

HB

423

Alaska State Legislature

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Representative Carl Gatto

Sponsor Statement HB 423

March 29, 2010

For over a year, this nation has been locked in a battle over health care. Roughly 55% of the public, and the entirety of Congressional Republicans, opposed the passage of so-called "health reform" and would like to see the recently-passed health care legislation overturned.¹ Opponents of the health care initiative point to the bill's hidden costs, special exemptions for certain states, and the nineteen point gap between those who strongly support the plan and the larger group that strongly opposes it. Accordingly, I am proposing the *Alaska Health Freedom Act*. The bill is modeled after Idaho HB 391 (and a similar package of legislation in Virginia), which became the first statute enacted by a state legislature to directly challenge the provisions of federal health care "reform."

The *Alaska Health Freedom Act* would:

- Argue that the power to regulate or require a person's health care delivery choices is not found in the U.S. Constitution and is therefore reserved to the people and the States by the 9th and 10th Amendments, respectively
- Establish that every Alaskan "has the right and is free to choose or decline any mode of securing health care services."

¹ Rasmussen, Scott. "Health Care Reform." *Politics*. Rasmussen Reports, 21 Mar. 2010.
<http://www.rasmussenreports.com/public_content/politics/current_events/healthcare/september_2009/health_care_reform>

Rasmussen, Scott. "55% Favor Repeal of Health Care Bill." *Politics*. Rasmussen Reports, 05 Mar. 2010.
<http://www.rasmussenreports.com/public_content/politics/current_events/healthcare/march_2010/55_favor_repeal_of_health_care_bill>

- Require the Attorney General to actively protect the aforementioned right to choose a mode of health care services
- Bar public employees and officials from enforcing, imposing, implementing, or collecting any penalty for resisting government-run healthcare.

The four main tactics being employed among states that oppose the federal government's health care overreach are²:

- **Legislative Discontent Model**: under this plan, states would pass a resolution discouraging the federal government from implementing nationalized medicine; the recent passage of the federal *Patient Protection and Affordable Care Act* makes mere statements of the Alaska Legislature's disapproval fairly moot.
- **Constitutional Amendment Model**: following this model, state legislatures would offer a constitutional amendment to the voters that would enshrine the right of individuals to make their own health care determinations in the state's constitution; the constitutional amendment model, pursued through Alaska HJR 35, has not garnered sufficient support in the legislature, particularly given the time-sensitive nature of this issue.
- **Statutory Model**: in the statutory model, states enact statutes through the regular legislative process that either establish the freedom to make one's own health care decisions as a right or discount the so-called "right of universal healthcare;" these bills also prohibit state officials and agencies from enforcing, collecting, or implementing fees imposed under the new federal health care plan and direct the state's Attorney General to actively defend the provisions of the bill in court
- **Nullification Model**: finally, states following the nullification model to oppose nationalized health care would enact legislation declaring the *Patient Protection and Affordable Care Act* unconstitutional and null and void within the state's jurisdiction.

² "Health Care Freedom Act." *Legislative Tracking*. The Tenth Amendment Center. 29 Mar. 2010. <<http://www.tenthamendmentcenter.com/nullification/health-care/>>.

The problems with the legislative discontent model now that Congress has actually passed health care "reform" are readily apparent. In addition to the issues mentioned above, the constitutional amendment model is problematic because of the Supreme Court's general hesitation to hear conflicts between the federal and state constitutions (i.e. gay marriage in MA, CA). The nullification model is the most popular alternative, but seems inherently flawed. There is little-to-no chance the federal courts would rule that states can pass legislation with a simple majority and overturn duly enacted federal law. Unlike the nullification model, the statutory model challenges the constitutionality of the new federal health care statute without limiting our attorney general to a nullification argument. The Alaska Health Freedom Act does not presume to overturn federal legislation, but instead adopts a distinct public policy for Alaska under the reasoning that the *Patient Protection and Affordable Care Act* misinterprets the Constitution. If universal health care is a "right," shouldn't the freedom to make one's own health care decisions be protected from government intrusion? Also, is there no limit on Congress' power under the Commerce and General Welfare clauses? If Congress can mandate the purchase of any private commodity it so chooses, then what control does an individual really have over their own "pursuit of happiness?"

I hope that this sponsor statement effectively communicates the urgency and practicality of the *Alaska Health Freedom Act*. Questions or concerns can be directed to my staffer, Thomas Reiker, at 465-3163 or Thomas.Reiker@legis.state.ak.us. I thank you for your time and respectfully request a hearing for HB 423.

Sincerely,

Representative Carl Gatto
Alaska House of Representatives
District 13

AMENDMENT

#2 w/o

TO: CS HB 423(HSS) (26-LS1623\E)

BY REPRESENTATIVE GATTO

- 1 Page 1, line 8, after (a), insert:
- 2 Pursuant to the Ninth and Tenth Amendments of the U.S. Constitution,

AMENDMENT

#1 w/Δ

TO: CS HB 423(HSS)

BY REPRESENTATIVE GATTO

- 1 Page 1, line 9:
- 2 Delete "and may choose or"
- 3
- 4 Page 1, line 13:
- 5 Delete "provided or"

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 423(HSS)
 () Publish Date: _____

Identifier (file name): HB423CS(HSS)-LAW-CIV-04-10-10 Dept. Affected: Law
 Title: An Act relating to a policy for securing health care services RDU: Civil
 Sponsor: House Judiciary Component: Opinions, Appeals and Ethics
 Requester: House Health and Social Services Component Number: 2716

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	***	***	***	***	***	***	***

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	***	***	***	***	***	***	***

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

See attached page...

Prepared by: Eileen Donahue, Division Operations Manager
 Division: Administrative Services
 Approved by: Daniel S. Sullivan, Attorney General
Department of Law

Phone 465-5427
 Date/Time 4/10/10 9:15 PM
 Date 4/10/2010

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

BILL NO. CSHB 423(HSS)

ANALYSIS CONTINUATION

CSHB 423 (HSS), entitled the "Alaska Health Freedom Act," provides that the state's policy, is "that a person has the right to and may choose or decline any mode of obtaining health care services without penalty or threat of penalty." The bill is apparently designed to counter the individual health insurance requirements of recently enacted federal legislation. The bill includes definitions of "mode of obtaining," "health care services," and "penalty."

The bill provides that this policy "does not apply to health care services provided or required by the state, a political subdivision of the state, or a court of the state" and that the policy "may not impair a contract right that provides health care services."

Thus the fiscal impact to Department of Law is indeterminate.

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Representative Carl Gatto

April 10, 2010

From: Representative Carl Gatto

To: Alaska House of Representatives
Judiciary Committee

EXPLANATION OF CHANGES BETWEEN HB 423 VERSION R AND CSHB 423(HSS) VERSION E

The House Health and Social Services Committee asked several questions during HB 423's first hearing that required additional research. In meetings with the Departments of Law and Health and Social Services, more concerns were raised. We worked with both departments and members of the committee to address those concerns.

- **Representative Cissna, in consultation with Legal Services, raised concerns about provisions in the original bill that compelled action by the Attorney General, given that he is an officer of the Executive Branch.**

We trust the Attorney General to actively, adequately defend Alaska law. Accordingly, Section 2 and Section 3 (d) of the original bill—which explicitly required the AG to defend HB 423—were deleted. This also required a title change, since the R version of HB 423 included language referencing the Attorney General in the title.

In addition, "public officials, employees, and agents" are always expected to follow state law, so Section 3 (c) of the R version, which instructed them not to contradict the bill's provisions, was removed.

- **Upon consulting Legal Services and the Department of Law, the HHSS Committee determined that the phrase “consistent with the right of liberty” was not in keeping with the language that is typically used in drafting bills.**

So, “consistent with the right of liberty” was removed from the HHSS CS.

- **The House Health and Social Services Committee worried that the language in Section 3 of the original bill might allow people to demand government services, even if they do not qualify.**

As such, the language in Section 2, page 1, line 14 was changed from “is free to” to “may.”

The phrase “mode of securing health care services” was changed to “mode of obtaining health care services.”

Section 2 (b) (1) of the CS was added to protect existing state laws and policies.

- **It was not the sponsor’s intention to challenge current state laws relating to health care.**

The CS clarifies that Alaskans have the right to decline a mode of obtaining health care services “without penalty or threat of penalty” and defines penalty as specifically “a fine, tax, surcharge, fee, or other monetary charge.”

Other consequences, such as inability to enroll in public schools or involuntary commitment for mental illness, would still be allowed.

The language of the CS also assures that current law—including requirements imposed on state employees, UAA students, and parents in certain custody battles—is *not* changed.

Syllabus of Relevant Supreme Court Precedent

Standing to Bring a Suit

City of Los Angeles v. Lyons 461 U.S. 95 (1983)

Snapp & Son, Inc. v. Puerto Rico 458 U.S. 592 (1982)

Georgia v. Pennsylvania Railroad Company 324 U.S. 439 (1945)

Limits on the Commerce Clause

National Labor Relations Board v. Jones & Laughlin Steel Corporation 301 U.S. 1 (1937)

U.S. v. Lopez 514 U.S. 549 (1995)

U.S. v. Morrison 529 U.S. 598 (2000)

Doe v. Bolton 410 U.S. 179 (1973)

Griswold v. Connecticut 381 U.S. 479 (1965)

Alaska's Tenth Amendment Rights

New York v. United States 505 U.S. 144 (1992)

Gonzales v. Oregon 546 U.S. ____ (2006)

Hodel v. Virginia Mining 452 U.S. 264 (1981)

Horne v. Flores 557 U.S. ____ (2009)

House Passes Historic Health Care Bill

by ALAN GREENBLATT



Enlarge

Charles Dharapak/AP

Speaker of the House Nancy Pelosi quoted the late Sen. Ted Kennedy after the House passed the health care bills late Sunday. "Passing health care is the great unfinished business of our country," she said. "That is, until today."

March 21, 2010

text size **A A A**

Capping a year of legislative activity and ending decades of Democratic frustration, the House on Sunday passed a bill that would extend health care coverage to more than 30 million Americans.

Quoting a letter from the late Sen. Ted Kennedy (D-MA) to President Obama, House Speaker Nancy Pelosi said, "Passing health care is the great unfinished business of our country." She added, "That is, until today."

As the GOP promised, not a single Republican voted for either health care measure before the chamber. "This is truly a remarkable moment in the life of this nation. Some say we're making history. I say we're breaking history, breaking with

our best traditions," said Mike Pence (R-IN), who chairs the House GOP Conference. "Only in Washington, D.C., can you spend a trillion dollars and say that you're saving the taxpayers money."

'A Victory For The American People'

Obama's Remarks
On The Bill's
Passage

With a vote count of 219 to 212, the House gave its approval to a measure initially passed by the Senate on Christmas Eve. Thirty-four Democrats joined 178 Republicans in voting no. That bill now goes to President Obama for signing.

The House also passed a so-called reconciliation measure on a 220 to 211 vote that makes significant changes to the main health care bill. Thirty-three Democrats voted against the bill, along with 178 Republicans. That measure

heads to the Senate, which is expected to begin debate within days.

Obama watched the votes in the White House's Roosevelt Room with Vice President Joe Biden and about 40 staff aides. When the long sought 216th vote came in on the reconciliation bill — the magic number needed for passage — the room burst into applause and hugs. An exultant president exchanged a high-five with his chief of staff, Rahm Emanuel.

The Legislation

NEXT STEP: Senate Slog
March 21, 2010

Immediate Effects Of
Health Bill
March 21, 2010

Consumer's Guide To
Health Overhaul
March 26, 2010

"We proved that we are still a people capable of doing big things," the president said a short while later in televised remarks. "We proved that this government — a government of the people and by the people — still works for the people."

A Democratic Victory Lap

Nine Major Changes In
The Democrats' Health Bill
March 19, 2010

Read The Reconciliation
Bill

Read The CBO
Reconciliation Bill
Estimate

Senate action on the reconciliation bill will be marked by extensive parliamentary maneuvering. But Democrats are optimistic about their chances in that chamber.

And, for now, they are giddy about passing landmark legislation to provide insurance to 32 million Americans.

"We have come to a defining moment in our nation's history," said James Clyburn (D-SC), the House Democratic whip. "This is the civil rights act of the 21st century."

At their victory news conference following the vote, Democratic leaders gave a place of honor to John Dingell (D-MI), the House's longest-serving member. Dingell followed his father into a Detroit-area House seat in 1955 and like his father has introduced universal health legislation throughout his career.



Enlarge

J. Scott Applewhite/AP

President Barack Obama, joined by Vice President Joe Biden, makes a statement to the nation Sunday night following the final vote in the House of Representatives for a comprehensive overhaul of the health care system.

long sought to enact universal health care legislation. President Bill Clinton's failed effort in 1993-94 had taken the issue off the table for over a decade.

President Obama has received considerable criticism for having "over-learned" the lessons of Clinton's experience. In contrast to Clinton's strategy of crafting a highly-detailed proposal, Obama let Congress work its will.

That looked like it might have been a mistake as legislation bogged down at various points — especially when it appeared to have been nearly derailed by the special election of Republican Sen. Scott Brown of Massachusetts in January, costing Democrats their 60-vote, filibuster-proof majority in the Senate.

But Democrats have now successfully jumped through most of the procedural hoops. Passage of the bill

"We finally did it," Dingell said. "This is an extraordinary bill. If you're looking at me, you're seeing a great big Polish smile."

Dingell was credited with keeping at his protege Rep. Bart Stupak (D-MI) at the negotiating table over the weekend to work out an agreement on abortion restrictions that secured the Democrats' legislative victory.

"Mr. Dingell had a piece of me yesterday for quite some time," Stupak told reporters Sunday.

A Fundamental Transformation

Democratic presidents — as well as occasional Republicans including Richard M. Nixon — have

We have come to a defining moment in our nation's history. This is the civil rights act of the 21st century.

represents the biggest change in domestic policy since the enactment of Medicare and Medicaid in 1965, says Sara Rosenbaum, who chairs the department of health policy at George Washington University.

- Rep. James Clyburn, D-SC

"We have now fundamentally transformed American society," she says. "We have gone from assuming many people will not have insurance to expecting that people will have insurance."

Highlights Of The Bill

The \$940 billion bill seeks to extend health coverage to most Americans. Medicaid, the federal-state program that provides health insurance to the poor and disabled, will be expanded to cover all adults earning less than 133 percent of the federal poverty level.

Private health insurance will be made available to individuals and small companies through exchanges that will be run by the states. Individuals who do not buy insurance face fines, as do most employers who do not offer coverage to workers.

Bill sponsors predict that all but about 5 percent of non-elderly Americans will ultimately be covered. Half of those currently uninsured will receive coverage through the expansion of Medicaid and half through private insurance through the exchanges — often with subsidies that make up the bulk of the legislation's projected costs.

"There will be a broad public education effort, so that people understand what's in the legislation," says Ron Pollack, executive director of Families USA, a consumer group that lobbied for the bill. "As a result, I think there's going to be growing and substantial support for the reform."



Nicholas Kamm/AFP/Getty Images

Rep. Bart Stupak (D-MI) says an agreement reached with President Obama on Sunday banning use of federal funds for abortions cleared the way for the Democrats to have enough votes to pass the House health care bill.

Diaz-Balart (R-FL) said during floor debate Sunday.

Pledging To Repeal

Savings In The Future

The Congressional Budget Office has estimated that the legislation will reduce the federal deficit by \$143 billion over the next 10 years and by some \$1.2 trillion over the following decade.

"It's the biggest deficit reduction we will be able to vote on in this Congress, and other Congresses as well," said Steny Hoyer (D-MD), the House majority leader.

Critics of the bill say such savings are a fiction, as they are dependent on future Congresses sticking to plans to impose major cuts in Medicare and unpopular new taxes on health plans. "We are creating a massive new entitlement," Rep. Lincoln

Republicans who are unanimous in their opposition to the legislation will continue their efforts to stymie it in the Senate. They have also vowed to make the issue the centerpiece of their campaign to regain control of Congress come November.

"This debate is not about the uninsured, it is about socialized medicine," said Rep. Devin Nunes (R-CA). Alluding to the ghosts of totalitarianism in the Soviet Union, he said, "With passage of this bill, they will haunt Americans for generations."

Two hundred Republican candidates and members of Congress have signed a pledge, promulgated by the Club for Growth, an anti-tax group, to repeal the legislation upon the party's return to power.

"If this bill passes, we will have an effort to repeal the bill," House GOP Leader John Boehner (R-OH), said on NBC's *Meet the Press* Sunday. "I'd have a bill on the floor the first thing out."


But even if Republicans do regain control of one or both chambers, they still would have to contend with Obama's potential veto of any major changes to the law, at least for two more years. And getting such changes to the president's desk might be just as problematic as passing the health bills in the first place.


"What are they going to be able to repeal without 60 votes?" says Robert L. Laszewski, president of Health Policy and Strategy Associates. "The 60-vote rule suddenly works to their disadvantage."

Constitutional Challenges

The legislation will face legal challenges as well. On Wednesday, Butch Otter (R-ID) became the first governor to sign a law requiring the state attorney general to sue the federal government if it forces individuals to buy health insurance – a central tenet of the legislation. Other states are likely to pass similar measures, including Arizona, where the question will be put directly to voters.

Challenges on states' rights grounds are not likely to succeed. But because of the novelty of the requirement that individuals buy insurance, other constitutional challenges are certain.

 Two attorneys for the Congressional Research Service determined last summer that Congress is on shaky ground relying on its authority to regulate interstate commerce to create the so-called individual mandate.

 "Whether such a requirement would be constitutional under the Commerce clause is perhaps the most challenging question posed by such a proposal," they wrote, "as it is a novel issue whether Congress may use this clause to require an individual to purchase a good or a service."

— *With reporting from the Associated Press*

Related NPR Stories

ABORTION: Hurdle Cleared March 22, 2010

ANALYSIS: 'Mission Accomplished' Riles Rove March 22, 2010

What Are The Immediate Effects Of Health Bill Passing? March 21, 2010

Consumer's Guide To Health Overhaul March 26, 2010

Bonnie Gruening

From: Jen [jen@conservativepatriotsgroup.org]
Sent: Monday, March 29, 2010 8:14 PM
To: Rep. Carl Gatto
Subject: CPG Health Care Repeal Petition
Attachments: Petition1.pdf

There are 700 names and more are coming. For your information. Jen

PETITION DEMANDING ALASKA JOIN IN LEGAL ACTION TO REPEAL HEALTH CARE BILL

With the passage of the Health Care Reform Bill, America is teetering toward tyranny. A mandate requiring all individuals to purchase health insurance is an unprecedented form of federal action. A legal challenge by the States appears to be the only hope of protecting the American people from this unprecedented attack on our system of government. At least fifteen states are instituting legal action to challenge the constitutionality of the health care reform bill. Alaska should take its place in this list of States and join in the legal fight. By signing this petition you are demanding the Governor and Attorney General join in the legal action to repeal the Health Care Bill.

	Print Name	Signature	Address	Phone No.	email
1	DAN SENTZ	Dan Sentz	901 McAdoo Way	376 4574	Lake7@Rogershsd.com
2	Mary Spaulding	Mary Spaulding	PO Box 1129 Chickaloon AK	746-2216	-
3	VERNE RUPRIGHT	Verne Rupright	366 W. SPEAR AVE, WASILLA, AK	373-3923	-
4	KATHY ROCI	Kathy Roci	912 S. PINNACLE MTN DR, PALMER	746-0309	-
5	Billy Braswell	Billy Braswell	6026 200th A NE Anchorage	360-435-6206	-
6	Maureen McCreedy	Maureen McCreedy	470 E. Silver Fox Ln, Wasilla	376-2951	-
7	Jon Cress	Jon Cress	50374 Spruce Hill St-Kenai	976-3776	-
8	Tom JURASEK	Tom Jurasek	5377 BIDEFORD PALMER	-	-
9	CITAH E BARE	Citah E Bare	700 Maury Wasilla	757-7280	-
10	Steve Bowman	Steve Bowman	4410 E. Echo Wasilla	864-9087	-
11	Dylan Wright	Dylan Wright	1835 Caribou Loop wasilla	357-1895	-
12	Scott Work	Scott Work	1601 S Pioneer Dr	982-5070	scott1work@jrbog.com
13	Bradley Pichle	Bradley Pichle	1991 S Badenburger 1/2 Palmer	745-1194	-
14	Trisha Pietila	Trisha Pietila	1941 S. Badenburger Palmer	745-1194	-
15	Jim MILLER	Jim Miller	2501 E NAOMI AVE WASILLA	252-6773	-
16	John A. Morris	John A. Morris	P.O. Box 52749 Big Lake, AK	907-515-1797	johnmorris@alaska.com
17	GEORGE BURKE	George Burke	P.O. Box 3766 PALMER, AK 99645	746-2849	-
18	Kyle Hester	Kyle Hester	P.O. Box 3746 PALMER, AK 99645	746-2849	-
19	Jubran Nerals	Jubran Nerals	19436 Kullberg Dr, Chugiak, AK 99527	441-8819	-
20	James C. Norris	James C. Norris	P.O. Box 521742 Big Lake, AK 99654	575-8786	Hawki-y@kmc.com

Return to: Conservative Patriots Group, Inc. 1830 E. Parks Hwy. A-113 #535, Wasilla, AK 99654 PH: 907-354-8360

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A legal challenge by the States appears to be the only hope of protecting the American people from this unprecedented attack on our system of government.

At least fifteen states are instituting legal action to challenge the constitutionality of the health care reform bill. Alaska should take its place in this list of States and join in the legal fight.

By signing this petition you are demanding the Governor and Attorney General join in the legal action to repeal the Health Care Bill.

