



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-EIGHTH LEGISLATURE, 2015**

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**ON THE FOLLOWING MEASURE:**

H.C.R. NO. 53, REQUESTING THE UNITED STATES CONGRESS TO CALL FOR A CONSTITUTIONAL CONVENTION TO PROPOSE A CONSTITUTIONAL AMENDMENT TO ADDRESS CONCERNS RAISED BY THE UNITED STATES SUPREME COURT DECISION IN *CITIZENS UNITED V. FEDERAL ELECTION COMMISSION*.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Thursday, March 12, 2015

**TIME:** 3:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Russell A. Suzuki, Attorney General, or  
Deirdre Marie-Iha, Deputy Attorney General

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Chair Rhoads and Members of the Committee:

The Department of the Attorney General has no legal objection to this resolution, but raises general concerns because it is potentially of great legal significance and operates in a very uncertain area of law. This resolution would operate as the Legislature's application for a constitutional convention under Article V of the federal constitution and would request that the convention propose an amendment to overturn Citizens United v. Federal Election Comm'n, 558 U.S. 310 (2010). The Department submits this testimony to advise the Legislature of the significance of this resolution under the federal constitution and to identify some of the outstanding questions about federal constitutional conventions under Article V. We also recommend that a few changes be made to the resolution.

Article V of the U.S. Constitution provides two methods for proposing amendments: (1) amendments proposed by Congress, and (2) amendments proposed by constitutional convention. U.S. Const. art. V. All twenty-seven of our current constitutional amendments were proposed by the first method. U.S. Const., Amend. I – XXVII; 2 Ronald D. Rotunda, *Treatise on Constitutional Law* § 10.10(b). Both methods require a ratification vote by three-quarters of the states. U.S. Const. art. V. The second method, which originates with the Constitutional Convention in 1787, has never been used to propose a constitutional amendment. The relevant portion of Article V provides: "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or on the Application of the

Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress[.]” There is no case law interpreting the constitutional convention portion of this provision.

This second method of amending the constitution was included to allow the states to act when Congress would not. See 2 Ronald D. Rotunda, *Treatise on Constitutional Law* § 10.10(b)(iii) (“The framers provided for the alternative route of allowing the state legislatures to call for amendments as a political check in case Congress was unresponsive to any felt need for change.”); Alexander Hamilton, *The Federalist No. 85* (describing the convention mechanism as necessary to “erect barriers against encroachments of the national authority.”), *available at* [http://thomas.loc.gov/home/histdox/fed\\_85.html](http://thomas.loc.gov/home/histdox/fed_85.html) (last visited March 9, 2015). Because no such federal constitutional convention has been held in more than two hundred years, how a convention would operate is largely unknown. It is not known, for example, how the states would be represented at a convention, or how those representatives would be chosen, or whether Congress could enact legislation that would control the procedures at such a convention. 2 Rotunda at § 10.10(b)(iii). The federal constitution gives no guidance on these questions. U.S. Const. art. V.

Even more importantly, there has been academic debate for decades on whether an Article V convention can be limited to one topic or must be a general convention, which could hypothetically propose amendments for *any* provision of the federal constitution, or propose a totally novel amendment unrelated to existing constitutional provisions. See, e.g., 2 Rotunda at § 10.10(b)(iii) at n.10 and the authorities cited there; James Kenneth Rogers, *The Other Way to Amend the Constitution: The Article V Constitutional Convention Amendment Process*, 30 Harv. J. L. & Pub. Pol’y 1005 (2007), and authority cited there; *Constitutional Convention—Limitation of Power to Propose Amendments to the Constitution*, 3 U.S. Op. Off. Legal Counsel 390 (1979), 1979 WL 16606, and authority cited there. Because there has never been an Article V convention, these and many other questions remain unanswered. We also note that four other states have recently passed resolutions calling for a federal constitutional convention on the same

topic. Calif. Assem. Joint Res. No. 1, Res. Ch. 77 (2014); Ill. Sen. Joint Res. No. 42 (2014); N.J. Sen. Con. Res. No. 132 (2015); Vt. Joint Res. No. R-454 (2014). (All but one of these is named in the resolution. Page 2, lines 17-20). All of them contain language expressing each state's understanding that the convention would be limited to this specific topic. Id. This resolution would do the same. This is certainly advisable, but whether a constitutional convention could be effectively limited in this way is unknown.

Because Article V clearly allows the state legislatures to file "applications" for a federal constitutional convention, it is within the Legislature's authority to do so on behalf of the State of Hawaii. A convention would be called only if the legislatures of two-thirds of the states (34) agreed. U.S. Const. art. V. We note that even though a federal constitutional convention has never been called under this provision, the state application process has had real impact in the past. Previous amendments have been successful because the threat of a state-called convention serves as significant pressure for Congress to act where it might otherwise be reluctant. The Seventeenth Amendment (which made U.S. Senators directly elected by the people) was passed in just such a way. See, e.g., 2 Rotunda at § 10.10(b)(iv) (outlining the rising pressure of state applications for a convention and Congress's eventual agreement to pass the Seventeenth Amendment itself). Calling for a convention as a method of pressuring Congress may ultimately prove to be more effective than attempting to actually convene a convention with so many unknowns about how it would function and the reach of its authority.

We suggest two amendments to this resolution, should the committee elect to pass it.

First, the issues the State wishes to address at this constitutional convention should be made more specific. At present the resolution identifies only "concerns" raised by Citizens United "and related cases and events." (Page 2, lines 12-13). The resolutions from the other states are more specific, identifying "the corrupting influence of money in our electoral process" (Vermont) or a "substantially similar purpose" to that already identified (Illinois). Given the case law before and after Citizens United, to make money spent to influence American elections subject to reasonable regulation, a federal constitutional amendment should consider: (1) whether money spent on candidate elections and ballot measures should constitute "speech" under the First Amendment, (2) how "corruption" is defined, for purposes of the government's interests in protecting the democratic process, and/or (3) that independent expenditures do corrupt the

political process. In our view, the intent of the resolution would be strengthened by including one or more of these concepts in the resolution itself. This is especially true for the first of these concepts (whether money spent to influence an election is "speech"), because that is the fundamental premise underlying this entire area of law, upon which the protections of the First Amendment depend.

