



City of Little Rock

Mark Stodola
Mayor

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March 30, 2015

Honorable Asa Hutchinson
Arkansas State Capitol – Room 250
Little Rock, Arkansas 72201

Re: HB1228

Dear Governor Hutchinson,

I would respectfully request that you reconsider your position on HB1228. Should it reach your desk for signature, it is my hope and recommendation that you veto it.

Let me explain my reasoning. As you have said, “We must respect one’s religious beliefs,” a position with which I totally agree. Religious freedom is at the core of the founding of America and has been embodied in the Constitution and the Bill of Rights since their creation. As such, one must ask why is it necessary to further pass a state law that prohibits cities, counties (or the General Assembly) from passing a local ordinance or law that burdens the free exercise of religion. This is antithetical to the U.S. Constitution, the Bill of Rights and Article 2 §24 of the Arkansas Constitution. The Religious Freedom Restoration Act (RFRA) passed by Congress in 1993 as applied to a local land use decision in Boerne, Texas, is clearly distinguishable. The Boerne case was resolved by the most fundamental principles of American democracy: limited government and separation of powers. I know of no city that would ever conceive of such a notion. Indeed, before the introduction of HB1228, the people of Arkansas have always given a high priority to religious freedom and they will continue to give religious freedom a high priority if it is not enacted. This type of legislation is simply not necessary.

There are other reasons to veto this legislation as well. It is simply too divisive.

Any piece of legislation that is so divisive cannot possibly be good for the state of Arkansas and its people. With these kind of “wedge issues,” no one is a winner on either side. I don’t believe anything this divisive can move our state forward in a productive way. This bill will have a negative impact on our state’s image as it sends the message that some members of our community will have fewer protections than others. Our city and our state cannot be limited to only certain segments of society. We should reaffirm to everyone that our minds are open, our hearts are open and our state’s borders are welcoming to the broad diversity of humanity.

I look forward to working with you and our new AEDC Director Mike Preston on recruiting new businesses to our state. However, I am very concerned about how this bill will impact economic development in our state. As our city develops the Little Rock Technology Park, we are actively recruiting technology-based businesses to Little Rock. With technology-based companies like Salesforce.com, Apple and Yelp speaking out against this bill in Indiana and elsewhere and with the running of negative ads in newspapers and journals in the Silicon Valley, I am worried that this bill will not allow us to offer an environment that 21st Century businesses and their employees will find welcoming. Indeed, our own Wal-Mart has noted that HB1228 sends the wrong message about Arkansas.

Throughout your campaign for governor, you made it clear you wanted to innovate our state by embracing technology. I think this is an admirable goal and I think our state will benefit greatly from that. However, I know you agree, we must offer a business environment that is conducive to the recruitment of those businesses. We cannot expect the businesses of the future to locate in a place that is perceived to be looking backward and not forward.

I know it will take a lot of courage to reconsider your position on HB1228. Tough decisions like this are very lonely and will always cause some disappointment. However, you have already stated you worry about its unintended consequences. Also, this is not a partisan issue. I believe, like my Republican colleague, and friend, Indianapolis Mayor Greg Ballard and Arizona Governor Jan Brewer, that vetoing this legislation is the right thing to do for all of Arkansas's people.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Mark Stodola". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark Stodola
Mayor