



STATE OF ARKANSAS

House of Representatives

REPRESENTATIVE

John Burris

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DISTRICT 85

Counties:

Part Boone County

COMMITTEES

Public Transportation

Vice *Chairperson*,
Waterways and Aeronautics
Subcommittee

City, County and Local Affairs

Finance Subcommittee

March 22, 2010

The Honorable Dustin McDaniel
Attorney General
323 Center St., Suite 200
Little Rock, AR 72201

MAR 22 2010

ATTORNEY GENERAL
OF
ARKANSAS

Dear Attorney General McDaniel:

This letter is to request your official opinion on the following question:

1. Does the Health Care Reform Legislation passed by the US House of Representatives (HR 3590) violate the US Constitution?
2. Does the HR 3590 violate the Tenth Amendment and thereby infringe on the sovereignty of the state of Arkansas?
3. Can the federal government purportedly acting under the Commerce Clause of the US Constitution mandate citizens of the state of Arkansas to procure and carry health insurance coverage and then fine or tax them in the event they do not comply?
4. Is this mandate by the federal government not in violation of the Ninth Amendment to this US Constitution denying or disparaging other rights retained by the people.
5. Is there anything in the Arkansas law that precludes you, as Attorney General, from working with the other states that have indicated that they will file lawsuits challenging the constitutionality of the Health Care Reform Legislation? Will your office coordinate and consult with these states to make certain that all legal objections to a law that is sure to cost taxpayers a lot of money are raised on behalf of the people of Arkansas?



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Thank you for your assistance with this matter. If you have any questions or need further information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "John Burris".

Representative John Burris

The following elected State Legislators have also joined me in this inquiry. Again, thank you for your attention to this matter.

Senator Denny Altes
Senator Cecile Bledsoe
Senator Kim Hendren
Senator Bill Pritchard
Senator Gilbert Baker
Senator Johnny Key
Representative Terry Rice
Representative Ed Garner
Representative Andrea Lea
Representative Dan Greenburg
Representative Jane English
Representative Alan Kerr
Representative Bryan King
Representative Jonathan Dismang
Representative Bill Sample
Representative Ann Clemmer
Representative Davy Carter
Representative Karen Hopper
Representative Donna Hutchinson
Representative Debra Hobbs
Representative Frank Glidewell
Representative Mark Martin
Representative Tim Summers
Representative Stephanie Malone

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