Second, we urge the Committee to make one amendment to the provision governing the composition of the delegates. The Illinois resolution (upon which this resolution appears to be based) specifies that "the State of Illinois . . . intends to retain the ability to restrict or expand the power of its delegates[.]" Ill. J. Reso. No. 42 . The resolution considered here, however, indicates that the *convention*—instead of the State of Hawaii—would have authority over Hawaii's delegates. (Page 2, line 36-38: ". . . and for the convention to retain the ability to restrict or expand the power of its delegates within the limits expressed above . . ."). Assuming the states can specify the composition of the convention delegates, it seems far preferable for the State of Hawaii to retain that authority itself, as Illinois does in its resolution. We note that New Jersey's resolution contains similar wording. To accomplish this objective, the resolution should be amended to omit the word "convention" on page 2, line 37, and replace it with "State of Hawaii."

We urge this Committee to pass this resolution only if these suggestions are incorporated. Thank you for the opportunity to testify.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steve Sakala	Hawaii Farmers Union United, Kona Chapter	Support	No

Comments:

Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

Darragh Lawrence  
Wolf PAC  
Boulder Creek, CA 95006  
(831) 334-8341

Thursday, March 12, 2015

Support for HCR53, Request for a Convention to Propose a Constitutional Amendment

I am a volunteer with Wolf PAC and am working with other volunteers in Hawaii and across the country in the effort to pass legislation similar to HCR53. Our goal is a 28<sup>th</sup> amendment to the U.S. Constitution that will restore elections that are free of the corrupting influence of money and fair enough that anyone can run for office.

The influence of money has become corrosive to our democratic process. In a recent study conducted by Princeton and Northwestern Universities, Gilens and Page (2014) conclude that “The central point that emerges from our research is that economic elites and organized groups representing business interests have substantial independent impacts on U.S. government policy, while mass-based interest groups and average citizens have little or no independent influence.” (“Testing Theories of American Politics: Elites, Interest Groups and Average Citizens” p. 3).

Our appeals to Congress have gone largely unheeded. Our Supreme Court continues to rule in favor of the economic elite. Most of the people I speak to about this subject are in agreement that money is a corrupting influence in our political process and feel that there is nothing we can do about it. But, when I explain the concept of an Article V Convention, they have hope that we, the people, have a viable avenue to pursue in correcting this issue.

I urge your aye vote on HCR53 and thank you for the opportunity to testify.

THE LIBERTARIAN PARTY OF HAWAII  
C/O 1658 LIHOLIHO ST #205  
HONOLULU, HI 96822

**TESTIMONY**

March 10, 2015

RE: **HCR 53** to be heard Thursday March 12, 2015 in Conference Room 325 at 3:00 AM

To the members of the House Committee on Judiciary

**OPPOSE**

Although many Libertarians have expressed concerns about the effects of the Citizen's United decision we must be clear that addressing them by fiddling around with the First Amendment is a dangerous path. The First Amendment is meant to protect unpopular speech so that all points of view can be considered. It is clear from the wording of the fourth clause of this resolution, (that begins on line 21) that the content of the speech is what is really bothering our legislature. I suggest that supporting the "will of the people" means including the interests of the millions of Americans who work in large corporations, and the millions more who own common stock either directly or through a retirement plan.

We ask that should you pass this resolution that you return any and all monies you have received in campaign contributions from businesses, business associations, labor organizations, or anyone other than an individual person. The Libertarian Party will be more than happy to point out to voters that you did not take this step at the appropriate time.



Tracy Ryan  
Chair

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Miles Mulcahy	Individual	Support	No

Comments: Please pass this measure and return control of the voting process to the people "WE THE PEOPLE" and take legal bribery out of the voting equation. Please restore the concept of one person, one vote rather than "he who has the most money wins" Thank you for your consideration and support for this bill



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kenneth R. Conklin, Ph.D.	Individual	Oppose	No

Comments: Personally, I support the Supreme Court decision in Citizens United and do not want to see it overturned by amending the Constitution. Calling a Constitutional Convention is very dangerous, because the members of the Convention would not be limited in the issues they could consider. I believe the people proposing to call a Constitutional Convention to overturn Citizens United are using that particular topic as a smokescreen, because they actually want to radically change the Constitution on many other topics. Those who wish to overturn Citizens United should follow the normal process of having Congress propose a Constitutional amendment on that single topic, and then have the state legislatures ratify the amendment as has been done previously on other topics. It makes no sense to use a cannon to swat a fly.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nancy Davlantes	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	Individual	Support	No

Comments: [www.WeAreOne.cc](http://www.WeAreOne.cc)

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sharon willeford	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul A. komara, Jr.	Individual	Support	No

Comments: We The People of Hawaii command you to support this constitutional convention.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Freitas Jr.	Individual	Support	No

Comments: I support this bill

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dana G. Moss	Individual	Support	No

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
clare loprinzi	Individual	Support	No

Comments: This is so important...mahalo for moving forward with this resolution...future generations are depending on you.



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brad Parsons	Individual	Support	No

Comments:



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Jana Bogs	Individual	Support	No

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
marjorie erway	Individual	Support	No

Comments: Please fully support this resolution. It is very important! Mahalo nui loa.

