

STAND. COM. REP. NO.

1612

Honolulu, Hawaii

APR 22 2013

RE: H.C.R. No. 10
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and Military Affairs, to which was referred H.C.R. No. 10, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROPOSE A CONSTITUTIONAL AMENDMENT TO OVERTURN THE UNITED STATES SUPREME COURT'S HOLDING RELATING TO CORPORATE INDEPENDENT EXPENDITURES IN *CITIZENS UNITED V. FEDERAL ELECTION COMMISSION*,"

begs leave to report as follows:

The purpose and intent of this measure is to request the United States Congress to propose a Constitutional amendment to overturn the United States Supreme Court holding relating to corporate independent expenditures in *Citizens United v. Federal Election Commission* (*Citizens United*).

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Supreme Court held in *Citizens United* that the First Amendment prohibits the government from suppressing political speech in the form of corporate independent expenditures, based on the speaker's corporate identity. Your Committee further finds that there is a clear distinction between human and corporate political speech relating to the election of public officials and campaign spending. This measure encourages Congress to propose a Constitutional amendment to prohibit

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corporations from using corporate treasury funds for political independent expenditures.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes for clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 10, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as H.C.R. No. 10, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,

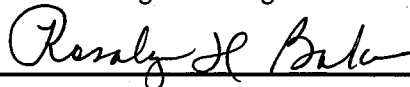


WILL ESPERO, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
HCR 10 HD1	PSM, JDL	4-16-13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, Josh				✓
SLOM, Sam			✓	
TOTAL	3	-	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes