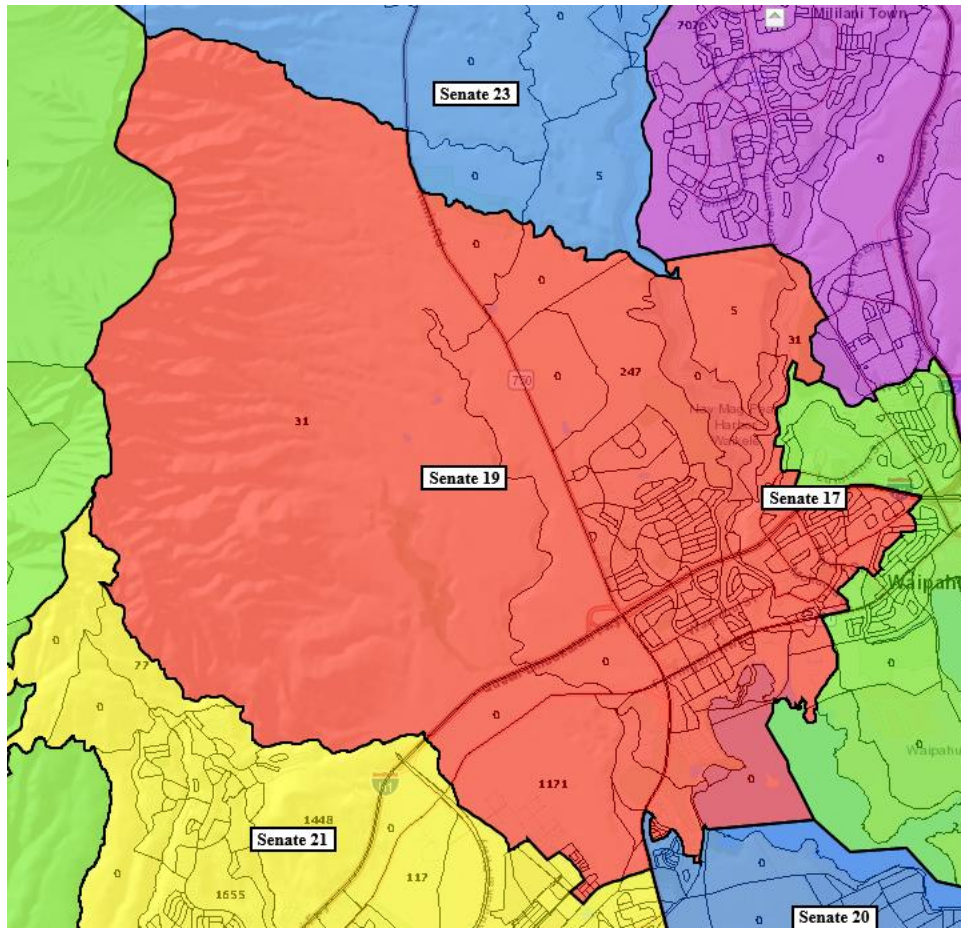
Aligned Senate Plan



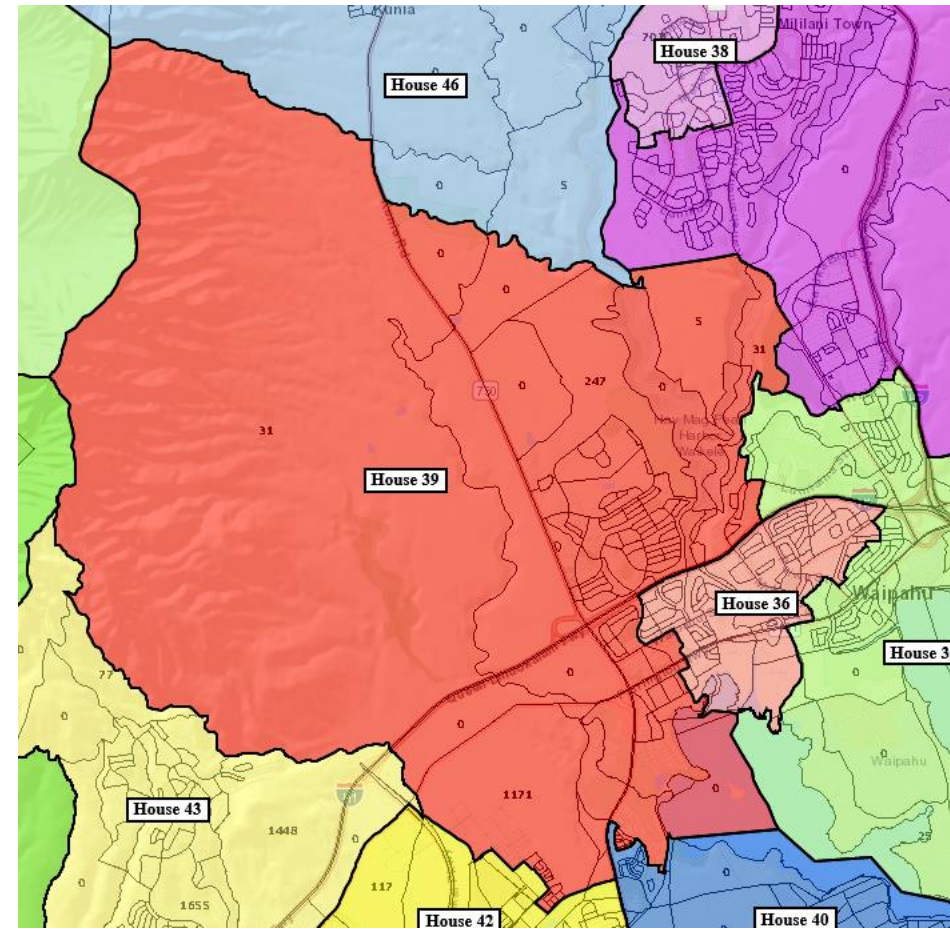
Technical Committee's House Map

Senate District 19

Exactly Aligned with TCs House Districts 36 & 39