YES PLEASE SUPPORT ESSENTIAL FOR DEMOCRACY

HCR53- REQUESTING THE UNITED STATES CONGRESS TO CALL FOR A  
CONSTITUTIONAL CONVENTION TO PROPOSE A CONSTITUTIONAL AMENDMENT  
TO ADDRESS CONCERNS RAISED BY THE UNITED STATES SUPREME COURT  
DECISION IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
K. Hoku Cabebe	Individual	Support	No

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Caki Kennedy	Individual	Support	No

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kerri Marks	Individual	Support	No

Comments: strong support for Article V convention



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dan Marks	Individual	Support	No

Comments: It is my personal hope that we can find a way to make our election system more democratic, representative, and enhance the rights of our citizens that are increasingly disenfranchised. I am thrilled to see so many of our legislators in agreement on this and hope it supported unanimously. Mahalo for your attention.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jon Jokiel	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cecily Reading	Individual	Support	No

Comments: Yes! Mahalo!

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Harley Hightower	Individual	Support	No

Comments: It's absolutely clear to me that the Citizen's United" ruling by the supreme court is an effort to end the very reality the bill proposes to support, that is end citizens ability to unite for the common good, and instead puts the power of corporations and special interests over that of democratic government itself. Given that I have always been a staunch believer in the Constitution of the United States, and believed that it was one of the most far-sighted documents in human history, I completely support this effort to overturn this blatantly anti-democratic ruling by the Supreme Court. I also firmly believe, with that ruling in mind, the constitution must be amended to remove money and the influence of all special-interests from all our elections at every level of government. This seems to be an absolute necessity for the preservation of our 239 year old democracy, and of everything that binds us together as a people.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jonathan Hanks	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dave Kisor	Individual	Support	No

Comments: I often wondered who those "concerned citizens" were who managed to foul up our electoral system with unlimited corporate spending, but it is utterly mind boggling to know that Senator Mitch McConnell actually believes that "citizens united levels the playing field." Mahalo for HCR53!

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Fitzpatrick	Individual	Support	No

Comments: Aloha Kakou, I support HCR 53 because it is imperative that we get big money out of politics for the health of our democracy. We are at a crossroad where we can allow the oligarchy to control policy that continues to ravage the backbone of this wonderful country or we can take our democracy back and put the power back in the hands of the people. We the people have a responsibility to act in order to make our union stronger for future generations. Please let congress know you support a constitutional amendment that overturns citizens united and reaffirms that money is not equal to free speech. Mahalo, John Fitzpatrick

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Timothy Sean Payne Hills	Individual	Support	No

Comments:



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lucia You	Individual	Support	No

Comments: ". . . corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of "We the People" by whom and for whom our Constitution was established." ~Supreme Court Justice Stevens, January 2010

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ken Stover	Individual	Support	No

Comments:



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Crammatte	Individual	Support	No

Comments: We must take all the influence of money out of the political process for us to really have a government of the people, by the people and for people. As it stands now we do not live in a democracy we live in a fascist oligarchy where money call all the shots.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suzanne Case	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mia Sarsfield	Individual	Support	No

Comments: We must reverse Citizens United and Restore our Democracy. Money out of politics..

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joanna Wheelers	Individual	Support	No

Comments: Please help us to get rid of the disastrous Citizens United Supreme Court ruling that allows unlimited campaign funds. The founding fathers gave us 'instructions' to go around a corrupt Congress in Article V of the US Constitution. This is what this is. Please help us to have the government work for the highest good of the People and to be auctioned to the highest bidder. Mahalo .

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Peggy McArdle	Individual	Support	No

Comments: I strongly SUPPORT! We need to Get Money OUT of Politics. Democracy is no longer, "We The People"; it has become "We The Corporations". The perfect example occurred in the 2014's Maui Voter Ballot Initiative, where the BioTech PAC spent \$8 Million dollars for 20K votes, which is more than Sen Inouye ever spent in 50 years of campaigning. This insanity must end.



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Mentzel	Individual	Support	No

Comments: Strongly in favor.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marion McHenry	Individual	Support	No

Comments: As long as corporations and large donors can buy votes, the voice of the average American is no longer heard, and our democracy no longer exists. Please pass this bill.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janice palma-glenie	Individual	Support	No

Comments: Aloha, This is one of the most important actions that can be taken to help protect our democracy. Please support the effort to get money out of politics by overturning Citizens United. Mahalo

Written Statement of

**Mike Purvis**  
**General Manager of Hilo Branch**  
**Upspring Media, LLC (Oahu)**  
**Member of Hawaii TechWorks (Big Island)**

Thursday March 12, 2015

**HCR53 Calling for a US Constitutional Convention Re: Citizen's United**

I respectfully submit testimony in strong support of HCR53.

The influence of money in politics isn't just seen in lobbying, although that's a grave concern. We also have a system where elected officials must spend more time raising money than solving problems.

The Supreme Court and Congress are welcome to help, but we are taking this issue through in a different, constitutional manner called a constitutional convention.

For this problem of money in politics, I feel the most realistic way the American people can affect change is through a constitutional ammendment, which HCR53 calls for.

Thank you for your time.

Aloha,

Mike Purvis

Representative Karl Rhodes, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

Jiezyl Garcia  
91-1058 L Kekuilani Loop 1101  
Kapolei, HI 96707

Thursday March 12, 2015

Aloha my name is Jiezyl Garcia. I currently live in Kapolei and I am writing in strong support of HCR53.

The Constitution of the United States has previously been amended 27 times, and once by every generation of Americans. We currently live in one of the longest stretches of time between amendments since the founding of our country. Previous generations of reformers who came before us, such as the Suffragists and Abolitionists, proved capable of accomplishing this historic feat. Now, it's our generation's greatest responsibility to remove the cancer of private money from public elections, erect a wall of separation between wealth and state, and restore free and fair elections for future generations of Americans.

