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APPENDIX C

2021 REAPPORTIONMENT COMMISSION WRITTEN
SUMMARIES FOR VIDEO RECORD



**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

APRIL 13, 2021 @ 4:00 PM

**Note: The video of the meeting may be viewed on our website at
<https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order

[16:01]

The regular meeting of the Reapportionment Commission was called to order by Secretary Scott Nago. All members of the Reapportionment Commission were present at the meeting.

II. Administrative Matters

[16:02]

- A. Affirmation of Appointment Administered to Each Commissioner**
- B. Duties and Responsibilities of Commissioners**
- C. Fiscal Documents**

III. Public Testimony

[16:06]

There was no public testimony given.

IV. Discussion and Action Regarding the Selection of Chairperson, Pursuant to Section 2, Article IV of the State Constitution

[16:11]

Commissioner Nonaka moved to nominate Dr. Mark Mugiishi as the Chairperson of the Reapportionment Commission, which was seconded by Commissioner Ono.

[16:17]

Commissioner Kennedy made a motion to amend the motion by Commissioner Nonaka to allow for more nominations prior to voting, which was seconded by Commissioner Nekota. Motion did not carry.

AYES: NISHIMURA, KENNEDY, RATHBUN – 3

NOES: NEKOTA, CHUN, ONO, CHIPCHASE, NONAKA – 5

[16:29]

Commissioner Nonaka moved to nominate Dr. Mark Mugiishi as the Chairperson of the Reapportionment Commission, which was seconded by Commissioner Nekota. Motion carried.

AYES: NEKOTA, NISHIMURA, CHUN, ONO, CHIPCHASE, NONAKA – 6

NOES: KENNEDY, RATHBUN – 2

V. Discussion and Action Regarding the Delayed Delivery of Census Data

[16:31]

Commissioner Chipchase made a motion to enter executive session, which was seconded by Commissioner Ono, and approved unanimously by the Commissioners.

VI. Adjournment

[16:49]

Commissioner Nekota made a motion to adjourn the meeting, which was seconded by Commissioner Nonaka, and approved unanimously by the Commissioners.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

MAY 17, 2021 @ 12:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [12:00]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi. All members of the Reapportionment Commission were present at the meeting with the exception of Commissioner Chipchase.

III. Public Testimony [12:03]

Public testimony was provided by Ms. Sandy Ma of Common Cause Hawaii and Mr. Bart Dame.

[12:08]

Commissioner Chipchase has joined the meeting.

IV. Discussion and Action Regarding the Hiring of Commission Administrative Staff – Executive Session

V. Discussion and Action Regarding the Delayed Delivery of Census Data
– Executive Session [12:13]

[12:14]

Commissioner Ono made a motion to enter executive session for the purposes of Agenda Items IV and V, which was seconded by Commissioner Chun, and approved unanimously by the Commission.

[12:48]

Commissioner Kennedy moved to request that the Attorney General petition the Hawaii Supreme Court for relief from the constitutional and statutory reapportionment deadlines that cannot be met due to the Census Bureau's delayed delivery of the 2020 redistricting data, in the form of a writ directing the Commission to (a) issue public notice of the Commission's proposed reapportionment plans by no later than January 8, 2022 and (b) file the final reapportionment plans with the Chief Election Officer by no later than February 27, 2022; and (2) authorize the Chairperson to sign a declaration and any other supporting documentation on the Commission's behalf which reflects the Commission's concurrence with and support of the petition, which was seconded by Commissioner Nonaka, and approved unanimously by the Commission.

VI. Discussion and Action Regarding the Standards and Criteria Governing the Reapportionment and Redistricting Process

VII. Discussion and Formation of Permitted Interaction Groups Pursuant to HRS §92-2.5(b) to Assist the Commission in its Official Business, Including Developing the Commission's Procedures and the Preparation of Proposed Reapportionment Plans [12:49]

[12:59]

Commissioner Nekota made a motion to form two committees – a Rules and Conduct Committee and a Technical Committee, which was seconded by Commissioner Nishimura, and approved unanimously by the Commission.

[13:00]

Chair Mugiishi named Commissioners Nekota, Nonaka, Ono, and Rathbun to the Technical Committee, and Commissioners Chipchase, Chun, Kennedy, and Nishimura to the Rules Committee.

VIII. Adjournment

[13:05]

Commissioner Nishimura made a motion to adjourn the meeting, which was seconded by Commissioner Nekota, and approved unanimously by the Commission.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JULY 6, 2021 AT 2:00 PM

**Note: The video of the meeting may be viewed on our website at
<https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [2:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [2:01 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase.

Due to technical difficulties, Commissioner Kennedy rejoined the meeting at 2:05 PM and Commissioner Chipchase was acknowledged as present at 2:14 PM.

