

COMMUNICATIONS RECEIVED PRIOR TO ADJOURNMENT
AND NOT ACTED UPON

The following communications were received prior to adjournment and not reported or acted upon by the House:

PETITIONS AND COMMUNICATIONS

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 14, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter No. 78, House File No. 2088, the omnibus economic development bill with the exception of line item vetoes listed below:

1. Page 14, lines 14.5 - 14.33: An appropriation of \$100,000 in each year from the workforce development fund for grants for the Indigenous Earthkeepers program. This is an environmental and cultural studies program for American Indian youth with an intention to use the natural environment to develop student academic skill. Although this may be a meritorious education program, this program is not central to the workforce development fund's purpose, especially in difficult economic times.
2. Page 15 & 16, line 15.22 - 16.18: A \$100,000 appropriation from the workforce development fund to the Southeast Asian Collaborative. This program would be duplicative as the same group of individuals can be served by the Dislocated Worker program.
3. Page 19, line 19.20 - 19.21: Chapter No. 78, Article 1, Section 5, page 19 appropriates \$1,225,000 the first year and \$1,225,000 the second year for a grant to the Minnesota Film and TV Board. I am exercising a line item veto to delete the language "and \$1,225,000 the second year" from page 19, line 19.20 - 19.21. The Snowbate program currently receives nearly \$1 million in general fund dollars to provide incentives for movies and commercials to be filmed in Minnesota. Although these projects can provide short-term, specialized jobs, we must be cautious that taxpayer dollars are allocated to programs that provide sustainable employment, contributing to Minnesota's long-term economic growth.
4. Page 26, line 26.14 - 26.20: A \$50,000 appropriation to the commissioner of administration to construct a workers memorial. I am sure this project is well intended; however, we have to prioritize projects on a basis of need.
5. Page 27, line 27.13 - 27.16: An appropriation of \$280,000 for a grant to Minnesota Public Radio to assist with conversion to digital broadcast signal. It is my understanding there is an appropriation in the Legacy Amendment bill that will provide resources for materials and programming. This funding should free up an adequate source of money to assist to the conversion to digital broadcasting.

6. Page 29, line 29.9 - 29.16: A \$70,000 appropriation from the general fund to the Legislative Coordinating Commission. This commission already exists and it has access to staff and resources. It does not need additional funding to study economic development issues. In addition, a variety of committees with resources and staff could study this issue.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2009 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
	2088*	78	8:17 p.m. May 14	May 14
	1362*	79	7:49 p.m. May 14	May 14

Sincerely,

MARK RITCHIE
Secretary of State

[NOTE: *Indicates that H. F. Nos. 2088 and 1362 contain line item vetoes.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 15, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House File:

H. F. No. 988, relating to drivers' licenses; prohibiting commissioner of public safety from complying with Real ID Act.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2009 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
764		80	10:59 a.m. May 15	May 15
99		82	11:05 a.m. May 15	May 15
802		83	11:46 a.m. May 15	May 15
237		87	11:48 a.m. May 15	May 15
	988	92	11:47 a.m. May 15	May 15

Sincerely,

MARK RITCHIE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 16, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House File:

H. F. No. 1298, relating to the financing and operation of state and local government; making policy, technical, administrative, enforcement, clarifying, and other changes to income, corporate franchise, estate, property; sales, use, gross receipts, local, solid waste, gambling, mortgage, deed, petroleum, insurance, minerals, production, and other taxes and tax-related provisions; providing terms and conditions relating to issuance of obligations and financing of public improvements; making changes to tax increment financing and local government aid provisions, conforming to certain federal provisions; providing clarification for eligibility for property tax exemption for institutions of public charity; modifying truth in taxation, tax preparation services, police and firefighter relief association amortization state-aid provisions; making changes to local taxing authorities; providing emergency debt certificates; authorizing the issuance of local bonds; providing temporary suspension of new or increased maintenance of effort requirements; requiring studies; appropriating money.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 16, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 111, relating to the State Board of Investment; requiring divestment from certain investments relating to Iran; requiring a report.

H. F. No. 420, relating to real estate; requiring that existing statutory implied residential construction warranties be made as express warranties and be provided to the buyer in writing; prohibiting waivers of the warranty.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 16, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have signed into law, with a number of line-item vetoes, the Capital Investment bill, Chapter No. 93, House File No. 855.

Although this bill contains many projects that may have merit, I am disappointed the bill was finalized without being negotiated to conclusion with my administration. My letter to the conference committee expressed concerns regarding the size and scope of the bill. That letter also indicated an acceptable bill should focus on: (1) maintaining existing buildings rather than constructing new ones; (2) funding projects that leverage available federal matching dollars; and (3) remaining fiscally responsible. The bill did not meet those standards and line-item vetoes totaling \$85.16 million were necessary as a result.

I am grateful the bill doubled the flood mitigation amount upon my request. The bill also includes disaster assistance money for northwest Minnesota, Hugo and St. Charles. These are important items that need to be funded this year.

The line-item vetoes bring this bill into line with the expectations I described to the conference committee earlier. While many of the vetoed projects are meritorious, they should be considered next year as part of the larger, regular bonding bill.

Below is a summary of the line-item vetoes within this bill:

- Page 3, Lines 3.1-3.4: An appropriation of \$24,000,000 for the Bell Museum of Natural History.
- Page 4, Lines 4.1-4.7: An appropriation of \$11,000,000 for the Health and Science Center addition at Lake Superior Community and Technical College.
- Page 4, Lines 4.8-4.16: An appropriation of \$5,250,000 for Carpentry and Industrial Mechanical Technology and Shops at Mesabi Range Community and Technical College.
- Page 4, Lines 4.17-4.24: An appropriation of \$5,700,000 for Metropolitan State University Smart Classroom Center.
- Page 5, Lines 5.14-5.19: An appropriation of \$13,300,000 for North Hennepin Community College Center for Business and Technology.
- Pages 5-6, Lines 5.20-6.2: A Systemwide Initiatives appropriation of \$3,625,000 for classroom renovations at Minnesota State Colleges and Universities.
- Pages 7-8, Lines 7.31-8.21: An appropriation of \$5,780,000 for Independent School District No. 38, Red Lake.
- Page 16, Lines 16.9-16.13: An appropriation of \$3,000,000 for Rail Service Improvement.
- Page 22, Lines 22.12-22.17: An appropriation of \$2,000,000 for Early Childhood Learning and Child Protection Facilities.
- Page 24, Lines 24.11-24.26: An appropriation of \$6,500,000 for Mankato-Civic Center Expansion.
- Pages 24-25, Lines 24.27-25.2: An appropriation of \$2,000,000 for Minneapolis-Shubert Performing Arts and Education Center.
- Page 25, Lines 25.16-25.29: An appropriation of \$3,000,000 for St. Cloud-Civic Center Expansion.

Please disregard any notations on pages 4 and 5, lines 4.25-5.8 of the bill. I have not vetoed this item.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 16, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter No. 94, House File No. 1122, the omnibus agriculture and veterans bill with the exception of the line item vetoes listed below.

1. Page 4, line 4.15 and 4.16: This bill appropriates \$100,000 each year for sustainable agriculture grants funded through the Department of Agriculture. I am exercising a line item veto to delete the language "and \$100,000 the second year" from page 4, lines 4.15 - 4.16. This veto eliminates the second year of funding for this program. The remaining \$100,000 will allow the department to fund the most worthy projects.
2. Page 11, line 11.8 - 11.18: A \$30,000 appropriation for the development of a star farms program. While the development of such a program may have merit, it does not rise to the level of a top priority considering the state's budget situation.

Sincerely,

TIM PAWLENTY
GovernorSTATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 16, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 2, relating to state government; providing for policy and funding for family, adult, and prekindergarten through grade 12 education including general education, education excellence, special programs, facilities and technology, libraries, nutrition, accounting, early childhood education, prevention, self-sufficiency, lifelong learning, state agencies, pupil transportation, forecast adjustments, and technical corrections; requiring reports; requiring studies; appropriating money.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2009 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
1794		84	12:52 p.m. May 16	May 16
1036		85	12:54 p.m. May 16	May 16
1096		86	8:25 p.m. May 16	May 16
	1298	88	9:42 p.m. May 16	May 16
910		89	1:43 p.m. May 16	May 16
	111	90	1:44 p.m. May 16	May 16
	420	91	1:50 p.m. May 16	May 16
	855*	93	7:11 p.m. May 16	May 16
	1122*	94	4:36 p.m. May 16	May 16
2083*		95	4:15 p.m. May 16	May 16
	2	96	8:14 p.m. May 16	May 16
203		97	10:19 p.m. May 16	May 16
1288		98	8:19 p.m. May 16	May 16
2082		101	1:40 p.m. May 16	May 16

Sincerely,

MARK RITCHIE
Secretary of State

[NOTE: *Indicates that H. F. Nos. 855 and 1122; and S. F. No. 2083 contain line item vetoes.]

MESSAGES, COMMUNICATIONS AND ANNOUNCEMENTS RECEIVED
SUBSEQUENT TO ADJOURNMENT

The following messages, communications and announcements were received subsequent to adjournment by the House:

