
SENATE CONCURRENT RESOLUTION

REQUESTING CONGRESS TO TAKE IMMEDIATE ACTION TO REDEFINE
"CORPORATE ENTITY" TO PRECLUDE THE USE OF THE TERM "PERSON"
IN THE DEFINITION.

1 WHEREAS, the Supreme Court of the United States, in its
2 ruling on *Citizens United v. Federal Elections Commission*,
3 upheld a longstanding, though illogical legal concept of
4 corporations as people; and

5
6 WHEREAS, corporations cannot by any reasonable definition
7 be characterized as people, because corporations:

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9 (1) Can reside in multiple states and countries
10 simultaneously;
- 11
12 (2) Can conceivably exist for hundreds of years;
- 13
14 (3) Cannot be incarcerated;
- 15
16 (4) Cannot enter into a marriage contract or conceive a
17 child;
- 18
19 (5) Cannot independently formulate political opinions
20 separate and distinct from the board of directors,
21 executives, shareholders, or employees;
- 22
23 (6) Cannot obtain citizenship or be issued a passport;
- 24
25 (7) Cannot enlist in the military; and
- 26
27 (8) Cannot vote; and

28
29 WHEREAS, in *Buckley v. Valeo*, the United States Supreme
30 Court handed down a ruling on campaign spending that equates
31 money to speech; and
32



1 WHEREAS, in preliminary remarks by Chief Justice Morrison
 2 Waite in the United States Supreme Court case, *Santa Clara*
 3 *County v. Southern Pacific Railroad*, C.J. Waite indicated that,
 4 "the provision in the 14th Amendment ... applies to these
 5 corporations. We are all of the opinion that it does."; and
 6

7 WHEREAS, these remarks are not included in the final ruling
 8 nor are they a formal opinion of the Court, yet these remarks
 9 have been used as the basis for establishing rights as "persons"
 10 for corporations within the framework of the United States
 11 Constitution; and
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13 WHEREAS, the combination of these two cases provides the
 14 basis for corporations to financially overwhelm the individual
 15 common person in the political process; and
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17 WHEREAS, a ruling by the United States Supreme Court cannot
 18 be simply negated; now, therefore,
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20 BE IT RESOLVED by the Senate of the Twenty-fifth
 21 Legislature of the State of Hawaii, Regular Session of 2010, the
 22 House of Representatives concurring, that the United States
 23 Congress is requested to take immediate action by enactment of
 24 Federal Code or constitutional amendment to redefine "corporate
 25 entity" to preclude the use of the term "person" in the
 26 definition; and
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28 BE IT FURTHER RESOLVED that certified copies of this
 29 Concurrent Resolution be transmitted to Hawaii's congressional
 30 delegation.
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 32
 33

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