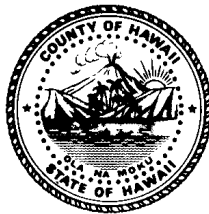


**Karen Eoff**  
Council Member  
Council District 8 - North Kona



Phone: (808) 323-4280  
Fax: (808) 329-4786  
Email: karen.eoff@hawaiicounty.gov

## HAWAI'I COUNTY COUNCIL

County of Hawai'i  
West Hawai'i Civic Center, Bldg. A  
74-5044 Ane Keohokalole Hwy.  
Kailua-Kona, Hawai'i 96740

**LATE**

March 23, 2016

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

Re: **Testimony Supporting HCR29**; 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.  
Hearing Date and Time: March 24, 2016 at 2:00 p.m., Conference Room 325

Dear Committee:

On behalf of myself and constituents of Council District 8, North Kona, our support for the above referenced resolution is expressed, with brief testimony provided as follows:

We support urging the Congressional Delegation to propose and pass an amendment to the United States Constitution to clarify that corporations are not people with constitutional rights, and that unlimited campaign spending is not free speech.

The constitutional right to free speech should be exclusive to natural persons, and corporations are not natural persons. Corporations are legal entities given conditional rights by society through legislative deliberations of congress and the states. A ruling in Citizens United threatens to invalidate the authority of Congress and the states to regulate the influence of corporate power on the political system.

Thank you for this opportunity to provide support. I recommend passing this resolution.

Sincerely,

---

KAREN EOFF, Vice Chair,  
Council District 8, North Kona

*Serving the Interests of the People of Our Island  
Hawai'i County Is an Equal Opportunity Provider And Employer*

KE.wpb

# Hawai`i State Association of Counties (HSAC)

Counties of Kaua`i, Maui, Hawai`i and City & County of Honolulu

200 S. High Street, Wailuku, Hawaii 96793 (808) 270-7665

[www.hicounties.com](http://www.hicounties.com)



March 23, 2016

**LATE**

TO: The Honorable Karl Rhoads, Chair  
House Committee on Judiciary

FROM: Michael P. Victorino  
HSAC President

SUBJECT: **HEARING OF MARCH 10, 2016; TESTIMONY IN SUPPORT OF HCR 29, 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**

Thank you for the opportunity to testify on behalf of the Hawaii State Association of Counties in **support** of this measure. The purpose 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 with constitutional rights and that unlimited campaign spending is not free speech.

A similar measure is included in the HSAC package (SCR 22). HSAC supports this measure for the following reasons:

1. The majority opinion of the United States Supreme Court in *Citizens United v Federal Elections Commission* (2010) held that corporations are people and therefore enjoy the right to free speech under the First Amendment to the United States Constitution.
2. The constitutional right to free speech should be exclusive to natural persons. Corporations are not natural persons, but rather legal entities granted conditional rights by society through the legislative deliberations of Congress and the states.
3. The ruling in *Citizens United* threatens to invalidate the authority of Congress and the states to regulate the influence of corporate power on the political system.

Mahalo for your consideration.

*HSAC:FY2016:16Testimony:HCR29a\_mkz*

**LATE**

## COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158  
Phone/email: (808) 927-1214 / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



### COMMITTEE ON JUDICIARY

Representative Karl Rhodes, Chair

Representative Joy San Buenaventura, Vice Chair

Thursday, March 24, 2016

2:00 p.m.

Room 325

### SUPPORT for HCR 29 - RESTORE DEMOCRACY - OVERTURN CITIZENS UNITED!

Aloha Chair Rhodes, Vice Chair San Buenaventura and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for almost two decades. This testimony is respectfully offered on behalf of the 6,000 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety. We are always mindful that approximately 1,400 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

HCR 29 urges Hawai'i's congressional delegation to propose and pass an amendment to the US Constitution clarifying that corporations are not people with constitutional rights and that unlimited campaign spending is not free speech.

Community Alliance on Prisons supports this resolution.

If corporations are people and want to assert their personhood, we would expect that they would be subject to the same rights and responsibilities as natural persons.

Therefore, it is puzzling that no Wall Street banksters have gone to prison for bringing down the world economy while the U.S. is engaged in mass incarceration. Is incarceration only for natural persons?

In the interest of fairness, Community Alliance on Prisons supports HCR 29.



House Judiciary Committee  
Chair Karl Rhoads, Vice Chair Joy San Buenaventura

Thursday, 03/24/2016 at 2:00 PM in Room 325  
HCR 29 – Relating to United States Constitutional Amendment and *Citizens United*

TESTIMONY  
Carmille Lim, Executive Director, Common Cause Hawaii

---

Dear Chair Rhoads, Vice Chair San Buenaventura, and members of the Committee:

**Common Cause Hawaii supports HCR 29** which would urge Hawaii's congressional delegation to propose and pass an amendment to the United States Constitution clarifying that corporations do not have the same constitutional rights as people and that unlimited campaign spending is not free speech.