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2323, A bill for an act relating to the financing and operation of state and local government; making policy, technical, administrative, enforcement, collection, refund, clarifying, and other changes to income, franchise, property, sales and use, estate, gift, cigarette, tobacco, liquor, motor vehicle, gross receipts, minerals, tax increment financing and other taxes and tax-related provisions; requiring certain additions; conforming to federal section 179 expensing allowances; adding Minnesota development subsidies to corporate taxable income; disallowing certain subtractions; allowing certain nonrefundable credits; allowing a refundable Minnesota child credit; repealing various credits; conforming to certain federal tax provisions; expanding definition of domestic corporation to include tax havens; modifying income tax rates; expanding and increasing credit for research activities; accelerating single sales apportionment; modifying minimum fees; allowing county local sales tax; eliminating certain existing local sales taxes; adjusting county program aid; modifying levy limits; making changes to residential homestead market value credit; providing flexibility and mandate reduction provisions; making changes to various property tax and local government aid-related provisions; providing temporary suspension of new or increased maintenance of effort and matching fund requirements; modifying county support of libraries; establishing the Council on Local Results and Innovation; providing property tax system benchmarks, critical indicators, and principles; establishing a property tax work group; creating the Legislative Commission on Mandate Reform; making changes to certain administrative procedures; modifying mortgage registry tax payments; modifying truth in taxation provisions; providing clarification for eligibility for property tax exemption for institutions of purely public charity; making changes to property tax refund and senior citizen property tax deferral programs; providing property tax exemptions; providing a property valuation reduction for certain land constituting a riparian buffer; providing a partial valuation exclusion for disaster damaged homes; extending deadline for special service district and housing improvement districts; requiring a fiscal disparity study; extending emergency medical service special taxing district; providing emergency debt certificates; providing and modifying local taxes; expanding county authorization to abate certain improvements; providing municipal street improvement districts; establishing a seasonal recreational property tax deferral program; expanding sales and use tax base; defining solicitor for purposes of nexus; providing a bovine tuberculosis testing grant; modifying tax preparation services law; modifying authority of municipalities to issue bonds for certain other postemployment benefits; allowing use of increment to offset state aid reductions; allowing additional authority to spend increments for housing replacement district plans; modifying and authorizing certain tax increment financing districts; providing equitable funding health and human services reform; modifying JOBZ provisions; repealing international economic development and biotechnology and health science industry zones; modifying basic sliding fee program funding; providing appointments; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 3.842, subdivision 4a; 3.843; 16C.28, subdivision 1a; 40A.09; 84.82, subdivision 10; 84.922, subdivision 11; 86B.401, subdivision 12; 123B.10, subdivision 1; 134.34, subdivisions 1, 4; 245.4932, subdivision 1; 253B.045, subdivision 2; 254B.04, subdivision 1; 270C.12, by adding a subdivision; 270C.445; 270C.56, subdivision 3; 272.02, subdivision 7, by adding subdivisions; 272.029, subdivision 6; 273.111,

by adding a subdivision; 273.1231, subdivision 1; 273.1232, subdivision 1; 273.124, subdivision 1; 273.13, subdivisions 25, 34; 273.1384, subdivisions 1, 4, by adding a subdivision; 273.1393; 275.025, subdivisions 1, 2; 275.065, subdivisions 1, 1a, 1c, 3, 6; 275.07, subdivisions 1, 4, by adding a subdivision; 275.70, subdivisions 3, 5; 275.71, subdivisions 2, 4, 5; 276.04, subdivision 2; 279.10; 282.08; 287.08; 289A.02, subdivision 7, as amended; 289A.11, subdivision 1; 289A.20, subdivision 4; 289A.31, subdivision 5; 290.01, subdivisions 5, 19, as amended, 19a, as amended, 19b, 19c, as amended, 19d, as amended, 29, 31, as amended, by adding subdivisions; 290.014, subdivision 2; 290.06, subdivisions 2c, 2d, by adding subdivisions; 290.0671, subdivision 1; 290.068, subdivisions 1, 3, 4; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 1, 3, by adding a subdivision; 290.17, subdivisions 2, 4; 290.191, subdivisions 2, 3; 290A.03, subdivision 15, as amended; 290A.04, subdivision 2; 290B.03, subdivision 1; 290B.04, subdivisions 3, 4; 290B.05, subdivision 1; 291.005, subdivision 1, as amended; 291.03, subdivision 1; 295.75, subdivision 2; 297A.61, subdivisions 3, 4, 5, 6, 10, 14a, 17a, 21, 38, by adding subdivisions; 297A.62, by adding a subdivision; 297A.63; 297A.64, subdivision 2; 297A.66, subdivision 1, by adding a subdivision; 297A.67, subdivisions 15, 23; 297A.815, subdivision 3; 297A.83, subdivision 3; 297A.94; 297A.99, subdivisions 1, 6; 297B.02, subdivision 1; 297F.01, by adding a subdivision; 297F.05, subdivisions 1, 3, 4, by adding a subdivision; 297G.03, subdivision 1; 297G.04; 298.001, by adding a subdivision; 298.018, subdivisions 1, 2, by adding a subdivision; 298.227; 298.24, subdivision 1; 298.28, subdivisions 2, 11, by adding a subdivision; 306.243, by adding a subdivision; 344.18; 365.28; 375.194, subdivision 5; 383A.75, subdivision 3; 428A.101; 428A.21; 429.011, subdivision 2a; 429.021, subdivision 1; 429.041, subdivisions 1, 2; 446A.086, subdivision 8; 465.719, subdivision 9; 469.015; 469.174, subdivision 22; 469.175, subdivisions 1, 6; 469.176, subdivisions 3, 6, by adding a subdivision; 469.1763, subdivisions 2, 3; 469.178, subdivision 7; 469.315; 469.3192; 473.13, subdivision 1; 473H.04, by adding a subdivision; 473H.05, subdivision 1; 475.51, subdivision 4; 475.52, subdivision 6; 475.58, subdivision 1; 477A.011, subdivision 36; 477A.0124, by adding a subdivision; 477A.013, subdivision 9, by adding a subdivision; 477A.03, subdivisions 2a, 2b; 641.12, subdivision 1; Laws 1986, chapter 396, section 4, subdivision 3; by adding a subdivision; Laws 1986, chapter 400, section 44, as amended; Laws 1991, chapter 291, article 8, section 27, subdivision 3, as amended; Laws 1993, chapter 375, article 9, section 46, subdivision 2, as amended, by adding a subdivision; Laws 1995, chapter 264, article 5, sections 44, subdivision 4, as amended; 45, subdivision 1, as amended; Laws 1996, chapter 471, article 2, section 30; Laws 1998, chapter 389, article 8, section 37, subdivision 1; Laws 2001, First Special Session chapter 5, article 3, section 8, as amended; Laws 2002, chapter 377, article 3, section 25; Laws 2006, chapter 259, article 3, section 12, subdivision 3; Laws 2008, chapter 366, article 5, section 34; article 6, sections 9; 10; article 7, section 16, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 3; 6; 14; 17; 256E; 270C; 272; 273; 275; 290; 292; 297A; 435; 475; 477A; proposing coding for new law as Minnesota Statutes, chapter 290D; repealing Minnesota Statutes 2008, sections 245.4835; 245.714; 246.54; 254B.02, subdivision 3; 256B.19, subdivision 1; 256I.08; 272.02, subdivision 83; 273.113; 275.065, subdivisions 5a, 6b, 6c, 8, 9, 10; 289A.50, subdivision 10; 290.01, subdivision 6b; 290.06, subdivisions 24, 28, 30, 31, 32, 33, 34; 290.067, subdivisions 1, 2, 2a, 2b, 3, 4; 290.0672; 290.0674; 290.0679; 290.0802; 290.0921, subdivision 7; 290.191, subdivision 4; 290.491; 297A.61, subdivision 45; 297A.68, subdivisions 38, 41; 469.316; 469.317; 469.321; 469.3215; 469.322; 469.323; 469.324; 469.325; 469.326; 469.327; 469.328; 469.329; 469.330; 469.331; 469.332; 469.333; 469.334; 469.335; 469.336; 469.337; 469.338; 469.339; 469.340; 469.341; 477A.0124, subdivisions 3, 4, 5; 477A.03, subdivision 5; Laws 2009, chapter 3, section 1; Laws 2009, chapter 12, article 1, section 8.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 19, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 1677, relating to safe at home program; excluding registered sex offenders from the program; limiting use of protected addresses by landlords and local government entities.

H. F. No. 1275, relating to environment; modifying sewage treatment systems provisions; changing terminology.

H. F. No. 668, relating to public safety; school buses; providing for postcrash procedures for school bus in an accident.

H. F. No. 523, relating to education; modifying school background check requirements relating to disciplinary actions.

H. F. No. 1529, relating to civil proceedings; removing a dollar limitation on attorney or agent fees in certain cases.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2009 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
1890		102	1:44 p.m. May 19	May 19
	1677	105	1:43 p.m. May 19	May 19
666		106	1:52 p.m. May 19	May 19
567		107	1:56 p.m. May 19	May 19
1887		108	2:55 p.m. May 19	May 19
	1275	109	1:55 p.m. May 19	May 19
550		110	2:21 p.m. May 19	May 19
	668	113	2:34 p.m. May 19	May 19
	523	115	2:32 p.m. May 19	May 19
	1529	125	2:33 p.m. May 19	May 19

Sincerely,

MARK RITCHIE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 19, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 239, Chapter No. 103.

The Legislature has taken action on numerous bills relating to homeowner warranties this session. Although this legislation may be well-intentioned, we should be cautious about placing more burdens on the housing sector during this historic recession.

This bill mandates that a contractor pay temporary housing costs to a homeowner for breach of a new home warranty or home improvement warranty. Under current law, a homeowner is entitled to receive "the amount necessary to remedy the breach of the warranty" or "the difference between the value of the house without defect." Current law provides adequate reconciliation for the homeowner where there has been a violation of a warranty.

I encourage the authors to work towards a solution that addresses the issue of home defects without driving up the costs and burdens on contractors.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 239 (Chapter No. 103), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 19, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 412, Chapter No. 104.

The Legislature has taken action on numerous bills relating to homeowner warranties this session. Although this legislation may be well-intentioned, we should be cautious about placing more burdens on the housing sector during this historic recession.

This bill extends the current 10-year warranty requirement to 12 years. The current period of 10 years in current law seems sufficient. The legislation also applies not only to future cases, but current cases as well. Changing the rules in the middle of the game is unfair and unwise.

I encourage the authors to work towards a solution that addresses the issue of home defects without driving up the costs and burdens on contractors.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 412 (Chapter No. 104), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 20, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 265, relating to disposition of items on death; clarifying certain references; providing for collection of certain property by affidavit; modifying provisions governing final disposition of remains; correcting an erroneous reference and making other corrections and clarifications.

H. F. No. 1476, relating to liquor; modifying and clarifying certain licensing requirements; authorizing various licenses; modifying provision relating to shipments into the state; providing for wine tastings; extending certain on-sale hours.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2009 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
1436		111	2:12 p.m. May 20	May 20
213		114	1:46 p.m. May 20	May 20
	265	117	2:06 p.m. May 20	May 20
	1476	120	2:22 p.m. May 20	May 20
79		122	1:58 p.m. May 20	May 20
1147		123	2:16 p.m. May 20	May 20
1284		124	2:42 p.m. May 20	May 20
707		128	2:07 p.m. May 20	May 20
548		129	2:27 p.m. May 20	May 20
1302		130	2:09 p.m. May 20	May 20

Sincerely,

MARK RITCHIE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 20, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 330, Chapter No. 112.

The Legislature has taken action on numerous bills relating to homeowner warranties this session. Although this legislation may be well-intentioned, we should be cautious about placing more burdens on the housing sector during this historic recession.

This legislation increases the time frame in which a homeowner can make a warranty claim from six months to one year. Not reporting a construction-related problem in a timely manner could exasperate the problem and increase costs. A contractor should be notified as soon as possible if a problem exists with the construction so the issue can be rectified expeditiously.

I encourage the authors to work towards a solution that addresses the issue of home defects without driving up the costs and burdens on contractors.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 330 (Chapter No. 112), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 21, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 348, relating to attorneys; modifying and removing provisions limiting the practice of law by deputy sheriffs and coroners.

H. F. No. 818, relating to vulnerable adults; authorizing disclosure of financial records in connection with financial exploitation investigations; modifying procedures and duties for reporting and investigating maltreatment; directing the commissioner of human services to seek federal grants; appropriating money received from the federal government to the commissioner of human services; specifying duties of financial institutions in cases alleging financial exploitation; modifying the crime of financial exploitation; imposing criminal and civil penalties.

H. F. No. 1193, relating to claims against the state; providing for settlement of various claims; appropriating money.

H. F. No. 1744, relating to government operations; creating technology accessibility standards for the state; establishing the advisory committee for technology standards for accessibility and usability; requiring a report; appropriating money.

H. F. No. 702, relating to public safety; authorizing a pilot project to map state expenditures on children for various purposes; requiring a study on the collection and reporting of summary data relating to decisions that affect a child's status within the juvenile justice system.

H. F. No. 1250, relating to transportation; regulating electric vehicle infrastructure.

H. F. No. 1505, relating to public safety; authorizing commissioner of public safety to gather and compile data on human trafficking every two years; increasing criminal penalties for certain promoting prostitution/sex trafficking offenses; expanding the sex trafficking and labor trafficking crimes; adding the promotion of prostitution/sex trafficking crime to the firearm law's definition of crime of violence and the victim rights law's definition of violent crime; expanding the prostitution penalty enhancement provision for repeat offenders; broadening the prostitution in a public place crime.

H. F. No. 519, relating to local government; regulating nonconforming lots in shoreland areas.

H. F. No. 1328, relating to public health; addressing youth violence as a public health problem; coordinating and aligning prevention and intervention programs addressing risk factors of youth violence; requiring the commissioner of health to apply for private, state, or federal funding.

H. F. No. 1745, relating to health; requiring the commissioner of health to enroll pharmacies or pharmacists in the pediatric vaccine administration program; changing the age requirement for pharmacists administering influenza vaccines; changing certain requirements; modifying provisions in health occupations for speech language pathologists and occupational therapists; expanding definition of licensed health care professional; changing provisions for food, beverage, and lodging establishments; requiring the Department of Health to use rules and guidelines from the federal government to implement the minimum data set for resident reimbursement classification; establishing fees; changing licensing provisions for social work.

H. F. No. 108, relating to traffic regulations; making seat belt violation a primary offense in all seating positions regardless of age; providing for increased speed limit when passing; making technical changes.