III. Public Testimony [2:01 PM]

Public testimony was provided by Senator Laura Acasio, Sandy Ma of Common Cause Hawaii, and Becky Gardner of Policy Matters LLC.

IV. Discussion Regarding the Propriety of the Formation of the Permitted Interaction Groups Established at the May 17, 2021 Reapportionment Commission Meeting [2:14 PM]

Pursuant to HRS § 92-5(a)(4), the Commission may convene an executive session to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

[2:16 PM]

Commissioner Chipchase made a motion to enter executive session for the purposes of Agenda Item IV, which was seconded by Commissioner Nonaka, and approved unanimously by the Commission.

[2:17 PM]

Commissioner Kennedy made a motion to enter executive session for the purposes of Agenda Item VII, which was seconded by Commissioner Nishimura, and approved unanimously by the Commission.

V. Presentation of the Draft Rules of the 2021 Reapportionment Commission Recommended by the Rules Permitted Interaction Group [2:35 PM]

VI. Redistricting and Reapportionment Presentation by Reapportionment Project Staff [2:44 PM]

VII. Executive Session – Consultation with the Commission's Attorney Regarding Members' Obligations Under and Compliance with HRS Chapter 84, Pursuant to HRS § 92-5(a)(4)

Agenda Item VII was considered with Agenda Item IV in Executive Session.

VIII. Adjournment

[2:50 PM]

Commissioner Ono made a motion to adjourn the meeting, which was seconded by Commissioner Nishimura, and approved unanimously by the Commission.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JULY 20, 2021 @ 9:00 AM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [9:00 AM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [9:00 AM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Nishimura and Commissioner Ono.

III. Public Testimony [9:02 AM]

[9:03 AM]

Commissioner Nishimura and Commissioner Ono were acknowledged as present by Secretary Nago.

Public testimony was provided by Sandy Ma of Common Cause Hawaii, Cory Harden, Brett Kulbis of the Honolulu County Republican Party, and Bart Dame.

IV. Extension of Reapportionment Deadlines by July 7, 2021 Hawaii Supreme Court Order [9:15 AM]

V. Deliberation and Decision Making on the Draft 2021 Rules of the Reapportionment Commission Recommended by the Rules Permitted Interaction Group [9:17 AM]

[9:19 AM]

Commissioner Chun made a motion to enter executive session for the purposes of Agenda Item V, which was seconded by Commissioner Nishimura, and approved unanimously by the Commission.

[9:32 AM]

Chair Mugiishi restated the motion by Commissioner Nonaka to adopt the Rules of the 2021 Reapportionment Commission that are in the meeting packet, which was seconded by Commissioner Kennedy. The motion was approved unanimously by the Commission.

VI. Continued Redistricting and Reapportionment Presentation by Reapportionment Project Staff [9:34 AM]

VII. Adjournment [10:06 AM]

Commissioner Nishimura made a motion to adjourn the meeting, which was seconded by Commissioner Nonaka, and approved unanimously by the Commission.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

AUGUST 26, 2021 @ 11:00 AM

**Note: The video of the meeting may be viewed on our website
at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [11:00 AM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [11:00 AM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase and Commissioner Nishimura.

III. Public Testimony [11:02 AM]

[11:03 AM]

Commissioner Chipchase joined the meeting.

Commissioner Nishimura was acknowledged as present by Secretary Nago.

Public testimony was provided by Brett Kulbis of the Honolulu County Republican Party, Bart Dame, Kainoa Kaumeheiwa-Rego of Common Cause

Hawaii, Shannon Matson, Senator Laura Acasio, Maki Morinoue, and Becky Gardner of Policy Matters LLC.

[11:10 AM]

Commissioner Chun exited the meeting.

IV. Approval of Minutes for the Meeting of July 20, 2021 [11:27 AM]

Commissioner Kennedy made a motion to approve the minutes for the meeting of July 20, 2021, which was seconded by Commissioner Nonaka, and approved by all Commissioners present noting the excused absence of Commissioner Chun.

V. Election of Vice Chair(s) for the Reapportionment Commission [11:29 AM]

Commissioner Ono nominated Commissioner Nonaka, which was accepted. Commissioner Nonaka nominated Commissioner Ono, which was accepted.

Commissioner Nekota made a motion to elect Commissioner Nonaka as a vice chair, which was seconded by Commissioner Ono, and approved by all Commissioners present noting the excused absence of Commissioner Chun.

Commissioner Nekota made a motion to elect Commissioner Ono as a vice chair, which was seconded by Commissioner Rathbun, and approved by all Commissioners present noting the excused absence of Commissioner Chun.