Aligned Senate Plan

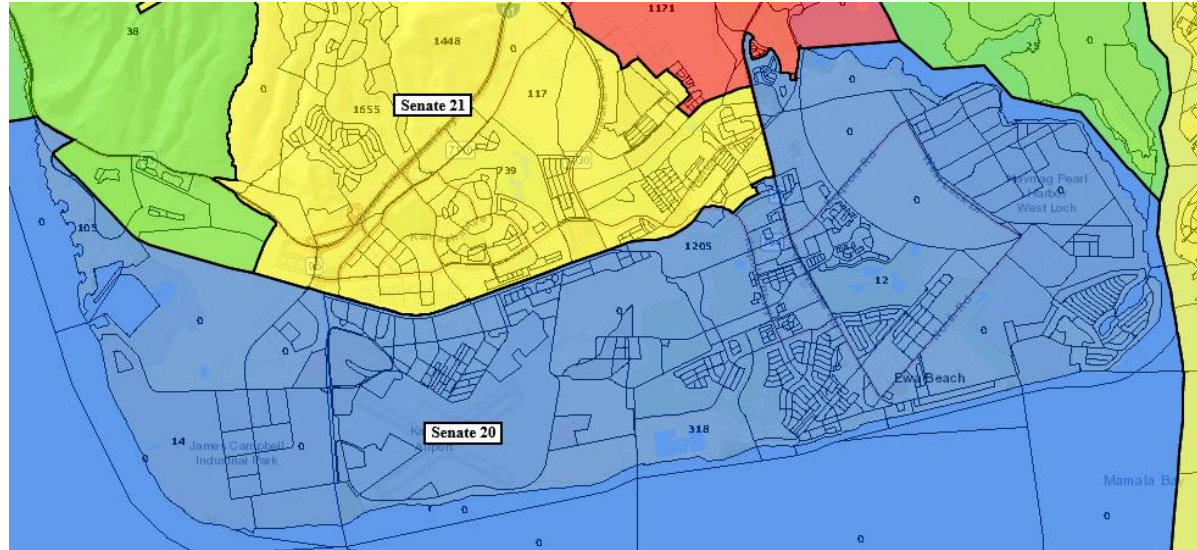


Technical Committee's House Map

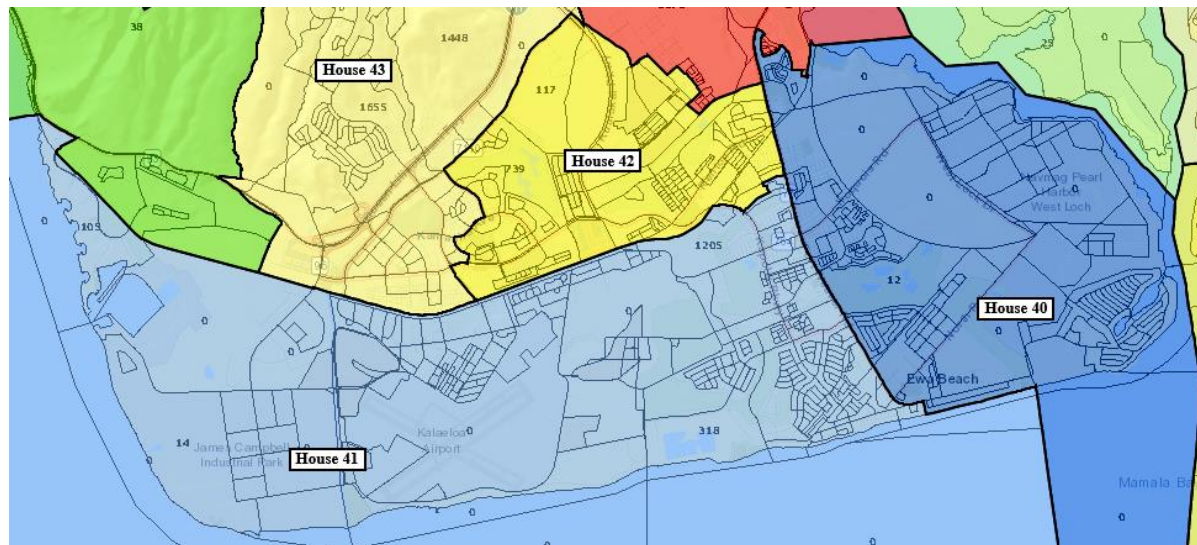
Senate District 20

Exactly Aligned with TCs House Districts 40 & 41

Aligned Senate Plan