	Print Name	Signature	Address	Phone No.	email
1	Gene Jordan		P.O. Box 100331 Anchorage 99510	907-240-8289	
2	Kick Lindsay		7362 W Paces Hwy PMB625 ⁹⁹⁶⁵⁴ Norton AK	907 557-3090	
3	FREDERICKS HANSEN		5530 E RAVENH CIR PALMER AK	907-357-343	
4	TRAVIS OAKS		17915 SOUTHWIND Circle ER, AK ⁹⁹⁵⁷⁷	907 694-1085	
5	DON HARRIS		5227 DUBEN RD 99504	907 311-1894	
6	ISAAC HEDLEY		4250 E SNIDER D WASILLA AK	907 7156930	
7	MIKE HERVEY		2040 ALMA Dr Wasilla AK	907-841-8224	
8	JOE MOSS		13451 E. NYRMAN Palmer AK	907 746-5022	
9	CLAY DALL		1721 DRIFTWOOD CIR Palmer AK	907 357-1880	
10	Michele Lecours		6070 N. Talbot View Dr Wasilla ⁹⁹⁶⁵⁴	907 607-3930	mleccours@live.com
11	Mona Connors		4950 E Aspen Wasilla 99654	907-376-0079	
12	TERRY E. Buxbaum		1101 TINA Lane Palmer 99645	907-746-2238	
13	Bonnie Buxbaum		1101 Tina Lane Palmer 99645	907-746-2238	
14	IXIE BANNER		400 Crestwood Ave, Wasilla 99654	907-250-6321	
15	DAVE WASH		1120 HUFFMAN #371 Anchorage 99503	907 319-6670	
16	MILE PENNINGTON		P.O. Box 75507 Wasilla 99654	907 715-6155	
17	Julie Hays		PO BOX 875503 Wasilla 99654	907 715 6159	
18	Kristin Blunt		5421 E. 131 st AVE Anchorage ⁹⁹⁵¹⁶	907-830-6881	
19	Jon Hunt		5421 E. 131 st AVE Anchorage ⁹⁹⁵¹⁶	907-301-5155	
20	Emily Frye		4231 E. Highline In Wasilla ⁹⁹⁶⁵⁴	907-229-7588	

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	Print Name	Signature	Address	Phone No.	email
1	Thomas R. Russell	Thomas R. Russell	HC 34 - Box 2051 Wasilla 99654	373-1956	TRBARUSSELL@GCI.NET
2	BARBARA RUSSELL	Barbara Russell	HC 34 - Box 2051 Wasilla 99654	373-1956	Sana
3	Sina Sena	[Signature]	2712 Strawberry Rd Anchorage 99507	248-7878	sinasena18@yahoo.com
4	Jim Baker	Bill Drake	600 E. McAdoo Way Wasilla AK	373-9921	jbaker@mtaonline.net
5	Serry Delaney	Jay Delaney			Pintailwdayloop.com
6	Amy Childers	Amy Childers	1325 W. Bluffview Dr. Wasilla AK	230-8664	
7	Jeremy Hoagland	Jeremy Hoagland	2701 Nancy Way Wasilla AK	355-2522	malichonta@live.net
8	Dennis Guvrek	[Signature]		841-8886	
9	Jason Johns	[Signature]	1030 Servus Dr Wasilla, AK	357-2422	jjohns@excite.net
10	Tony Russ	[Signature]	574 SARANS Wasilla	376-6974	
11	RANDY APLING	[Signature]	3360 N. TRAVELWAY DR. Wasilla AK 99654	373-4824	Randy@Axxon.com
12	Bison Fulkerson	[Signature]	PO BOX 59362 North Anchorage AK 99709	590-2416	fulkerson@aknet.net
13	Rachel Courtney	Rachel Courtney	PO Box 873212 Wasilla 99687	376-7100	
14	Nathan Courtney	[Signature]	PO Box 873212 Wasilla 99687	376-7100	
15	Elizabeth Towner	Elizabeth Towner	PO Box 24601 Palmer 99645	715-0008	
16	Kenneth (Fede)ico	[Signature]	PO Box 873611, Wasilla AK 99687	758563	
17	Joann Judkins	Joann Judkins	PO Box 874124 Wasilla AK	373-3599	
18	Joshua Wood	Josh Wood	8935 Birch Park Cir Eagle River	522-6826	
19	Gary Gudz	[Signature]	500 N. Pine Ridge Loop. Wasilla AK	373-5271	ggudz@mtaonline.net
20	Sean Ridlon	[Signature]	5913 N. Solitude Wasilla, AK	232-5922	eldertroth855@yahoo.com

Return to: Conservative Patriots Group, Inc. 1830 E. Parks Hwy. A-113 #535, Wasilla, AK 99654 PH: 907-354-8360

PETITION DEMANDING ALASKA JOIN IN LEGAL ACTION TO REPEAL HEALTH CARE BILL

With the passage of the Health Care Reform Bill, America is teetering toward tyranny. A mandate requiring all individuals to purchase health insurance is an unprecedented form of federal action. A legal challenge by the States appears to be the only hope of protecting the American people from this unprecedented attack on our system of government. At least fifteen states are instituting legal action to challenge the constitutionality of the health care reform bill. Alaska should take its place in this list of States and join in the legal fight. By signing this petition you are demanding the Governor and Attorney General join in the legal action to repeal the Health Care Bill.

	Print Name	Signature	Address	Phone No.	email
1	Hal Frye	Hal Frye	4231 E. Highline Luvvick AK	907-279-4416	
2	James DENSEL	James Densel	350 N. Bannock Palmer, AK	775-0329	jdensel@alaskaconservative.com
3	Robert Doyle	Robert Doyle	1900 E. Porcupine Trail Wasilla AK	373-7147	brdoyle@outlook.com
4	Karen Doyle	Karen Doyle	1900 E. Porcupine Trail, Wasilla, AK	373-3147	
5	Dale Carlson	Dale Carlson	11315 E. Equestrian ST	746-1335	airdale@gci.net
6	Valerie J Lindeman	Valerie J Lindeman	3465 E Naomi Ave Wasilla AK	907-376-9057	vlindeman@gci.net
7	Christopher C Horacek	Christopher C Horacek	1150 S. Colony Way STE 374B176 ^{Palmdale AK} 99645	907-746-3527	chhoracek@gci.net
8	Rick Kinman	Rick Kinman	1711 Curtains Dr Wasilla AK 99654	907-354-6123	rickkinman@yahoo.com
9	Jim Lindeman	Jim Lindeman	3465 Naomi Ave, WASILLA ^{AK} 99657	907-376-9057	jlindeman@gci.net
10	Piper Marsh	Piper Marsh	2923 S Avalon Cir #3 Wasilla 99654	907-373-3133	
11	Jessica Ringus	Jessica Ringus	5270 E Kramer Cir Wasilla AK	907-225-8185	jrings@alaskaconservative.com
12	Jeff Whitten	Jeff Whitten	7121 Wellington Dr WASILLA AK	907-324-8924	jeff-whitten@yahoo.com
13	Carmen Gunderson	Carmen Gunderson	6578 Reiner Cir Wasilla AK	(907)379-1291	
14	Rick C. Ellis	Rick C. Ellis	341 S. GASTMAN CT. WASILLA ^{AK} 99654	(907)376-6703	rickellis@yahoo.com
15	Gaylene Ellis	Gaylene Ellis	341 S. Gastman Ct Wasilla AK	907-376-4703	
16	Steeley S Lund	Steeley S Lund	3862 N. Chasley Dr.	907-376-7908	aklund@mtaonline.net
17	Cristina McAnulty	Cristina McAnulty	2925 W. Bayridge Circle, Wasilla ^{AK} 99654	357-3501	
18	Michael C McAnulty	Michael C McAnulty	2925 W Bayridge Cir Wasilla, AK ⁹⁹⁶⁵⁴	357-3501	
19	Glenn Verplanken	Glenn Verplanken	501 E Heather Way Wasilla AK ⁹⁹⁶⁵⁴	357-4480	glennv@peoplepc.com
20	Robert Hall	Robert Hall	Box 571906 Wasilla AK ⁹⁹⁶⁵⁷	373-6555	grilla@alaskaconservative.com

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	Print Name	Signature	Address	Phone No.	email
1	Thomas G. Yates	<i>Thomas G. Yates</i>	2050 E. Black Bear Dr 99654		Yatespowdy@msn.com
2	ERIC I. WHITFORD	<i>Eric I. Whitford</i>	4882 E. AEDER Rd 99654		slvrndingout36@yahoo.com
3	CAROL WERNER	<i>Carol Werner</i>	387882 E. Alder Rd Wasilla 99654		quitter41@gmail.com
4	CAROL WERNER	<i>Carol Werner</i>	3100 N Palmer Trail Park 99654	745 3532	Carolw@mtaonline.net
5	JASON WERNER	<i>Jason Werner</i>	643 S Gorkan St	745 0176	ja-werner@yahoo.com
6	Marvin Baker	<i>Marvin Baker</i>	26616 N. Glenn Hwy	746-6531	Pinnadapeak@mtaonline.net
7	James Jewett	<i>James Jewett</i>	1966 W Rivier St Wasilla, AK 99654	355 5358	akymeycu@gmail.com
8	Laurie Scholberg	<i>Laurie Scholberg</i>	3991 Tambert Wasilla AK 99654	373 3946	
9	Robert L. Bathersy Sr	<i>Robert L. Bathersy Sr</i>	16905 E Leonard St Eagle River AK 99577	907/694-1778	
10	Paula K. Anderson	<i>Paula K. Anderson</i>	P.O. Box 873644 Wasilla, AK 99687	907-376-3680	
11	Richard W Anderson	<i>Richard W Anderson</i>	3660 N TRAILBLAZER DR AK 99654	907-351-2342	
12	DAN DOWNINGS	<i>Dan Downings</i>	POB 967, Willow, AK 99658	907 495 2771	ddd@mtaonline.net
13	Ron Lyons	<i>Ron Lyons</i>	7362 W. Parks Hwy #633 99654	907 315-5532	ronald.lyons@hotmail.com
14	Ronald Smith	<i>Ronald Smith</i>	1089 Oak Crest Ct N.P. AK 99705	907 488 3281	ronald.smith6@comcast.net
15	Roger Schilling	<i>Roger Schilling</i>	3544 W Birch Meadows Rd Wasilla AK 99654	907 624 4024	
16	West McCollum	<i>West McCollum</i>	P.O. Box 873578 Wasilla, AK 99687	907 354 8944	westhmc@yahoo.com
17	Todd Lecours	<i>Todd Lecours</i>	6020 N. Takach View Dr Wasilla AK 99654	907 402 3722	tlecours@msn.com
18	ALEX CANNORS	<i>Alex Cannors</i>	4950 E. ASPEN ST	376-0079	cable@mtaonline.net
19	BOB BLESS	<i>Bob Bless</i>	P.O. BOX 874001 Wasilla, AK 99687	715-0990	
20	Ashley Lauer	<i>Ashley Lauer</i>	Box 671987 Chugach AK 99561	686 1321	desaad@gmail.com

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	Print Name	Signature	Address	Phone No.	email
1	Diane Pankowski		PO Box 520675 Big Lake AK 99603	907-892-743	
2	Jim Carlyle		PO Box 3957 Palmer AK 99645	746-276-316	
3	Rex Hunter		P.O. Box 873472 Wasilla ⁹⁹⁶⁸⁷ AK	376-7427	
4	Portia Babcock		11404 Discovery Park Dr. Anch. ⁹⁹⁵⁰⁵ AK	250-9972	portia@alaska.com
5	D J Maurin		1110 Jessellia Ln Palmer	746-4262	
6	JP Cohen		7740 E Timberley Palmer	746-0887	
7	Tracey Correca		PO Box 870074 Wasilla, AK ⁹⁹⁶⁸⁷	841-1262	traceycorreca@yahoo.com
8	Tom Correca		PO Box 820574 Wasilla, AK	841-8188	
9	ROXANNE L. GREGORY		3481 N BANNERWAY, WASILAK	376-9718	RLGREGORY@FIRSTAM.COM
10	Kittana Butt		7320 No Esther Dr Palmer, AK	746-6362	kittana_b@yahoo.com
11	William RASSETT		P.O. Box 90507 - Anchorage AK ⁹⁹⁵⁰⁷	351-2579	
12	Donald W. Vranica		PO Box 553 Sutton AK ⁹⁹⁶⁷⁴	745-2003	
13	Olivia Jones		4000 Montgomery Way ⁹⁹⁵⁰²	907-242-2132	olivia@bluemen.com
14	William M. Southcott		PO Box 4993 Palmer AK 99645	746-3925	WMSOUTH@MTRONLINE.NET
15	Sherrill E. Storey		PO Box 2601 Palmer AK 99645	745-4496	
16	Ramona J. Norman		2300 N Skwentna Bldg WASILLA- AK ⁹⁹⁶⁵⁴	357-8425	mrnorman@ak.gov.net
17	Glen Rowe		551 E Barma Loop Wasilla	957-8857	
18	Ryan Friesen		801 W. Nelson Ave ^{Wasilla}	376-7076	
19	Jamie Friesen		801 West Nelson Ave Wasilla	376-7076	Jamie-friesen@yahoo.com
20	Robert Anthony		3725 S. ESKIE BAY DR. Wasilla	373-2227	

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	Print Name	Signature	Address	Phone No.	email
1	Albert LaValley	<i>Albert LaValley</i>	PO Box 875291 Wasilla AK	357-5561	
2	Debra S. Davis	<i>Debra S. Davis</i>	PO Box 87047 Wasilla AK	315-6107	
3	Tyler Vaughan	<i>Tyler Vaughan</i>	4050 N. Charley Dr Wasilla AK	373-2651	
4	Mike Hales	<i>Mike Hales</i>	4630 W Rangeview Dr	315-1019	
5	Kelly McManus	<i>Kelly McManus</i>	PO Box 871905 Wasilla AK	376-8488	
6	Matt Matney	<i>Matt Matney</i>	160 W 68th Street Anchorage AK	715-7404	
7	Ron Miller II	<i>Ron Miller II</i>	P.O. Box 877610 Wasilla AK 99687	376-8702	
8	Kim Werner	<i>Kim Werner</i>	643 S. Gulkana Palmer AK 99645	745-0176	
9	Royce Lawrence	<i>Royce Lawrence</i>	474 W. Heritage Dr Prudhoe Bay AK 99554	373-8520	
10	Christopher S. Dotir	<i>Christopher S. Dotir</i>	3060 E. Lokenow Rd. Wasilla, AK 99654	373-3744	
11	Eric Clark	<i>Eric Clark</i>	851 W. Selden #1 Wasilla AK 99654	372-3959	
12	Barbara Bruessebois	<i>Barbara Anne Bruessebois</i>	PO Box 203 Willow AK 99608	495-3246	
13	PHIL KOWALSKI	<i>Phillips Kowalski</i>	PO Box 520349 Big Lake, Alaska 99652	892-6411	
14	Doug Scholbers	<i>Doug Scholbers</i>	3991 TAMMERT DR Wasilla AK	373 3946	
15	Carey Wells	<i>Carey Wells</i>	5930 E. Alder Cir. Wasilla AK	232-49166	
16	Booby W King	<i>Booby W King</i>	6210 N TALGAH VIEW DR WASILLA AK 99654	373-3985	
17	MARILYN D. JENNER-KING	<i>Mary D. Jenner King</i>	6290 N TALGAH VIEW DR WASILLA AK 99654	373-8885	
18	Albert Edwards	<i>Albert Edwards</i>	13627 Vasili Dr. Eagle River, AK	726-1283	
19	AL DOKKER	<i>AL DOKKER</i>	700 E CROWWOOD Wasilla AK	376-5540	
20	Brandon Allred	<i>Brandon Allred</i>	1261 Bardi Dr. Wasilla, AK 99654	907 911 1709	

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	Print Name	Signature	Address	Phone No.	email
1	PRISCILLA REEVES	<i>Priscilla Reeves</i>	3608 LOCARNO Anch	561-3553	pris@ak.net
2	Josh Drury	<i>Josh Drury</i>	2775 W Stoneridge Cir Wasilla	907-322-7367	the-1-bachelor@psychoc.com
3	KEVIN MAXWELL	<i>Kevin Maxwell</i>	3756 N. INSPIRATION LP W/A	907-373-4157	KEVIN.MAXWELL@AKCGAA.COM
4	Nyan George	<i>Nyan George</i>	Box 879141 Wasilla, AK 99687	907-376-9052	ropogel@gmail.com
5	Scott Weisz	<i>Scott Weisz</i>	1325 OLD TAUNE Palmer AK 99644	907-301-2584	WeiszMike@Live.com
6	JESSICA CHRISTENSEN	<i>Jessica Christensen</i>	PO Box 975402 ^{WASILLA AK 99687}	373-5453	jessicachristensen@alaska.com
7	DEBRA D PARIS	<i>Debra D Paris</i>	P.O. Box 873341 ^{WASILLA AK 99687}	357-2167	TEARAW@MTAONLINE.NET
8	TERRY FOREMAN	<i>Terry Foreman</i>	21551 ^{ALASKA} Glacier Vista Chugiak AK 99567	688-3801	tforeman@get.net
9	Craig Lance	<i>Craig Lance</i>	PO Box 672390, Chugiak 99567	688-4404	lances@pci.net
10	Heidi Cline	<i>Heidi Cline</i>	P.O. Box 1075 Seward AK 99664	907-3621290	
11	David Cassette	<i>D.C. Cassette</i>	P.O. Box 875542 Wasilla AK	907-272-8177	
12	MARGARET SHARPE	<i>Margaret Sharpe</i>	10357 E WARRIWOOD Cir. Palmer 99645	907-223-8837	
13	Ellen Godfrey	<i>Ellen Godfrey</i>	1200 S. Badger Palmer AK 99645	907-746-6626	zgodfrey@mtaonline.net
14	Charlotte Cookingham	<i>Charlotte Cookingham</i>	17268 Hideaway Ridge Dr. E.R.	907-447-4766	ccookingham@gmail.com
15	MARTIN L. GOFF	<i>Martin L Goff</i>	P.O. Box 873492 Wasilla AK	376-1162	guardian75@hotmail.com
16	Stefan Nordland	<i>Stefan Nordland</i>	79 Heitzschulz Cir Wasilla	892-0255	StefanNordland@hotmail.com
17	DANIEL BUTZEN	<i>Daniel Butzen</i>	POB 870931 Wasilla	841-4195	
18	VICTORIA L. WHITE	<i>Victoria L White</i>	POB 2482, Palmer 99645	745-6587	LVWhite@ResearchSA.com
19	Mark Chryson	<i>Mark Chryson</i>	2140 E Wolverine Cir	376-8285	Mark@web-ak.com
20	Tim Diete	<i>Tim Diete</i>	5713 Petit Wasilla AK	864-0762	tim777@MTAonline.net

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	Print Name	Signature	Address	Phone No.	email
1	George Tobe	<i>George Tobe</i>	872354 Wasilla AK 99654	357-6779	
2	William Ryder	<i>William Ryder</i>	524 Kimberly Wasilla AK 99654	357-3560	m.dntj@alaska.net
3	Lisa Whollet	<i>Lisa Whollet</i>	PO Box 3103 Palmer, AK 99646	982-2998	
4	CHRISTOPHER F. LUDD	<i>Christopher F. Ludd</i>	1715 PIPESTONE DR WASILLA AK 99654	376-6251	
5	Michael J DeSpain	<i>Michael J DeSpain</i>	2241 Belmont Dr. ANC	306-0992	despain64@hotmail.com
6	Mary Patrick	<i>Mary Patrick</i>	2241 Belmont Dr 99517	306-0991	cariana029@hotmail.com
7	PAUL D. HOUSER	<i>Paul D. Houser</i>	29698 E. KNIK RIV. RD. PALMER AK 99645	745-1745	
8	EVA STREET	<i>Eva Street</i>	4620 Reka Dr. Anch 99508	222-0833	
9	David Schmidt	<i>David Schmidt</i>	4330 Tara St Wasilla AK 99654	357-4330	david@hycustomer.com
10	David Merwin	<i>David Merwin</i>	PO Box 671624 Camp Creek 99587	688-5046	dmerwin@amnd.com
11	Deborah Kessler	<i>Deborah Kessler</i>	2381 S Paddock Dr. 99651	631-3920	
12	THOMAS GEORGE	<i>Thomas George</i>	P.O. Box 671589 Chitina AK AK 99571	688-5046	
13	Roger ERDMAN	<i>Roger Erdman</i>	PO Box 874670 Wasilla AK 99654	631-2542	
14	Norman Wakeman	<i>Norman Wakeman</i>	PO Box 797, Willow, AK	495-9267	
15	JASON RYAN	<i>Jason Ryan</i>	PO Box 875161 WASILLA AK 99654	373-1614	WALKER@HOTMAIL.COM
16	Carol R Russell	<i>Carol R Russell</i>	PO Box 4259 Palmer AK	745-1470	
17	Richard H Russell	<i>Richard H Russell</i>	PO Box 4259 Palmer	745-1470	chrussell17@yahoo.com
18	Shawn Grafman	<i>Shawn Grafman</i>	10 Box 8757 24 Wasilla 99687	907-357-1047	shawn@aknetmail.com
19	Beth Bayer	<i>Beth Bayer</i>	PO Box 875724 Wasilla 99687	907-357-0169	l11201cc49@ixmail.com
20	Phil Downings	<i>Phil Downings</i>	9561 N PALMER ESTHOCK PALMER AK 99645	907-745-6652	

