



State of Arizona

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Governor Jan Brewer Continues Legal Fight Over Obama Health Care Mandates

Plaintiff Response Filed Today in Federal Court against Budget-Busting Measure

PHOENIX – Governor Jan Brewer today continued the fight against the federal government and its massive unfunded mandates by filing a response along with 19 other states against the U.S. Department of Justice's motion to dismiss challenging the health care reform law.

"The federal health care legislation infringes upon the constitutional rights of Arizonans and residents of other states," said Governor Brewer. "Congress and the President have overreached by requiring individuals to purchase health insurance and penalizing them if they do not. This mandate tramples on the Constitution's notions of limited government and individual liberty. The State of Arizona has no choice but to challenge this unfunded mandate to protect our citizens."

The lawsuit is timely because state budgets are already impacted by the federal requirements. The states argue in the filing that they have standing to bring the lawsuit because the federal health care law negatively affects states sovereignty and places additional stress on already lean state budgets. It is estimated that Arizona taxpayers will be required to provide over \$11 billion to pay for the new federal mandate.

On May 14, Governor Brewer joined a multistate coalition in the lawsuit filed in federal court in the Northern District of Florida after Arizona Attorney General Terry Goddard refused to take a legal stand on behalf of Arizona citizens against the overreaching and unconstitutional federal health care law.

This week, the judge in the Virginia lawsuit ruled against the federal government's motion to dismiss, allowing Virginia's lawsuit to move forward on its merits, holding that the complaint advanced a plausible claim with an arguable legal basis. The court said, "never before has the [U.S. Constitution] been extended" so far as to provide authority "to mandate the purchase of health insurance or the assessment of a penalty for failing to do so." In addition, on Tuesday, Missouri voters rejected a federal mandate to purchase health insurance by passing a ballot measure with more than 70 percent of the vote. A similar measure, Proposition 106, will appear on Arizona's November 2, 2010 general election ballot.

The hearing on the motion to dismiss will be held on September 14, 2010, in Pensacola, Florida.

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