VI. Presentation by the Reapportionment Staff on the following topics [11:37 AM]

- a. August 12, 2021 release of census data
- b. Method of population extraction
- c. Apportionment “method of equal proportions” of basic island units
- d. Single- or multi-member districts
- e. Standards and criteria governing redistricting, such as the use of “canoe districts”
- f. Propose Public Information Committee
- g. Redistricting website demonstration
- h. Proposed schedule

[12:02 PM]

Commissioner Chun rejoined the meeting.

[12:32 PM]

Commissioner Rathbun exited the meeting.

VII. Discussion on the Role of the Reapportionment Advisory Councils [1:07 PM]

[1:20 PM]

Commissioner Ono made a motion to enter executive session for the purposes of Agenda Item VI and Agenda Item VII, as well as the approval of executive session minutes, which was seconded by Commissioner Nekota, and approved by all Commissioners present noting the excused absence of Commissioner Rathbun.

VIII. Adjournment [1:48 PM]

Commissioner Nonaka made a motion to adjourn the meeting, which was seconded by Commissioner Kennedy, and approved by all Commissioners present noting the excused absence of Commissioner Rathbun.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

SEPTEMBER 9, 2021 @ 1:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [1:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [1:01 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Nekota and Commissioner Nishimura.

III. Public Testimony [1:04 PM]

Public testimony was provided by Bart Dame, Cory Harden, Shannon Matson, Kainoa Kaumeheiwa-Rego of Common Cause Hawaii, Becky Gardner of Policy Matters LLC, Senator Laura Acasio, and Senator Donovan Dela Cruz.

[1:11 PM]

Commissioner Nekota joined the meeting.

[1:44 PM]

Commissioner Nishimura joined the meeting.

IV. Approval of Minutes for the Meeting of August 26, 2021 [2:05 PM]

Commissioner Kennedy made a motion to approve the minutes for the meeting of August 26, 2021, which was seconded by Commissioner Nonaka, and approved by the Commission noting that Chair Mugiishi's vote was not taken.

V. Discussion and Action to Establish the Permanent Resident Population Base [2:07 PM]

Commissioner Rathbun made a motion to enter executive session for the purposes of Agenda Item V, which was seconded by Commissioner Nekota, and approved unanimously by the Commission.

[3:46 PM]

Commissioner Nonaka made a motion to adopt the extraction of non-permanent residents from each basic island unit presented by the Reapportionment Project Office on August 26, 2021, which was seconded by Commissioner Kennedy, and approved unanimously by the Commission.

VI. Discussion and Action Regarding the Use of "Canoe Districts" [3:10 PM]

[4:27 PM]

Commissioner Rathbun made a motion to approve that the Commission would not use canoe districts, which was seconded by Commissioner Chun, and approved unanimously by the Commission.

VII. Discussion and Action Regarding the Standards and Criteria Governing the Reapportionment and Redistricting Process [3:34 PM]

[3:40 PM]

Commissioner Rathbun made a motion to adopt the standards and criteria included in the meeting materials, which was seconded by Commissioner Ono, and approved unanimously by the Commission.

VIII. Discussion and Action Regarding the Commission's Interaction with the
Advisory Councils [3:55 PM]

[4:10 PM]

Commissioner Nonaka was designated as the liaison to the Hawaii Advisory Council, Commissioner Chun was designated as the liaison to the Maui Advisory Council, Commissioner Nishimura was designated as the liaison to the Kauai Advisory Council, and Commissioner Kennedy was designated as the liaison to the Oahu Advisory Council.

IX. Presentation of Proposed Congressional Reapportionment Plans by the
Technical Committee Permitted Interaction Group [4:11 PM]

X. Adjournment [4:29]

Commissioner Nonaka made a motion to adjourn the meeting, which was seconded by Commissioner Ono, and approved unanimously by the Commission.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

OCTOBER 14, 2021 @ 12:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [12:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [12:00 PM]

All members of the Reapportionment Commission were present at the start of the meeting.

III. Public Testimony [12:01 PM]

Public testimony was provided by Bart Dame, Nikhilananda, Sandy Ma of Common Cause Hawaii, Kimeona Kane, Vanessa Distajo, Rhiannon Callahan, Becky Gardner of Policy Matters LLC, Bill Hicks, Ellen Watson, Brett Kulbis, Amber Granite, and Matt Prellberg.

IV. Reports by the Apportionment Advisory Councils [1:00 PM]

Commissioner Nishimura stated that Kauai Advisory Council met and submitted a report to the Commission. Commissioner Chun stated that the Maui Advisory Council is scheduling their first meeting. Commissioner

Nonaka stated that the Hawaii Advisory Council is scheduling their second meeting to provide comments on the maps.

V. Approval of Minutes for the Meeting of September 9, 2021 [1:04 PM]

Commissioner Ono made a motion to approve the minutes for the meeting of September 9, 2021, which was seconded by Commissioner Nonaka and approved unanimously by the Commission.

