

STAND. COM. REP. NO. **2874**

Honolulu, Hawaii

MAR 17 2016

RE: S.C.R. No. 22

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

Sir:

Your Committee on Public Safety, Intergovernmental, and
Military Affairs, to which was referred S.C.R. No. 22 entitled:

"SENATE 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 an amendment to the
United States Constitution clarifying that corporations are not
people and do not have constitutional rights, and that the First
Amendment right to free speech does not include unlimited campaign
spending.

Your Committee received testimony in support of this measure
from the Hawaii State Association of Counties, County Council for
the County of Maui, Common Cause Hawaii, and sixteen individuals.

Your Committee finds that the constitutional right to free
speech should be exclusive to natural persons. Allowing unlimited
campaign spending by corporate entities to fall within the
protection of the First Amendment unfairly and improperly gives
such entities an advantage in influencing the political system of
the United States. Since the United States Supreme Court decision
Citizens United v. Federal Elections Commission, 558 U.S. 310
(2010), campaign spending by special interest groups has
dramatically increased. New York Times and CBS News polls show

2016-1656 SCR SSCR SMA.doc



that a substantial majority of the public supports limiting campaign contributions, limiting campaign spending by Super PACS and politically active nonprofit organizations, and disclosing the identity of donors to political groups. An amendment to the United States Constitution clarifying the status of corporate entities and the relationship between political donations and the First Amendment is in the public interest and would benefit the function of government.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 22 and recommends that it be referred to your Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental, and Military
Affairs,

Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