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	Print Name	Signature	Address	Phone No.	email
1	PATRICK HEADLEY		BX 871301 WASILLA AK 99627	746-7077	
2	WILLIAM FORSBERG		8502 McAdams Way, Wasilla	376-9336	
3	Don Ridge		PO Box 875605 AK 99687	7457110	
4	SCOTT ANDREWS		1000 EISENHOWER, WASILLA AK	980-6938	
5	Valerie Andrews		23505 NE 229th St. Cattle Ground WA ⁹⁸⁰⁴⁷	3601682-3371	
6	Ellen Baker		PO Box 521085 Big Lake AK	812-7780	ellenbakermtnonline.net
7	FLOYD E SENA Jr		2712 STRAWBERRY RD Anch AK	350-70221	floydsena@yarr
8	Lade E. Paile		6861 E. Kings Salmon dr. Wasilla AK	354-2867	
9	Margie Sullivan		" " " "	775-31161	
10	Elizabeth Pavlek		3431 W. Wren Rd Wasilla 99654	357-1119	lizpavlek@mtaonline.net
11	George Taft		PO Box 875485 Wasilla AK 99687	357-4213	gtaft@msn.com
12	Loni Hippler		PO Box 873991, Wasilla 99687	376-9231	
13	Terry Baker		10312 Thruje Circle Anchorage AK 99508	384-5241	
14	TASON CHILDERS		1325 W. Bluffview Dr.	376-1325	honor @ gci.net
15	ROBERT C. NASH		MC 34 BOX 2224 WASILLA, AK ⁹⁹⁶⁵⁴	892-6830	RCNASH22@GMAIL.COM
16	JOHN RIGGS		137E ARCTIC AV, PALMER AK 99645	745-6980	john@mtaonline.net
17	RICK SALYER		6005 N. LITTLE ROCK CIR WASILLA AK 99654	864-0094	ALbulletin@745.com
18	KIRK BROWN		461 E. Barre Lp Wasilla	376-6165	
19	Matthew Reiford		PO Box 773672 Eagle River AK 99577	250-7143	
20	Benton Spencer		3951 S Cook Inlet Cir Wasilla AK 99654	376-0074	bos Spencer 99654@hotmail.com

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	Print Name	Signature	Address	Phone No.	email
1	JAMES WOLFE	James Wolfe	4405 E Echo Wasilla, AK	357-9298	jeff@jcl.net
2	JOHN CHAPMAN	John E. Chapman	3150 N EVES DR. Palmer AK 99645	355-7939	
3	MERLE FRANK	Merle R Frank	1780 W Lake Lucille DR	373-5867	
4	DOROTHY FRANK	Dorothy Frank	1780 W. LAKE LUCILLE DR. 99645 99000 DORRIS LAKE DRIVE PO Box 2603, NIKISHI, AK. 99635	373-5867	
5	JEREMY GOFF	Jeremy Goff	1051 N Rainbow Dr	252-0527	
6	James Savage	James Savage	POB 2482 Palmer AK. 99645	775-0234	
7	Larry E. White Jr	Larry E. White Jr	PO Box 899408 Wainwright 99627	745-6587	
8	Howard Koniaski	Howard Koniaski	PO Box 2108 Palmer 99645	355-1068	
9	John Bryan Wuellet	Bryan Wuellet	601 E. Seward Way, Wasilla AK	232-0861	
10	B. WERKIND	B. Werkind	PO Box 472975 Wasilla, AK	507 377 657	
11	Johnny Bourgeois	Johnny Bourgeois	Box 671624 Chugiak, AK	7752757	
12	Theresa Marum	Theresa Marum	2381 S. Paddock Drive Wasilla AK 99654	6883046	
13	Steven E. Kessler	Steven E. Kessler	PO Box 671589 Chugiak, AK 99567	907-631-3326	stevkess1@hotmail.com
14	TAMI M. GEORGE	Tami M. George	7362 W PARKS HWY #880 Wasilla	907-688-5013	
15	Brad Porter	Bradley Porter	PO Box 873094 Wasilla	232-6731	
16	Marianne DeHart	Marianne DeHart	PO Box 873094 Wasilla	315-3893	
17	Fred DeHart	Fred DeHart	PO Box 1124 Willow, AK	315-3892	
18	Gail Just-Cornelius	Gail Just-Cornelius	831 N. Colonial Dr. Wasilla AK	355-4063	
19	Christopher Russell	Christopher Russell	850 E. McHduo Way, Wasilla AK 99654	229-0124	
20	Dolores Forster	Dolores Forster		376-9374	

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	Print Name	Signature	Address	Phone No.	email
1	Nancy E. Dockter	Nancy E. Dockter	2243 W. Ridgewood Dr	223-4612	Stridngal @ mta.
2	Barbara Carter	Barbara Carter	701 A Lucille	982-7361	bc_11stings@yahoocom
3	Steven M Johnson	Steven M Johnson	PO Box 875526	748-5345	
4	Susan M Johnson	Susan M Johnson	PO Box 875526	748-5346	AKmom2@mta.alaska.net
5	Gerald Killian	Gerald Killian	3133 Naomi dr	354-4613	Killian@oci.wt
6	Keith Schieferer	Keith Schieferer	7362 W Parks Hwy #716 Wasilla	715-9476	
7	Donald W. Grimes	Donald W. Grimes	HC 38 Box 2667 Wasilla AK	841-0907	arcticdon @ hotmail.com
8	Vicki J Grimes	Vicki J Grimes	HC 38 Box 2667 Wasilla AK	892-0907	VICKI@ALASKA@historical.com
9	Zoe Bonnette	Zoe Bonnette	3703 N Copperspike St Wasilla AK	357-8850	
10	Levi McMilliff	Levi McMilliff	860 N. Win Circle Wasilla, AK	841-4617	
11	Steffene A. Barker	Steffene A. Barker	2243 W. Ridgewood Dr ^{Wasilla} AK	382-1865	
12	Rodney Van Sciver	Rodney Van Sciver	PO Box 773464 Eagle River AK	3733123	AAKRUS@KISAJ.com
13	Steven DeHart	Steven DeHart	3200 E. Naomi, Wasilla	357-3528	
14	Arlene Delaney	Arlene Delaney	P.O. Box 870922 Wasilla	842-7755	
15	Connie DeHart	Connie DeHart	3200 Naomi Dr, Wasilla	357-3528	
16	John Christian	John Christian	4850 W. Stratford Ct. Wasilla	841-4760	skydiver_44028@yahoo.com
17	Connie Schwaner	Connie Schwaner	4850 W Stratford Ct Wasilla	841-5077	ConnieSchwaner@yahoo.com
18	Ron Hayes	Ron Hayes	2501 Jade Dr. Wasilla AK	357-5790	akbludog@yahoo.com
19	James Jones	James Jones	1760 South Out St. Wasilla AK	357-7350	James Jones @ angie.net
20	Jana Zair	Jana Zair	3505 S. Robert + Lily Palms ⁹⁹⁰⁰¹ AK	743-2167	Krzysztof @ Home

Return to: Conservative Patriots Group, Inc. 1830 E. Parks Hwy. A-113 #535, Wasilla, AK 99654 PH: 907-354-8360

PETITION DEMANDING ALASKA JOIN IN LEGAL ACTION TO REPEAL HEALTH CARE BILL

With the passage of the Health Care Reform Bill, America is teetering toward tyranny. A mandate requiring all individuals to purchase health insurance is an unprecedented form of federal action. A legal challenge by the States appears to be the only hope of protecting the American people from this unprecedented attack on our system of government. At least fifteen states are instituting legal action to challenge the constitutionality of the health care reform bill. Alaska should take its place in this list of States and join in the legal fight. By signing this petition you are demanding the Governor and Attorney General join in the legal action to repeal the Health Care Bill.

	Print Name	Signature	Address	Phone No.	email
1	GERALD M. EVERETT JR	<i>[Signature]</i>	PO Box 872491	907-357-6568	g-eth@yaho.com
2	Diana Pinard	<i>[Signature]</i>	P.O. Box 871347	907-232-1347	pinard@interline.net
3	Paul Pinard	<i>[Signature]</i>		907-232-1347	paupinard@hitmail.com
4	Allissia Jones	<i>[Signature]</i>	1760 S. Cat St Wasilla AK	907-357-7750	dyse.jones@yaho.com
5	ALLISON VERBOS	<i>[Signature]</i>	P.O. Box 871852 WASILLA	357-3473	
6	Connie Woodard	<i>[Signature]</i>	Box 936, Willow, AK	232-3127	
7	Stephen Hill	<i>[Signature]</i>	19206 Clear Falls Cir, ^{Engle River AK}	696-5952	
8	Karl Van Buchard	<i>[Signature]</i>	PO Box 757 Seward AK	224 5536	
9	Walter Thomas	<i>[Signature]</i>	7262 W. Parks Hwy Box 242 ^{Wasilla AK}	222 9631	
10	Benjamin Pearce	<i>[Signature]</i>	2561 N. Birch Harbor Rd. ^{Wasilla AK}	907-992-8844	
11	Mark Phillips	<i>[Signature]</i>	7362 W. Parks Hwy #271	307-231-2094	
12	Tyler	<i>[Signature]</i>	4424 E. Mariah dr	227-2230	
13	Keith Keosacko	<i>[Signature]</i>	9712 S. Pima	696-2671	
14	Mark Fisk	<i>[Signature]</i>	2750 N Tamar Cir	376-8660	markfish@hotmail.it
15	Alison Jorgik	<i>[Signature]</i>	2750 N Tamar Cir. ^{Wasilla AK}	376-8660	alisonjorgik@yaho.com
16	Lisa Perkins	<i>[Signature]</i>	1830 E. Parks Hwy PMB 278 ^{Wasilla AK}	376-6723	
17	Rick Harrington	<i>[Signature]</i>	15055 E. KENT ST.	745-2898	rickharrington@yaho.com
18	CASSANDRA PAUL	<i>[Signature]</i>	4302 W. PARK HWY #683 ^{Wasilla AK}	357-5210	
19	GEORGE PARK	<i>[Signature]</i>	7362 W. PARKS HWY #476 ^{Wasilla AK}	892-7733	
20	Anthony Burrell	<i>[Signature]</i>	725 N. Aurora Avenue, ^{Wasilla AK}	376-0319	1KATLIFE@yaho.com

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	Print Name	Signature	Address	Phone No.	email
1	John Reed		P.O. Box 298667, Wasilla, AK	907 376-4289	
2	JIM LAND		1805 W. Whirlpool Cir Wasilla AK	(907) 631-4990	
3	James Hibbsman		P.O. Box 299 Soldotna AK	907-394-1507	
4	Steve Colligan		P.O. Box 874294 Wasilla AK	238-3422	STAE@CAMPCOLLIGAN.COM
5	Michael Heppshman		P.O. Box 1024 Palmer, AK	907-306-3888	MIK246@hotmail.com
6	Russell Roblini		3531 LUNAN DR. ANCH. AK	907 333-4179	RACOLLINS@G-C-D.NET
7	Ben Young		550 E. Burwood Dr. Wasilla AK	357-3129	
8	Walt Dezi		1100 Tringwood Dr. Wasilla, AK 99657	444-6250	Walt@907OTA.com
9	Tom LaGoy		2715 Cotton Creek on Wasilla	841-8000	Ferr-Seisner-Project@16.com
10	Tom LaFester		6150 N. TALLACH VILL	373-3665	
11	Artheia C. Dikerson		P.O. Box 873675 Wasilla, AK	373-7498	artheia@yach.com
12	DEANNA L. AMERSON		P.O. Box 632717 Chugiak 99567	(907) 775-4605	
13	James B. Hamrick		27634 Judd Dr Chugiak AK 99567	907 688 6407	
14	Sherry Hamrick		27674 Judd Dr Chugiak, AK 99567	907-688-6407	
15	Scott Anderson		20325 Leproschaw Chugiak, AK	907-688-6833	
16	Becky Anderson		20325 Leproschaw Chugiak AK	907-688-6833	
17	KEITH ALPES		P.O. Box 874854 WASILLA AK	99687 907323 4715	
18	RUDOLPH FERDINAND		1150 N. Freedom Ln Wasilla AK	357-4530	Ferdy@DITAonline.net
19	LAURENCE R. OLIVER		10662 BRIGANTINE CIRCLE ANCH. 99575	223-9234	ROLIVER@747@MC.COM
20	James Parkinson		P.O. Box 520675 Pringle AK 99652	892-3835	

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	Print Name	Signature	Address	Phone No.	email
1	Amber Bertorello		P.O. Box 775910 PMB 165	631-4956	Amber.Bertorello@gmail.com
2	Michael D. Sain		2800 N ALMA DR Wasilla AK	376-8085	
3	Tom Hubble		8916 Kak Island, E.R. AK	242-2083	
4	Berley Turner		11911 Regency DR, E.R. AK	622-6041	
5	Bryce Ojalehto		3320 Pintail Cr. Wasilla	232-5883	
6	Debra Bates		PO Box 875094 Wasilla AK	376-2253	
7	Mike Burge		7475 N. Grouse Loop Wasilla AK	376-9368	mburge@gmail.com
8	Ernest W Jones		16822 SLENDER Loop, E.R. AK	726-3613	
9	Jean Calkins		2701 W Stonebridge Dr Wasilla	357-2223	
10	Margaret E. Lovejoy		7362 W. Parks Hwy # 734, Wasilla	376-6927	
11	JERALD CONN		5880 E CARBORNE DR Palmer	376-5960	
12	SANDRA COONS		PO Box 4229 Palmer 99645	745-6779	
13	Robert Coons		PO Box 825643 Wasilla, AK.	306-2594	
14	SD COON		PO Box 84651, Fols, AK		
15	Marty Pajin		2901 N Brewnas way, Wasilla AK	631-5096	
16	Karen Alder		9431 W Concoran Wasilla	354-8908	
17	Jeff Kruger		1875 East Birch, Wasilla AK	357-8345	
18	John Lewellyn		22232 woodcliff CT Chugiak, AK	688-4524	
19	Cheryl Clene		2003 N. Saddle Horse Wasilla AK	357 7237	
20	Cindy Tuohy		4000 N Grey Wolf Dr. Wasilla AK 99654	841-2206	Cindy.tuohy@gmail.com

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	Print Name	Signature	Address	Phone No.	email
1	DEANNA A TAYLOR		7223 EG TH AVE ANCH AK 99504	907-244-4951	
2	Tim L. Calloway		1893 N. Citation Cir. Palmer AK	907745196	
3	Doug Thiessen		189 E Nelson Ave 224 Wasilla	9078543999	
4	Steve Shultz		11095 Equestrian Ct. Palmer	9079462507	
5	Cindy Deal		1100 Illinois Dr Wasilla	907-982-9086	
6	Carson Bales		P.O. Box 875094 Wasilla	907376-2293	
7	Kira LeGoy		2715 Cotton Creek Cr. Kenai	907-357-3413	
8	Dianna Herfesty		16150 N. Talgach Village Wasilla	907 373 3265	
9	Lee Koss		1000 Golden Hills Dr, Palmer AK	907-746-6057	
10	HENRIETTA L. PROVOST		PO. BOX 445 HOUSTON, AK 99694	907-892-7963	
11	JAMES R. CALKINS		2701 W. STONEBRIDGE DR. WASILLA AK 99754	907-357-2225	J.CALKINS@NITACALIVE.COM
12	Rebecca Tucker		PO Box 672317 Chugiak AK 99567	907-376-0956	
13	WALTER LOVEJOY		7360 W Parks Hwy #724 Wasilla 99754	907-376-6927	
14	Michael Coore		PO Box 4225 Palmer AK 99747	507-7451579	
15	Michelle L Remick-Beth		3265 S Dominion Dr Wasilla AK 99754	907 373 4496	
16	ROBERT BURLAN		3100 WARD PLACE #24, ANCH, AK	(907)444-2800	AKROB@LIVE.COM
17	Steve Borgen		1341 W. 78th Ave Anch AK 99518	(907)744-1322	
18	PAUL MOYER		PO Box 875002, Wasilla 99754	907-350-1361	moyerpsj@juno.com
19	Jacqueline Moyer		PO Box 875002, Wasilla, 99754	907-350-1361	" "
20	RICHARD CLINE		2003 N. Saddle Horse Dr. Wasilla AK 99754	907 359 7239	rc-cline@me.com

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	Print Name	Signature	Address	Phone No.	email
1	Rouven H. Duran		PO Box 873612 WASILLA AK 99687	907-841-7128	KL@TS@hawaii.com
2	Jeff Pedersen		P.O. Box 39275 Nimitz, AK 99589	907-232-1237	Stowaway@hotmail.com
3	Shannon Connelly		PO Box 172 Palmer, AK 99645	745-2046	skconn@mtaonline.com
4	Joseph Bantz		P.O. Box 1784 Palmer AK 99645	746-5064	JE1784@mtaonline.com
5	Helen Bantz		PO BOX 1784 PALMER AK 99645	746-5064	"
6	ANNETTE HARPSTER		PO Box 2846 PALMER AK 99645	746-1740	
7	James A. Harpster		P.O. Box 2846 Palmer AK 99645	746-1740	
8	STEVE A COOK		# 205 E. Eagle Vista Cir Wasilla	373-6968	peccook@mtaonline.com
9	Carol Rice		3751 Cottonwood Way Wasilla	350-2669	
10	George Rice		3751 Cottonwood Way Wasilla	350-2444	
11	KEVIN OUTIKER		1051 E. Bogners Rd #9	373 2566	polk@mtaonline.com
12	Cheryl Land		12510 Lehighpool Cir, Wasilla	131-4990	
13	Shelby Hill		6580 E. Andrew Cir Palmer	357-2431	
14	RON ARVIN		187 E. Nelson #136 wasilla ak 99654	373-6682	ron.e.arvin.com
15	Sandra Kottre		PO box 8176-70 wasilla 99687	376 8597	
16	Edmund MacLeod		9116 E. Alpine meadows drive Palmer AK 99645	907-230-5998	emmac@mtaonline.com
17	Kambria Hoshman		PO BOX 1024 PALMER AK, 99645	(907) 306-3888	mlk246@hotmail.com
18	Julee K Sain		2800 N. Olive	376-8895	
19	Jay L. Johnson		735 W Fern Ave Palmer AK 99645	315-4861	
20	Don Bantz		3104 Eastwood rd Lp Wasilla 99654	631-4556	

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	Print Name	Signature	Address	Phone No.	email
1	Steve Runyan	<i>Steve Runyan</i>	Box 1223, Willow, AK 99686	907-495-2697	steve.runyan@ydn.com
2	Paula Runyan	<i>Paula Runyan</i>	PO Box 1223, Willow, AK 99686	907-495-2607	Paula-Joanne@juno.com
3	SUSAN ORR	<i>Susan Orr</i>	7701 Wilbrook Ct., Anchorage, AK 99504	907-332-4492	
4	Bill Collins	<i>Bill Collins</i>	POB 940027 Houston, AK 99694	907-841-2455	
5	Kyle Christiansen	<i>Kyle Christiansen</i>	1680 CATHUNA DR WASILLA AK 99654	907-841-6764	KYLEAK@HOTMAIL.COM
6	Travis Young	<i>Travis Young</i>	2751 E Fallbrook ctyr Ullis, AK 99657	907-331-1912	TYOUNG723@Yahoo.com
7	Darwin Aho	<i>Darwin Aho</i>	PO Box 825910-233	907-376-3468	darwin@mtcinc.net
8	DENNIS SPURRIER	<i>Dennis Spurrier</i>	P.O. Box 284 Seward, AK 99840	907-983-2376	
9	Cris Alan Houghton	<i>Cris Alan Houghton</i>	3800 S. Denward Dr., Wasilla, AK 99654	907-357-4721	oshara04@gmail.com
10	BRIAN BUNLER	<i>Brian Bunler</i>	905 W. FURAKER DR WASILLA, AK 99654	907-376-0729	
11	Chris Goch	<i>Chris Goch</i>	7330 E. Aspen Ridge Rd.		
12	David Petty	<i>David Petty</i>	7362 W. Park, Hwy #706		
13	Mark Bradshaw	<i>Mark Bradshaw</i>	7145 E. Springwood DR Wasilla 99654	746-4770	
14	STEVEN J. COOPER	<i>Steven J. Cooper</i>	11427 E. CIENNA AVE. PALMER, AK 99645		
15	JATHAN MAXI	<i>Jathan Maxi</i>	4300 E. MARILYN WASILLA AK	(907) 841-6661	
16	Travis Parker	<i>Travis Parker</i>	PO Box 875025 Wasilla, AK 99657		
17	Lorraine Hibbsman	<i>Lorraine Hibbsman</i>	PO Box 2991 Seldovia, AK 99669	(907) 453-2011	
18	TIMOTHY KOTRE	<i>Timothy Kotre</i>	PO Box 977670 WASILLA	326-8597	
19	MARGARET MACLEOD	<i>Margaret MacLeod</i>	9116 E. ALPINE MEADOW DR PALMER	745-5870	
20	Douglas S. Sancha	<i>Douglas S. Sancha</i>	1532 A P. Hume Rd. Wasilla, AK	323-0250	