VI. Discussion and Action to Adopt a Proposed Congressional Redistricting Plan [1:05 PM]

[1:15 PM]

Commissioner Kennedy made a motion to adopt the congressional alternate plan, which was seconded by Commissioner Nekota and approved unanimously by the Commission.

VII. Presentation of Proposed Legislative Redistricting Plans by the Technical Committee Permitted Interaction Group [1:16 PM]

The Technical Committee Permitted Interaction Group and Reapportionment Project Office staff presented the Legislative Redistricting Plans for the Senate and House as created by the Technical Committee Permitted Interaction Group.

VIII. Adjournment [2:29 PM]

Commissioner Nishimura made a motion to adjourn the meeting, which was seconded by Commissioner Nekota and approved unanimously by the Commission.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

OCTOBER 28, 2021 @ 12:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [12:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [12:00 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase, Commissioner Kennedy, and Commissioner Nekota.

III. Public Testimony [12:02 PM]

Public testimony was provided by Bill Hicks, Bart Dame, Vanessa Distajo, Amy Monk, Kainoa Kaumeheiwa-Rego, Charles Sexton, Lisa Bishop, Kimeona Kane, Roberta Mayor, Ellen Watson, Kapohuolahaina Pa Moniz, Gail Baron, Becky Gardner, John Simonds, Representative Matthew S. LoPresti, Michael J. Golojuch, Jr., Eleanor Rolark, Rhiannon "Pili" Callahan, Nikhilananda, Matt Prellberg, Shannon Matson, Brett Kulbis, Ian Ross, Kapua Medeiros, Patrice Macdonald, and Robert E. Fox.

[12:03 PM]

Commissioner Kennedy was acknowledged as present.

[12:04 PM]

Commissioner Chipchase was acknowledged as present.

[12:10 PM]

Commissioner Nekota was acknowledged as present.

IV. Reports by the Apportionment Advisory Councils [2:08 PM]

[2:13 PM]

Chair Hermina Morita provided a report on behalf of the Kauai Advisory Council.

V. Approval of Minutes for the Meeting of October 14, 2021 [2:14 PM]

Commissioner Kennedy made a motion to approve the minutes for the meeting of October 14, 2021, which was seconded by Commissioner Nekota and approved unanimously by the Commission.

VI. Discussion Regarding the Conduct of Public Hearings and Future Meeting Dates [2:16 PM]

VII. Discussion and Action to Adopt the Proposed Legislative Redistricting Plan [2:36]

[2:36 PM]

Commissioner Nekota made a motion to adopt the Technical Committee Permitted Interaction Group's legislative redistricting plan, which was seconded by Commissioner Nonaka and approved unanimously by the Commission.

VIII. Adjournment [2:39 PM]

Commissioner Ono made a motion to adjourn the meeting, which was seconded by Commissioner Kennedy and approved unanimously by the Commission.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

DECEMBER 22, 2021 @ 1:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [1:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [1:00 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase.

III. Public Testimony [1:02 PM]

Public testimony was provided by Shannon Matson, Cory Harden, Danielle Bass, William Sims, Ralph Boyea, Patrice Macdonald, Kimeona Kane, Lisa Bishop, Sandy Ma, Gordon Aoyagi, Trish La Chica, Bill Hicks, Kapua Medeiros, Mary Smart, Roberta Mayor, Mariliz Reilly, Bart Dame, Liza Ryan Gill, Elise Carmody, Vanessa Distajo, Ian Ross, Nikhilananda, Brenda Wong, Andrew Salenger, Jacquelyn Benton Ching, Brett Kulbis, Becky Gardner, Kapohuolahaina Pa Moniz, Matt Prellberg, Moanikeala Nanod-Sitch, Jerry, Donald Sakamoto, and Edward Ralston.

IV. Reports by the Apportionment Advisory Councils [2:42 PM]

Chair Tony Takitani provided a report on behalf of the Maui Advisory Council.

Commissioner Kennedy reported on behalf of the Oahu Advisory Council.

Commissioner Nishimura stated that the Kauai Advisory Council submitted written testimony.

Commissioner Nonaka stated that there was no report from the Hawaii Advisory Council.

V. Approval of Minutes for the Meeting of October 28, 2021 [2:58 PM]

Commissioner Ono made a motion to approve the minutes for the meeting of October 28, 2021, which was seconded by Commissioner Kennedy and approved unanimously by the Commission, noting the excused absence of Commissioner Chipchase.

VI. Report on the Status of the Reapportionment Commission's September 2021 Request that the Military Confirm the Number of Active-Duty Sponsors with Duty Station of Hawaii but State of Legal Residence Not Hawaii by Mailing Zip and Mailing Zip Extension, and Action, If Necessary, Regarding the Permanent Resident Population Base to be Used for Legislative Reapportionment and Redistricting [3:00 PM]

VII. Presentation on the Conduct of the Public Hearings by the Reapportionment Project Office [3:25]

VIII. Presentation of Proposed Final Legislative and Congressional Reapportionment Plans by the Technical Committee Permitted Interaction Group [3:28 PM]

The members of the Technical Committee Permitted Interaction Group, Commissioner Nekota, Commissioner Nonaka, Commissioner Ono, and Commissioner Rathbun, reviewed the changes to the proposed final reapportionment plans.