Vote yes on HCR53! Mahalo for your time and the opportunity.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aeryn Ralha	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Ralph Garcia	Individual	Support	No

Comments: Representative Karl Rhodes, Chair Representative Joy A. San Buenaventura, Vice Chair House Committee on Judiciary Ralph Garcia 91-1058 L Kekuilani Loop 1101 Kapolei, HI 96707 Thursday March 12, 2015 Aloha my name is Ralph Garcia. I was born and raised in Maui, and now a resident of Kapolei. I am writing in strong support of HCR53. The current gridlock in congress I believe is the result of too much money in politics. The ruling on Citizens United has only made it worse. In a recent polling, 96% of Americans support reducing excessive spending of special interest group in our government. Yet, congress is unable to solve this issue. All the more reason to get this resolution pass through the Article 5 convention and have our elections restored by getting an amendment to the constitution. Four out of the previous ten amendments including the Bill of Rights began with states applying for a convention to propose those amendments, which means that most amendments to the Constitution, 14 out of 27, have historically begun with state level campaigns to call a convention. Most famously, the 17th Congress when the states got within 1-2 applications of calling for a convention. History shows us that when America needs an amendment we must call for a convention. I urge this committee to votes yes on HCR53. Mahalo for your time and the opportunity to get my voice heard despite that I don't have any money.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Corine Chang	Individual	Support	No

Comments: We must reverse Citizens United and restore our democracy. I want fair elections and the amount of money being spent on political campaigns are ridiculous and shameful! The election has turned into whoever has the most money to pay for more propaganda ads wins. If citizens united gets their way America loses, the 1% wins, the 99% will have no voice and we will know how little our government thinks of the average American. I ask that you support HCR53 Sincerely, Corine M Chang



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
deb mader	Individual	Support	No

Comments: Aloha, My family supports this bill. We feel that this country would be much better off, and democracy much less corrupt to distance corporations from the political process. Corporations are not people. Their role is to increase profits. Mahalo for supporting this bill. Deborah Mader and Ohana

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Reidy	Individual	Support	No

Comments: Representative Karl Rhoads, Chair Representative Joy A. San Buenaventura, Vice Chair House Committee on Judiciary Peter Reidy Individual Testimony 54-287 Kawaipuna Place Hauula, HI 96717 Thursday, March 12, 2015 Support for HCR53, Request for a Convention to Propose a Constitutional Amendment My name is Peter Reidy. I was born in Reno, Nevada, but have lived in Hawaii for over 19 years now. I am writing to strongly express my support of HCR53. In short, this resolution's goal is a 28th amendment to restore free and fair elections and to ensure anyone has the opportunity to run for public office by limiting the corruption of money and legalized bribery in political campaigning. Only then will we be living in what we can call a true democracy. As a citizen of this great country, it is not only my right but my duty to vote for those who represent me. Our predecessors fought valiantly with sword and pen to ensure that the right of suffrage belonged to each and every one of us. Although our right to physically cast our ballot is protected by the 15th amendment, our current democracy is an illusion. An illusion made by the flow of huge money into the political system, specifically its campaigning regulations, or lack there of. Economic elites such as the Koch family or large organizations like defense contractors are bribing their way into the decisions of politicians despite what is good for this country and those they should be representing. Today, America's election for congressional representation has literally become an auction to be given away to the highest bidder. What I mean by this is that 19 out of 20 times (95%) the politician who raises the most money wins the election, despite party or policy. Here in lies the problem: When a group of organizations such as defense contractors gives millions to ensure a particular politician gets elected, that politician is then coerced into making decisions such as, failing to support peace negotiations so that those defense contractor donors get billions of dollars back from their "investment". Situations like these are constantly occurring despite what the American people want and originally elected their representatives to do. Now, congress has the ability to call for an amendment at any given moment, but they don't. Of course, why would they change the system that put them into, and keeps them in the seat of power. The simple answer is they wont. That is why you see this resolution before you. We citizens and representatives at the state level must use the method of change that our founding fathers wrote into the constitution for situations where Washington became too corrupt: an Article V constitutional amendment. 2/3rds of the states must call for a convention on the same resolution, and then 3/4ths of the states must ratify that to amend the constitution. In my experience, many of our representatives get turned off to this path of amending the constitution because of the myth of a run away convention. This is a myth promoted by the John Birch Society. The myth consists of three arguments: one, if you open up the constitution you can change everything; secondly, if you can't change the entire constitution you can't limit it to one issue; and thirdly, who will be the representatives in charge of this convention. First off, there have been 233 conventions for amendments at the state level and absolutely zero have exceeded the scope of their original mandate. Secondly, Congress counts each

call for a convention based on its issue. There have been over 700 calls for a convention on a variety of issues, but the need is for 2/3rds of the states to call for a convention on the same issue for those conventions to have any power at all. And lastly, only elected citizens or state and local officials will be called to be delegates for the convention's committee. The reason for this is that federal legislators have the ability to produce legislation at any given moment. Hawaii is the last and only state yet to call for a convention, and every generation has amended the constitution before us. For all the reasons above, members of the House, this is why I ask for your "aye" vote on HCR53. We citizens and representatives at the state level are the only hope for restoring a true democracy through free and fair elections while Congress is in this terrible state of corruption. I thank you for the opportunity to testify in support of HCR53.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Geoffrey Lasr	Individual	Support	No

Comments: There is no more democracy in the US it is only a facade with citizens  
United money must go out of politics NOW

Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

Alex Haller  
Wolf PAC  
Haiku, HI 96708  
(808) 280-4510

Thursday, March 12, 2015

Support for HCR53, Request for a Convention to Propose a Constitutional  
Amendment

Luckily, the early leaders of our country put a safeguard into our government to protect us during times of dysfunction and corruption. This safeguard is called an Article V Convention. This gives states the power to draft a new Amendment to the US Constitution.

34 state legislatures need to send an official notice to our federal government saying they are "Calling for an Article V Convention." Vermont, California, Illinois, and New Jersey have passed resolutions similar to HCR53 calling for a limited scope convention regarding campaign finance reform on all levels of government.