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	Print Name	Signature	Address	Phone No.	email
1	Paula J. Miller	Paula J. Miller	4515 N. McKean Dr. Palmer AK	(907) 745-0265	
2	Tina Walter	Tina Walter	650 Techee Circle Wasilla AK	(907) 357-5620	
3	BRETT WALTER	Brett Walter	650 Techee Circle Wasilla AK	907) 357-5620	
4	Willy Runbo	Willy Runbo	7040 Wellington Kusilla AK	(907) 631-0840	
5	JAMES R. INGLIS	James R. Inglis	707 West Kuskokwim Road, Wasilla AK	907-244-7631	
6	Mark E. Clyde	Mark E. Clyde	5883 E. Morning Mist Drive Palmer AK	373-6791	
7	CONNIE BARRITT	Connie Barritt	7180 S. Territorial Wasilla	373-3442	
8	Larry Hart	Larry Hart	17150 Charity Circle	907-696-4110	hart2has@aol.com
9	Debra Lighthart	Debra Lighthart	HC 32 Box 6528 Wasilla	907-746-1804	
10	Susan Barnes	Susan Barnes	950 S Joanne Dr Palmer AK	745-8911	
11	David Barnes	David Barnes	950 S Joanne Dr Palmer AK	745-8911	
12	Craig Sandberg	Craig Sandberg	5915 S. Harrison Ln Wasilla AK	373-0703	
13	Sherr. Sandberg	Sherr. Sandberg	5915 S. Harrison Ln Wasilla AK	373-0703	
14	Looy E. Thacker	Looy E. Thacker	231 E. Wasilla Ave Wasilla AK	631-5216	
15	Wendy E. Heutson	Wendy E. Heutson	2841 Henson Circle Wasilla AK	696-6630	
16	Paula Aho	PAULA AHO	PO Box 8755/0-2331 Wasilla AK	376-3468	
17	Gilbert L. Rowlett	Gilbert L. Rowlett	3601 N. Traveler Dr. Wasilla AK	376-3728	
18	Dale Dormer	Dale Dormer	PO Box 8700/77 Wasilla AK	376-9428	
19	BILL LUMP	Walter O. H.	PO 298214 WASILLA AK 99629	3766533	
20	Darci Dean	Darci Dean	4261 N. Quebec St Wasilla AK 99684	631-4930	

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1	Chad M. Schuenthler		20450 Mountainside Dr Pungle River AK 99577	907-280-0600	Chad.Schuenthler@mtaonline.net
2	Kenneth Heaton		Box 874377 Wasilla, AK	907-357-1939	Keljoyce@mtaonline.net
3	Lloyd B. Rudd		P.O. Box 298664 Wasilla AK 99629	907-376-3648	
4	Joyce D. MARKS		P.O. Box 871228 Wasilla, AK 99689	326-0672	diligasc@mtaonline.net
5	Gary Milton		630 S. Lower Rd, Palmer, AK 99645	273-4819	
6	Jay Burke		P.O. Box 940045, Houston, AK 99689	892-2226	jayburke@mtaonline.net
7	Yon Smith		P.O. Box 298461 Wasilla AK 99629	892-6078	dsmit@mtaonline.net
8	Kevin Quinn		P.O. Box 940361 Houston, AK 99689	357-8684	
9	Kyle Maxwell		2048 N. Dubasco Court, Palmer, AK 99645	282-4333	Kyle@KIMNG
10	Michael Sawyer		P.O. Box 671151 Chugiak, AK 99654	(907) 357-4955	
11	Diane Sunderland		1532 N Pittman Rd Wasilla, AK 99689	373-0250	doug@mtaonline.net
12	GEORGE KOVAL		1632 TRAIL CIRCLE WASILLA, AK 99689	907-357-2253	PERSEUS@MTAONLINE.NET
13	Harkwood, Daniel		315 E. Dolphin Ave Palmer, AK 99645	907-7461922	
14	Art Finn				WFCuu@hotmail.com
15	Brandon Bennett		170916E Plumley RD. Palmer AK 99645	907-341-8018	
16	Stevens Sandberg		P.O. Box 670092 Chugiak AK 99689	907-688-2147	janice@mtaonline.net
17	Bobby A Lucas		P.O. Box 871229 Wasilla, AK 99689	357-6100	
18	Michael Birch		4460 W. Sprucewood Dr Wasilla AK 99689	357-8192	mbirch@mtaonline.net
19	ANDY STANTON		1150 S. COLONY WAY 3-226, PALMER AK 99645	746 0980	
20	Linda B. McCombs-Roach		P.O. Box 874652 Wasilla, AK	373-2630	lntrowe@mtaonline.net

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1	HARRY F. BENINATI		7051 Clairmont Cir. Anchorage AK 99507	907 337 4079	HBeninati@AAL.com
2	JOEL LAURUP		5794 MORNING MIST DR PALMER 99645	907 241 3231	JOEL 7576 @ YAHOO.COM
3	Don Olstad		P.O. Box 873912 Wasilla, AK 99687	907 232-7705	
4	DON PICKETT		BOB 874793 WAS 99688	907 232-7705	892-2010
5	Jacie Kopy		2435 Ravensflight WAS 99654		
6	DONNA CHILDRESS		PO Box 1438 Palmer AK	746-5212	
7	Catherine Hicks		1029A Tomahawk Dr. FRIEN	4108047	
8	Marcus T. Reum		2602 E. Kates Dr. Anchorage AK 99504	354-7365	marcus.reum@gmail.com
9	PAUL ZITKA		PO Box 946171 Houston AK 99694	PRIVATE	PRIVATE
10	Dannie L Carter		PO BOX 298653 Wasilla AK 99629	907-354-1984	pcarter@mtaonline.net
11	Ruth M. Graham		6910 Dickerson Dr. Anchorage 99504	907-729-6040	
12	Tabor Nathan		20331 Granite Park Cir Eagle River 99571	907-622-8020	
13	Samuel Eronson		17741 E Castle Rock Ln Palmer 99645	907-745-0926	Sam@spinellhorns.com
14	Sharon K Watson		2043 Cannoneer Cr Anch 99509	907-644-8563	skw@gci.net
15	Tom Sweek		4921 S. E 10th Circle		tomswEEK@hotmail.com
16	Dennis Waller		4250 E. Palmdale	232-4252	
17	Joseph T. Hunkins		791 Hassler Dr. Wasilla AK	376-4104	
18	Frances G. Wilson		1820 Raintreewood Pkwy, Palmer	376-0284	
19	ARRETT FINLEY		2625 PARMIGAN PL WASILLA AK	357-5685	FINLEY375@YAHOO.COM
20	Robert Wall		16049 Turbulence East River AK	440-1621	

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	Print Name	Signature	Address	Phone No.	email
1	Charles Spaulding	Charles Spaulding	P.O. Box 1129 CHICKALOON ⁹⁹⁶⁷⁴	907-746-2216	chuck@novakalaska.com
2	Larry Hawkins	Larry Hawkins	2099 S. Seward Pic St. Wasilla ⁹⁹⁶⁵⁴	907-777-5846	alaskhawk19201.com
3	Nathan Mitchell	Nathan Mitchell	7208 E. Breckenridge Dr Wasilla ⁹⁹⁶⁵⁴	907-741-8120	
4	Enka Mitchell	Enka Mitchell	7708 E. Breckenridge Dr Wasilla ⁹⁹⁶⁵⁴	907-775-5311	
5	GARY D RAAIS	GARY D RAAIS	11474 Discovery View Dr Anch AK		907-344-8407
6	LUCINDA PARKER	LUCINDA PARKER	POB 342 PALMER ⁹⁹⁶⁷⁵		907-745-3828
7	Eleanor Koveroff	Eleanor Koveroff	P.O. Bx 302 Talkeetna		KLIXT@hotmail.com
8	Elizabeth Tudy	Elizabeth Tudy	P.O. Box 1673 Valdez AK ⁹⁹²⁸⁶	907-461-3622	
9	William Wise	William Wise	1045 North Sunn Street Loop Wasilla ^{AK 99654}	907-376-8833	wisewill92@yahoo.com
10	Rhea Carlson	Rhea Carlson	P.O. Box 871631 Wasilla AK	373-0880	
11	Dale Carlson	Dale Carlson	"	"	
12	Mike Alexander	Mike Alexander	PO Box 52171 Big Lake AK	907-892-4845	
13	Robert Wallick	Robert Wallick	17546 Rachel Cir Eagle River, AK	907-301-5235	wallickrob@rci.net
14	Taylor Crocker	Taylor Crocker	1011 N Amber Dr Wasilla, AK 99654	907-841-6381	chuckcrocker44@hotmail.com
15	William Burke	William Burke	1135 E. 45th CR PALMER AK 99645	907-745-4451	riverat@ak.net
16	JON R. DENARDI	JON R. DENARDI	4945 Hovey Dr. Wasilla AK 99654	907-376-4680	ta25th@mtaonline.net
17	PATRICIA A DENARDI	PATRICIA A DENARDI	4945 Hovey Dr Wasilla AK 99654	907-376-4680	ta25th@mtaonline.net
18	Joyce E. HEATON	Joyce E. Heaton	PO Box 874379 Wasilla AK 99687	907-557-1934	kejoyce@juno.com
19	STAN MURDOCK	Stan Murdock	PO Box 2476 PALMER AK 99676	907-357-4368	
20	Jaime Keene	Jaime M. Keene	8035 W Tia Terrace 99654	907-373-5654	keenej@mtaonline.net

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	Print Name	Signature	Address	Phone No.	email
1	Eugene W. Jockey	Eugene W. Jockey	21931 Rebecca Cir ^{Chugiak} AK 99522	688-1527	gene.jockey@gsi.net
2	Stephen K Sweetland	Stephen K Sweetland	Po Box 876584 Wasilla AK 99687	357-3533	
3	John Justice	[Signature]	Po Box 877508 Wasilla AK 99687	763-661-5015	johnjustice@gsi.net
4	Seemich Winkos	[Signature]	Po Box 231666 Anchorage AK 99426	414-41274	
5	Christopher Evans	Chris Evans	7672 E. Aspen Ridge ^{Wasilla AK} AK 99687	382-8129	
6	Judy G. Hill	Judy G. Hill	980 S. Bettman Way Wasilla AK 99684		
7	John M. Tuohy	[Signature]	4501 Richardson Hunt, Valdez, AK 99686	831-1805	
8	Christopher M Tucky	Chris Tucky	200 W Spruce Ave Apt 4 Wasilla AK 99684	907-841-8479	
9	Alexander A Aronson	[Signature]	11400 East Smith Rd Palmer AK 99645	907-746-2205	
10	Daniel Schuetter	[Signature]	3505 Bergman Rd ^{Palmer AK} 99645	746-4133	
11	ELLIOT NIEMI	[Signature]	5465 Huana Rd, Eagle River, AK	980-5719	NORTH OF 60 m 490 7700
12	Amber Shea	[Signature]	230 E. Spruce Ave B Wasilla 99684	841-4673	
13	Brian Shea	[Signature]	" " "	841-1739	
14	Jack Sisson	Jack Sisson	Po Box 873522 Wasilla AK 99687	357-2195	jack@gsi.net
15	Michelle Entwistle	Michelle Entwistle	7411 W. Indigo Dr. ^{Wasilla AK} 99684	376-6058	
16	Jim Roach	Jim Roach	2409 N. Saddle Horse ^{Wasilla AK} 99687	373-0665 460-0202	roach@entwistle.net
17	Thomas B. Jensen	[Signature]	P.O. Box 876455 Wasilla AK	907-357-2020	
18	Erdelia K. Matranga	Erdelia K. Matranga	1132 Alacer Cir, Eagle River, AK	907-696-1872	
19	Richard B Davis	Richard B Davis	11132 " "		
20	Todd Wessels	[Signature]	3720 E. ^{MARK RD} Wasilla, AK	907-841-2410	

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	Print Name	Signature	Address	Phone No.	email
1	Irene Taylor		1002 Roseh. p, Wasilla	373-0816	
2	Gilbert GORDMAN		1010 Jesselton Lane Palmer AK	746-2994	
3	David George		16922 Kiyora Cir. PR AK	862-4065	
4	SHANE MCKEE		13840 E HAYWAGON W PALMER AK	2148845636	
5	Gordon A Hedden		200 W 34th Ave #991 ^{Palmer} AK 99603	907-278-2493	
6	MARILYN N Hedden		200 W 34th Ave #991 ^{Palmer} AK 99603	907-278-2493	
7	D. George Richardson		3132 E. Tamarack Woonille AK 99624	357-0243	
8	Judith White		1844 E 26th Anch. AK 99503	2677-5939	
9	Diane Crockett		1846 E. Tuk-Ai Dr. Wasilla, AK 99654	(907)441-2640	Flyonion@yahoo.com
10	Dae Poteet		20329 W Deneki Drive ^{Wasilla}	775 3859	
11	Gabriela Olide		PO BOX 870584 Wasilla AK	841-3808	
12	Richard Louvas		18085 E. Walling Rd Palmer AK 99645	746-0495	
13	Forrest Fanning		4245 Cress Dr	444-4296	
14	Thomas W. Oels		4350 Fox Trot Wasilla AK	232-6782	blake@mtaonline.net
15	Ron Palmer		1600 W Melonie Ave	376-2518	
16	RICK THOMY		4600 N. Gary Way DR WASILLA	232 6550	rickett@gmail.com
17	CHARLES DEFREEST		20450 Lils Way Chickaloon	745-1022	Lillian@MTAonline.net
18	Kevin Wellington		16555 E. Bohannon Way Palmer	745-8885	KevinW@se.net
19	Bence Wellington		"	"	"
20	Charity Koland		3261 A Canby St Wasilla	982-6988	

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	Print Name	Signature	Address	Phone No.	email
1	Brook Nelson	Brook Nelson	900 Enterprise drive	907-232-5152	gkhancheider@hotmail.com
2	Kathryn Eckmann	Kathryn Q Eckmann	7801 Schuss Cir Anch 99507	907-345-6333	
3	Herbert Eckmann	Herbert Eckmann	- - -	- - -	
4	Ricky Roberts	Ricky Roberts	3635 N. Fortwayne Circle Wasilla 99654	907 357 4867	
5	VEM NIKISKY	VEM NIKISKY	12125 Hazel St	907-357-5920	KarMayNelson@hotmail.com
6	Richard Burns	Richard Burns	1600 Lacy Loop	232-1307	
7	Daryl Smith	Daryl Smith	10339 Stewart Dr, Eagle River AK	696-6646	
8	Steven Kelly	Steven Kelly	5429 N. Sanderwood Ln	746-0662	
9	Rhonda Weinrich	Rhonda W	3400 E Neomarkus Was 99654	376-3400	RhondaCharron2@aol.com
10	Lennie Wood	Lennie Wood	5670 N Wildwood Dr, Was 99654	357-1853	
11	Lynn Slusher	Lynn Slusher	3941 E. Tambak T Wasilla 99654	376 7835	
12	OWEN WESTER	Owen Wester	P.O. BOX 874246 WASILLA AK 99657	351 7748	owenston329@aol.com
13	Sandra J Guzman	Sandra J Guzman	1010 Josselin Lane Palmer	746-2994	guzmanmomb1@yahoo.com
14	Robert J Gauthier	Robert J Gauthier	2880 S. Daverson Way, Wasilla AK 99654	631-6644	
15	Vanessa E	Vanessa E	5812 S. Lane Ln Wasilla AK 99654	357-9190	csiposy@mtc4.com
16	Don McKee	Don McKee	13840 E Hwy Wagonway Palmer AK	952.0532	sluifbox@hotmail.com
17	Tyler Sutcliffe	Tyler Sutcliffe	2055 Cranberry Ct, Wasilla AK	907 351 1327	TylerSutcliffe@hotmail.com
18	JUDITH C RICHARDSON	Judith C Richardson	3132 E TANK CREEK Ave Wasilla AK	907-357-0243	
19	Ray Hafen	Ray Hafen	3361 Tungsten Dr Wasilla AK 99654	307-441-8811	
20	DAVID CREKETT	David Crettet	6946 E TEX-AL DR WASILLA, AK 99654	907 242-5571	

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	Print Name	Signature	Address	Phone No.	email
1	Willa B. Bettine	Willa B. Bettine	7362 W. Parker Hwy 3V2	892-6971	jen@conservativepk.com
2	Lynn Gattus	Lynn Gattus	1650 N. S. Melina Dr		
3	KENNETH BARBER	Kenneth Barber	17367 E. Melin Rd Palmer 99645	745-4446	
4	Jonathan Foster	Jonathan Foster	2671 N. Bald Eagle Dr 99654	557-6795	
5	Patti Barber	Patti Barber	17367 E. Melin Rd Palmer 99645	746-4446	pkbarber@ge.net
6	BILL IVERSON	Bill Iverson	36708 MORGAN LOOP ^{10101NA} AK 99649	260-5723	fishbone@usa.net
7	Sherry Jackson	Sherry Jackson	100 E. Inverness Dr. Wasilla AK 99651	373-6227	Jackson5@ak.net
8	JAMES HASTINGS	James Hastings	200 N. Plymouth Cir. Wasilla AK 99651	557-1043	jhast3@usaonline.net
9	Dan McDowell	Dan McDowell	5301 Madison Dr Wasilla AK 99651	232-8051	Dan & Lauri@netcom.ak.net
10	Mike Hudson	Mike Hudson	9700 S. Scirolo Dr 99654	373-5434	
11	Philip Ward	Philip Ward	PO Box 849635 Wasilla AK ⁹⁹⁶⁵⁴	841-1509	
12	MAX SAGER	Max Sager	3781 Ruth Dr Wasilla AK	373-0520	MSA971@9ci.net
13	Greg Busch	Greg Busch	HC 35 Box 223 Wasilla AK 99654	842-7593	
14	Lavonne Boyd	Lavonne Boyd	6820 Leekwald Wasilla AK	841-6951	
15	John Ace	John Ace	6991 W. Wellington, Wasilla AK	907-357-0051	john.ace@yelp.com
16	Traci & Wilk	Traci & Wilk	P.O. Box 877885 Wasilla AK 99657	757-0024	
17	Julie Gillette	Julie Gillette	4301 S. Well Site Rd Wasilla AK 99651	376-5455	hutchinson@ak.net
18	FRANCISCO CAMPBELL	Francisco Campbell	3061 S. RATTAN Drive Wasilla AK 99651		
19	Amy Campbell	Amy Campbell	3061 S. RATTAN Dr. Wasilla AK 99651		
20	Suzi Hartmann	Suzi Hartmann	14300 E. Norman Ave. 99645	746-5880	hartmann@earthlink.net

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	Print Name	Signature	Address	Phone No.	email
1	Robert Mann	<i>R Mann</i>	7362 W Pointe Hwy #63, Wasilla	373 2121	
2	Webb Garrison	<i>Will Garrison</i>	801 Sulatna Bay Wasilla	373-2098	
3	William Mann	<i>William Mann</i>	4721 S. Treasure Cove Dr.	373-1252	
4	Kelsey Trimmer	<i>Kelsey Trimmer</i>	P.O. Box 873112 Wasilla, AK 99687	841-8632	
5	Steph M. Willman	<i>Steph M. Willman</i>	3555 N. Snow Goose Drive Wasilla AK 99654	357-1211	
6	Sue Willman	<i>Sue Willman</i>	3555 N. Snow Goose DR Wasilla AK 99654	357-1211	
7	Mark Farrar	<i>Mark Farrar</i>	1830 E. Parks Hwy #A113-572 Wasilla, AK 99654	357-6955	
8	Nancy Laabs	<i>Nancy Laabs</i>	4175 N. Clark Wolverine Rd Palmer AK 99665	746-4666	
9	John Pulling	<i>John Pulling</i>	P.O. Box 1445 KENAI, AK 99611	776-8770	
10	JD Biggs	<i>J D Biggs</i>	P.O. Box 521206 Prtg LAKE 99662	892-4152	
11	ANDY KENDRO	<i>Andy Kendro</i>	P.O. Box 1269 PALMER, AK 99645	907-982-9038	akendro@hotmail.com
12	ROLAND KIRTOW	<i>R. J. Kirtow</i>	P.O. Box 87111 WASILLA AK 99654	907-376-3657	
13	Patrick Bromley	<i>Patrick Bromley</i>	2100 S. Milton Circle Wasilla AK 99654	907-776-7612	
14	Charles Miller	<i>Charles Miller</i>	550 Barron Loop Wasilla, AK 99654	907-376-9571	
15	Aaron Pfluck	<i>Aaron Pfluck</i>	P.O. Box 4938 Palmer, AK 99645	841-9848	
16	Tom E. Huff	<i>Tom E. Huff</i>	18707 S. ANNE TERRY DR. AK 99654	907-694-2326	
17	DAN TAYLOR	<i>Daniel K. Taylor</i>	1000 S. Rosehip Pl. AK 99654	907-373-0816	
18	Christina Gurman	<i>Christina Gurman</i>	135 N. Jessica Ln Palmer AK 99665	907-888-6001	
19	Karen Gauthier	<i>Karen Gauthier</i>	2880 S. DONOVAN DR Wasilla AK 99654	907-6318374	Kgauthier08@yahoo.com
20	Heidi Sutcliffe	<i>Heidi Sutcliffe</i>	2055 N. Cranberry Ct Wasilla AK 99654	357-0904	yoona1994@yahoo.com

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	Print Name	Signature	Address	Phone No.	email
1	Carbun Sheel	Carbun Sheel	1052 Frank Smith Hwy #105	907-357-4005	
2	Susan Golds	Susan Golds	11557 Tanglewood Hlts Cir	907-345-3650	
3	David Hecker	David Hecker	189 E. Nelson Ave #117	907-352-4749	
4	Charles Templeton	Charles Templeton	2970 S Haines Cir Wasilla	375-6134	
5	Twila Templeton	Twila Templeton	2970 S Haines Cir Wasilla	373-0134	
6	Bruce Wilden	Bruce Wilden	3850 Tustin Dr Prudhoe Bay AK	707-1035	
7	Sonya Walden	Sonya Walden	3850 Tustin Dr Prudhoe Bay AK	707-1035	
8	JASON C GREEN	JASON C GREEN	P.O. Box 876647 WASILLA AK 99687	354-3873	
9	Amy Thomas	Amy Thomas	415 Colonial Drive, Kenai AK 99654		
10	Jim BREUN	Jim Breun	415 N. CLARK WOLVERINE PALMER AK 99645		
11	Betty Pulling	Betty Pulling	P.O. Box 770742 Eagle River AK	99577	
12	Christopher Teal	Christopher Teal	4778 Gray Loop Unit D Prudhoe Bay AK	503-514-1774	
13	Alicia Taal	Alicia Taal	4778 Gray Loop Unit D Prudhoe Bay AK	99506-503-894-1779	
14	Jackie Carpenter	Jackie Carpenter	900 Enterprise Dr Prudhoe Bay AK	99654 907-355-8712	
15	JOHN W. SENAN	John W. Senan	3635 N. Fortune Cir C Prudhoe Bay AK	" 357-4887	
16	Cheryl KIRTON	Cheryl Kirton	PO Box 877711 Wasilla AK 99687	376-3657	
17	Roz MASON	Roz Mason	12125 Haines Cir Wasilla AK 99654	357-5901	
18	Andrew Bramley	Andrew Bramley	2100 Pylon Circle Wasilla AK 99654	376-3642	
19	DERRELL SENSEN	Derrell Sensen	4601 S CENTER CIR, WASILLA AK 99654	376-5264	
20	DIANE J HENDERSON	Diane J. Henderson	PO Box 873546 WASILLA AK 99687	907-357-4264	