IX. Adjournment [4:25 PM]

Commissioner Nishimura made a motion to adjourn the meeting, which was seconded by Commissioner Nekota and approved unanimously by the Commission, noting the excused absence of Commissioner Chipchase.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JANUARY 3, 2022 @ 1:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [1:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [1:01 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chun and Commissioner Rathbun.

[1:02 PM]

Commissioner Rathbun joined the meeting.

III. Public Testimony [1:04 PM]

Public testimony was provided by Mialisa Otis, Valerie Wang, Kimeona Kane, Sandy Ma, Bill Hicks, Mary Smart, Lisa Bishop, Robert Fox, Kapua Medeiros, Bart Dame, Patricia Molina, Jody Green, Kapohuolahaina Pa Moniz, Ingrid Peterson, Malia Otto, Shannon Matson, Irish Barber, Becky Gardner, Roberta Mayor, Bronson Azama, Mel Wildman,

Nikhilananda, Kukana Kama-Toth, Jenny Steele, Larry Veray, and Louisa Keawe.

IV. Reports by the Apportionment Advisory Councils [2:15 PM]

No reports were provided by the Apportionment Advisory Councils.

V. Approval of Minutes for the Meeting of December 22, 2021 [2:16 PM]

Commissioner Kennedy made a motion to approve the minutes for the meeting of December 22, 2021, which was seconded by Commissioner Ono and approved unanimously by the Commission, noting the excused absence of Commissioner Chun.

VI. Report on the Status of the Reapportionment Commission's September 2021 Request that the Military Confirm the Number of Active-Duty Sponsors with Duty Station of Hawaii but State of Legal Residence Not Hawaii by Mailing Zip and Mailing Zip Extension, and Action, If Necessary, Regarding the Permanent Resident Population Base to be Used for Legislative Reapportionment and Redistricting [2:17 PM]

[2:44 PM]

Commissioner Nekota made a motion to enter into executive session to consult with the Commission's attorney pursuant to HRS 92-2.5(a)(4), which was seconded by Commissioner Nonaka and approved unanimously by the Commission noting the excused absence of Commissioner Chun.

[4:04 PM]

Commissioner Chun joined the meeting.

[4:22 PM]

Public testimony was provided by Kapua Medeiros, Mary Smart, Mialisa Otis, Bart Dame, Brett Kulbis, Shannon Matson, Kimeona Kane, Sandy Ma, and Bill Hicks.

VII. Discussion on the Proposed Final Legislative and Congressional Reapportionment Plans [4:45 PM]

VIII. Discussion on the Senate Staggered Terms Based on the Proposed Final Legislative Reapportionment Plan [4:45 PM]

IX. Adjournment [4:45 PM]

Commissioner Nekota made a motion to adjourn the meeting, which was seconded by Commissioner Ono and approved unanimously by the Commission.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JANUARY 6, 2022 @ 10:00 AM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [10:00 AM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [10:01 AM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase.

III. Public Testimony [10:03 AM]

Public testimony was provided by Kimeona Kane, Mialisa Otis, Bill Hicks, Kainoa Kaumeheiwa-Rego, Ralph Boyea, Lisa Bishop, Mary Smart, Bart Dame, Laura Safranski, Ted Ralston, Brett Kulbis, Sumner La Croix, Becky Gardner, Kapua Medeiros, Ingrid Peterson, Kapohuolahaina Pa Moniz, Louisa Keawe, and Mel Wildman.

[10:39 AM]

Commissioner Chipchase was acknowledged as present.

IV. Reports by the Apportionment Advisory Councils [10:51 AM]

No reports were provided by the Apportionment Advisory Councils.

V. Approval of Minutes for the Meeting of January 3, 2021 [10:52 AM]

Chair Mugiishi clarified that the Commission is seeking to approve the minutes for the meeting of January 3, 2022.

Commissioner Rathbun made a motion to approve the minutes for the meeting of January 3, 2022, which was seconded by Commissioner Nishimura and approved unanimously by the Commission.

VI. Report on the Status of the Reapportionment Commission's September 2021 Request that the Military Confirm the Number of Active-Duty Sponsors with Duty Station of Hawaii but State of Legal Residence Not Hawaii by Mailing Zip and Mailing Zip Extension, and Action, If Necessary, Regarding the Permanent Resident Population Base to be Used for Legislative Reapportionment and Redistricting [10:53 AM]

[10:54 AM]

Chair Mugiishi asked Project Manager David Rosenbrock and GIS Project Support Royce Jones to provide an update on the Hawaii Permanent Resident Population Base.