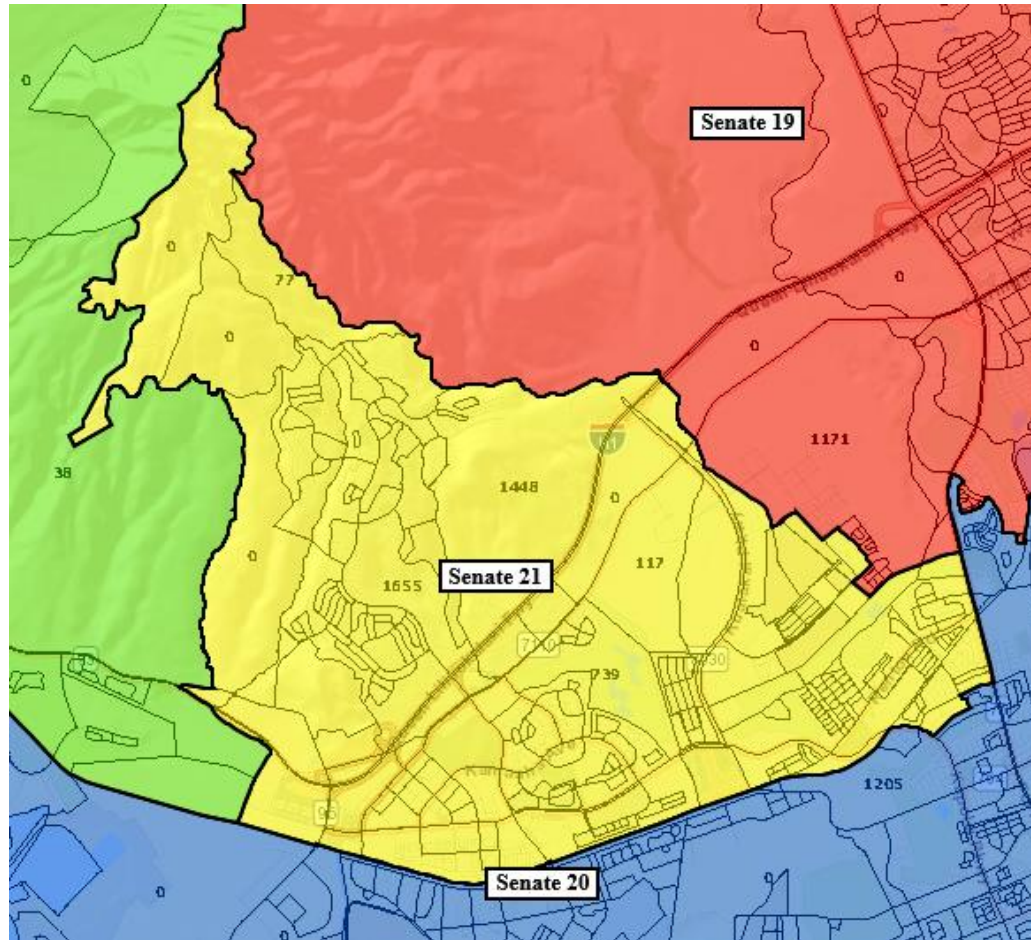


Technical Committee's House Map

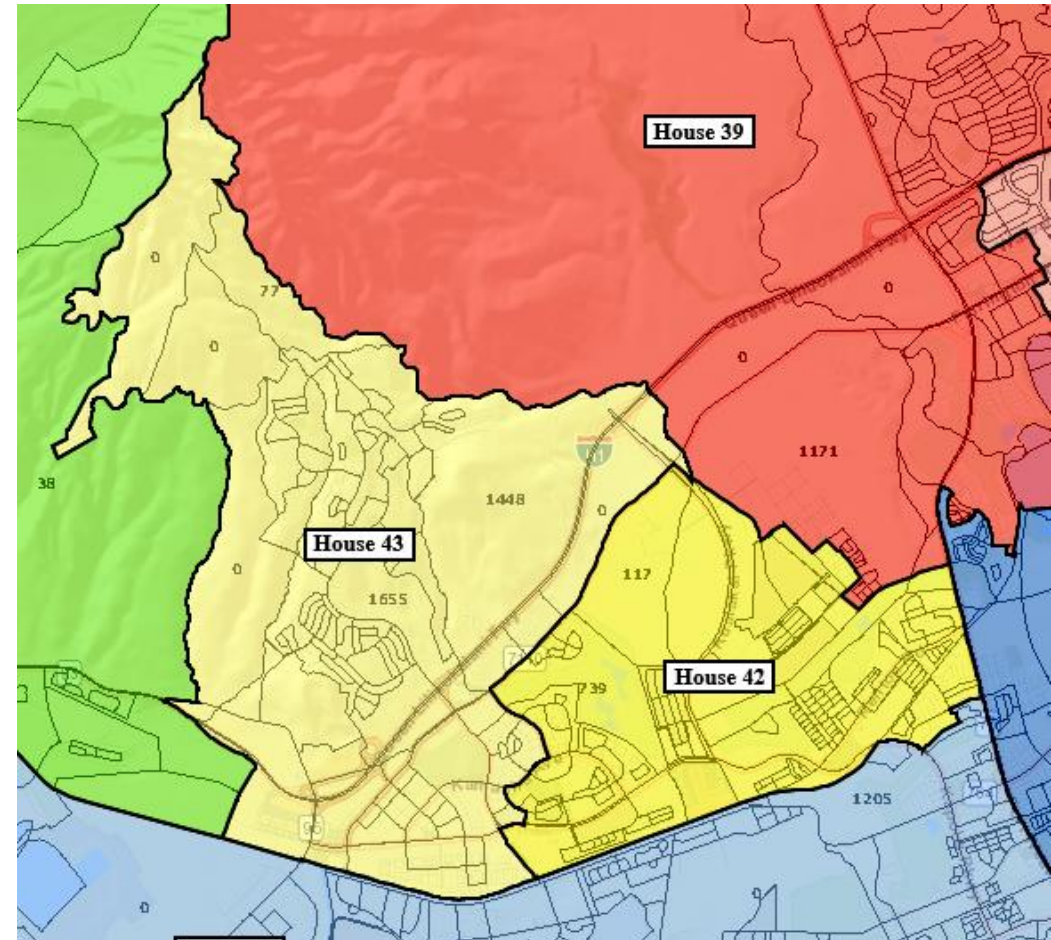


Senate District 21

Exactly Aligned with TCs House Districts 42 & 43



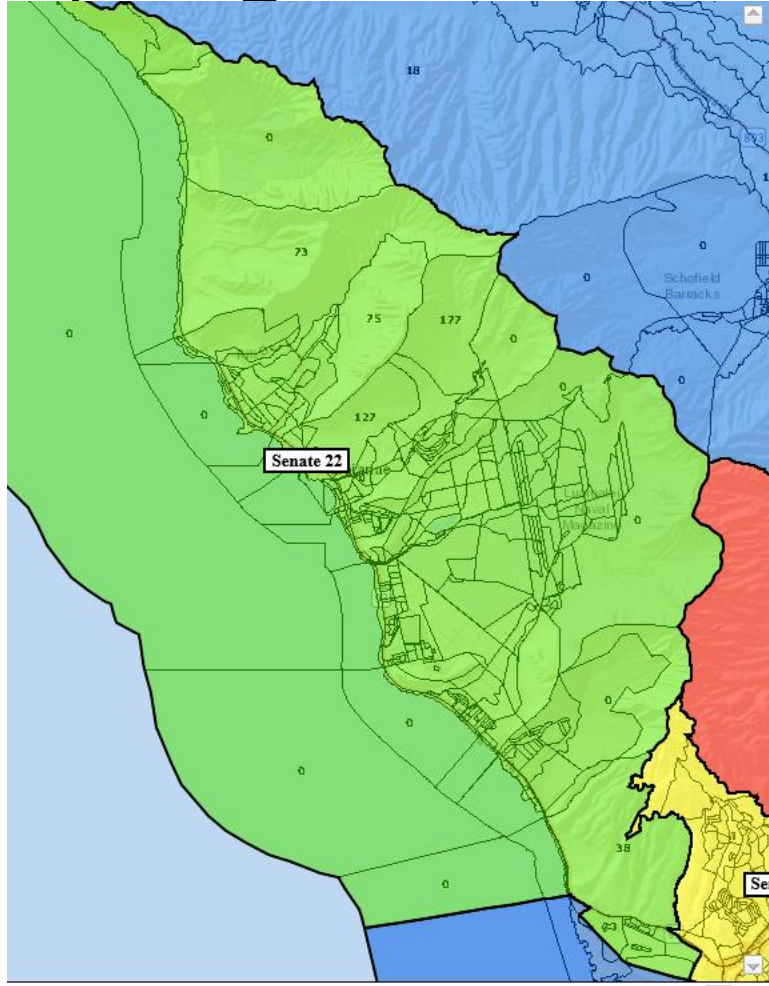
Aligned Senate Plan



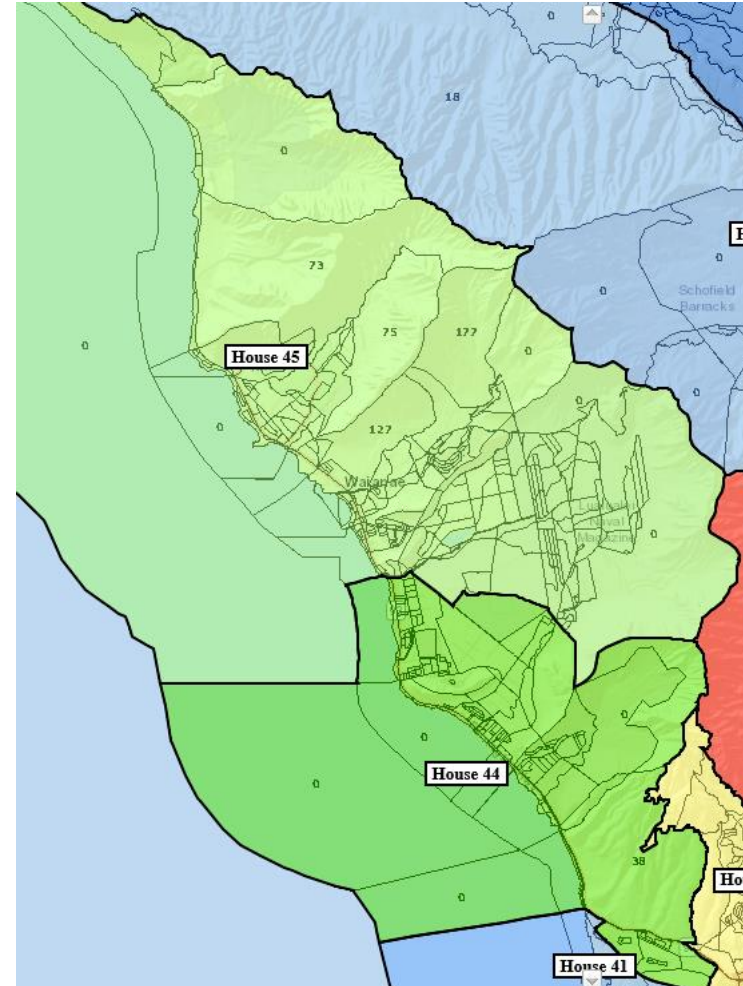
Technical Committee's House Map

Senate District 22

Exactly Aligned with TCs House Districts 44 & 45



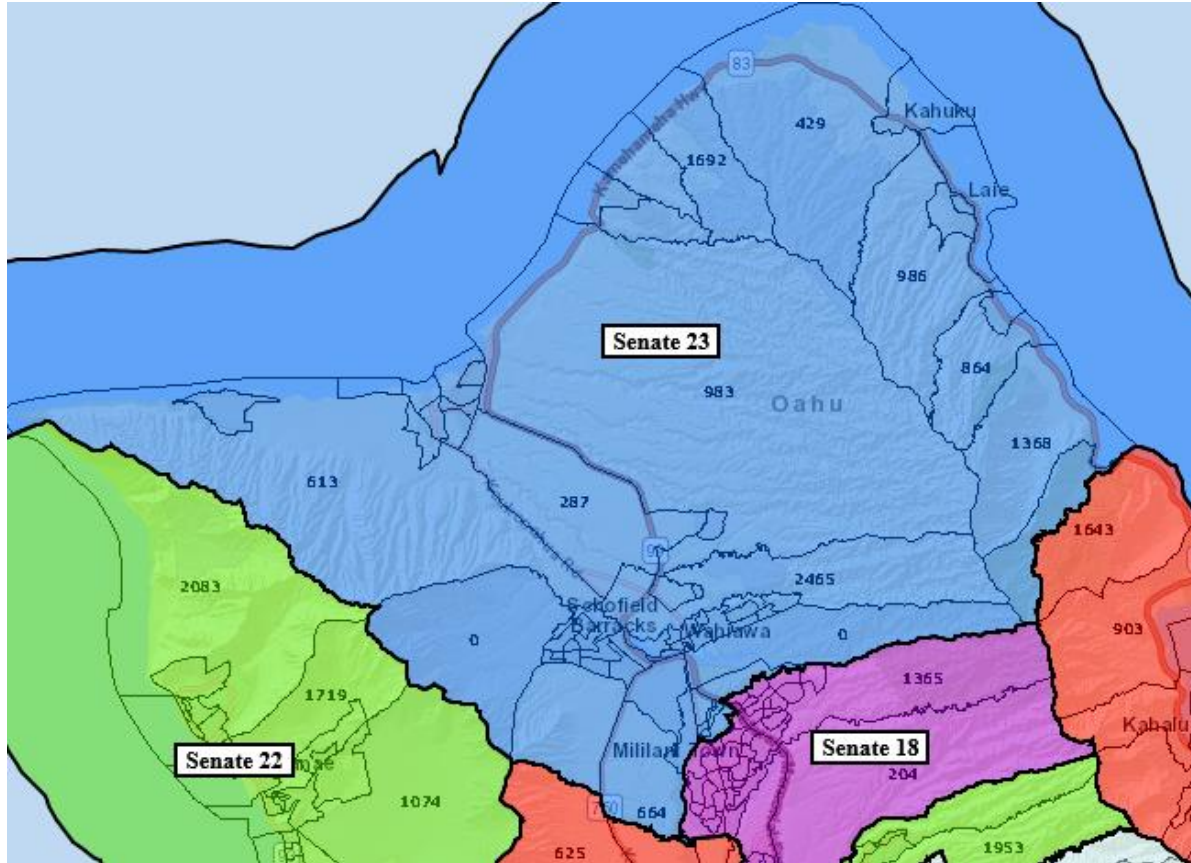