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1	WILARD H WAMSGANTZ	Wilard H Wamsgantz	1524 RAVEN DR WASILLA 99654	907 357 2820	
2	PAUL McRoberts	Paul McRoberts	A.O. Box 521282 Big Lake 99655	907-892-7089	
3	WILLIAM B CHILDRESS	William B Childress	PO Box 1438 PALMER	907 3784019	
4	John Kolehmainen	John Kolehmainen	1251 N. Calero DR. Palmer 99655	907 7545646	
5	Peggy LaFe	Peggy LaFe	2345 Lynx Cir Wasilla 99654	907-3734186	
6	Robert D Graham	Robert D Graham	690 Dickerson Dr. Anchorage 99504	907-929-6040	
7	CARA BROWN	Cara Brown	17714 E. Castle Rock Ln Palmer		CHANCHORAGE@hotmail.com
8	MILES HAISTEN	Miles Haisten	4101 S. EIDER CIR WAsILLA	907 376 6864	
9	NANCY KOVAL	Nancy Koval	1632 Trail Cir. Wasilla 99654	907-357-2253	
10	MARCELO ISBELL	Marcelo Isbell	401 W Dover Cir Wasilla AK 99654	907-590-0292	m-isbell@hotmail.com
11	Curt Birch	Curt Birch	3001 Whispering Woods Dr. Wasilla AK	907-332-8778	
12	JANET L. STANTON	Janet L. Stanton	1152 S. Colony Way #326 Palmer	907-746-0880	janlysc@aol.com
13	WALTER L MILLER	Walter L Miller	41515 N. McKeon Dr. Palmer AK 99655	907-545-0262	millerm5@gmail.com
14	DORIS RUMBLE	Doris Rumble	PO Box 877456 Wasilla AK 99687	570-766-5244	dorismr46@yahoo.com
15	Nancy Hendrickson	Nancy Hendrickson	PO Box 877301 Wasilla, AK 99687	907-373-7544	triggere@mtaonline.net
16	John D. Smith	John D. Smith	2440 E. Tudor Rd #1117 Anchorage AK 99507	907-947-9303	
17	EDITH SCHULTEN	Edith Schulten	11574 E. Annie Ln.	907-745-2235	
18	Ronald C Hills	Ronald C Hills	980 S. Bettina Way Wasilla 99654	(907) 376 7668	
19	William G. Burke	William G Burke	2234 E. Village Loop	907 376 2268	
20	T-C ORR	T-C Orr	7701 Wildbrook Court	907 332-4482	

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	Print Name	Signature	Address	Phone No.	email
1	JAMIE Lu SMITH		HC34 Box 2131M Wasilla, AK 99554	376-2863	topgun@mtaonline.net
2	Lindy Schmeltz		631 Crestwood Ave Wasilla AK 99554	373-3435	Schmeltz-01@hotmail.com
3	John Quakkelaar		5949 A Goodwin Ave EAFB 99506	830-3165	jquakk03@gei.net
4	Gary Morgan		17305 N. Twinite LP Eagle River 99577	310-6343	GARY.MORGAN@live.com
5	Jack A. Ross		2221 Muldoon Rd, H515	744-6664	JackofAll@yaho.com
6	Isaac		69223 S Pruks Hwy, Willow, AK		
7	James Johanson		P.O. Box 871701 Wasilla, AK 99687	892-7420	inf.2004@james@yaho.com
8	Michael Dall		5341 Highland Dr, Palmer, AK	745-5357	
9	Tom Kirk		7412 SILVERBIRCH DR, Palmer, AK 99507	243-3123	
10	Madonna S. Southcott		PO Box 4993 Palmer, AK	746-13925	mmsouth@mtaonline.net
11	Jim Whitecavage		10535 Crestview Ln ER	6949335	165avage@mtaonline.net
12	Gordon Butt		7320 Westw Dr Palmer AK 99645	354-0633	gordonb7320@gmail.com
13	Suzanne LaValley		PO Box 875291, Wasilla, AK	357-5561	SuzanneLaValley@gei.net
14	Ned Eddy		4043 N. ALVINS ALLEY, WASILLA 99654	323-5477	ned@eddy@mtaonline.net
15	Eric Yould		P.O. Box 3415 Palmer, AK 99645	745-8367	eyould@alaska.com
16	Patricia Yould		"	"	
17	Elizabeth Lawrence		474 W. Heritage Drive Wasilla	301-8525	REALSETTLEMENTS.NET
18	Kevin Byman		950 N Shumardish Wasilla AK 99654	357-2690	
19	Josh Bolinder		155 S. Valley Way Palmer AK 99645	232-2838	bolinderjosh@yahoo.com
20					

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	Print Name	Signature	Address	Phone No.	email
1	Wanda R Brown	Wanda R Brown	4115 N. BIRCHWOOD DR. W.	457-1111	WandaRBrown@yahoo.com
2	Wanda R Brown	Wanda R Brown	39073 Minilikik AK	567-3545	
3	David Ewings	David Ewings	18732 Price Island Cir ER, AK	250-3297	
4	Janet Ewings	Janet Ewings	18732 Price Island Cir ER AK	250-3297	
5	Tim Brown	Tim Brown	Po Box 874331 Wasilla AK 99687	376-9489	
6	Shayne Coisman	Shayne Coisman	1000 Sycamore Dr Wasilla AK 99687	373-3315	
7	Len Betts	Len Betts	3090N. Bald Eagle Ar, Wasilla 99687	373-5413	KLZLB@yahoo.com x
8	RALPH SAMUELS	Ralph Samuels	8220 FRANK ST. ANCHORAGE 95518	446-7253	
9	DALE BUNNIS	Dale Bunnis	1200 N. CACHE AVE. WASILLA	376-8508	
10	John Pennell	John Pennell	2700 Sarnet Lane, Wasilla, AK	357-1618	
11	Donald Maupin	Donald Maupin	910 Edinborough Palm, AK	746-0788	maupin@gsi.net
12	DONALD GLENN	Donald Glenn	2221 Muldon Rd #404 Anchorage	240-1649	
13	Brian Agee	Brian Agee	2001 W. That Rd Wasilla	357-3755	
14	LISA M. JOHANSEN	Lisa Johansen	PO Box 871791 Wasilla AK 99687	892-7420	alcojo94@yahoo.com
15	Tim K. Halverson	Tim Halverson	3150 S. Phenix Wasilla AK	376-2121	
16	MARK W NORMAN	Mark W Norman	2300 N SKWENTING BAY ^{WASILLA,} AK	357-8425	MARKW-NORMAN-9K@NET
17	ROGER D. JONES	Roger D Jones	4000 MARQUIS WAY ANCHORAGE AK 99502	245-2132	rogerjones@GCI.NET
18	SUDDY F KIRK	Suddy F Kirk	7100 Briggs Dr	373-5107	kirk@sbc.com
19	Heather Jones	Heather Jones	20875 S. Birchwood Ln	850-5689	hvj@alaska@yahoo.com
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PETITION DEMANDING ALASKA JOIN IN LEGAL ACTION TO REPEAL HEALTH CARE BILL

With the passage of the Health Care Reform Bill, America is teetering toward tyranny. A mandate requiring all individuals to purchase health insurance is an unprecedented form of federal action. A legal challenge by the States appears to be the only hope of protecting the American people from this unprecedented attack on our system of government. At least fifteen states are instituting legal action to challenge the constitutionality of the health care reform bill. Alaska should take its place in this list of States and join in the legal fight. By signing this petition you are demanding the Governor and Attorney General join in the legal action to repeal the Health Care Bill.

	Print Name	Signature	Address	Phone No.	email
1	DARIN BERTOLINI	<i>Darin Bertolini</i>	375 N BEAVER LOGGERS RD.	907 943-5038	20000 PHILLIPS LANE DARIN.S.BERTOLINI@ALASKA.COM
2	RICK C. ELLIS	<i>Rick C. Ellis</i>	341 S. GASTMAN CT. WASILLA	376-6703	376 9552223@earthlink.net
3	KEVIN VANCE	<i>Kevin Vance</i>	477 N. CHUGACH ST	745-8118	
4	PHIL KNIGHT	<i>Phil Knight</i>	2034 W. CHURCH DR. WASILLA	795-8908	pknight50@alaska.com
5	KAREN HOY	<i>Karen Hoy</i>	PO BOX 870797, WASILLA AK 99681	357-6273	koy@alaskaonline.net
6	LARRY WOOD	<i>Larry Wood</i>	4750 Chiswick-Harrison rd Anchorage AK 99505	746-4581	lwood@alaska.com
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Return to: Conservative Patriots Group, Inc. 1830 E. Parks Hwy. A-113 #535, Wasilla, AK 99654 PH: 907-354-8360

PETITION DEMANDING ALASKA JOIN IN LEGAL ACTION TO REPEAL HEALTH CARE BILL

With the passage of the Health Care Reform Bill, America is teetering toward tyranny. A mandate requiring all individuals to purchase health insurance is an unprecedented form of federal action. A legal challenge by the States appears to be the only hope of protecting the American people from this unprecedented attack on our system of government.

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	Print Name	Signature	Address	Phone No.	email
1	Wayne Foust	<i>Wayne Foust</i>	1830E Parks Hwy Box #665 Sitka AK 99581	1-907-372-9961	Geiss@mtaonline.net
2	Jason Wood	<i>Jason Wood</i>	P.O.B. 111769 Anchorage, AK 99511	242-9612	
3	CHAD RUSSELL	<i>Chad Russell</i>	P.O. Box 23,921 Anchorage AK 99523	440-9275	
4	Maragret Branley	<i>Maragret Branley</i>	P.O. Box 298217 Wasilla AK 99629	373-7420	herbpassion@ipahce.com
5	Charles Branley	<i>Charles Branley</i>	708 298217 Wasilla AK 99629	373-7420	adammak@yaho.com
6	Rominske Keith A.	<i>Keith Rominske</i>	H.C. 32, 6525 T Wasilla AK 99654	746-7209	
7	Amanda St. Peter	<i>Amanda St. Peter</i>	1428 N. Tanandri Wasilla, AK	373-1157	
8	Kyle St. Peter	<i>Kyle St. Peter</i>	1428 N. Tanandri Wasilla AK	373-1157	
9	John Carr	<i>John Carr</i>	3920 STEVEN Dr Wasilla	355-0752	rickcarr@mtaonline.net
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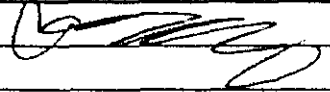
By signing this petition you are demanding the Governor and Attorney General join in the legal action to repeal the Health Care Bill.

	Print Name	Signature	Address	Phone No.	email
1	Ray Kreig	<i>[Signature]</i>	3818 Clay Products Rd 99507	276 2025	ray@kreig.com
2	JOHN A. GIMARC	<i>[Signature]</i>	1165 BLUFF CREEK CIRCLE 99515	3450629	ajimarceak.net
3	Glen M. Biegel	<i>[Signature]</i>	5951 Barry Ave 99507	346-2244	gbieg@ak.net
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	Print Name	Signature	Address	Phone No.	email
1	Carolyn Kuckert		92nd Commons Place Anchorage AK 99504	760-7714	ckuckert@alaska.net
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**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
Pensacola Division**

**STATE OF FLORIDA, by and through
BILL McCOLLUM, ATTORNEY GENERAL
OF THE STATE OF FLORIDA;**

**STATE OF SOUTH CAROLINA, by and through
HENRY McMASTER, ATTORNEY GENERAL
OF THE STATE OF SOUTH CAROLINA;**

**STATE OF NEBRASKA, by and through
JON BRUNING, ATTORNEY GENERAL
OF THE STATE OF NEBRASKA;**

**STATE OF TEXAS, by and through
GREG ABBOTT, ATTORNEY GENERAL
OF THE STATE OF TEXAS;**

**STATE OF UTAH, by and through
MARK L. SHURTLEFF, ATTORNEY GENERAL
OF THE STATE OF UTAH;**

**STATE OF LOUISIANA, by and through
JAMES D. "BUDDY" CALDWELL, ATTORNEY
GENERAL OF THE STATE OF LOUISIANA;**

**STATE OF ALABAMA, by and through
TROY KING, ATTORNEY GENERAL
OF THE STATE OF ALABAMA;**

**STATE OF MICHIGAN, by and through
MICHAEL A. COX, ATTORNEY GENERAL
OF THE STATE OF MICHIGAN;**

**STATE OF COLORADO, by and through
JOHN W. SUTHERS, ATTORNEY GENERAL
OF THE STATE OF COLORADO;**

**COMMONWEALTH OF PENNSYLVANIA, by
and through THOMAS W. CORBETT, Jr.,
ATTORNEY GENERAL OF THE
COMMONWEALTH OF PENNSYLVANIA;**

**STATE OF WASHINGTON, by and through
ROBERT M. McKENNA, ATTORNEY GENERAL
OF THE STATE OF WASHINGTON;**

**STATE OF IDAHO, by and through
LAWRENCE G. WASDEN, ATTORNEY GENERAL
OF THE STATE OF IDAHO; and**

**STATE OF SOUTH DAKOTA, by and through
MARTY J. JACKLEY, ATTORNEY GENERAL
OF THE STATE OF SOUTH DAKOTA;**

Plaintiffs,

v.

Case No. 3:10-cv-91

**UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES;
KATHLEEN SEBELIUS, in her official
capacity as the Secretary of the United States
Department of Health and Human Services;
UNITED STATES DEPARTMENT OF
THE TREASURY; TIMOTHY F.
GEITHNER, in his official capacity as the
Secretary of the United States Department
of the Treasury; UNITED STATES
DEPARTMENT OF LABOR; and HILDA
L. SOLIS, in her official capacity as Secretary
of the United States Department of Labor,**

Defendants.

COMPLAINT

Plaintiffs, STATE OF FLORIDA, by and through BILL McCOLLUM,
ATTORNEY GENERAL OF THE STATE OF FLORIDA; STATE OF SOUTH
CAROLINA, by and through HENRY McMASTER, ATTORNEY GENERAL OF THE
STATE OF SOUTH CAROLINA; STATE OF NEBRASKA, by and through JON

BRUNING, ATTORNEY GENERAL OF THE STATE OF NEBRASKA; STATE OF TEXAS, by and through GREG ABBOTT, ATTORNEY GENERAL OF THE STATE OF TEXAS; STATE OF UTAH, by and through MARK L. SHURTLEFF, ATTORNEY GENERAL OF THE STATE OF UTAH; STATE OF LOUISIANA, by and through JAMES D. "BUDDY" CALDWELL, ATTORNEY GENERAL OF THE STATE OF LOUISIANA; STATE OF ALABAMA, by and through TROY KING, ATTORNEY GENERAL OF THE STATE OF ALABAMA; STATE OF MICHIGAN, by and through MICHAEL A. COX, ATTORNEY GENERAL OF THE STATE OF MICHIGAN; STATE OF COLORADO, by and through JOHN W. SUTHERS, ATTORNEY GENERAL OF THE STATE OF COLORADO; COMMONWEALTH OF PENNSYLVANIA, by and through THOMAS W. CORBETT, Jr., ATTORNEY GENERAL OF THE COMMONWEALTH OF PENNSYLVANIA; STATE OF WASHINGTON, by and through ROBERT M. McKENNA, ATTORNEY GENERAL OF THE STATE OF WASHINGTON; STATE OF IDAHO, by and through LAWRENCE G. WASDEN, ATTORNEY GENERAL OF THE STATE OF IDAHO; and STATE OF SOUTH DAKOTA, by and through MARTY J. JACKLEY, ATTORNEY GENERAL OF THE STATE OF SOUTH DAKOTA, file this action against Defendants, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS); KATHLEEN SEBELIUS, in her official capacity as the Secretary of HHS; UNITED STATES DEPARTMENT OF THE TREASURY (Treasury); TIMOTHY F. GEITHNER, in his official capacity as the Secretary of the Treasury; UNITED

STATES DEPARTMENT OF LABOR (DOL); and HILDA L. SOLIS, in her official capacity as the Secretary of DOL, and state:

NATURE OF THE ACTION

1. On March 23, 2010, a new universal healthcare regime, titled the "Patient Protection and Affordable Care Act," H.R. 3590 (the Act), was signed into law by the President. The Act, which exceeds 2,400 pages, is available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h3590pp.txt.pdf (accessed March 23, 2010).

2. The Act represents an unprecedented encroachment on the liberty of individuals living in the Plaintiffs' respective states, by mandating that all citizens and legal residents of the United States have qualifying healthcare coverage or pay a tax penalty. The Constitution nowhere authorizes the United States to mandate, either directly or under threat of penalty, that all citizens and legal residents have qualifying healthcare coverage. By imposing such a mandate, the Act exceeds the powers of the United States under Article I of the Constitution and violates the Tenth Amendment to the Constitution.

3. In addition, the tax penalty required under the Act, which must be paid by uninsured citizens and residents, constitutes an unlawful capitation or direct tax, in violation of Article I, sections 2 and 9 of the Constitution of the United States.

4. The Act also represents an unprecedented encroachment on the sovereignty of the states. For example, it requires that Florida vastly broaden its Medicaid eligibility standards to accommodate upwards of 50 percent more enrollees,

many of whom must enroll or face a tax penalty under the Act, and imposes onerous new operating rules that Florida must follow. The Act requires Florida to spend billions of additional dollars, and shifts substantial administrative costs to Florida for, *inter alia*, hiring and training new employees, as well as requiring that new and existing employees devote a considerable portion of their time to implementing the Act. This onerous encroachment occurs at a time when Florida faces having to make severe budget cuts to offset shortfalls in its already-strained budget, which the state constitution requires to be balanced each fiscal year (unlike the federal budget), and at a time when Florida's Medicaid program already consumes more than a quarter of the State's financial outlays. Plaintiffs cannot effectively withdraw from participating in Medicaid, because Medicaid has, over the more than four decades of its existence, become customary and necessary for citizens throughout the United States, including the Plaintiffs' respective states; and because individual enrollment in Plaintiffs' respective Medicaid programs, which presently cover tens of millions of residents, can only be accomplished by their continued participation in Medicaid.

5. Further, the Act converts what had been a voluntary federal-state partnership into a compulsory top-down federal program in which the discretion of the Plaintiffs and their sister states is removed, in derogation of the core constitutional principle of federalism upon which this Nation was founded. In so doing, the Act exceeds the powers of the United States and violates the Tenth Amendment to the Constitution.

6. The Act contains several unfunded mandates that will cost state governments significantly.

7. For example, no Florida government entity or infrastructure exists to discharge sufficiently all of the responsibilities that will be necessary to implement the Act, to meet requirements related to increases in Medicaid enrollment under the Act, and to operate healthcare insurance exchanges required by the Act.

8. By making federal funds potentially available at the discretion of federal agencies, the Act acknowledges the immediate burden on Plaintiffs to invest and implement the Act, but provides no guarantee that they will receive such funds or that the Act's implementation costs will be met.

9. Plaintiffs seek declaratory and injunctive relief against the Act's operation to preserve their respective sovereignty and solvency, and to protect the individual freedom, public health, and welfare of their citizens and residents.

JURISDICTION AND VENUE

10. The Court has subject-matter jurisdiction pursuant to 28 U.S.C. § 1331 because this action arises under the Constitution and laws of the United States.

11. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e)(3) because no real property is involved, the district is situated in Florida, and the defendants are agencies of the United States or officers thereof acting in their official capacity.

PARTIES

12. The State of Florida is a sovereign state and protector of the individual freedom, public health, and welfare of its citizens and residents. Bill McCollum,

Attorney General of Florida, has been directly elected by the people of Florida to serve as their chief legal officer and exercises broad statutory and common law authority to protect the rights of the State of Florida and its people; Fla. Const. art. IV, § 4(b). The State, by and through the Attorney General, has standing to assert the unconstitutionality of the Act. He is authorized to appear in and attend all suits in which the state is interested. § 16.02(4) & (5), Fla. Stat.

13. The State of South Carolina, by and through Henry McMaster, Attorney General of South Carolina, is a sovereign state in the United States of America.

14. The State of Nebraska, by and through Jon Bruning, Attorney General of Nebraska, is a sovereign state in the United States of America.

15. The State of Texas, by and through Greg Abbott, Attorney General of Texas, is a sovereign state in the United States of America.

16. The State of Utah, by and through Mark L. Shurtleff, Attorney General of Utah, is a sovereign state in the United States of America.

17. The State of Alabama, by and through Troy King, Attorney General of Alabama, is a sovereign state in the United States of America.

18. The State of Louisiana, by and through James D. "Buddy" Caldwell, Attorney General of Louisiana, is a sovereign state in the United States of America.

19. The State of Michigan, by and through Michael A. Cox, Attorney General of Michigan, is a sovereign state in the United States of America.

20. The State of Colorado, by and through John W. Suthers, Attorney General of Colorado, is a sovereign state in the United States of America.

21. The Commonwealth of Pennsylvania, by and through Thomas W. Corbett, Jr., Attorney General of Pennsylvania, is a sovereign state in the United States of America.