[11:34 AM]

Commissioner Nekota made a motion to enter into executive session to consult with the Commission's attorney pursuant to HRS 92-2.5(a)(4), which was seconded by Commissioner Ono and approved unanimously by the Commission.

[12:21 PM]

Commissioner Chipchase was acknowledged as having left the meeting.

[1:50 PM]

Public testimony was provided by Ralph Boyea, Meizhu Lui, Sumner La Croix, Kimeona Kane, Becky Gardner, Mary Smart, Amy Monk, Bill Hicks, Ingrid Peterson, Shannon Matson, Bart Dame, and Barbara Dalton.

[2:31 PM]

Commissioner Chun made a motion to adopt the Hawaii Statewide Population Base as presented by the staff for legislative apportionment and redistricting, which was seconded by Commissioner Nishimura, and approved unanimously by the Commission, noting the excused absence of Commissioner Chipchase.

VII. Discussion on the Proposed Final Legislative and Congressional Reapportionment Plans [2:33 PM]

Commissioner Kennedy made a motion to direct the Technical Committee Permitted Interaction Group to modify the proposed final legislative plans based on the revised permanent resident population base, which was seconded by Commissioner Nekota, and approved unanimously by the Commission, noting the excused absence of Commissioner Chipchase.

VIII. Adjournment [2:46 PM]

Commissioner Ono made a motion to adjourn the meeting, which was seconded by Commissioner Nekota and approved unanimously by the Commission, noting the excused absence of Commissioner Chipchase.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JANUARY 13, 2022 @ 1:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [1:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [1:01 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase.

[1:03 PM]

Commissioner Chipchase was acknowledged as present.

III. Reports by the Apportionment Advisory Councils [1:03 PM]

No reports were provided by the Apportionment Advisory Councils.

IV. Approval of Minutes for the Meeting of January 6, 2022 [1:04 PM]

Commissioner Nekota made a motion to approve the minutes for the

meeting of January 6, 2022, which was seconded by Commissioner Ono and approved unanimously by the Commission.

V. Presentation of Modified Proposed Final Legislative and Congressional Reapportionment Plans by the Technical Committee Permitted Interaction Group [1:05 PM]

[1:33 PM]

Public testimony was provided by Bill Hicks, Mialisa Otis, Jeanné Kapela, Kimeona Kane, Ralph Boyea, Kapua Medeiros, Jeannine Johnson, Kainoa Kaumeheiwa-Rego, Mary Smart, Cory Harden, Trish La Chica, Larry Veray, Bart Dame, Lisa Bishop, Brenda Wong, Shannon Matson, May Mizuno, Ian Ross, Phil Barnes, Ariel Murphy, Roberta Mayor, Mary Marvin Porter, John Olsen, Kapohuolahaina Pa Moniz, Winston Welch, Becky Gardner, Louisa Keawe, and Claire Tamamoto.

VI. Adjournment [2:56 PM]

Commissioner Nekota made a motion to adjourn the meeting, which was seconded by Commissioner Kennedy and approved unanimously by the Commission.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JANUARY 20, 2022 @ 2:00 PM

**Note: The video of the meeting may be viewed on our website
at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [2:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [2:00 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase and Commissioner Kennedy.

III. Public Testimony [2:02 PM]

Public testimony was provided by Eileen O'Hara, Mary Smart, Kimeona Kane, Ralph Boyea, Sandy Ma, Bill Hicks, Amy Perruso, Kapua Medeiros, Lisa Bishop, Ingrid Peterson, Maki Morinoue, Roberta Mayor, Shannon Matson, Kapohuolahaina Pa Moniz, and Ariel Murphy.

[2:22 PM]

Commissioner Chipchase was acknowledged as present.

IV. Consideration of Public Testimony Regarding Modified Final Legislative and Congressional Reapportionment Plans Recommended by the Technical Committee Permitted Interaction Group [2:45 PM]

V. Reports by the Apportionment Advisory Councils [2:51 PM]

Steven Pavao, Chair of the Hawaii Advisory Council, provided a report.

Chair Mugiishi noted that the Oahu Advisory Council provided a report in the meeting packet.

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 [2:56 PM]

The Reapportionment Project Manager David Rosenbrock presented the request by the Senate Committee on Government Operations.

[3:15 PM]

Commissioner Nishimura made a motion to authorize Chair Mugiishi to respond to the Senate Committee by declining to use the criteria and procedure used by the State of Kansas to adjust census population data to count permanent military and student residents seconded by Commissioner Ono and approved unanimously by the Commission noting the excused absence of Commissioner Kennedy.

[3:17 PM]

Commissioner Ono made a motion to enter into executive session to consult with the Commission's attorney pursuant to HRS 92-2.5(a)(4), which was seconded by Commissioner Nekota and approved unanimously by the Commission noting the excused absence of Commissioner Kennedy.

[4:01 PM]

The Commission returned to open session.

[4:03 PM]

Commissioner Ono made a motion to authorize Chair Mugiishi to respond to the Senate Committee by declining to reduce the extraction number in the manner proposed in paragraph 1 of the Senate Committee's January 11, 2022 letter which was seconded by Commissioner Nishimura and approved

unanimously by the Commission noting the excused absence of Commissioner Kennedy.

VII. Adjournment [4:07 PM]

Commissioner Ono made a motion to adjourn the meeting, which was seconded by Commissioner Nekota and approved unanimously by the Commission noting the excused absence of Commissioner Kennedy.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JANUARY 21, 2022 @ 10:00 AM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [10:01 AM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [10:01 AM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Kennedy, Commissioner Nonaka, and Commissioner Rathbun.

III. Public Testimony [10:11 AM]

Public testimony was provided by Ralph Boyea, Mialisa Otis, Kapua Medeiros, Bart Dame, Kimeona Kane, Maki Morinoue, Larry Veray, Ariel Murphy, and Gordon Aoyagi.

IV. Consideration of Public Testimony Regarding Modified Final Legislative and Congressional Reapportionment Plans Recommended by the Technical Committee Permitted Interaction Group [10:35 AM]

V. Reports by the Apportionment Advisory Councils [10:37 AM]

No reports were provided 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 [10:03 AM]

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 [10:38 AM]

Commissioner Ono made a motion to adjourn the meeting, which was seconded by Commissioner Chun and approved unanimously by the Commission noting the excused absence of Commissioner Kennedy, Commissioner Nonaka, and Commissioner Rathbun.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JANUARY 22, 2022 @ 2:00 PM

**Note: The video of the meeting may be viewed on our website
at <https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [2:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [2:00 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase, Commissioner Kennedy, and Commissioner Rathbun.

III. Public Testimony [2:02 PM]

Public testimony was provided by Kimeona Kane, Bart Dame, Bill Hicks, Sarah Haussermann, Richard Bidleman, Ariel Murphy, Ralph Boyea, Mary Smart, Patrice Macdonald, Roberta Mayor, Maki Morinoue, Kapua Medeiros, Kapohuolahaina Pa Moniz, Becky Gardner, Shannon Matson, Ryan Tam, and Louisa Keawe.

IV. Consideration of Public Testimony Regarding Modified Final Legislative and Congressional Reapportionment Plans Recommended by the Technical Committee Permitted Interaction Group [2:46 PM]

V. Reports by the Apportionment Advisory Councils [2:48 PM]

No reports were provided by the Apportionment Advisory Councils.

VI. Adjournment [2:48 PM]

Commissioner Nekota made a motion to adjourn the meeting, which was seconded by Commissioner Nishimura and approved unanimously by the Commission noting the excused absence of Commissioner Chipchase, Commissioner Kennedy, and Commissioner Rathbun.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JANUARY 26, 2022 @ 1:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [1:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [1:01 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Nishimura, Commissioner Nonaka, and Commissioner Rathbun.

[1:02 PM]

Commissioner Nishimura was acknowledged as present.

III. Public Testimony [1:04 PM]

Public testimony was provided by Kimeona Kane, Ralph Boyea, Mary Smart, Kapua Medeiros, Bart Dame, Lisa Bishop, Ingrid Peterson, Shannon Matson, Homelani Schaedel, Ariel Murphy, Selene Wayne, Becky Gardner, and Bill Hicks.

[1:10 PM]

Commissioner Nonaka was acknowledged as present.

IV. Reports by the Apportionment Advisory Councils [1:45 PM]

Steven Pavao, Chair of the Hawaii Advisory Council provided clarification of his previous report.

V. Approval of Minutes for the Meeting of January 13, 2022 [1:48 PM]

Commissioner Nekota made a motion to approve the minutes for the meeting of January 13, 2022, which was seconded by Commissioner Nishimura and approved unanimously by the Commission noting the excused absence of Commissioner Rathbun.

VI. Approval of Minutes for the Meeting of January 20, 2022 [1:49 PM]

Commissioner Chun made a motion to approve the minutes for the meeting of January 20, 2022, which was seconded by Commissioner Ono and approved unanimously by the Commission noting the excused absence of Commissioner Rathbun.

VII. Approval of Minutes for the Meeting of January 21, 2022 [1:50 PM]

Commissioner Nekota made a motion to approve the minutes for the meeting of January 21, 2022, which was seconded by Commissioner Kennedy and approved unanimously by the Commission noting the excused absence of Commissioner Rathbun.