Aligned Senate Plan



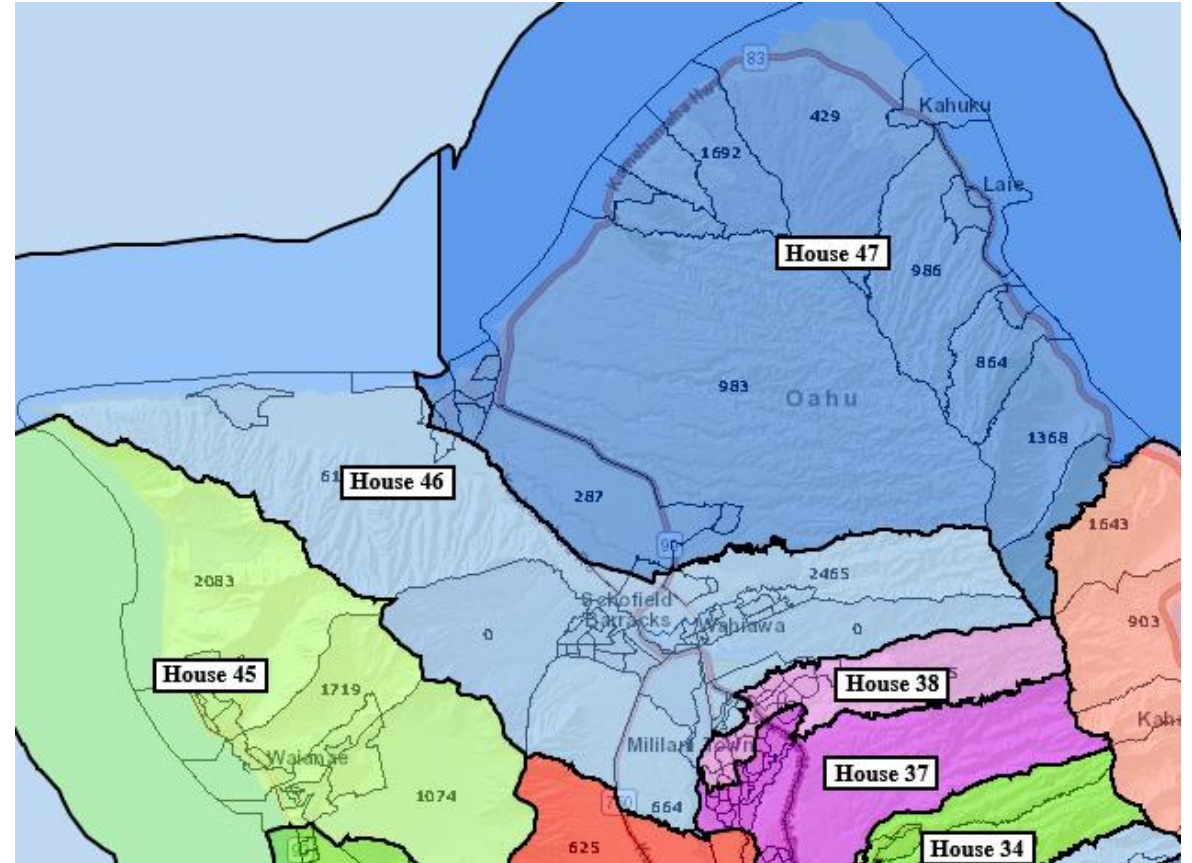
Technical Committee's House Map

Senate District 23

Exactly Aligned with TCs House Districts 46 & 47



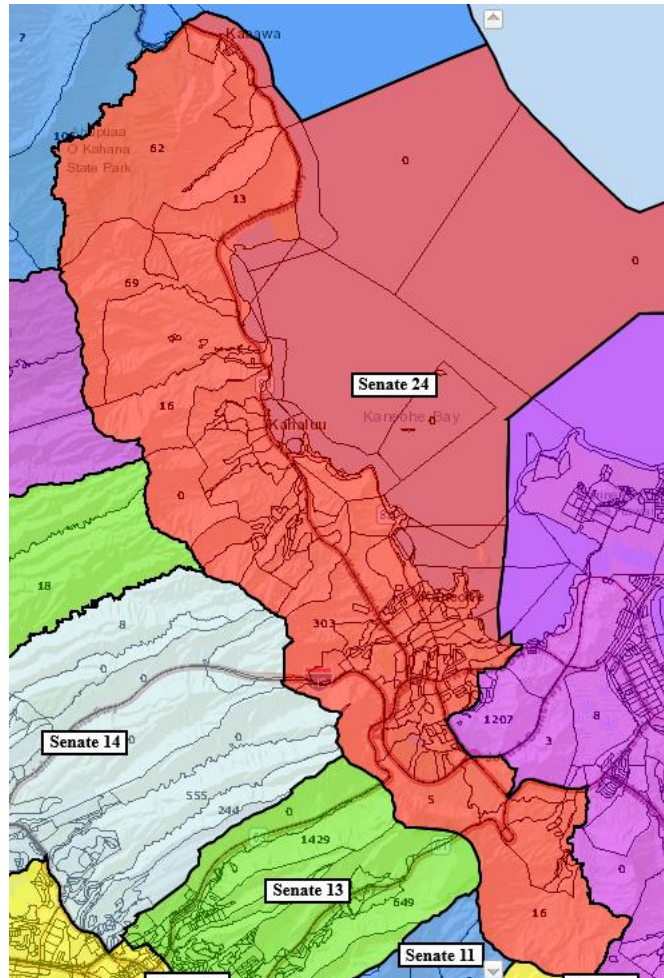