22. The State of Washington, by and through Robert A. McKenna, Attorney General of Washington, is a sovereign state in the United States of America.

23. The State of Idaho, by and through Lawrence G. Wasden, Attorney General of Idaho, is a sovereign state in the United States of America.

24. The State of South Dakota, by and through Marty J. Jackley, Attorney General of South Dakota, is a sovereign state in the United States of America.

25. HHS is an agency of the United States, and is responsible for administration and enforcement of the Act, through its center for Medicare and Medicaid Services.

26. Kathleen Sebelius is Secretary of HHS, and is named as a party in her official capacity.

27. Treasury is an agency of the United States, and is responsible for administration and enforcement of the Act.

28. Timothy F. Geithner is Secretary of the Treasury, and is named as a party in his official capacity.

29. DOL is an agency of the United States, and is responsible for administration and enforcement of the Act.

30. Hilda L. Solis is Secretary of DOL, and is named as a party in her official capacity.

BACKGROUND

The Medicaid Program Prior to the Act

31. Medicaid was established by Title XIX of the Social Security Act of 1965, 42 U.S.C. §§ 1396 *et seq.*, as the nation's major healthcare initiative for low-income persons. Each participating state's Medicaid program has been funded jointly by the state and the federal government.

32. From the beginning of Medicaid until passage of the Act, the states were given considerable discretion to implement and operate their respective optional Medicaid programs in accordance with state-specific designs regarding eligibility, enrollment, and administration, so long as the programs met broad federal requirements.

33. The states were free to opt out of Medicaid and set up their own state health or welfare plans, or to provide no such benefits at all. States, including Plaintiffs, agreed to participate in Medicaid with the understanding that their continuing participation was voluntary, as a matter of both law and fact.

34. None of the Plaintiffs agreed to become a Medicaid partner of the federal government with an expectation that the terms of its participation would be altered significantly by the federal government so as to make it financially infeasible for that state either to remain in or to withdraw from the Medicaid program.

35. None of the Plaintiffs agreed to become a Medicaid partner of the federal government with an expectation that the federal government would increase significantly its control and reduce significantly that state's discretion with respect to the Medicaid program.

36. None of the Plaintiffs agreed to become a Medicaid partner of the federal government with an expectation that, after the Medicaid program became entrenched in the state, the federal government would alter the program's requirements to expand eligibility for enrollment beyond the state's ability to fund its participation.

37. None of the Plaintiffs agreed to become a Medicaid partner of the federal government with an expectation that the federal government would exploit its control over Medicaid terms and eligibility as part of a coercive scheme to force all citizens and residents to have healthcare coverage.

The Patient Protection and Affordable Care Act

38. The Act mandates that all United States citizens and legal residents have qualifying healthcare coverage. If a person fails to do so, the federal government will force that person to pay a penalty, the amount of which will be increased gradually through 2016, reaching \$750 per year up to a maximum of three times that amount (\$2,250) per family, or 2 percent of household income, whichever is greater. After 2016, the penalty will increase annually based on a cost-of-living adjustment. Exemptions to the tax penalty only apply for individuals with certain religious objections, American Indians, those persons without coverage for less than three months, undocumented immigrants, incarcerated individuals, or some individuals with financial hardships.

39. The Act greatly alters the federal-state relationship, to the detriment of the states, with respect to Medicaid programs specifically and healthcare coverage generally.

40. The Act requires states to expand massively their Medicaid programs and to create exchanges through which individuals can purchase healthcare insurance

coverage. The federal government is to provide partial funding for the exchanges, but will cease doing so after 2015. Should a state not wish to participate in the exchanges, it can opt out only if it provides coverage for uninsured individuals with incomes between 133 percent and 200 percent of the federal poverty level, a higher income level than that which would be applied for participating states under the Act. The only other way for a state to avoid the Act's requirements is to drop out of the Medicaid program, leaving millions of persons uninsured.

41. Those states left with no practical alternative but to participate in the Act will have to expand their Medicaid coverage to include all individuals under age 65 with incomes up to 133 percent of the federal poverty level. The states' coverage burdens will increase significantly after 2016, both in actual dollars and in proportion to the contributions of the federal government.

42. The federal government will not provide necessary funding or resources to the states to administer the Act. Nevertheless, states will be required to provide oversight of the newly-created insurance markets, including, *inter alia*, instituting regulations, consumer protections, rate reviews, solvency and reserve fund requirements, and premium taxes. States also must enroll all of the newly-eligible Medicaid beneficiaries (many of whom will be subject to a penalty if they fail to enroll), coordinate enrollment with the new exchanges, and implement other specified changes. The Act further requires states to establish an office of health insurance consumer assistance or an ombudsman program to advocate for people in the new programs.

The Act's Impact on Florida's Medicaid Program, as an Example

43. The Act will have an impact on all Plaintiffs and in a manner similar to its impact on Florida, as described herein by way of example.

44. Florida is the Nation's fourth largest state in population. Based on United States Census Bureau statistics from 2008, Florida has 3,641,933 uninsured persons living in the state. Of those persons, 1,259,378 are below 133 percent of the federal poverty line, and therefore must be added to Florida's Medicaid rolls under the Act.

45. Even before passage of the Act, the Medicaid program imposed an overwhelming cost on Florida, consuming 26 percent of its annual budget. For fiscal year 2009-2010 alone, Florida will spend more than \$18 billion on Medicaid, servicing more than 2.7 million persons. Florida's Medicaid contributions and burdens, from the implementation of its Medicaid program in 1970 to the present, have gradually increased to the point where it would be infeasible for Florida to cease its participation in Medicaid.

46. Although the federal government currently contributes 67.64 percent of every dollar Florida spends on Medicaid, that percentage is artificially and temporarily raised because of federal stimulus outlays. After this year, the percentage of Florida's Medicaid program expenses covered by the federal government will decline, and by 2011 will reach 55.45 percent, a level that is closer to the recent average. The federal government's contribution will not compensate for the dramatic increase to Florida's Medicaid rolls and the correspondingly soaring costs to be borne by Florida under the Act.

47. Florida's Agency for Health Care Administration (AHCA) estimates that at least 80 percent of persons who have some form of health insurance but fall below 133 percent of the federal poverty level will drop their current plans and enroll in Medicaid, because they are newly eligible under the Act. The federal government does not offer any funding for these persons, because they qualified for insurance other than Medicaid prior to passage of the Act. These persons represent a significant additional cost to Florida under the Act.

48. The Act also makes a large new class of persons eligible for Medicaid in Florida. Prior to passage of the Act, only certain specified low-income individuals and families qualified for Medicaid. Moreover, the qualifying income level set by Florida was much lower than the level of 133 percent of the federal poverty line set by the federal government under the Act. Now, Florida also must add to its Medicaid rolls all childless adults whose income falls below 133 percent of the federal poverty line.

49. Prior to passage of the Act, AHCA was Florida's designated state Medicaid agency tasked with developing and carrying out policies related to the Medicaid program. The Act will strip away much of AHCA's authority to set policies, transferring that authority to the federal government, which will dictate those policies to Florida. AHCA and the other Florida agencies will be rendered arms of the federal government, and AHCA employees will be conscripted and forced to administer what now is essentially a federal Medicaid program for which Florida must bear a substantial cost.

50. AHCA has prepared limited projections for the fiscal impact of the Act. The new additional costs to the state are as follows: \$149,001,478 for 2014; \$431,307,547 for 2015; \$484,803,557 for 2016; \$938,807,336 for 2017; \$993,836,882 for 2018, and \$1,048,866,307 for 2019. Beyond this time frame, the costs to Florida will continue to grow. These projections understate the Act's adverse impact on Florida. They do not include estimated costs to be borne by Florida to administer the Act or to prepare for the Act's implementation. Such costs will include hiring and training new staff, creating new information technology infrastructures, developing an adequate provider base, creating a scheme for accountability and quality assurance, and many other expenses.

51. The Act effectively requires that Florida immediately begin to devote funds and resources to implement the Act's sweeping reforms across multiple agencies of government. Such implementation burdens include, but are not limited to: enforcing the Act's immediately-effective terms, including new mandates regarding healthcare insurance coverage; determining gaps between current resources in state government and the Act's requirements; evaluating infrastructure to consider how new programs and substantial expansion of existing programs will be implemented (e.g., new agencies, offices, etc.); developing a strategic plan and coordinating common issues across state agencies; initiating legislative and regulatory processes, while at the same time monitoring and engaging the substantial federal regulatory processes to ensure that Florida's interests are protected; and developing a communications structure and plan to disseminate new information regarding changes brought about by the Act to the many

affected persons and entities (legislators, state agencies, insurers, hospitals, doctors, community clinics, major employers, small businesses, advocacy groups, insurance brokers, legislators, the uninsured, and Floridians generally), and to achieve such dissemination in sufficient time for them to understand and adapt to the changes in accordance with federal timetables, without interruption or confusion in the provision of healthcare services.

52. In sum, while the Act infringes on Florida's constitutional status as a sovereign, entitled to cooperate with but not to be controlled by the federal government under the Medicaid program, the Act also will force Florida to cover more than one million additional persons and, in so doing, to spend billions of additional dollars, a price it simply cannot afford to pay.

53. At the same time, like the other Plaintiffs, Florida cannot avoid the Act's requirements by ending its longstanding participation in the Medicaid program, thereby leaving millions of current Medicaid recipients stranded without coverage. In effect, the Plaintiffs' participation under the Act cannot be avoided, despite its devastating effects.

CAUSES OF ACTION

COUNT ONE

UNCONSTITUTIONAL EXERCISE OF FEDERAL POWER AND VIOLATION OF THE TENTH AMENDMENT (Const. art. I & amend. X)

54. Plaintiffs reallege, adopt, and incorporate by reference paragraphs 1 through 53 above as though fully set forth herein.

55. Plaintiffs cannot afford the exorbitant and unfunded costs of participating under the Act, but have no choice other than to participate.

56. The Act exceeds Congress's powers under Article I of the Constitution of the United States, and cannot be upheld under the Commerce Clause, Const. art. I, §8; the Taxing and Spending Clause, *id.*; or any other provision of the Constitution.

57. By effectively co-opting the Plaintiffs' control over their budgetary processes and legislative agendas through compelling them to assume costs they cannot afford, and by requiring them to establish health insurance exchanges, the Act deprives them of their sovereignty and their right to a republican form of government, in violation of Article IV, section 4 of the Constitution of the United States.

58. The Act violates the Tenth Amendment of the Constitution of the United States, and runs afoul of the Constitution's principle of federalism, by commandeering the Plaintiffs and their employees as agents of the federal government's regulatory scheme at the states' own cost.

WHEREFORE, Plaintiffs respectfully request that the Court:

A. Declare the Patient Protection and Affordable Care Act to be in violation of Article I of and the Tenth Amendment to the Constitution of the United States;

B. Declare Defendants to have violated the Plaintiffs' rights as sovereigns and protectors of the freedom, public health, and welfare of their citizens and residents, as aforesaid;

C. Enjoin Defendants and any other agency or employee acting on behalf of the United States from enforcing the Act against the Plaintiffs, their citizens and

residents, and any of their agencies or officials or employees, and to take such actions as are necessary and proper to remedy their violations deriving from any such actual or attempted enforcement; and

D. Award Plaintiffs their reasonable attorney's fees and costs, and grant such other relief as the Court may deem just and proper.

COUNT TWO

**VIOLATION OF CONSTITUTIONAL PROHIBITION OF
UNAPPORTIONED CAPITATION OR DIRECT TAX
(Const. art. I, §§ 2, 9)**

59. Plaintiffs reallege, adopt, and incorporate by reference paragraphs 1 through 53 above as though fully set forth herein.

60. The tax penalty on uninsured persons under the Act constitutes a capitation and a direct tax that is not apportioned among the states according to census data, thereby injuring the sovereign interests of Plaintiffs.

61. Said tax penalty applies without regard to property, profession, or any other circumstance, and is unrelated to any taxable event or activity. It is to be levied upon persons for their failure or refusal to do anything other than to exist and reside in the United States.

62. Said tax penalty violates article I, sections 2 and 9 of the Constitution of the United States. By its imposition of the penalty tax, and by the resulting coercion of many persons to enroll in Medicaid at a substantial cost to the Plaintiffs, the Act injures their interests as sovereigns vested with exclusive authority, except to the extent permitted to the federal government by the Constitution, to make all taxing decisions

affecting their citizens and to confer a right upon persons in their states to make healthcare decisions without government interference. The tax penalty is unconstitutional on its face and cannot be applied constitutionally.

WHEREFORE, Plaintiffs respectfully request that the Court:

A. Declare the Patient Protection and Affordable Care Act to be in violation of Article I, sections 2 and 9 of the Constitution of the United States;

B. Declare Defendants to have violated the Plaintiffs' rights as sovereigns and protectors of the freedom, public health, and welfare of their citizens and residents, as aforesaid;

C. Enjoin Defendants and any other agency or employee acting on behalf of the United States from enforcing the Act against the Plaintiffs, their citizens and residents, and any of their agencies or officials or employees, and to take such actions as are necessary and proper to remedy their violations deriving from any such actual or attempted enforcement; and

D. Award Plaintiffs their reasonable attorney's fees and costs, and grant such other relief as the Court may deem just and proper.

COUNT THREE

**UNCONSTITUTIONAL MANDATE THAT ALL INDIVIDUALS
HAVE HEALTH INSURANCE COVERAGE OR PAY TAX
PENALTY**

(Const. art. I & amend. X)

63. Plaintiffs reallege, adopt, and incorporate by reference paragraphs 1 through 53 above as though fully set forth herein.

64. The Act forces citizens and residents to have healthcare coverage or pay a tax penalty. In effect, the Act compels said persons to have healthcare coverage, whether or not they wish to do so, or be subject to sanction. The Act thus compels persons to perform an affirmative act or incur a penalty, simply on the basis that they exist and reside in the United States.

65. The Act is directed to a lack of or failure to engage in activity that is driven by the choices of individual Americans. Such inactivity by its nature cannot be deemed to be in commerce or to have any substantial effect on commerce, whether interstate or otherwise. As a result, the Act cannot be upheld under the Commerce Clause, Const. art. I, § 8. The Act infringes upon Plaintiffs' interests in protecting the freedom, public health, and welfare of their citizens and their state fisci, by coercing many persons to enroll in Medicaid at a substantial cost to Plaintiffs; and denies Plaintiffs their sovereign ability to confer rights upon their citizens and residents to make healthcare decisions without government interference, including the decision not to participate in any healthcare insurance program or scheme, in violation of the Tenth Amendment to the Constitution of the United States.

66. The tax penalty on uninsured persons under the Act unlawfully coerces persons to obtain healthcare coverage, thereby injuring the Plaintiffs' fiscs, because many persons will be compelled to enroll in Medicaid at a substantial cost to Plaintiffs. As a result, the Act cannot be upheld under the Taxing and Spending Clause, Const. art. I, § 8.

67. In so coercing citizens and residents to have healthcare coverage, the Act exceeds Congress's powers under Article I of the Constitution of the United States, and cannot be upheld under any provision of the Constitution.

WHEREFORE, Plaintiffs respectfully request that the Court:

A. Declare the Patient Protection and Affordable Care Act to be in violation of Article I, section 8 of and the Tenth Amendment to the Constitution of the United States;

B. Declare Defendants to have violated the Plaintiffs' rights as sovereigns and protectors of the freedom, health, and welfare of their citizens and residents, as aforesaid;

C. Enjoin Defendants and any other agency or employee acting on behalf of the United States from enforcing the Act against the Plaintiffs, their citizens and residents, and any of their agencies or officials or employees, and to take such actions as are necessary and proper to remedy their violations deriving from any such actual or attempted enforcement; and

D. Award Plaintiffs their reasonable attorney's fees and costs, and grant such other relief as the Court may deem just and proper.

COUNT FOUR

**DECLARATORY JUDGMENT
(28 U.S.C. § 2201)**

68. Plaintiffs reallege, adopt, and incorporate by reference paragraphs 1 through 53 above as though fully set forth herein.

69. There is an actual controversy of sufficient immediacy and concreteness relating to the legal rights and duties of the Plaintiffs and their legal relations with the Defendants to warrant relief under 28 U.S.C. § 2201.

70. The harm to the Plaintiffs as a direct result of the Act is sufficiently real and imminent to warrant the issuance of a conclusive declaratory judgment clarifying the legal relations of the parties.

WHEREFORE, Plaintiffs respectfully request that the Court:

A. Declare the Patient Protection and Affordable Care Act to be in violation of Article I of and the Tenth Amendment to the Constitution of the United States;

B. Declare Defendants to have violated the Plaintiffs' rights as sovereigns and protectors of the freedom, health, and welfare of their citizens and residents, as aforesaid;

C. Enjoin Defendants and any other agency or employee acting on behalf of the United States from enforcing the Act against the Plaintiffs, their citizens and residents, and any of their agencies or officials or employees, and to take such actions as are necessary and proper to remedy their violations deriving from any such actual or attempted enforcement; and

D. Award Plaintiffs their reasonable attorney's fees and costs, and grant such other relief as the Court may deem just and proper.

Respectfully submitted,

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GOLDWATER INSTITUTE

The Health Care Freedom Act: Questions & Answers

by Clint Bolick, Litigation Director, Goldwater Institute

The Health Care Freedom Act will appear as a proposed constitutional amendment on Arizona's 2010 election ballot, and similar measures are under consideration in more than 30 other states. With the possibility that Congress will enact some sort of national health insurance legislation, questions are being raised about the scope of the Health Care Freedom Act and its effect should a federal bill become law. In the following pages, Clint Bolick, who helped to author the Health Care Freedom Act, answers frequently asked questions.

Q: What is the Health Care Freedom Act?

A: The Health Care Freedom Act is a proposed amendment to the Arizona Constitution that would preserve certain existing rights that individuals have regarding health care. It was initially proposed by two Arizona physicians, Dr. Eric Novack and Dr. Jeffrey Singer, with drafting assistance from the Goldwater Institute. The measure qualified as a voter initiative on the 2008 ballot, and despite a well-financed opposition campaign, it was defeated by less than one-half of 1 percent of the vote. Changes were made to address concerns raised by the opponents, and the Arizona Legislature voted to refer the revised version to the 2010 ballot.

The American Legislative Exchange Council adopted model legislation based on the Arizona measure, and activists and legislators in at least 35 additional states are pursuing constitutional amendments or statutes based on the Arizona model.

Q: What are the key provisions?

A: Although the precise language varies from state to state, the Health Care Freedom Act seeks to protect two essential rights. First, it protects a person's right to participate or not in any health care system, and prohibits the government from imposing fines or penalties on that person's decision. Second, it protects the right of individuals to purchase—and the right of doctors to provide—lawful medical services without government fine or penalty. The Health Care Freedom Act would place these essential rights in the state constitution (or, in some states, it would protect them by statute).

Q: What motivated the Health Care Freedom Act?

A: No one questions the need for serious health care reform. However, the proponents of the Health Care Freedom Act believe that regardless of how such reform is fashioned, either at the state or federal level, the essential rights protected by the Health Care Freedom Act should be preserved. Many advocates of a larger government role in regulating or providing health insurance support a mandate that would compel individuals to join a government-approved health insurance plan, whether or not they can afford it and whether or not the system best fits their needs. In some countries in which government plays a large role in providing health insurance, medical services are rationed and individuals are prevented or discouraged from obtaining otherwise lawful medical services. Supporters of the Health Care Freedom Act have a variety of perspectives on the form that health care reform should take. But they agree that no matter what legislation is passed, it should not take from Americans their precious right to control their own medical affairs.

Q: By what authority can states pass the Health Care Freedom Act?

A: It is well-established that the U.S. Constitution provides a baseline for the protection of individual rights, and that state constitutions may provide additional protections—and all of them do. For instance, some states provide greater protections of freedom of speech or due process rights. Because the Health Care Freedom Act offers greater protection than the federal constitution, states are allowed to enact it.

Q: Does it matter whether the Health Care Freedom Act is passed as a statute or as a constitutional amendment?

A: A state constitution is the organic law of the state, reflecting the most fundamental values shared by the citizens of the state. Moreover, a state constitutional amendment will ensure the state legislature can never infringe upon the protected rights. So a constitutional amendment is preferable, especially to protect against legislative tinkering. However, for purposes of a federalism defense against excessive federal legislation, it should not matter whether the people of the state have acted through their constitution or by statute.

Q: Does the Health Care Freedom Act attempt to “nullify” federal health insurance legislation?

A: Absolutely not. If federal legislation is enacted, individuals would still have the option to participate in federal health insurance programs. This act simply protects a person’s right not to participate.

Q: To the extent that the Health Care Freedom Act conflicts with provisions of federal legislation, isn't the state law automatically preempted by the Supremacy Clause of the U.S. Constitution?

A: No. In any clash between state and federal provisions, at least four federal constitutional provisions are relevant. The Supremacy Clause establishes the Constitution as the supreme law of the land and provides that federal laws prevail over conflicting state laws where Congress has the legitimate authority to enact the legislation and where it does not impermissibly tread upon state sovereignty. The federal government will have to demonstrate that its legislation legitimately is derived from congressional authority to regulate interstate commerce. It will also have to show the legislation does not violate the 10th Amendment, which reserves to the states all government power not expressly delegated to the national government; and the 11th Amendment, which protects states from being used as mere instrumentalities of the national government. This constitutional construct is known as federalism.

Q: Are certain provisions of proposed federal health care legislation vulnerable to constitutional challenge even without the Health Care Freedom Act?

