

STAND. COM. REP. NO.

3693

Honolulu, Hawaii

APR 25 2016

RE: H.C.R. No. 29

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.C.R. No. 29 entitled:

"HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND PASS A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION CLARIFYING THAT CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS, AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH,"

begs leave to report as follows:

The purpose and intent of this measure is to urge Hawaii's congressional delegation to propose and pass a proposed amendment to the United States Constitution clarifying that corporations are not people with constitutional rights and that unlimited campaign spending is not free speech.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Counties, Common Cause Hawaii, and twenty individuals.

Your Committee finds that the United States Supreme Court held in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) that corporations are conferred the right to free speech under the First Amendment of the United States Constitution and thereby allowed unlimited campaign spending. Testimony in support of this measure indicates that the constitutional right to free speech should be exclusive to natural persons rather than to corporations, which are legal entities. Furthermore, the effect of *Citizens United* is that unlimited corporate campaign spending may sway votes and influence elections, candidate selections, and

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policy decisions. This measure addresses the holding of *Citizens United*, which affects the ability of the United States Congress and states to regulate the influence of corporate power on the political system.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 29, and recommends its adoption.

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


GILBERT S.C. KEITH-AGARAN, Chair