Fair and free elections should be a possibility for every US citizen. I urge your aye vote on HCR53 and mahalo for the opportunity to testify. Imua District 13.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steven Jacquier	Individual	Support	No

Comments: HCR53 is the single most important piece of legislation to appear in many years. Anyone voting against HCR53 will, by that action, reveal him or herself to either be remarkably uninformed or a venal sell-out to a corporately-controlled status quo, permanently on record as such. By sharp contrast, a sensible and responsible "yes" vote on HCR53 assures you of happy constituents voting "yes" for you at re-election time. A "no" vote will be a rotting albatross hanging from one's neck forever after. We voters will remember how you represent us on HCR53 and we will spread the word far and wide. Hawaii benefits from joining the call and most people clearly want this, so please do the right thing and vote "yes" for the higher long term good of all. Sincerely, Steven Jacquier

HCR53 is the single most important piece of legislation to appear in many years. I encourage the members of the Judiciary Committee to vote "Yes" on HCR53. I will continue to follow the progress of this bill through the Hawaii Legislature and will submit similar testimony to all other legislative factions. It is essential that Hawaii add it's name to the list of states supporting a Constitutional Convention wherein concerns raised by the U.S. Supreme Court Decision in Citizen's United vs. Federal Election Commission can be addressed. Election Reform is essential to the survival of a truly democratic people oriented process.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cory	Individual	Support	No

Comments: Aloha legislators, Please help get big money out of politics! Mahalo.



Submitted By	Organization	Testifier Position	Present at Hearing
Mary McHugh	Individual	Support	No

Comments: To Rep. Karl Rhoads: My name is Mary McHugh, I am a 27 year Hawaii resident and a small business owner in Kailua. I wholeheartedly support HCR53. No political issue has been more important to me than restoring democracy in America by overturning the Citizens United Supreme Court decision. We cannot expect Congress to do the right thing! To restore free and fair elections, we must amend the U.S. Constitution, as is allowed and has been done by every generation before us. Mahalo nui loa to Asst. Maj. Leader Chris Lee and the many other Legislators who see this as a major issue of our time. And the time is now! Democracy in America will continue to erode unless brave Legislators like you stand up and say enough is enough!

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Felicia Cowden	Individual	Support	No

Comments: I support the request for a constitutional convention for the specific goal of an amendment to reverse the effects of the Citizen's United US supreme court decision. The impact of unlimited corporate donations in political elections has amplified an already out-of-balance bias placing the profits of corporations over the rights of the citizens.

Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

Greg Schuster  
Individual Testimony  
2106 Kuhio Ave  
Honolulu, HI 96815  
Thursday, March 12, 2015

Support for HCR53, Request for a Convention to Propose a Constitutional Amendment

My name is Greg Schuster. I was born in Elgin, Illinois, but have lived in Hawaii for over 6 years now. I am writing to strongly express my support of HCR53. In short, this resolution's goal is a 28<sup>th</sup> amendment to restore free and fair elections and to ensure anyone has the opportunity to run for public office by limiting the corruption of money and legalized bribery in political campaigning. Only then will we be living in what we can call a true democracy.

Last November congress was largely reelected (95%) despite having a pathetic 13% (Realclearpolitics) approval rating. For reference Richard Nixon's Lowest Approval Rating was 22%. How is this possible? Well, the secret weapon for many of these elected representatives was money. In fact, in 93 percent of House of Representatives races and 94 percent of Senate on Nov. 5 2014, the candidate who spent the most money ended up winning (nonpartisan Center for Responsive Politics).

Facing such a low approval rating why would the current congress even consider eliminating the secret weapon that got them elected. It would be like asking an arsonist to put out his own fire. Thus, the task of limiting money in politics falls to the Supreme Court or the States.

Unfortunately the Supreme Court's recent ruling on Citizens United shows that they have no interest in limiting money in politics. This means, it is up to the states to find a way to correct the corruption that money has brought to our political system.

How the states would be able to accomplish this is through an Article V constitutional amendment. In order to have an Article V constitutional amendment, 2/3rds of the states must call for a convention on the same resolution, and then 3/4ths of the states must ratify that to amend the constitution.

Calling for an Article V convention in order to amend the constitution may seem like an extreme option, but unfortunately we are out of options. This is why I strongly urge you to vote "aye" on HCR53 and begin the process of having Hawaii join four other states in calling for an Article V convention.

Mahalo,  
Greg Schuster

Representative Karl Rhoads, Chair

Representative Joy A. San Buenaventura, Vice Chair

House Committee on Judiciary

Nicole Tow

Ewa Beach, HI 96706

(317) 495-8711

Thursday, March 12, 2015

Support for HCR53, Request for a Convention to Propose a Constitutional Amendment

In my AP government class in high school, we learned about the importance of democracy. We learned about the importance of fairness and representation for every American citizen. The idea that money played such a huge role in politics wasn't taught. We had no idea that elections are essentially purchased. In the 15 years since then, I've learned a lot. I've watched four presidential elections play out, and I've seen more and more money being spent each time on ads. And truthfully, the ads are in no way helpful to someone trying to make an honest decision between the two candidates. They're generally just filled with rhetoric.

I'm submitting this testimony asking for an article IV convention of the states. We need a 28<sup>th</sup> amendment that addresses free and fair elections.

Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

Erica O'Brien  
Wolf PAC  
Honolulu, HI 96818  
(530)510-1171

Thursday, March 12, 2015

Support for HCR53, Request for a Convention to Propose a Constitutional Amendment

Hi, my name is Erica O'Brien. As a United States Air Force veteran and a military spouse, getting money out of politics means a great deal to me. The legislators receiving money from various lobbies are making decisions directly about my spouse's life, my friends' lives, and my life. Their judgment is often clouded by future elections, made so much worse by Citizen's United. It is important to me, as an American citizen, to have a voice in my government.

