

STAND. COM. REP. NO. 1608

Honolulu, Hawaii

April 14, 2011

RE: H.R. No. 44
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.R. No. 44 entitled:

"HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION FOR THE STATES' CONSIDERATION TO PROVIDE THAT CORPORATIONS ARE NOT PERSONS UNDER THE LAWS OF THE UNITED STATES OR ANY OF ITS JURISDICTIONAL SUBDIVISIONS,"

begs leave to report as follows:

The purpose of this resolution is to urge Congress to propose an amendment to the United States Constitution for the states' consideration to provide that corporations are not persons under the laws of the United States or any of its jurisdictional subdivisions.

The League of Women Voters of Hawaii and Common Cause Hawaii testified in support of this measure. A concerned individual opposed this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the United States Supreme Court decision, *Citizens United v. Federal Election Commission*, 130 S.Ct. 876 (2010), allowed corporate expenditures in federal election campaigns versus contributions; and

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- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 44, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 44, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



GILBERT KEITH-AGARAN, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HR 44	Committee Referral: JUD	Date: 4/7/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)	✓			
2. RHOADS, Karl (VC)	✓			
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.	✓			
5. CARROLL, Mele				✓
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. ITO, Ken				✓
9. LUKE, Sylvia	✓			
10. McKELVEY, Angus L.K.				✓
11. OSHIRO, Blake K.				✓
12. SOUKI, Joseph M.	✓			
13. TSUJI, Clift	✓			
14. FONTAINE, George R.	✓			
15. MARUMOTO, Barbara C.	✓			
16. THIELEN, Cynthia	✓			
TOTAL (16)	12	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Kal Rhoads</i></u>				
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