Aligned Senate Plan



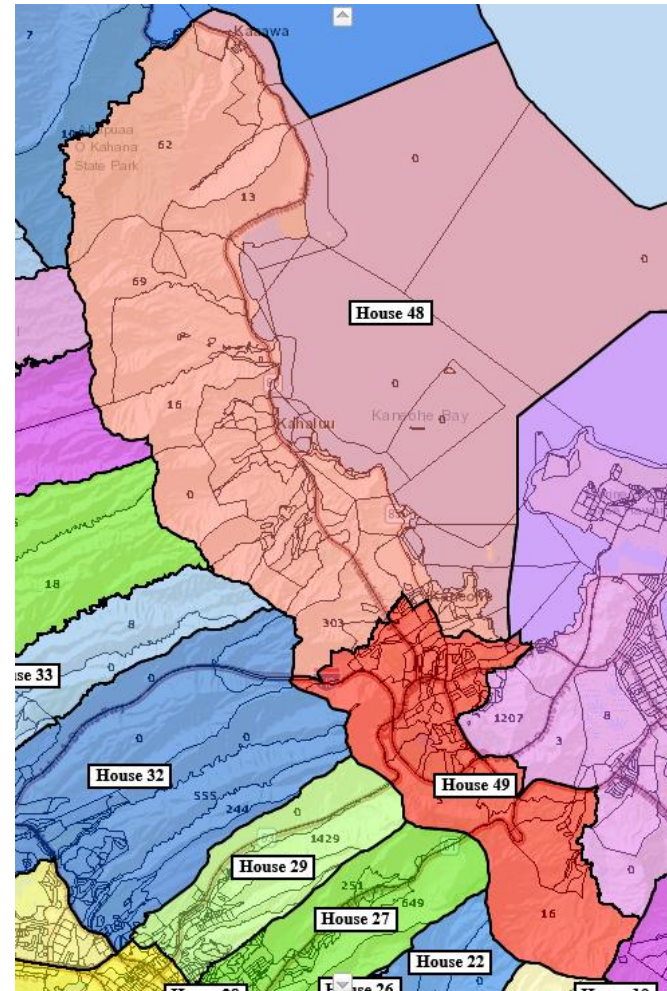
Technical Committee's House Map

Senate District 24

Exactly Aligned with TCs House Districts 48 & 49



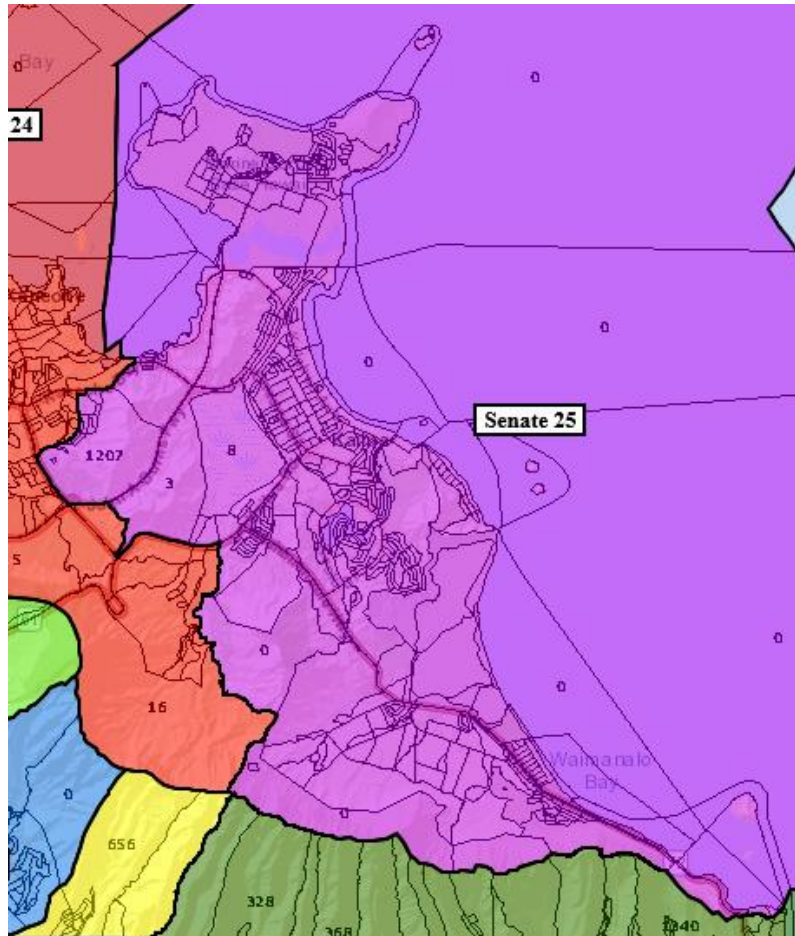
Aligned Senate Plan



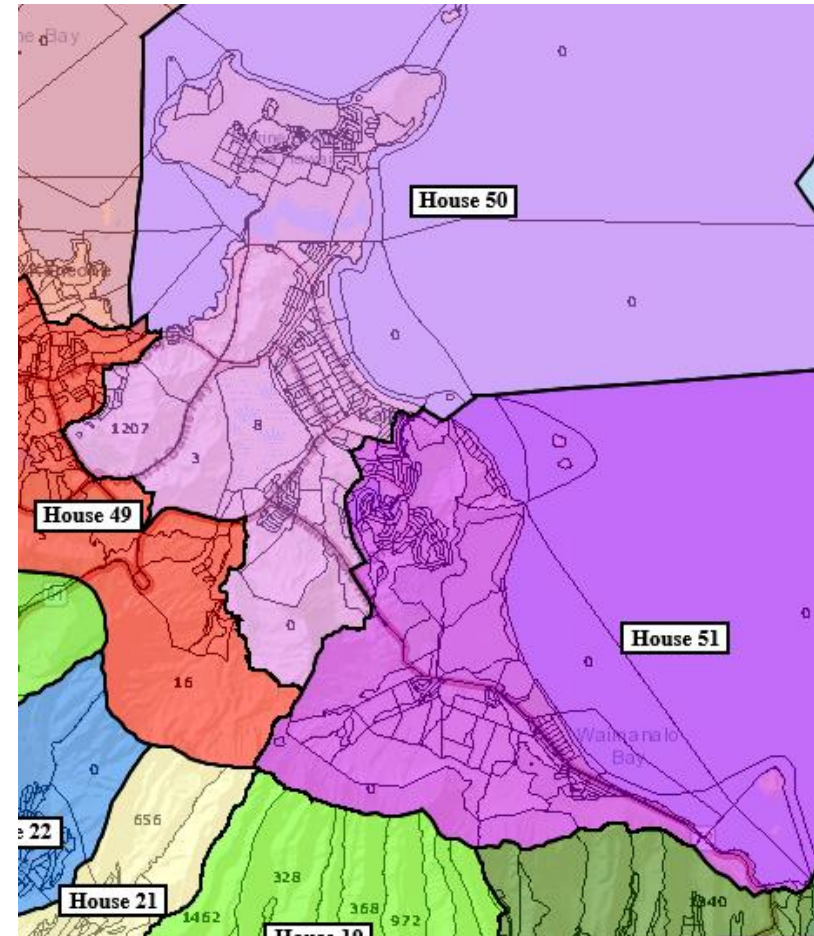
Technical Committee's House Map

Senate District 25

Exactly Aligned with TCs House Districts 50 & 51



Aligned Senate Plan



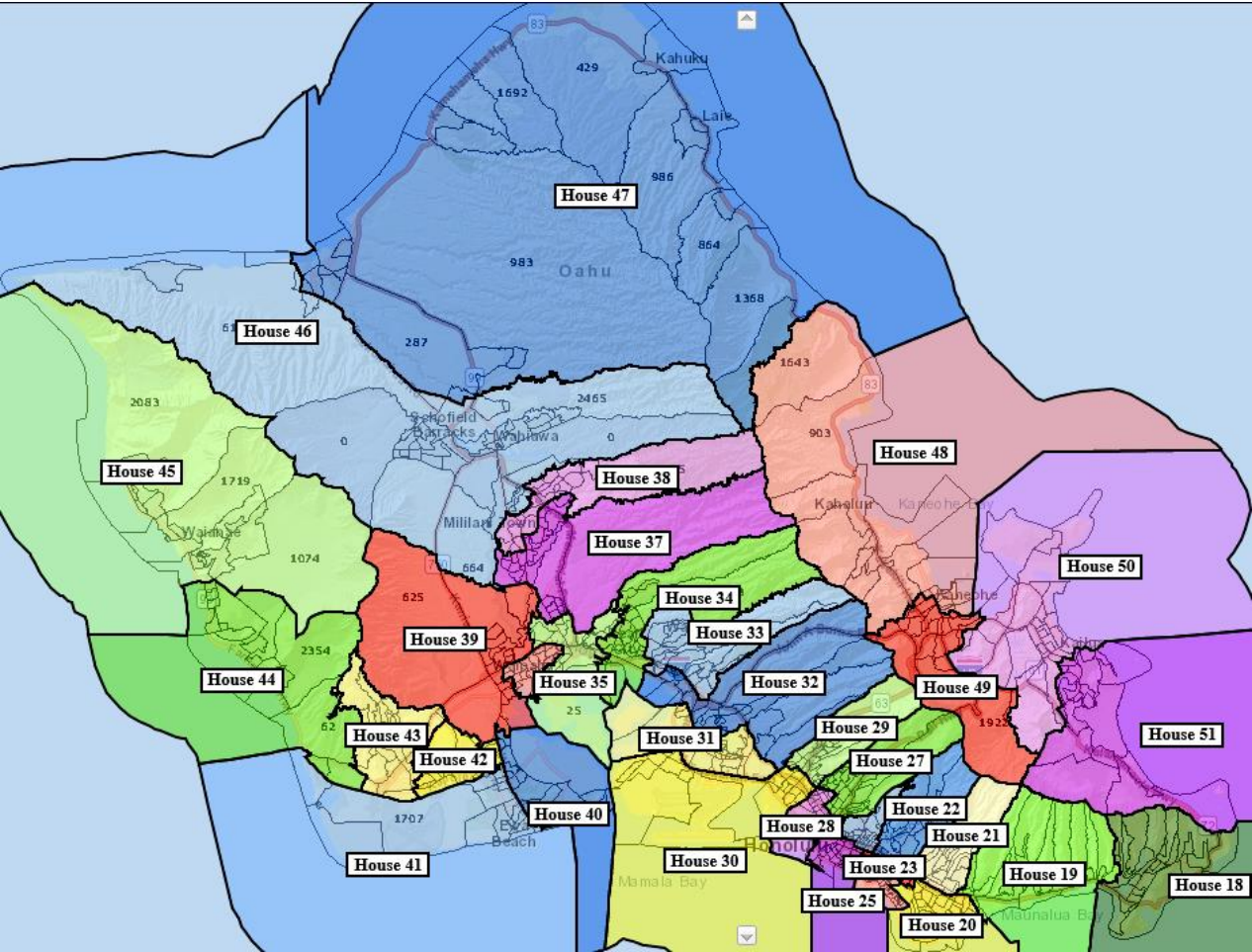