A: Yes, in at least three ways. First, to the extent that the legislation purports to regulate transactions that do not directly affect interstate commerce, such as mandating insurance for individuals, Congress may lack authority to do so under the Commerce Clause. Several relatively recent decisions by the U.S. Supreme Court have invalidated federal legislation on this basis. In *U.S. v. Lopez* (1995), the Court struck down federal laws that restricted guns in school zones; and in *U.S. v. Morrison*, it struck down a federal statute involving violence against women. In both cases, the Court found the subject matter of the federal laws did not "substantially affect" interstate commerce, so Congress had no power to regulate it under the circumstances presented.

Second, to the extent the legislation interferes with the individual's right to choose health insurance providers, doctors, or lawful medical services, it may violate the right to medical self-determination recognized under the U.S. Constitution. As the Court declared in *Griswold v. Connecticut* (1965), "We have recognized that the special relationship between patient and physician will often be encompassed within the domain of private life protected by the Due Process Clause." Several of the early abortion cases involved what Justice William O. Douglas, concurring in *Doe v. Bolton* (1973), described as the "right to seek advice on one's health and the right to place reliance on the physician of one's choice." Whether or not one agrees with those abortion rulings, they establish a strong basis for challenging certain federal and state intrusions.

Third, several recent decisions have invalidated federal laws that "commandeer" state governments to do their bidding. In *New York v. United States* (1992), for instance, the Court struck down federal rules requiring states to take ownership of certain radioactive waste and to expose themselves to liability. Speaking for the Court, Justice Sandra Day O'Connor ruled that

“no matter how powerful the federal interest involved, the Constitution simply does not give Congress the authority to require the States to regulate.” Tellingly, she added “the Constitution protects us from our own best intentions: It divides power among sovereigns . . . precisely so that we may resist the temptation to concentrate power in one location as an expedient solution to the crisis of the day.” To the extent that federal health insurance legislation forces states to implement its provisions, it could be subject to robust constitutional challenge.

Q: Could the Health Care Freedom Act provide additional protection against federal health insurance legislation that violates protected rights?

A: Yes. Although the federal government usually prevails in federalism clashes, the current U.S. Supreme Court is the most pro-federalism Court in decades. There are no cases precisely on point, but the Court under Chief Justice John Roberts has sided with the states in at least three major recent federalism clashes. In the case most closely on point, *Gonzales v. Oregon* (2006), the Court upheld the state’s “right-to-die” law, which was enacted by Oregon voters, over the objections of the U.S. Attorney General, who argued that federal law pre-empted the state law. Applying “the structure and limitations of federalism,” the Court observed that states have great latitude in regulating health and safety, including medical standards, which are primarily and historically a matter of local concern. Holding that the attorney general’s reading of the federal statute would mark “a radical shift of authority from the States to the Federal Government to define general standards of medical practice in every locality,” the Court interpreted the statute to allow Oregon to protect the rights of its citizens.

Horne v. Flores (2009) considered a measure adopted by Arizona voters to require English immersion as the state’s educational policy for students for whom English is a second language. Lower federal courts had imposed an injunction based on a finding that Arizona was failing to comply with federal bilingual education requirements. The Supreme Court held that injunctions affecting “areas of core state responsibility, such as public education,” should be lifted as quickly as circumstances warrant. It observed that “federalism concerns are heightened when . . . a federal court decree has the effect of dictating state or local budget priorities.” The Court remanded the case to lower courts to reconsider the injunction.

In *Northwest Austin Municipal Utility District No. 1 v. Holder* (2009), the Court examined a challenge to section 5 of the Voting Rights Act, which places certain states and localities in a penalty box, requiring them to obtain “pre-clearance” by the U.S. Department of Justice for any changes that impact voting. The Court was sharply critical of the “federalism costs” imposed upon the covered jurisdictions. It avoided the constitutional question by applying the federal law in a way that allowed the utility district to “bail out” from pre-clearance requirements under section 5.

In each of these cases, the Court sided with states in federalism disputes with the federal government.

Q: Will the Health Care Freedom Act affect future state legislation regarding health insurance?

A: Yes. If it is passed as a constitutional amendment, it would prevent any future legislation that infringes upon the rights protected by the amendment.

Q: Won't this be really expensive for the states to defend in court?

A: The Goldwater Institute has offered to defend the constitutionality of the Health Care Freedom Act at no cost to any state. Because legal challenges would involve purely constitutional issues and would not require expensive trials, to the extent that states become involved in litigation, they should be able to do so within existing Attorney General litigation budgets. Moreover, depending on the details of national health insurance legislation, the cost of federal mandates is likely to far exceed the cost of litigation.

Q: Even if the states and individuals did not prevail in a challenge to intrusive federal health insurance legislation, would there be reasons to support the Health Care Freedom Act?

A: Yes. First, if these rights are given additional protection under state constitutions, they will create an absolute barrier to future state legislation that violates those rights. Moreover, efforts to enact the Health Care Freedom Act send a powerful message to our nation's capitol that people at the grassroots take these rights very seriously and intend to protect them.

Q: Does the Health Care Freedom Act impair drug laws?

A: Absolutely not. It protects the right to purchase or provide "lawful" medical services. It does not limit the power of any government to determine what constitutes lawful medical services.

Q: Does the Health Care Freedom Act affect the issue of abortion?

A: No. Again, to the extent that states may regulate abortion under applicable constitutional doctrine and state or federal law, this measure would not alter that power in any way. The Health Care Freedom Act does, however, prevent the government from forcing individuals into health care systems against their will, and matters of conscience may influence such individual decisions.

Q: Does the Health Care Freedom Act affect Veterans' Administration programs, workers' compensation, Medicare, Medicaid, or state health-care systems?

A: Generally, no. The Health Care Freedom Act leaves intact any rules and regulations that were in place as of January 1, 2009. The only way such programs could be affected is if they are changed in the future in ways that violate the freedom of choice protected by the Health Care Freedom Act.

Q: Will this restrict the government from limiting the choice of providers or imposing other limits for the people who do opt-in to a government health care system?

A: No and yes, respectively. If a person voluntarily joins a government health care system, the government may set the terms and conditions, including choice of providers. However, the government cannot prevent a person from purchasing, or a health care professional from providing, lawful medical services outside that system.

Q: Is the Health Care Freedom Act supported financially by insurance companies?

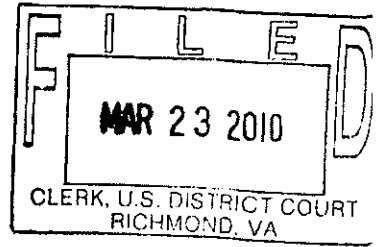
A: No. Many insurance companies support an individual mandate (requiring individuals to buy health insurance or face government fines), which the Health Care Freedom Act would prohibit. An individual mandate guarantees a customer base to the insurance industry. It is present in some legislative proposals as a means to subsidize health insurance for others. If insurance companies play a role in the battle over the Health Care Freedom Act, we expect they will oppose it, possibly with significant resources.

Q: Are there other ways in which freedom advocates can use state constitutions to protect their liberties?

A: Absolutely. State constitutions are full of provisions unknown to the U.S. Constitution that are designed to protect individual liberty and limit the power of government, such as the line-item veto, anti-monopoly provisions, prohibitions against corporate subsidies ("gift clauses"), constraints against earmarks ("special law clauses"), and the like. Citizens and legislatures can amend their state constitutions to add additional protections; and taxpayers can enforce their state constitutional rights in state courts. State constitutions were intended to be the first line of defense in protecting the freedoms of the people. As the power of government grows at every level, we need to use whatever tools are available to us to safeguard our rights. For more on how state constitutions can protect liberty, see the recent Goldwater Institute report, **"50 Bright Stars: An Assessment of Each State's Constitutional Commitment to Limited Government."**

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

RICHMOND DIVISION



COMMONWEALTH OF VIRGINIA)
EX REL. KENNETH T. CUCCINELLI, II,)
in his official capacity as)
Attorney General of Virginia,)

Plaintiff,)

v.)

Civil Action No. 3:10CV188

KATHLEEN SEBELIUS,)
Secretary of the Department)
of Health and Human Services,)
in her official capacity,)

Defendant.)

COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF

Plaintiff states the following for its Complaint:

Introduction

1. Section 1501 of the Patient Protection and Affordable Care Act ("PPACA") contains an individual mandate which will require a majority of Virginians after December 31, 2013 to purchase health insurance for themselves and their dependants subject to a civil penalty.
2. At the 2010 Regular Session of the Virginia General Assembly, Virginia Code § 38.2-3430.1:1 was enacted with the assent of the Governor.

3. That statute provides:

No resident of this Commonwealth, regardless of whether he has or is eligible for health insurance coverage under any policy or program provided by or through his employer, or a plan sponsored by the Commonwealth or the federal government, shall be required to obtain or maintain a policy of individual insurance coverage except as required by a court or the Department of Social Services where an individual is named a party in a judicial or administrative proceeding. No provision of this title shall render a resident of this Commonwealth liable for any penalty, assessment, fee, or fine as a result of his failure to procure or obtain health insurance coverage. This section shall not apply to individuals voluntarily applying for coverage under a state-administered program pursuant to Title XIX or Title XXI of the Social Security Act. This section shall not apply to students being required by an institution of higher education to obtain and maintain health insurance as a condition of enrollment. Nothing herein shall impair the rights of persons to privately contract for health insurance for family members or former family members.

4. Although the federal mandate does not take effect for several years, PPACA imposes immediate and continuing burdens on Virginia and its citizens. The collision between the state and federal schemes also creates an immediate, actual controversy involving antagonistic assertions of right.
5. The individual mandate is an essential element of the act without which it would not have been passed and without which the statutory scheme cannot function.
6. The Federal act contains no severability provision.

Parties

7. The Commonwealth of Virginia has an interest in asserting the validity of its anti-mandate enactment. The Virginia enactment is valid despite the Supremacy Clause of the United States Constitution because, as demonstrated below, the individual mandate and PPACA as a whole are unconstitutional.
8. Kathleen Sebelius in her official capacity is principally responsible for administering PPACA.

Jurisdiction and Venue

9. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 and is authorized to enter Declaratory Judgment pursuant to 28 U.S.C. § 2001 et seq.
10. Venue is proper under 28 U.S.C. § 1391(e)(2).

Facts

11. Congress in the past has used its taxing and spending powers to establish social welfare programs such as Social Security and Medicare.
12. Congress lacks the political will to fund comprehensive health care in this way because taxes above those already provided in PPACA would produce too much opposition.
13. The alternative, which was also a centerpiece of the failed Clinton administration health care proposal, is to fund universal health care in part by making healthy young adults and other rationally uninsured individuals cross-subsidize older and less healthy citizens.

14. The mandate also relates to disincentives created by PPACA under which it would make no economic sense for the uninsured to pay premiums before becoming ill unless compelled to do so by law.
15. Before passing the act, the Senate evinced doubt that it had the power to adopt the individual mandate under the Commerce Clause, Article I, Section 8 of the Constitution. As a consequence of these concerns, the Senate Finance Committee asked the Congressional Research Service to opine on the constitutionality of the individual mandate. The Service replied: "Whether such a requirement would be constitutional under the Commerce Clause is perhaps the most challenging question posed by such a proposal, as it is a novel issue whether Congress may use this Clause to require an individual to purchase a good or a service." Cong. Research Serv. *Requiring Individuals to Obtain Health Insurance: A Constitutional Analysis* 3 (2009).
16. In *United States v. Lopez*, 514 U.S. 549 (1995), and *United States v. Morrison*, 529 U.S. 598 (2000), the Supreme Court struck down attempts to regulate non-commercial activities based upon their predicted effects on interstate commerce because those attempts went beyond the outer limits of the Commerce Clause. *Gonzales v. Raich*, 545 U.S. 1, 25 (2005) ("Despite congressional findings that such crimes had an adverse impact on interstate commerce, we held the statute [in *Morrison*] unconstitutional because, like the statute in *Lopez*, it did not regulate economic activity.").

Count One
Commerce Clause

17. The status of being a citizen or resident of the Commonwealth of Virginia is not a channel of interstate commerce; nor a person or thing in interstate commerce; nor is it an activity arising out of or connected with a commercial transaction. Instead, the status arises from an absence of commerce, not from some sort of economic endeavor, and is not even a non-economic activity affecting interstate commerce. It is entirely passive.
18. While the United States Supreme Court has not adopted a categorical rule against aggregating the effects of any non-economic activity in order to find Commerce Clause authority, thus far in our history, it has never been held that the Commerce Clause, even when aided by the Necessary and Proper Clause, can be used to require citizens to buy goods or services. To depart from that history to permit the national government to require the purchase of goods or services would deprive the Commerce Clause of any effective limits contrary to *Lopez* and *Morrison* and would create powers indistinguishable from a general police power in total derogation of our constitutional scheme of enumerated powers.
19. Regulation of non-economic activity under the Commerce Clause is possible only through the Necessary and Proper Clause. *Gonzales v. Raich*, 545 U.S. 1, 39 (2005) (Scalia concurring in the judgment). The Necessary and Proper Clause confers supplemental authority only when the means adopted to accomplish an enumerated power are “appropriate,” are “plainly adapted’ to

that end," and are "consistent with the letter and spirit of the constitution." *Id.* (citing *McCulloch v. Maryland*, 17 U.S. 316, 421 (1819)). Requiring citizen-to-citizen subsidy or redistribution is contrary to the foundational assumptions of the constitutional compact.

20. As Justice Chase wrote, almost at the moment of the founding of the country, in the Supreme Court's first substantive opinion, *Calder v. Bull*, 3 U.S. 386, 388 (1798):

An ACT of the Legislature (for I cannot call it a law) contrary to the great first principles of the social compact, cannot be considered a rightful exercise of legislative authority. The obligation of a law in governments established on express compact, and on republican principles, must be determined by the nature of the power, on which it was founded. A few instances will suffice to explain what I mean. A . . . law that takes property from A and gives it to B: It is against all reason and justice, for a people to entrust a Legislature with SUCH powers; and therefore it cannot be presumed that they have done it.

This analysis applies equally to citizen-to-citizen subsidy and subsidy of insurance companies by an individual mandate.

WHEREFORE, the Commonwealth of Virginia prays this Court to declare that § 1501 of PPACA is unconstitutional because the individual mandate exceeds the enumerated powers conferred upon Congress. Because the individual mandate is an essential, non-severable provision, the entire act is likewise invalid. As a consequence, this Court should also declare that § 38.2-3430.1:1 is a valid exercise of state power. The Commonwealth additionally prays the Court to grant such

further and additional relief as the ends of justice may require including an injunction against the enforcement of § 1501 in particular and PPACA as a whole.

Respectfully submitted,


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Ex Rel. Kenneth T. Cuccinelli, II*

March 23, 2010



by Brion McClanahan

When Idaho Governor C.L. “Butch” Otter signed HO391 into law on 17 March 2010, the “national” news media circled the wagons and began another assault on State sovereignty. The bill required the Idaho attorney general to sue the federal government over insurance mandates in the event national healthcare legislation passed. The lead AP reporter on the [story](#), John Miller, quoted constitutional “scholar” David Freeman Engstrom of Stanford Law School as stating that the Idaho law would be irrelevant because of the “supremacy clause” of the United States Constitution.

In his words, “That language is clear that federal law is supreme over state law, so it really doesn’t matter what a state legislature says on this.” Now that Barack Obama has signed healthcare legislation into law, almost a dozen States have filed suit against the federal government, with Idaho in the lead. Battle lines have been drawn. Unfortunately, the question of State sovereignty and the true meaning of the “supremacy clause” may be swallowed up in the ensuing debate.

Engstrom’s opinion is held by a majority of constitutional law “scholars,” but he is far from correct, and Idaho and the thirty seven other States considering similar legislation have a strong case based on the original intent of the powers of the federal government vis-à-vis the States.

The so-called “supremacy clause” of the Constitution, found in Article 6, states, “This Constitution, and the Laws of the United States *which shall be made in Pursuance thereof*; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding [emphasis added].”

The key, of course, is the italicized phrase. All laws made in pursuance of the Constitution, or those clearly enumerated in the document, were supreme, State laws notwithstanding. In other words, the federal government was supreme in all items clearly listed in the document.

A quick reading of the Constitution illustrates that national healthcare is not one of the enumerated powers of the federal government, so obviously Engstrom’s blanket and simplistic statement is blatantly incorrect, but his distortion of the supremacy clause goes further.

The inclusion of such a clause in the Constitution was first debated at the Constitutional Convention on 31 May 1787. In Edmund Randolph’s initial proposal, called the Virginia Plan, the “national” legislature had the ability to “legislate in all cases to which the separate states are incompetent...” and “to negative all laws passed by the several states contravening, in the opinion of the national legislature, the Articles of Union...” John Rutledge, Pierce Butler, and Charles Pinckney of South Carolina challenged the word “incompetent” and demanded that Randolph define the term. Butler thought that the delegates “were running into an extreme, in taking away the powers of the states...” through such language.

Randolph replied that he “disclaimed any intention *to give indefinite powers to the national legislature*, declaring that he was entirely opposed to such an inroad on the state jurisdictions, and that he did not think any considerations whatever could ever change his determination [emphasis added].” James Madison, the author of the Virginia Plan, was not as forthcoming as to his sentiment. Ultimately, Madison preferred a negative over State law and wished the national legislature to be supreme in all cases. But he was not in the majority.

The Convention again broached a federal negative on State law on 8 June 1787. Charles Pinckney, who presented a draft of a constitution shortly after Randolph offered the Virginia Plan, believed a national negative necessary to the security of the Union, and Madison, using imagery from the solar system and equating the sun to the national government, argued that without a national negative, the States “will continually fly out of their proper orbits, and destroy the order and harmony of the political system.” Such symbolism made for a beautiful picture, but it belied reality.

To most of the assembled delegates, the national government was not the center of the political universe and the States retained their sovereignty. Hugh Williamson of North Carolina emphatically stated he “was against giving a power that might restrain the states from regulating their internal police.”

Elbridge Gerry of Massachusetts was against an unlimited negative, and Gunning Bedford of Delaware believed a national negative was simply intended “to strip the small states of their equal right of suffrage.” He asked, “Will not these large states crush the small ones, whenever they stand in the way of their ambitious or interested views?”

When the negative power was put to a vote, seven States voted against it and three for it, with Delaware divided (and Virginia only in the affirmative by one vote). Roger Sherman of Connecticut summarized the sentiment of the majority when he stated he “thought the cases in which the negative ought to be exercised might be defined.” Since the negative did not pass, such a definition was unnecessary.

Thus, the federal government was supreme only in its enumerated powers and it did not have a negative over State law. Supremacy had limits.

By the time the Constitution was debated in the several State ratifying conventions in 1787 and 1788, the “supremacy clause” galvanized opponents of the document. The Constitution, they said, would destroy the States and render them impotent in their internal affairs. The response from *proponents* of ratification illuminates the true intent of the clause. William Davie, a delegate to the Constitutional Convention from North Carolina and proponent of the Constitution, responded to attacks levied on the “supremacy clause” by stating that:

This Constitution, as to the powers therein granted, is constantly to be the supreme law of the land. Every power ceded by it must be executed without being counteracted by the laws or constitutions of the individual states. Gentlemen should distinguish that it is not the supreme law in the exercise of power not granted. It can be supreme only in cases consistent with the powers specially granted, and not in usurpations [emphasis added].

Davie wasn't alone in this opinion. Future Supreme Court justice James Iredell of North Carolina argued that, “This clause [the supremacy clause] is supposed to give too much power, when, in fact, it only provides for the execution of those powers which *are already given in the foregoing articles*... If Congress, under pretence of executing one power, should, in fact, usurp another, they will violate the Constitution [emphasis added].”

Furthermore, in a foreshadowing of nullification, Iredell argued that, "It appears to me merely a general clause, the amount of which is that, when they [Congress] pass an act, if it be in the execution of a power given by the Constitution, it shall be binding on the people, *otherwise not* [emphasis added]. Other ratifying conventions had similar debates, and proponents of the Constitution continually reassured wavering supporters that the Constitution would only be supreme within its delegated authority.

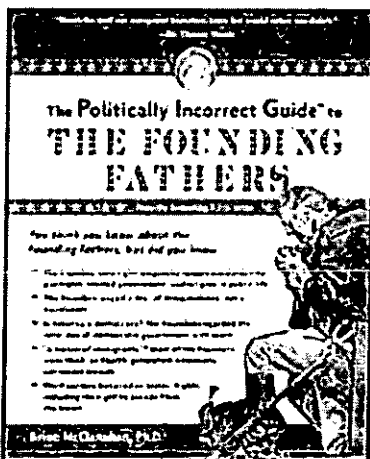
Most bought their assurances, though to staunch opponents, the Constitution still vested too much power in the central authority. The States would lose their sovereignty, they argued, and as a result, these men demanded an amendment to the Constitution that expressly maintained the sovereignty of the States and placed limits on federal power. Even several moderate supporters of the Constitution embraced this idea.

Ultimately, the three most powerful States in the Union, New York, Massachusetts, and Virginia, demanded that a bill of rights be immediately added to the Constitution; near the top of those recommended amendments on every list, a State sovereignty resolution. These ultimately became the Tenth Amendment to the Constitution, which reads, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Clearly the intent of this amendment was to mitigate any design the federal government had on enlarging its powers through the "supremacy clause." If the power was not enumerated in the Constitution and the States were not prohibited by the Constitution from exercising said power, then that power was reserved to the States.

Several other constitutional "scholars" have weighed in on the debate in the last week, and each has invoked the "supremacy clause" to defend their opposition to State action against healthcare. Duke Law Professor Neil Siegel went so far as to suggest that the States are not reading the Tenth Amendment correctly. In perhaps the most outlandish statement of the debate, he also said, "Any talk of nullification bothers me because it's talk of lawlessness."

I guess Mr. Siegel has failed to consider that Idaho bill HO391 was passed by a legitimate legislative body elected by the people of the State. That would make it lawful.