The United States system of government was meant to be a representative democracy, which is defined as a type of democracy where elected officials represent the will of their constituents. The Citizens United case has undermined our entire process, whereas our elected representatives are no longer representing their constituents, but instead, are representing those who pay them. A very recent and relevant example is this: the FCC recently determined that the internet is a public utility, according to many polls; most Americans agree that the internet should be open; as it enhances the free exchange of ideas, and doesn't give one company huge advantages over mom and pop shops, or less-funded sites. However, Congress has already decided they must try to pass legislation overturning the FCC's decision. Why? Money. There are 31 members on the House Committee on Energy and Commerce who have co-sponsored this bill, 29 of them have received money from the National Cable and Telecommunications Association, totaling over \$800,000. This is not representative democracy. This is not what the people want. This is not by the people, for the people.

Nearly 9 out of 10 Americans believe 'reducing the corruption in the federal government' is a top priority. A recent poll showed that 97% of Americans want to 'reduce the influence of corruption in our elections'. In recent Gallup polling, 'dysfunction in government' became the number one issue in America, surpassing even jobs and the economy.

From conservative Republicans to Progressive Democrats, all Americans agree on the need to restore free and fair elections in America. This is not an issue of left versus right – it's an issue of right and wrong. Hawaii has expressed its desire to have Congress solve the problem with a

Constitutional amendment, but Congress has proved incapable of taking action when it comes to solutions, failing even to pass the DISCLOSE Act with a Democratic President and super-majorities in both houses of Congress. Americans are deeply concerned that our representative democracy is in jeopardy when dark money flows uninterrupted into our political process, obscuring the will of the people and stalling any practical solutions to the problems we face. While our federal representatives from Hawaii do a great job, it is clear that something is wrong in Washington DC. Congress recently earned a 9% approval rating, which is lower than the support of the King of England at the time of the Revolutionary War.

At the original Convention in Philadelphia, General Mason stood up and asked about the amendment process, 'What shall we do if Congress itself is the problem?', and that is why the convention procedure utilized in HCR 53 was added to the Constitution.

Regarding the amendments convention process, President Dwight Eisenhower stated that, 'Through their state legislatures and without regard to the federal government, the people can demand a convention to propose amendments that can and will reverse any trends they see as fatal to true representative government.'

On this vital American issue, it is time for Hawaii to lead, using the powers built into the Constitution by the Founding Fathers for this very purpose. If Congress itself is the source of the problem, then it's the duty and responsibility of the states to take action to fix it. I encourage your favorable vote on HCR 53 in order to begin a real conversation about how to restore the rights of the people and so we can utilize the process that has historically resulted in amending the Constitution. Thank you.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elif Beall	Individual	Support	No

Comments: I am in strong support of HCR-53. Over 2 million people have signed petitions in support of a constitutional amendment to limit corporate campaign spending and influence in politics. Nearly 600 local government resolutions have been passed around the country, and 15 other states have expressed support for a constitutional amendment to overturn Citizens United. This is one of the most foundational issues that goes to the heart of every other issue in governance. Democracy is for people, not corporations. Please pass HCR-53. Mahalo.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeff vesci	Individual	Support	No

Comments:



In support of HCR 53.

Hello, I'm Mike Monetta, Director of Organizing for Wolf PAC, which is the political arm of The Young Turks - the largest online news show in the world. Thank you Chairman and members of the committee for having us here today. We're working with volunteers currently in 40 states to pass resolutions at the state level calling for an amendments convention to restore free and fair elections. We have 20 live resolutions this year, and recently passed a resolution in Vermont, California, Illinois, and New Jersey.

President Jefferson once said, "The same is true today as has been throughout all history, whether men shall be allowed to govern himself or be ruled by a small elite." When donors, not voters, choose who is elected to Congress, we are in danger of being ruled once again by a small elite. But a rebirth of aristocracy is not our fate as a country – a re-birth of democracy is on our horizon.

Every American knows that elections should be free of the corrupting influence of excessive spending by outside interests and fair enough that any citizen can run for public office, not just millionaires, billionaires, and their allies. But that is not the case as it stands in America today, where candidates for Congress must spend 5-7 hours/day, 5-7 days/week raising money from rich people to run for office. That is not the way it's supposed to be – how many good people with great ideas do we miss sending to Washington DC because they refuse to become professional telemarketers, dialing for dollars every day.

The good news is that we can fix this. Just like every other generation of Americans, we can amend the Constitution to make America more democratic, more inclusive, and a more perfect union. We must amend because the Supreme Court has taken a wrecking ball to the wall of separation between wealth and state, handing down decisions that destroyed federal campaign finance regulation. So no law passed at the state or the federal level can be protected without an Amendment to the US Constitution.

There are over 700 applications for a convention of the states on a multitude of separate issues. 45 states currently have an active convention call on the books, on a variety of separate issues. And 49 of the states have passed a resolution calling for an amendments convention, all but Hawaii. Now it's Hawaii's turn to make history.

This is how we know that only applications on the same issue will be counted together, and therefore that means the scope of the convention will be limited to that specific subject matter stated in the state's applications. Because if you could take 10 applications for issue A, 20 applications for issue B, and 4 for issue C, count them together and address all 3 issues at a convention, then we would have already had one. The historical record shows that there is a very strong precedent for a single issue convention. Furthermore, there have been over 233 state level conventions to amend

and adapt their state constitutions and none have ever exceeded the scope of their mandate. ... Zero.

The same reason some groups and individuals oppose the convention process, such as the John Birch Society, is the same reason that I'm for it – it's a democratic process. You get people together from a variety of perspectives, assume that nobody has a monopoly on the truth, discuss and debate ideas, distill and synthesize those ideas into a proposed solution, and then present that idea to the rest of the population for validation through the ratification process – that's how democracy is supposed to work in this country. And we've never solved any problem in America with less democracy, but we have solved some serious problems by amending the Constitution. Every generation of Americans has amended the Constitution, except one... Ours. and now it's our turn. Thank you for being leaders in the fight for free and fair elections in America. I ask for your favorable vote on HCR 53.

