

STAND. COM. REP. NO.

3237

Honolulu, Hawaii

APR 27 2010

RE: H.C.R. No. 282

H.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Transportation, International and Intergovernmental Affairs, to which was referred H.C.R. No. 282, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PERMIT CONGRESS AND THE STATES TO REGULATE THE EXPENDITURE OF FUNDS BY CORPORATIONS ENGAGING IN POLITICAL SPEECH,"

begs leave to report as follows:

The purpose of this measure is to request that the U.S. Congress propose and send to the states for ratification a constitutional amendment to clarify the distinction between the rights of natural persons and the rights of corporations, thereby preserving the power of Congress and the states to place limits on the ability of corporations to influence the outcome of elections through political expenditures.

Your Committee received testimony in support of this measure from the Democratic Party of Hawaii, Common Cause Hawaii, and The League of Women Voters of Hawaii. Written testimony presented to the Committee may be reviewed on the Legislature's website.

The Legislature has grave concerns regarding the implications of the United States Supreme Court's decision in its five to four ruling in *Citizens United v. Federal Elections Commission*. This decision threatens to invalidate the legislative deliberations of Congress and the states to restrict the influence of corporate power on the political system. A ruling by the United States

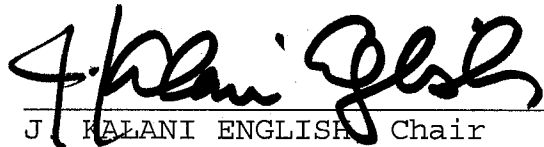
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Supreme Court cannot be overturned by legislation; however, Congress can propose and send to the states for ratification a constitutional amendment to clarify the distinction between natural persons and the rights of corporations to remedy the situation.

As affirmed by the record of votes of the members of your Committee on Transportation, International and Intergovernmental Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 282, H.D. 1, and recommends its adoption.

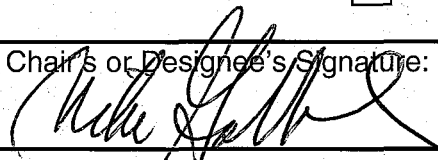
Respectfully submitted on
behalf of the members of the
Committee on Transportation,
International and
Intergovernmental Affairs,


J. KALANI ENGLISH, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
HCR 282, HD1	TIA	4-23-10		
<input checked="" type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ENGLISH, J. Kalani (C)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam				✓
TOTAL	3	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes