STAND. COM. REP. NO. 1609

Honolulu, Hawaii

April 14, 2011

RE: H.C.R. No. 51 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.C.R. No. 51 entitled:

"HOUSE CONCURRENT 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 concurrent 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

HCR51 HD1 HSCR JUD HMS 2011-3719



(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.C.R. No. 51, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 51, H.D. 1.

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

ILBERT KEITH-ACARAN, Chair

## State of Hawaii House of Representatives The Twenty-sixth Legislature

## HSOR 1609

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: 14CR57 Committee	e Referral:	) Dat	e: 4/7/11	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  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.				<u></u>
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift	\( \tau_{\tau} \)			
14. FONTAINE, George R.				
15. MARUMOTO, Barbara C.	<b>→</b>			
16. THIELEN, Cynthia				<u> </u>
				-
TOTAL (16)	12	0	0	4
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				