This resolution is in response to the 2010 U.S. Supreme Court *Citizens United* v. FEC decision, which has opened the flood gates for unlimited spending by special interest groups via Super PACs. Since the decision, special interest money has been inundating our elections nationally, and here at home. According to filings with the Campaign Spending Commission, during the 2014 election, 29 Super PACs spent just shy of \$8 million trying to influence our state and county races alone. In 2012, one Super PAC alone spent nearly \$4 million to influence the outcome of the mayoral race in the City and County of Honolulu.

This increase of money has drowned the voices of the American people, who, regardless of party or ideology support campaign finance reform. A New York Times and CBS News poll showed that:

- 77% of Americans support limiting campaign contributions
- 78% support limiting the political spending of "independent" groups, such as Super PACs and politically active nonprofits
- 75% support disclosing the identity of donors to independent political groups
- 54% say that political money is NOT free speech protected by the First Amendment

We urge you to pass HCR 29 out of committee. We must ensure the integrity of our democracy with this first step towards meaningful campaign finance reform.

Thank you for the opportunity to offer testimony **supporting HCR 29**.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 22, 2016 11:14 AM  
**To:** JUDtestimony  
**Cc:** resource3@astound.net  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/22/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
marvin feldman	Move to Amend Kona Affiliate	Support	No

Comments: I am a Hawaii Resident writing in support of HCR 29 HCR 29, enjoys wide bipartisan support. HSAC approved a version of SCR 22/HCR 29 as part of its recommended legislative package for the current session. All Hawaii counties have already passed almost identical resolutions. This bill is part of a state and national grassroots movement to help restore our precious democracy which has been compromised by the corporate and big money domination of the electoral process. Recent US Supreme Court decisions, notably Citizens United vs. FEC; McCutcheon vs. FEC; and Burwell vs. Hobby Lobby have entrenched the mistaken notions that corporations have the Constitutional rights of natural persons, and that campaign spending is a form of free speech which cannot be regulated. The only remedy for this misguided trend is an amendment to the US Constitution, such as that called for in /HCR 29. Passage of HCR 29 will direct Hawaii's Congressional delegation to support such a Constitutional amendment. As you know, amending the US Constitution is a long and arduous process, but it has been done 27 times. The organization I represent, Move to Amend, is developing a grassroots effort to move forward with the amendment. With affiliates in 20 states, Move to Amend has developed a ten year plan leading to ratification of the amendment. Approval of state resolutions such as /HCR 29 is an important step in this process. I urge you to expeditiously approve this bill for passage in your Committee. Marvin Feldman, Chair Move to Amend Kona Affiliate

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, March 21, 2016 2:31 PM  
**To:** JUDtestimony  
**Cc:** christinet54@gmail.com  
**Subject:** \*Submitted testimony for HCR29 on Mar 24, 2016 14:00PM\*

**HCR29**

Submitted on: 3/21/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

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

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, March 21, 2016 4:54 PM  
**To:** JUDtestimony  
**Cc:** blockard@iname.com  
**Subject:** \*Submitted testimony for HCR29 on Mar 24, 2016 14:00PM\*

**HCR29**

Submitted on: 3/21/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

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

Comments:

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**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 23, 2016 8:48 PM  
**To:** JUDtestimony  
**Cc:** shannonkona@gmail.com  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/23/2016  
Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

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

Comments: STRONGLY SUPPORT! CORPORATIONS ARE NOT PEOPLE. MONEY IS NOT FREE SPEECH. The Supreme Court ruling on Citizen's United is the worst thing that has ever happened in the United States and MUST be overturned ASAP. We are COUNTING on the Hawai`i Legislature to protect their constituents from corporate abuse - and we are watching. Mahalo for doing 'the right thing'.

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**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 23, 2016 4:59 PM  
**To:** JUDtestimony  
**Cc:** fullmoononalake4u@yahoo.com  
**Subject:** Submitted testimony for HCR29 on Mar 24, 2016 14:00PM

**HCR29**

Submitted on: 3/23/2016

Testimony for JUD on Mar 24, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Roxanne Earnest	Individual	Comments Only	No

Comments: I am a Hawaii Resident writing in support of HCR 29. This measure has wide support among the citizens of the United States. HSAC approved a version of SCR 22/HCR 29 as part of its recommended legislative package for the current session. All Hawaii counties have already passed almost identical resolutions. This bill is part of a state and national grassroots movement to help restore our precious democracy which has been compromised by the corporate and big money domination of the electoral process. Recent US Supreme Court decisions, notably Citizens United vs. FEC; McCutcheon vs. FEC; and Burwell vs. Hobby Lobby have entrenched the mistaken notions that corporations have the Constitutional rights of natural persons, and that campaign spending is a form of free speech which cannot be regulated. The only remedy for this misguided trend is an amendment to the US Constitution, such as that called for in HCR 29. As you know, amending the US Constitution is a long and arduous process, but it has been done 27 times. I urge you to expeditiously approve this bill for passage in your Committee. I hope I can be proud to tell my friends, family, and colleagues that your committee stands with Hawaii's people in this matter to stop extending Corporations the rights, but not the consequences of human citizens. Mahalo for your continued support in keeping Hawaii at the forefront of the Movement! Roxanne Earnest

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