H. F. No. 2251, relating to government finance; providing federal stimulus oversight funding for certain state agencies; conforming Minnesota law to the requirements necessary to receive federal stimulus money for medical assistance; modifying Hennepin County's 2009 nonfederal share of medical assistance costs to comply with federal requirements to receive enhanced FMAP; authorizing eligibility for sparsity revenue for the Deer River School District; adjusting higher education limits on tuition increases; modifying funding for the Minnesota State Colleges and Universities; appropriating money.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2009 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
	348	118	10:34 a.m. May 21	May 21
	818	119	4:02 p.m. May 21	May 21
	1193	126	4:19 p.m. May 21	May 21
	1744	131	11:00 a.m. May 21	May 21
	702	132	4:04 p.m. May 21	May 21
	1250	134	5:18 p.m. May 21	May 21
	1505	137	10:37 a.m. May 21	May 21
657		138	5:38 p.m. May 21	May 21
722		139	10:38 a.m. May 21	May 21
708		141	10:52 a.m. May 21	May 21
1447		142	4:47 p.m. May 21	May 21
1091		144	10:35 a.m. May 21	May 21
711		145	5:20 p.m. May 21	May 21
1477		146	10:53 a.m. May 21	May 21
501		147	5:07 p.m. May 21	May 21
	519	149	4:58 p.m. May 21	May 21
	1328	156	10:40 a.m. May 21	May 21
	1745	157	4:52 p.m. May 21	May 21
492		158	10:36 a.m. May 21	May 21
1208		160	5:10 p.m. May 21	May 21
	108	165	10:39 a.m. May 21	May 21
1009		170	10:39 a.m. May 21	May 21
1623		171	4:57 p.m. May 21	May 21
	2251	177	4:53 p.m. May 21	May 21

Sincerely,

MARK RITCHIE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 21, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 1053, Chapter No. 133, a bill relating to elections.

Although there are some worthy provisions in this bill, registering to vote should be a voluntary, intentional act. Changes to election law should also be accomplished on a bipartisan basis. This bill does not reflect bipartisan support.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 1053 (Chapter No. 133), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 21, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 211, Chapter No. 136.

The Legislature has taken action on numerous bills relating to homeowner warranties this session. Although this legislation may be well-intentioned, we should be cautious about placing more burdens on the housing sector during this historic recession.

This bill provides that a contractor pay the legal fees of a homeowner if the homeowner prevails in a lawsuit against the contractor. The bill even allows for currently pending cases to seek legal fees. The availability of legal fees can prolong litigation, and it does little to address the underlying issue of home defects. Moreover, attorney's fees are typically only available in limited circumstances, and Minnesota should be careful not to overreach in that regard.

I support provisions in the bill that would bring interested parties together to develop a timely and prescriptive process for resolving homeowner warranty disputes without litigation. My administration will move forward with that process even though this legislation was vetoed.

I encourage the authors to work towards a solution that addresses the issue of home defects without driving up the costs and burdens on contractors.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 211 (Chapter No. 136), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 21, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 362, Chapter No. 140.

The Legislature has taken action on numerous bills relating to homeowner warranties this session. Although this legislation may be well-intentioned, we should be cautious about placing more burdens on the housing sector during this historic recession.

This bill eliminates the requirement that a homeowner notify a contractor of a potential homeowner warranty claim in writing and instead permits written or "actual notice." There is a high level of ambiguity as to how a homeowner conveys an actual notice message. Not having the notice put in writing will lead to disputes as to whether and how verbal notice was provided. A requirement for written notice is a much better approach.

I encourage the authors to work towards a solution that addresses the issue of home defects without driving up the costs and burdens on contractors.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 362 (Chapter No. 140), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 21, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 2323, Chapter No. 179.

As I have made clear on repeated occasions, imposing \$1.018 billion in new taxes on Minnesota families and job providers is unacceptable during this difficult economic time. My opposition to these taxes has not changed since the previously vetoed tax bill.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 2323 (Chapter No. 179), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 22, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 925, Chapter No. 135.

This bill requires the Department of Employment and Economic Development to design and implement a relatively obscure measure of unemployment and underemployment, referred to by the United States Department of Labor (USDOL) as "U6." This legislation also requires monthly reporting of this rate to the chairs and ranking minority members of the applicable legislative committees.

Only two other states calculate the U6 measurement. Moreover, those states do not release it publicly, in part because they want to avoid misleading comparisons with other states. Currently, all states utilize the "U3" as the official measurement of unemployment. The U3 measurement is based upon total unemployed as a percent of the labor force. This is the definition used for the official unemployment rate.

It is also my understanding that the USDOL already provides U6 information to states through the Bureau of Labor and Statistics. Because this information is available to the Legislature, this legislation is unnecessary.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 925 (Chapter No. 135), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 22, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 804, relating to probate; modifying provisions governing guardians and conservators; providing for fees for central registration and use of fee proceeds.

H. F. No. 1849, relating to local government; removing, extending, or modifying certain mandates upon local governmental units; changing requirements for a qualified newspaper.

H. F. No. 384, relating to health; developing technology standards and tools to exchange information electronically between groups.

H. F. No. 1728, relating to human services; amending child care programs, program integrity, and adult supports including general assistance medical care and group residential housing.