## In Support of HCR 53

Hi, my name Alison. I'm a volunteer with Wolf PAC as the WP state leader in California, and a high school teacher. I took a couple of days off of work to come here today so that I can share with you what I believe to be one of the most important opportunities before you today.

As you know, there are only two ways to amend the United States Constitution – 2/3 of Congress can vote to propose an amendment or 2/3 of the states can demand a convention to propose amendments. It's important to remember that either way it's proposed, 75% of the state legislatures (38) must vote in favor of ratification before it becomes part of the Constitution.

Whether you think an amendment should come from Congress or a convention of states, this resolution is the loudest call for federal election reform Hawaii can make. Shortly after a similar resolution to HCR 53 passed in Vermont last spring, the chair of the U.S. Senate Judiciary Committee Patrick Leahy called a hearing for the Udall Amendment. In his explanation of why he saw the need to have this hearing, he cited the fact that his home state had called for a convention on the issue. *This* is how you get Congress to pay attention.

Looking back at history, what most people don't realize, is that most amendments start with state legislatures taking action and passing calls for an amendment through a convention. 4 out of the last 10 Amendments started at the state level and then were proposed by Congress. The Bill of Rights began when New York and Virginia called for a convention to propose those amendments. Most notably, the 17 amendment got within one or two states of compelling a convention and then Congress capitulated, proposing the amendment for the direct election of Senators. Historically, if you need an amendment, you call for a convention.

The convention process was the Founders' safeguard for representative democracy. Only the most populist proposals with support across the political spectrum will make it through the ratification gauntlet and be added into our Constitution. Of all the Constitutional Republics in the world, the U.S. Constitution is one of the most difficult to amend, requiring a super-majority of consent among the states at both the proposal and ratification steps.

In summary, what this Resolution does is call for a conversation about how to make our election process work better for the average American. For the little guy, like me. It should be noted that there is not a solution in this resolution, because we truly want to hear from all sides about how to fix this. Republicans, Democrats, Independents, experts, citizens. If we are to have any chance of saving our representative democracy for future generations we must get everyone in a room, somewhere other than Congress, and have this conversation. Let's restore a Free and Fair Election system in America. This is not a left or a right issue, it is an American issue. This should be a unanimous vote for HCR 53. Thank you.





49 South Hotel Street, Room 314 | Honolulu, HI 96813  
[www.lwv-hawaii.com](http://www.lwv-hawaii.com) | 808.531.7448 | [voters@lwvhawaii.com](mailto:voters@lwvhawaii.com)

## COMMITTEE ON JUDICIARY

Thursday, March 12, 2015, 3:00 p.m., Room 325

HCR 53, REQUESTING THE UNITED STATES CONGRESS TO CALL FOR A CONSTITUTIONAL CONVENTION TO PROPOSE A CONSTITUTIONAL AMENDMENT TO ADDRESS CONCERNS RAISED BY THE UNITED STATES SUPREME COURT DECISION IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION. NUMBER AND TITLE OF BILL

### TESTIMONY

Janet Mason, Co-Chair, Legislative Committee, League of Women Voters of Hawaii

Chair Rhoads, Vice-Chair San Buenaventura, and Committee Members:

Today we testify on behalf of the League of Women Voters of Hawaii and Hawaii's voting public. The League strongly supports HCR 53, which asks the U.S. Congress to call a national convention to address concerns raised by the ***Citizens United vs. Federal Elections Commission*** Supreme Court decision. We believe HCR 53 is favored not just by our members, but voters throughout Hawaii. Organizing a Federal Constitutional Convention to repeal this decision is a somewhat slow undertaking, but we wholeheartedly support this effort knowing we must try everything to protect voters from the continued corrupting influence of big money in politics.

It is still shocking that corporations and unions are permitted to intervene in elections at every level of government - from our mayoral elections to President of the United States. Making things worse, because such organizations are barred from donating money directly to candidates or national party committees, we have seen the emergence of a complex web of National Party Committees, State, district and local Party Committees, multi-candidate Political Action Committees, Political Action Committees that are not multicandidate, and Authorized Campaign Committees, each with its own set of regulations but overlapping spending limits. This situation makes it nearly impossible to be certain about the source of donations, especially for Federal elections. "Dark" money indeed. How did the framers of our Constitution ever imagine this happening? They didn't, and nothing except full disclosure of donations is acceptable.

Without question, ***Citizens United*** has frustrated the Hawaii League's goal of campaign finance reform. During this legislative session, of course we support measures providing for direct public financing of our state elections, for candidates who voluntarily accept campaign spending limits.



49 South Hotel Street, Room 314 | Honolulu, HI 96813  
[www.lwv-hawaii.com](http://www.lwv-hawaii.com) | 808.531.7448 | [voters@lwvhawaii.com](mailto:voters@lwvhawaii.com)

And we enthusiastically support the excellent public service provided by our State Campaign Spending Commission. But we're realists – we know these measures don't get at the basic underlying problem of unlimited amounts of money available from special interest organizations.

Voters - not organizational donors- are supposed to be at the center of our election system. Voters do understand that big money entities such as super PACS don't represent them, and it's not an exaggeration to say that Federal officials aren't listening to us. Since *Citizens United* became law in 2010, the U.S. Congress has done virtually nothing to stop the flood of money into political campaigns. And what of our Federal Judiciary? If anything the U.S. Supreme Court has added to this rush of money by failing to overturn ***Citizens United*** and last year in the ***McCutcheon v. FEC*** case by overturning aggregate limits on campaign contributions. With Federal failure to legislate and Federal failure to interpret laws and regulation, citizens now turn to a remedy outlined in HCR 53.

We urge you to pass this resolution. Thank you for the opportunity to submit testimony.

**LATE**

Judiciary

Thursday, March 12, 2015

3:00 p.m.

