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Hawaii News

U.S. ConCon resolution is withdrawn from vote

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The state Senate killed a resolution Monday urging Congress to convene a national constitutional convention amid concerns from civil liberties and government watchdog groups that opening up the U.S. Constitution to revision in this way could jeopardize core protections, such as freedom of speech and protection against racial discrimination.

The country has been on the brink of convening a constitutional convention in recent years, with more than half of states passing such resolutions — an event that, other than the original 1787 convention, would be unprecedented in the country's history.

Common Cause, a national organization focused on open and accountable government, has estimated that the country has come within two states of the 34 needed to convene a convention. But the group puts the current count at 27 because some states have rescinded their petitions.

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Hawaii's resolution was on the verge of passing Monday, having sailed through a House and Senate committee and passed the full House. It was slated for a final vote in front of the full Senate on Monday, but Senate President Ron Kouchi recommitted the measure to the Senate Judiciary and Labor Committee during the floor session, effectively killing it for the year.

Kouchi said after the session that there were too many concerns about the potentially broad implications of calling a constitutional convention, particularly given today's political climate.

Hawaii's resolution called for a constitutional convention to reverse the U.S. Supreme Court's Citizens United decision, which has increased the influence of corporate money in political campaigns. But legal scholars have warned that if a constitutional convention were called, it's not clear that it could be confined to a narrow issue, and could potentially open up every provision within U.S. Constitution to amendment or repeal.

The Hawaii chapter of Common Cause expressed relief at the decision.

"Common Cause recognizes the need to overturn Citizens United, but we have always believed that we should use the traditional path for amending the Constitution due to the ambiguity of the convention process," said Corie Tanida, the group's executive director, by email. "We are relieved by today's decision to recommit HCR50 and we remain committed to holding power accountable, while keeping a watchful eye on campaign finance reforms, publicly funded elections, and voting modernization."

Also opposing the resolution were the state Attorney General's Office and American Civil Liberties Union of Hawaii, among other groups.

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