H. F. No. 1237, relating to natural resources; modifying certain definitions; modifying wild rice provisions; providing for off-highway vehicle forfeiture; modifying off-highway motorcycle, all-terrain vehicle, and watercraft operating provisions; modifying state park permit requirements; eliminating liquor service at John A. Latsch State Park; modifying cost-share program; modifying commissioner's authority; modifying state trails and establishing a new state trail; providing for certain public hearings; providing for placement of a veterans cemetery; providing for establishment of boater waysides; providing for appeals and enforcement of certain civil penalties; modifying Water Law; providing certain exemptions from local ordinances; approving consumptive use of water for certain uses; classifying data; modifying refund provisions; modifying publication requirements; modifying restrictions in migratory feeding and resting areas; modifying game and fish laws; modifying wild animal and fish taking, possession, and licensing requirements; authorizing certain fees; modifying certain fees and accounts; authorizing

acquisition of and granting of certain easements; modifying management authority for and apportionment of proceeds from the sale of tax-forfeited lands; adding to and deleting from certain state parks; authorizing public and private sales and exchanges of state land; modifying previously enacted land descriptions and sales authorization; requiring wind energy lease; requiring increase in appraised estimates for timber sales; requiring forest lease pilot project; requiring rulemaking and modifying rulemaking authority; providing criminal penalties; appropriating money.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2009 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
	804	150	7:41 a.m. May 22	May 22
	1849	152	7:43 a.m. May 22	May 22
	384	155	7:44 a.m. May 22	May 22
29		161	7:58 a.m. May 22	May 22
	1728	175	7:57 a.m. May 22	May 22
	1237	176	7:54 a.m. May 22	May 22

Sincerely,

MARK RITCHIE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 22, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 417, relating to commerce; providing recovery of damages and attorney fees for breach of an insurance policy; permitting a deceased professional's surviving spouse to retain ownership of a professional firm that was solely owned by the decedent for up to one year after the death.

H. F. No. 1760, relating to state government; modifying health and human services policy provisions; changing health plan requirements; modifying nursing facility provisions; requiring licensure of physician assistants; requiring patient record keeping; changing the definition of doula services; requiring licensure of dental assistants; changing health occupation fees; imposing late fees; establishing safe patient handling in clinical settings; changing medical assistant reimbursement provisions; requiring annual payment reports from managed care plans and county-based purchasing plans; requiring a study of long-term care insurance and local government employees; creating workgroups; requiring reports.

H. F. No. 878, relating to transportation; adding provision governing relocation of highway centerline; modifying provisions relating to county state-aid highways and municipal state-aid streets; modifying provisions relating to seat belts; regulating placement of advertising devices; providing procedures for plats of lands abutting state rail bank property; requiring a study and report.

H. F. No. 1988, relating to state government; making technical health and human services changes; making health care program policy changes; changing health care eligibility provisions; authorizing rulemaking; requiring reports; changing appropriations; appropriating money.

H. F. No. 1276, relating to local government; relieving counties of certain health and human services mandates; making changes to residential treatment facilities; county payment of cremation, burial, and funeral expenses; child welfare provisions; health plan audits; nursing facilities; home health aides; inspections of day training and habilitation facilities; changing certain health care provisions relating to school districts, charter schools, and local governments.

H. F. No. 1853, relating to commerce; regulating various licenses, forms, certificates, coverages, claims practices, disclosures, notices, marketing practices, and records; classifying certain data; regulating real estate brokers and appraisers; regulating various insurance entities and products, including health, homeowners, motor vehicle insurance, and workers' compensation self-insurance; regulating security broker-dealers; regulating warranty contracts; regulating mortgage originators; sunseting certain state regulation of telephone solicitations; regulating the use of prerecorded or synthesized voice messages; regulating debt management and debt settlement services providers; delaying regulating business screening services; permitting a deceased professional's surviving spouse to retain ownership of a professional firm under certain circumstances.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 22, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have received, approved, signed, and deposited in the Office of the Secretary of State Chapter No. 172, House File No. 1231, the omnibus cultural and outdoor resources funding bill, with the exception of the line item veto listed below:

Page 33, lines 33.14 - 33.31: A \$200,000 appropriation for grants to the Star Lake Board. This board was created with a \$100,000 appropriation as a pilot program last year. At the time, supporters of the legislation indicated the need was for one-time money only. If additional funding is needed for this new board, it should come from sources other than constitutionally dedicated dollars. Such dollars should be used for projects, not process and bureaucracy.

Sincerely,

TIM PAWLENTY
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2009 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
1012*		143	5:06 p.m. May 22	May 22
	417	148	4:07 p.m. May 22	May 22
1219		153	7:47 a.m. May 22	May 22

	1760	159	3:07 p.m. May 22	May 22
1503		163	4:02 p.m. May 22	May 22
1504		167	2:46 p.m. May 22	May 22
	878	168	5:32 p.m. May 22	May 22
191		169	4:12 p.m. May 22	May 22
	1231*	172	3:50 p.m. May 22	May 22
	1988	173	4:05 p.m. May 22	May 22
	1276	174	5:51 p.m. May 22	May 22
	1853	178	4:08 p.m. May 22	May 22

Sincerely,

MARK RITCHIE
Secretary of State

[NOTE: *Indicates that S. F. No. 1012 and H. F. No. 1231 contain line item vetoes.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 22, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 928, Chapter No. 151, the omnibus transportation policy bill.

