

Karen Sawyer

From: Neil O'Donnell [n.odonnell@gci.net]
Sent: Sunday, March 20, 2011 1:40 PM
To: Rep. Carl Gatto
Subject: Comment on HB No. 88

Categories: KAREN

Dear Representative Gatto:

I reviewed HB 88 after reading the recent ADN article about the bill. Having practiced law in Alaska for 28 years, I believe this bill is a "solution" in search of a problem. The bill – reflecting the lack of any real problem – is extremely vague and overbroad. It is very hard to predict what effect this bill would have if passed. What if an Alaskan company wants to work as a subcontractor for a Canadian company building a gas line across Alaska and Canada? Under HB 88, the Canadian general contractor and the Alaska subcontractor apparently cannot choose Canadian law or a Canadian forum to the extent that any dispute might be affected by the U.S. or Alaska Constitutions if the dispute were instead heard in Alaska under Alaska law. Maybe the Canadian company will just pass on hiring the Alaskan company and avoid this vague legal morass.

And if this bill is really directed against "Sharia law," as stated in the ADN article, then it seems even more pointless and counterproductive. I have never seen, heard, or have anyone ever suggest that "Sharia law" applied to any legal dispute in Alaska. Since the U.S. Constitution has unquestionably been the supreme law in the land since the United States Supreme Court decided Marbury v. Madison in 1803, I also cannot conceive of how "Sharia law" could possibly "violate an individual's right under . . . the United State Constitution" as stated in the bill's legislative "findings" provision. Absent a real problem, the only remaining purpose of the bill is simply to pander to anti-Muslim sentiment.

We have hosted several exchange students over the years including two Muslim students. Through them we have met several members of the small Anchorage Muslim community, including an Egyptian engineer working for a major oil company and several successful small business owners. The world is becoming more interconnected. Unless there is some real problem that needs to be addressed, I think it is a bad idea to be passing legislation intended to mark one religious group as dangerous outsiders whose alleged practices need to be carefully watched and guarded against.

As sponsor of HB 88, can you please include this e-mail as part of the official comments on this bill and any companion Senate bill.

I appreciate your consideration.

Neil O'Donnell
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