

STAND. COM. REP. NO.

917

Honolulu, Hawaii

March 17, 2015

RE: H.C.R. No. 53

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.C.R. No. 53 entitled:

"HOUSE CONCURRENT RESOLUTION 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,"

begs leave to report as follows:

The purpose of this measure is to request that the Congress of the United States (Congress) convene a Constitutional Convention to propose amendments to the Constitution of the United States (Constitution) to address the concerns raised by the decision of the Supreme Court of the United States in *Citizens United v. Federal Election Commission* (*Citizens United*).

The Hawaii Farmers Union United Kona Chapter, Wolf PAC, League of Women Voters of Hawaii, Upspring Media, LLC, and many concerned individuals testified in support of this measure. The Libertarian Party of Hawaii and two concerned individuals testified in opposition. The Department of the Attorney General provided comments.

Your Committee has amended this measure to:

- (1) Amend the title of this measure to clarify that this resolution requests that Congress convene a

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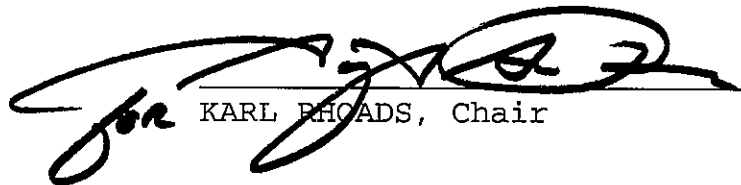


Constitutional Convention to propose amendments that overturn the decision of *Citizens United*;

- (2) State that New Jersey has requested Congress convene a Constitutional Convention to overturn *Citizens United*;
- (3) Specify that the Legislature retains its authority to determine the composition of the membership of its delegation. Furthermore, the Legislature retains its authority to restrict or expand the power of its delegates and the delegates shall be limited by the Legislature's directives;
- (4) Specify that the Constitutional Convention shall address (a) whether expenditures on candidate elections constitute "speech" that is protected by the Constitution; (b) whether independent expenditures on candidate elections "corrupt" the democratic process; and (c) whether the regulation of expenditures advances the public interest to prevent "corruption" and protect the democratic process; and
- (6) Make 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. 53, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 53, H.D. 1.

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



KARL RHOADS, Chair