Technical Committee's House Map

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

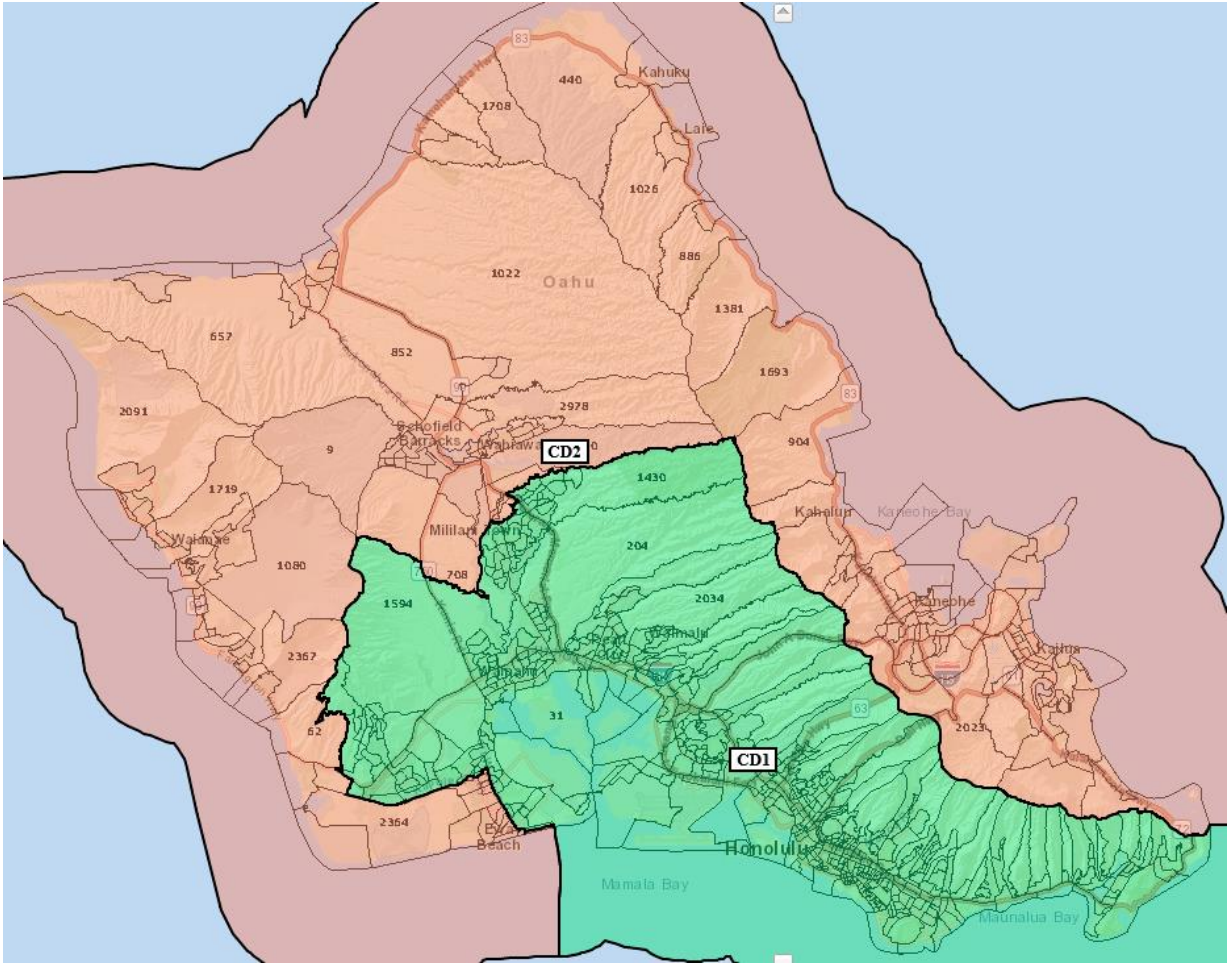
Chapter 25 Hawaii Revised Statutes

- 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.”