VIII. Approval of Minutes for the Meeting of January 22, 2022 [1:51 PM]

Commissioner Nekota made a motion to approve the minutes for the meeting of January 22, 2022, which was seconded by Commissioner Ono and approved unanimously by the Commission noting the excused absence of Commissioner Rathbun.

IX. Potential Presentation of Further Modified Proposed Final Legislative Reapportionment Plans by the Technical Committee Permitted Interaction Group [1:52 PM]

- X. Discussion and Action on the Modified Proposed Final Legislative and Congressional Reapportionment and Redistricting Plans Recommended by the Technical Committee Permitted Interaction Group on January 13, 2022 [2:03 PM]

[2:14 PM]

Commissioner Nekota made a motion to enter into executive session to consult with the Commission's attorney pursuant to HRS 92-2.5(a)(4), which was seconded by Commissioner Ono and approved unanimously by the Commission noting the excused absence of Commissioner Rathbun.

- XI. Discussion and Action on the Senate Staggered Terms Based on the Final Legislative and Congressional Reapportionment and Redistricting Plans [2:56 PM]

- XII. Adjournment [3:01 PM]

Commissioner Nekota made a motion to adjourn the meeting, which was seconded by Commissioner Ono and approved unanimously by the Commission noting the excused absence of Commissioner Rathbun.



MARK MUGIISHI, M.D.
CHAIR

**STATE OF HAWAII
REAPPORTIONMENT COMMISSION**

WRITTEN SUMMARY FOR VIDEO RECORD

**REGULAR MEETING OF THE
REAPPORTIONMENT COMMISSION**

JANUARY 28, 2022 @ 1:00 PM

**Note: The video of the meeting may be viewed on our website
at [https://elections.hawaii.gov/about-us/boards-and-
commissions/reapportionment/](https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/)**

PROCEEDINGS

The time reference below indicates the point in the video of when the stated action begins.

I. Call to Order [1:00 PM]

The regular meeting of the Reapportionment Commission was called to order by Chair Mark Mugiishi.

II. Roll Call and Determination of a Quorum [1:00 PM]

All members of the Reapportionment Commission were present at the start of the meeting with the exception of Commissioner Chipchase and Commissioner Nishimura.

III. Public Testimony [1:03 PM]

Public testimony was provided by Kimeona Kane, Michael Konowicz, Ralph Boyea, Lisa Bishop, Sandy Ma, Kapua Medeiros, Richard Bidleman, Ruth Smith, Bart Dame, Bill Hicks, Gordon Aoyagi, Homelani Schaedel, Deborah Ward, Roberta Mayor, Ariel Murphy, JD Domizio, Brett Kulbis, Shannon Matson, and Becky Gardner.

[1:09 PM]

Commissioner Chipchase was acknowledged as present.

[1:16 PM]

Commissioner Nishimura was acknowledged as present.

IV. Reports by the Apportionment Advisory Councils [1:54 PM]

No reports were provided by the Apportionment Advisory Councils.

V. Approval of Minutes for the Meeting of January 26, 2022 [1:54 PM]

Commissioner Nekota made a motion to approve the minutes for the meeting of January 26, 2022, which was seconded by Commissioner Nishimura and approved unanimously by the Commission.

VI. Discussion and Action on the Modified Proposed Final Legislative and Congressional Reapportionment and Redistricting Plans Recommended by the Technical Committee Permitted Interaction Group [1:56 PM]

[2:01 PM]

Commissioner Nekota made a motion to adopt the proposed Final Legislative and Congressional Reapportionment and Redistricting Plans recommended by the Technical Committee Permitted Interaction Group on January 26, 2022, which was seconded by Commissioner Ono and approved unanimously by the Commission.

AYES: CHIPCHASE, CHUN, MUGIISHI, NEKOTA, NISHIMURA, NONAKA,
ONO, RATHBUN – 8

NO: KENNEDY – 1

[2:22 PM]

Commissioner Ono made a motion to allow the Reapportionment Project Office to make technical, non-substantive changes to the adopted Legislative and Congressional Reapportionment and Redistricting Plan providing that a change affect fewer than 200 people and the basic island unit deviations do not exceed plus or minus 4.9% which was seconded by Commissioner Rathbun and approved unanimously by the Commission.

VII. Discussion and Action on the Senate Staggered Terms Based on the Final Legislative and Congressional Reapportionment and Redistricting Plans [2:23 PM]

[2:29 PM]

Commissioner Kennedy made a motion to adopt the Staggered Senate Terms as presented by the Reapportionment Project Office at the January 26, 2022, meeting which was seconded by Commissioner Rathbun and approved unanimously by the Commission.

VIII. Adjournment [2:31 PM]

Commissioner Nekota made a motion to adjourn the meeting, which was seconded by Commissioner Nishimura and approved unanimously by the Commission.