Conference Room 325

HCR53, Requesting the United States Congress to Call for a Constitutional Convention

Testimony from Susan Dursin, representing herself

Chair Representative Rhoads, Vice Chair Representative San Buenaventura  
and Members of the Committee:

I strongly support this resolution which would urge Congress to call a Constitutional convention for the sole purpose of putting forth an amendment to address the concerns raised by the U.S. Supreme Court decision in Citizens United v. Federal Election Commission.

The Supreme Court decision has seriously eroded public confidence in in the election process and in government. A survey by the Huffiington Post shows that 62% of Americans oppose the decision. Candidates face increasing pressures as money floods into elections.

Efforts toward direct congressional action have ended in gridlock. In September of last year, Congress demonstrated that reaching the two-thirds majority needed to pass the Udall Amendment, allowing states to regulate campaign spending, was futile. They could not even reach the number of votes needed for discussion. It is obvious that only grassroots effort will work.

Former Supreme Court Justice Stevens wrote in 2010 that “corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their “personhood” often serves as a useful legal fiction. But they are not themselves members of “We the People” by whom and for whom our Constitution was established.”

Hawaii can join those states which have already sent resolutions to Congress. By passing HCR53 on for a floor vote you will advance the resolution to its proper conclusion.

Thank you for considering my testimony.

Susan Dursin, Captain Cook, HI

sgd8@hawaiiantel.net

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ember Behrendt	Individual	Support	No

Comments: It is time for a Constitutional Convention to end the massive corruption overtaking our political system in favor of corporations over the interests and rights of the people. Overturn Citizens United and stop this misuse of government now.



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
son geiger	Individual	Oppose	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steve Ward	Individual	Support	No

Comments: Thank you for putting this bill forward. We need to undo the damage of Citizens United before it is too late!

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Terez Amato Lindsey	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Lacques	Individual	Support	No

Comments: Please support We the People, your constituents, not the corporations.

## **TESTIMONY FOR HRC-53 Hawaii State House**

Thursday, March 12, 2015

State House Conference Room 325 at 3:00p

Submitted by Lynn B. Wilson, PhD

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### **Chair & Committee Members of the House Judiciary Committee**

Karl Rhoads, Chair; Joy A. San Buenaventura, Vice Chair; Della Au Belatti; Tom Brower; Richard P. Creagan; Mark Hashem; Derrek Kawakami; Chris Lee; Dee Morikawa; Mark Nakashima; Gregg Takeyama; Justin Woodson; Bob McDermott; Cynthia Thielen

Dear Representatives:

I am a cultural anthropologist who has invested 20 years working as an advocate for Hawaii's young children, families, and communities, and **I strongly support your efforts to pass HRC-53** that requests the U.S. Congress to call for a constitutional amendment related to *Citizens United*, a Supreme Court decision that undermines the bedrock principles like "one person, one vote" and "government of, by and for the people."

An amendment to the U.S. Constitution to overturn *Citizens United* offers the chance for long-term solutions to problems inherent in treating corporations like real people. Republicans (lead by Senator John McCain) and Democrats (lead by President Barak Obama) challenge this decision and provide reasons why we must pass a constitutional amendment overturning *Citizens United*, such as:

- Since the U.S. Supreme Court's ruling in *Citizens United v. Federal Election Commission*, an unprecedented amount of money has flooded elections. Much of it is in so-called "dark money," which is money funneled through trade associations and other groups that don't have to disclose the identities of their donors.
- Voters across party lines overwhelmingly oppose *Citizens United* and strongly support a constitutional amendment to overturn the decision and curb the influence of money in politics. Notably, voters oppose *Citizens United* by a nearly 3-1 margin, with Republicans opposing the ruling by 2-1.
- The top .01 percent of the population was responsible for roughly 40 percent of campaign expenditures in 2012 and outside groups are currently track to spend nearly 1 billion dollars during the 2014 midterm elections.

Hawaii's leaders can join leaders in 16 other states to call for overturning *Citizens United*- many mahalos for your support in passing HRC-53.

With Respect & Aloha,

Lynn B. Wilson, PhD  
Waipahu, HI 96797

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
makoto lane	Individual	Support	No

Comments: Corporate influence in politics takes away rights from individual voters. get big money out of politics.

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Brad D Edwards	Individual	Support	No

Comments: It is time to get money out of politics and to restore our faith in the impartiality of our government and provide every citizen with an equal voice.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carl Campagna	Individual	Support	No

Comments:



**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Faye H. Reese Brenner	Individual	Support	No

Comments: As a tax payer and voter, I support HCR 53. I would like to see government for the people by the people again and not "Citizens United" which amounts to government by the corporations and for the corporations.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tulsi	Individual	Support	No

Comments: Please support this bill.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Toni Withington	Individual	Support	No

Comments: I strongly support efforts to get big money out of our politics. It is a cancer that needs to be removed.

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Trinette Furtado	Individual	Support	No

Comments:

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Rob Bueller	Individual	Comments Only	No

Comments: i'M SUPPORT OF HCR53- REQUESTING THE UNITED STATES CONGRESS TO CALL FOR A CONSTITUTIONAL CONVENTION TO PROPOSE A CONSTITUTIONAL AMENDMENT TO ADDRESS CONCERNS RAISED BY THE UNITED STATES SUPREME COURT DECISION IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION. PLEASE STOP THE NONSENSE OF BIG MONEY DICTATING WHAT HAPPENS IN OUR GOVERNMENT

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Mitsuko Hayakawa	Individual	Support	No

Comments:

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sandeep Phillips	Individual	Support	No

Comments: Yes, I support this to protect the rights of the people's voice and put ethics back into politics to remove money baiting tainted lobbyists and corrupt corporation control that pay and sponsor politicians to twist the law with amendments to accommodate their business

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
isabelle yao	Individual	Support	No

Comments:



**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeri Di Pietro	Individual	Support	No

Comments: Yes! In support of HCR53