

March 22, 2010

HEALTH CARE REFORM BILL
Statement of Attorney General Wayne Stenehjem

BISMARCK – Since the passage last night of the federal health care measure by the US House of Representatives, this office has received numerous inquiries on the position I will take on potential legal challenges to the legislation. A decision to pursue a Constitutional challenge to this massive legislation requires a careful analysis of potential legal challenges, and I have been conducting that research, as well as participating in conference calls with other Attorneys General from across the country who are considering litigation. I have conferred with the Governor, who agrees we need to look at a Constitutional challenge to the health care bill. I will also be meeting with officials of state agencies that will be affected by the legislation to help make this determination.

Even the supporters of the legislation concede the measure contains serious flaws. Whether some of those admitted flaws give rise to a legally defensible constitutional challenge requires a thoughtful legal analysis. As Attorney General of North Dakota, I will not be making a final decision in that regard until after that process has been completed.

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