Of course, this debate ultimately boils down to loose interpretation verses strict construction. Thomas Jefferson had the best line on this issue. When asked to read between the lines to "find" implied powers, Jefferson responded that he had done that, and he "found only blank space."

The original intent of both the "supremacy clause" and the Tenth Amendment indicate that Idaho and the other States challenging Obamacare are justified and correct and that the legal profession is either in the tank for the federal government or has not read either the debates of the Constitutional Convention and/or the State ratifying debates. This should make people like Engstrom and Siegel, rather than legitimate State law directed at unconstitutional authority, irrelevant.

Brion McClanahan holds a Ph.D in American history from the University of South Carolina and is the author of The Politically Incorrect Guide to the Founding Fathers (Regnery, 2009).

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Home > Politics > Health Care Reform

States Launch Legal Challenge to Health Care Law

At Least 14 States File Suit Challenging Constitutionality of Health Care Law

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President Obama signs the Affordable Health Care for America Act during a ceremony with fellow... (Win McNamee/Getty Images)

State Legislatures to Challenge Health Care Law

In addition to constitutional challenges to the law, legislators in at least 36 states are attempting to limit, alter or oppose some of its provisions through state constitutional amendments or laws, according to the National Conference of State Legislatures.

Many of the proposals seek to keep health insurance coverage optional for individuals and exempt employers from penalties if they don't offer coverage for workers.

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Earlier this month, Virginia and Idaho became the first states to enact laws specifically stating that health insurance coverage is not required.

Still, many legal experts say these legislative efforts will ultimately be trumped by the so-called supremacy clause in the U.S. Constitution, which says federal laws "shall be the supreme law of the land."

"State law cannot nullify federal law," Timothy Stoltzfus Jost, a health law expert at Washington and Lee University School of Law, writes in the New England Journal of Medicine.

"This principle is simply beyond debate, and state legislators, many of them lawyers, know that. The purpose of these laws, therefore, is not legal but rather political

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Indiana joins 13 states to challenge health reform

13 other states raise constitutional questions about the new legislation

By Bill Ruthhart

Posted: March 30, 2010

Indiana became the 14th state Monday to challenge the constitutionality of the federal health-care legislation, but legal experts warned the lawsuit faces an uphill climb against previous court rulings.

After reviewing the sweeping health-care reforms, Indiana Attorney General Greg Zoeller announced he would join a lawsuit already filed jointly by 13 other attorneys general in a Florida federal court.

At the core of Zoeller's decision to join the suit is the charge that Congress does not have the power to force Americans to buy health insurance coverage or require them to pay a fine if they fail to do so.

"It's really critical that we have these questions asked and answered," he said, "so that the Supreme Court's final word as to whether the new reach of the federal government in this statute meets constitutional muster."

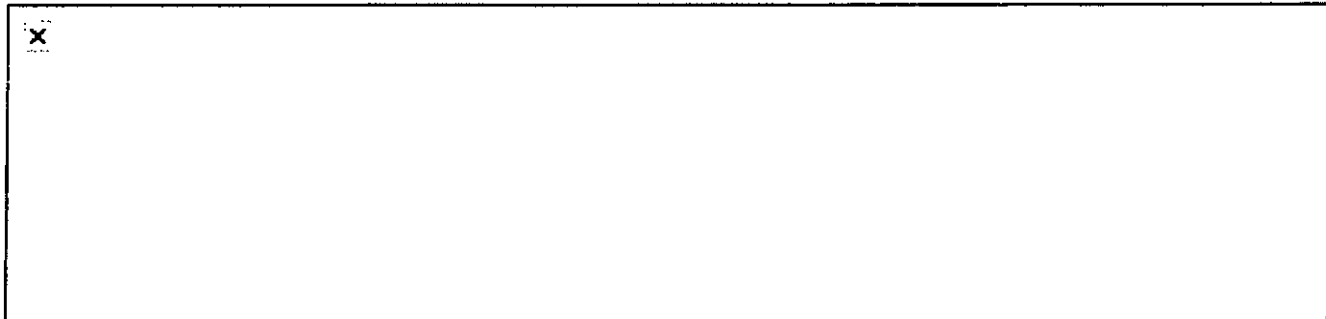
Zoeller also argued that the new reforms impinge on states' sovereignty by requiring states to set up health insurance exchanges for their residents to purchase coverage.

Democrats immediately accused Zoeller of playing politics. Of the 13 other attorneys general who have joined the lawsuit, 12 are Republicans.

"This is purely politics, nothing but," said Indiana Democratic Party Chairman Dan Parker. "The legal argument is weak, the political argument is weak. It's all based on false information, and the opponents of this couldn't stop it, so they're grasping at straws and this is the final straw to grasp."

Zoeller's announcement came after Gov. Mitch Daniels said Friday he had encouraged Zoeller to join the suit, even though Daniels said he was skeptical of

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its chances for success. The attorney general said Monday he made the decision based on the case's merits and independent from any political input.

"It's unfortunate that the entire subject matter has been politicized," Zoeller said, "but that was done in Washington before we ever joined (the lawsuit)."

Parker declared the suit a waste of taxpayer dollars.

Zoeller said he could not give an estimate of how much the lawsuit would cost but said he has no plans to hire outside counsel. He said the state's initial cost would be its undetermined share of a contract capped at \$50,000 with a Washington, D.C., law firm hired to handle the case.

Indiana Republican Party Chairman Murray Clark said the lawsuit has merit.

"I think it's the right decision," he said. "Clearly, there's some constitutional questions that need to be asked and answered in light of one of the largest federal government overreaches we've seen in a long time."

The key question the lawsuit raises is whether the new law's requirement that all Americans carry health insurance coverage or be forced to pay a penalty should serve as a new test to the Constitution's commerce clause, which gives Congress the power to regulate business.

Over the past several decades -- starting in the 1930s -- constitutional law experts say, the courts and lawmakers have broadly interpreted that clause, giving Congress wide-ranging regulatory power.

Most legal scholars think those precedents would make it difficult for the Supreme Court, or any other, to rule that Congress does not have the power to add the new insurance regulations, said Carl Tobias, a constitutional law expert at the University of Richmond in Virginia.

Furthermore, he said, backers of the bill will defend the prospective fine for those who don't buy insurance under the taxing power that the Constitution gives Congress.

"The precedents all favor constitutionality," Tobias said. "There's nothing exactly the same as this challenge, but the relevant precedents, if

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you analogize from them, lead you to the conclusion that this challenge won't succeed."

But that's not to say the lawsuit isn't a worthy one, he said.

"I think it might have merit, but I just don't think it's going to win," Tobias said. "I think the best argument is about the individual mandates, but I think a fair number of constitutional scholars, and I agree, think that it's probably going to withstand the challenge."

Charles Rice, a constitutional law expert at the University of Notre Dame, said the case certainly is worth litigating.

"I think it's a legitimate thing to do. The outcome is not certain," Rice said. "It's really interesting, because it brings in precedents from a lot of the cases involving the Social Security Act and things like that, and it could provide the opportunity, if it gets to the Supreme Court, for the case to go either way."

Key to its outcome could be how the American public views the new law in the future, said Gerard Magliocca, a constitutional law professor at Indiana University School of Law-Indianapolis.

"This likely wouldn't be decided for two years, and a lot will depend on what people think of the health-care bill," Magliocca said. "If it's very unpopular, the courts are more likely to find a reason to declare it unconstitutional

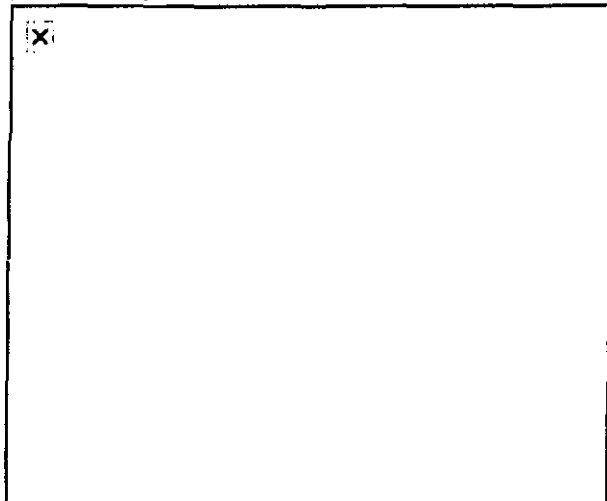
than if it turns out to be popular."

Parker, the state Democratic Party chairman, said Zoeller's decision would cost the attorney general in his next election in 2012, when he will have to explain why he fought against a bill that reformed the insurance industry to the benefit of so many Hoosiers. "Greg Zoeller is going to be on the wrong side of history on this one," Parker said.

Zoeller countered that almost everyone agrees the new law has raised fresh constitutional issues that the courts need to resolve.

"There aren't many people who say there isn't a new question here, because this is the first time the federal government has required people to purchase a commercial good, a commercial product," he said. "This is an insurance product that everyone, as a condition of being a citizen of the United States, will be required to purchase under the threat of penalty."

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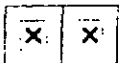
In the end, Magliocca said, he gives the lawsuit a 25 percent chance of success.

"There is a plausible argument for saying this is unprecedented," he said. "It has a chance, but I think most everybody, most legal scholars, think it's unlikely this suit will succeed."

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Daily Policy Digest

Health Issues

March 24, 2010

HEALTH CARE REFORM: WHO WINS AND WHO LOSES

While the health care bill is not as sweeping as many had once hoped (or others had feared), make no mistake: The new legislation will dramatically change the nation's health care system.

So who wins and who loses? "The people who gain the most are low-income people who do not get health insurance from an employer," says John Goodman, president, CEO and the Kellye Wright Fellow of the National Center for Policy Analysis. "Just about everybody else loses."

Groups that will especially bear the burden include:

- Generation Y: Most of the 19 million uninsured Americans between the ages of 18 and 34 will be forced to buy coverage -- coverage likely more expensive than they might have otherwise chosen.
- Anyone who earns more than \$200,000: Workers earning more than \$200,000 a year or couples with a combined income over \$250,000 will pay an additional 0.9 percent in federal income tax to help fund Medicaid expansion starting in 2013, and will likely pay a new 3.8 percent Medicare tax on all investment income.
- Individuals with so-called Cadillac health insurance: A 40 percent tax will be levied on plans with premiums of \$10,200 or more per person.

Goodman also notes that "as many as 8.5 million seniors could lose their Medicare Advantage coverage altogether" under government plans to reduce benefits offered under the program.

Advocates of the legislation argue that winners include anyone with a preexisting condition, recent college graduates who can now get coverage through their parents, small businesses who will have access to insurance pools and doctors who will get paid for seeing uninsured patients they were treating for free.

In addition, individuals aged 60 to 64 - the oldest age demographic not eligible for Medicare - will pay no more than three times the cost of the premium paid by a healthy 20-something. But as Goodman notes, "People who are 60 to 64 are going to pay lower premiums than they otherwise would because people who are 20 to 24 are going to pay higher premiums."

Source: Catherine Holahan, "Health Care Reform: Who Wins and Who Loses," CBS MoneyWatch, March 22, 2010.

Link to text:

<http://moneywatch.bnet.com/economic-news/article/health-care-reform-summary-who-wins-and-who-loses/406279/>

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Ideas Changing the World

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Health Issues

March 24, 2010

8 WAYS THAT HEALTH REFORM WILL AFFECT YOU

The health care legislation could "have an effect on almost every citizen," according to Kaiser Health News. So what should you expect?

Within six months after the bill is signed into law:

- Health insurers will no longer be allowed to impose lifetime caps on coverage.
- Parents who have insurance through their employers will be allowed to continue coverage for their unmarried dependents up to age 26.
- Health insurers will be required to cover certain preventive services like osteoporosis screening for women over 65, smoking cessation counseling and interventions, and screenings for diabetes and sexually transmitted diseases.
- And later this year, people with serious health conditions that have prevented them from obtaining coverage will be eligible to purchase a policy from a high-risk pool in a government-subsidized exchange at a cost similar to healthy individuals' premiums.

Individuals will also be required to obtain health insurance or face a fine. Government subsidies will be available on a sliding scale for people making up to \$43,000 per year (or nearly \$90,000 per year for a family of four), but those who don't qualify for government subsidies should expect to pay about \$5,000 a year for a policy on the exchange, while families should expect to pay about \$15,000, says John Goodman, president, CEO and Kellye Wright Fellow of the National Center for Policy Analysis.

The penalty starts in 2014 at \$95 or up to 1 percent of income for individuals, whichever is greater, and rises to \$695 by 2016 or 2.5 percent of income, whichever is greater. Families pay heftier fines - \$2,085 or 2.5 percent of income by 2016.

Other changes:

- Insurers won't be able to deny coverage based on preexisting conditions.
- Maternity support will be increased for women in the workplace.
- Additional, less expensive insurance options will be available when you lose or quit your job.

Increasing the number of insured individuals, however, will also mean longer waits to see a new doctor. In Massachusetts, for example, where health insurance is universal, Boston residents have to wait about twice as long to see a doctor as people in any other U.S. city, says Goodman.

Source: Deborah Kotz, "8 Ways Health Reform Will Affect You," U.S. News and World Report, March 22, 2010

For text:

<http://www.usnews.com/health/managing-your-healthcare/insurance/articles/2010/03/22/8-ways-health-reform-will-affect-you.html>

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March 24, 2010

20 WAYS OBAMACARE WILL TAKE AWAY OUR FREEDOMS

It is worthwhile to take a comprehensive look at the freedoms we will lose under ObamaCare, says blogger David Hogberg. Among them:

- You are young and don't want health insurance? You are starting up a small business and need to minimize expenses, and one way to do that is to forgo health insurance? Tough. You have to pay \$750 annually for the "privilege." (Section 1501).
- You are young and healthy and want to pay for insurance that reflects that status? Tough. You'll have to pay for premiums that cover not only you, but also the guy who smokes three packs a day, drinks a gallon of whiskey and eats chicken fat off the floor. That's because insurance companies will no longer be able to underwrite on the basis of a person's health status. (Section 2701).
- You're a single guy without children? Tough, your policy must cover pediatric services. You're a woman who can't have children? Tough, your policy must cover maternity services. You're a teetotaler? Tough, your policy must cover substance abuse treatment. (Add your own violation of personal freedom here.) (Section 1302).
- You are an employer in the small-group insurance market and you'd like to offer policies with deductibles higher than \$2,000 for individuals and \$4,000 for families? Tough. (Section 1302 (c) (2) (A)).
- If you are a physician and you don't want the government looking over your shoulder? Tough. The Secretary of Health and Human Services is authorized to use your claims data to issue reports that measure the resources you use, provide information on the quality of care you provide, and compare the resources you use to those used by other physicians. Of course, this will all be just for informational purposes. It's not like the government will ever use it to intervene in your practice and patients' care. Of course not. (Section 3003 (i)).
- You will have to pay an additional 0.5 percent payroll tax on any dollar you make over \$250,000 if you file a joint return and \$200,000 if you file an individual return. What? You think you know how to spend the money you earned better than the government? Tough. (Section 9015). That amount will rise to a 3.8 percent tax in 2013 and will also apply to investment income, estates, and trusts. You think you know how to spend the money you earned better than the government? Like you need to ask. (Section 1402).

Source: David Hogberg, "20 Ways ObamaCare Will Take Away our Freedoms," Investors Business Daily, March 22, 2010.

For text:

<http://blogs.investors.com/capitalhill/index.php/home/35-politics/investing/1563-20-ways-obamacare-will-take-away-our-freedoms>

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PETER KINDER
Lieutenant Governor

Contact: Gary McElyea
573-751-1088
Gary.McElyea@ltgov.mo.gov

News Release

FOR IMMEDIATE RELEASE

March 23, 2010

Lt. Governor Kinder Announces Action Against Federal Health Care Bill

JEFFERSON CITY – Lt. Governor Peter Kinder today spoke out against the recently signed federal health care bill and announced his intent to join officials from 13 other states in legal action against the legislation.

Below are the Lt. Governor's remarks, as prepared for delivery:

"Good afternoon.

"This morning, President Obama signed into law a federal healthcare mandate that was thrust upon us despite overwhelming opposition from Americans. Over the past few weeks, Missourians have made their voices loud and clear. But, with complete disregard for their constituents, Democrats in congress forced President Obama, Nancy Pelosi and Harry Reid's legislation into law.

"This healthcare directive will pose a huge financial burden for our state. Tennessee's Governor, a democrat, even called this bill "the mother of all unfunded mandates." The true cost to Missouri taxpayers remains to be seen.

"On December 9, 2009, I wrote a letter urging Senator Claire McCaskill to oppose this government intervention in the private healthcare sector. On December 30, 2009, I asked Governor Nixon to join us in opposition to this healthcare bill. Once again, on January 20, 2010 during my State of the State response, I once again asked the governor to speak out against this infringement on the rights of Missourians. And on January 6, 2010, I asked Attorney General Koster to conduct a thorough legal review of this legislation to determine what provisions might violate the Constitution of the United State or the State of Missouri.

-MORE-

“Each one of those letters went unanswered.

“Today, Missourians should know that their voices have been heard.

“Today, I am here to announce that by my standing as a constitutional officer of the State of Missouri and by my statutory authority as Missouri’s Official Senior Advocate, I intend to join with officials of 13 other states to challenge the legality of this federal healthcare bill and any unconstitutional provision in which may be contained.

“Our fight is two part: to protect the sovereignty of our states, and freedoms of our citizens. This law represents an unprecedented encroachment on the sovereignty of our state in the form of millions of dollars in unfunded mandates. Second, this bill infringes of the rights of private citizens. At no other time in the history of our nation has a mandate forced citizens to purchase a product or face penalties, even imprisonment, for not doing so.

“At a time when our state is dealing with vast budget deficits, we cannot afford to have the federal government throw this huge financial burden in our lap.

“Right now, Republicans and Democrats in the Missouri House and Senate are also working on a bipartisan measure to pass the Health Care Freedom Act, a joint resolution to be voted on by the people of Missouri to protect their ability to make their own health care decisions.

“Although many of their elected officials remain silent, Missourians should rest assured: their voices have been heard and our fight is just beginning.

“Thank you.”

###

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MEMORANDUM

April 9, 2010

SUBJECT: Public policy allowing a person to choose mode of obtaining health care services, constitutional issues (CSHB 423(HSS))
(Work Order No. 26-LS1623E)

TO: Representative Lindsey Holmes
Attn: Bill Edwards

FROM: Dennis C. Bailey *DCB*
Legislative Counsel

You have asked for an opinion concerning the constitutional issues raised by CSHB 423(HSS).

The bill raises the issue of whether Congress has the power to regulate health insurance. If Congress does have that power, federal preemption under the supremacy clause of the U.S. Constitution, Art. VI, cl. 2, will be found only if there is clear evidence of a congressional intent to preempt state law or if the federal and state statutes cannot coexist. *United States v. Rhode Island Insurers' Insolvency Fund*, 80 F.3d 616, 619 (1st Cir. 1996).

Prior to 1944, lawyers and insurance professionals thought that the issuance of an insurance policy was not a transaction of commerce that would give the federal government jurisdiction over insurance transactions. However, in *U.S. v. South-Eastern Underwriters Assn.*, 322 U.S. 533, 88 L.Ed. 1440, 64 S.Ct. 1162 (1944) (*superseded by statute*), the U.S. Supreme Court dispelled this view and found that the federal Sherman Act (antitrust), which related only to activities in or affecting interstate commerce, applied to insurance transactions. The ruling meant that generally phrased federal statutes might also apply to the issuance of insurance policies, thereby interfering with the state regulation of insurance in unanticipated ways. *Barnett Bank of Marion County v. Nelson*, 517 U.S. 25, 40, 116 S.Ct. 1103, 134 L.Ed.2d 237 (1996).

In response to the holding in *South-Eastern Underwriters*, Congress enacted the McCarran-Ferguson Act, 15 U.S.C. 1011 - 1015, to "restore the supremacy of the States in the realm of insurance regulation." *Id.* The U.S. Supreme Court, however, noted that the McCarran-Ferguson Act does not apply when the conflicting federal statute "specifically relates to the business of insurance." (emphasis added) Further, the court stated that the McCarran-Ferguson Act

did not require avoiding federal pre-emption by future federal statutes that indicate through their "specific relat[ion]" to industry, and therefore, in all

Representative Lindsey Holmes
April 9, 2010
Page 2

likelihood, consciously intended to exert upon the insurance industry whatever pre-emptive force accompanied its law.

Id. See also, *United States v. Rhode Island Insurers' Insolvency Fund*, 80 F.3d 616 (1st Cir. 1996).

Based on these decisions, to the extent that the recently signed Patient Protection and Affordable Care Act (P.L. 111-148) specifically regulates state insurance by requiring everyone to obtain health care insurance, the federal law would likely be found to preempt state law on the subject.

A similar conclusion follows an analysis under the Tenth Amendment to the U.S. Constitution. The Tenth Amendment to the United States Constitution states:

Powers reserved to states or people. The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

The Tenth Amendment protects the sovereignty of the states from intrusion of the federal government into matters of the states that are outside of the constitutional powers of the federal government and into matters that are expressly reserved to the states by the Constitution. Conversely, if a power is delegated to Congress by the Constitution, the Tenth Amendment does not protect the states from the exercise of that federal power. The federal Constitution gives Congress the power to control commerce. In light of the ruling in *U.S. v. South-Eastern Underwriters Assn.*, *supra*, that the business of insurance is part of interstate commerce, it is reasonable to conclude that the power to regulate commerce and thus regulate insurance has been delegated to the United States Congress by the Constitution. Therefore, it seems unlikely that a court would hold that the Tenth Amendment would prevent the federal government from implementing a bill specifically regulating insurance.

If I may be of further assistance, please advise.

DCB:ljw
10-260.ljw