

23 March 2010

The Honorable J. B. Van Hollen, Attorney General
Wisconsin Department of Justice
P.O. Box 7857
Madison, Wisconsin
53707-7857

Dear Attorney General Van Hollen,

I am writing to you in regard to the recent passage of H.R.3590, the federal legislation termed The Patient Protection and Affordable Care Act. As you are well aware, there is wide-spread skepticism regarding the constitutionality of this piece of legislation. My concern is that our state of Wisconsin will suffer both economically and in terms of personal liberty and state sovereignty due to the implementation of the bill. In order to prevent the exacerbation of this scenario, I am requesting that your office research the Wisconsin state constitution and statutes to determine if your office is empowered to intercede on the behalf of the people of Wisconsin. I am cognizant of your recent press release stating that the statutes require that either the governor or the legislature formally direct your office to bring suit against the federal government or to join in the suit recently filed by thirteen other states' attorneys general.

I find it inconceivable that the Founders of our state would not have had the foresight to predict an eventuality such as we are currently facing. They must have anticipated that one political party would inevitably gain control over two branches of the state government and on a particular issue refuse to acknowledge the will of the people as evidenced in the numerous polls which demonstrate that the majority of the people of Wisconsin oppose the federal legislation. The refusal of the governor and the legislature to acknowledge and carry out their duty to interpose for the sake of the people is an unconscionable abdication of their responsibilities.

I must believe that some provision or mechanism resides in the state constitution or statutes allowing the citizenry to appeal directly to our attorney general when the executive and legislative branches are unresponsive to the electorate. I have spoken with your office and I was informed that submitting this written request is necessary for your office to begin research into the matter of acting directly at the request of the citizens. I look forward to your response with great anticipation.

Respectfully,

Timothy J. Dake

Timothy J. Dake
Franklin, Wisconsin