While I support several provisions in the bill, the Minnesota Department of Transportation (Mn/DOT) has raised concerns regarding provisions in this legislation. Those concerns were brought to the attention of the bill's authors, but the concerns were unfortunately ignored.

Mn/DOT is working with Wisconsin to develop passenger rail from Chicago to the Twin Cities, and we have cautioned the Legislature on many occasions about prematurely selecting specific routes, stops, or endpoints. Nonetheless, this bill does so. Those matters are being considered as part of a statewide rail study being conducted by Mn/DOT.

Mn/DOT also has concerns related to the language regarding railroad employees. Unfortunately, this provision was not fully vetted and was added on the House floor. Uncertainty exists regarding how this provision would affect future passenger rail operations in Minnesota and the cost of those operations. The complex federal laws in the bill relate to labor laws and benefits unique to rail carriers and rail employees. This provision should have been fully vetted before being inserted into the bill.

The bill also creates the Council on Transportation Access which would overlap with the existing Interagency Committee on Transit Coordination (ICTC). I established ICTC to coordinate health and human service programs with public transportation systems. The ICTC is already performing the same function the new committee would

perform. Moreover, members of the new council would be eligible for per diem while ICTC members serve at no additional charge. I will direct Mn/DOT to expand the membership of the ICTC to address the purported need for the new council.

This bill is another example of authors ignoring the input of my Administration. The result is a veto. Such an outcome could have been easily avoided. I encourage the Legislature to address these concerns at the beginning of the 2010 legislative session, so I will be able to sign this bill into law.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 928 (Chapter No. 151), which was returned to the House by the Governor with his objections, was laid on the table.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 22, 2009

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning House File No. 354, Chapter No. 154, the Homestead Mediation Lender Act of 2009.

I appreciate the progress my Administration and the Legislature have made in recent years to provide assistance to homeowners facing foreclosure. We have worked on a bipartisan basis to address this very important need and have enacted nation-leading programs. I was hopeful we could make more progress this year by working together to pass a mediation bill. While I am supportive of a mediation option for certain foreclosure cases, this bill does not incorporate my key recommendations. More specifically, my concerns and the reasons for my veto of this bill are presented below:

- The scope of homeowners qualifying for mediation was narrowed from the bill's original version. However, the remaining language is problematic. Having the mediator decide who is eligible for mediation is nonsensical. If the mediator is deciding which case is appropriate for mediation, the mediation process would have already begun. To the extent the appropriateness of mediation is decided by debt-to-income ratios, a mortgage counselor should make that determination prior to a mediator becoming involved. Every homeowner is required to meet with a qualified counselor before mediation. The counselor should determine eligibility for mediation based on objective criteria prior to the matter being referred to a mediator.
- The bill requires mediators be appointed by the Attorney General's office. The Attorney General's office understandably functions as an advocate. It is not the proper entity to select neutral dispute resolution personnel or procedures. Mediators should be appointed by the Office of Administrative Hearings with the use of qualified volunteers encouraged. That office is judicial in nature and can serve as a neutral decision maker.

- The program is funded by increasing the foreclosure fee by \$125 dollars per foreclosure. Lenders and borrowers involved in foreclosures who do not receive mediation should not pay for mediation services. The program should be able to support itself, and any fee should be applied within the mediation transaction.
- The bill requires the initial mediation meeting to be done by telephone or video conferencing. Subsequent meeting locations and facilitation are at the discretion of the mediator. All meetings should be available electronically unless parties agree otherwise. This will make the process more efficient and less costly.

Although this bill may be well intentioned, it falls short by failing to address the concerns I expressed earlier in session. For these reasons, I have vetoed Chapter No. 154.

Sincerely,

TIM PAWLENTY
Governor

[NOTE: Pursuant to Joint Rule 3.02(c), the above vetoed bill, H. F. No. 354 (Chapter No. 154), which was returned to the House by the Governor with his objections, was laid on the table.]

DISPOSITION OF BILLS UPON ADJOURNMENT

Pursuant to House Rule 4.20, the following bills were returned to the standing committee or division last acting on the bill:

H. F. Nos. 303 and 797; and S. F. No. 908 were returned to the Committee on Agriculture, Rural Economies and Veterans Affairs.

H. F. Nos. 612, 978, 993, 1202, 1345, 1512, 1619 and 2163; and S. F. Nos. 574 and 594 were returned to the Committee on Commerce and Labor.

H. F. Nos. 208, 655, 720, 731, 811, 890, 1341, 1494, 1537, 1627 and 1697; and S. F. Nos. 140, 251, 341, 474, 863, 1464 and 1494 were returned to the Committee on Civil Justice.

S. F. Nos. 1797 and 1884 were returned to the Early Childhood Finance and Policy Division/Finance.

H. F. Nos. 480, 603, 689 and 1078 were returned to the Energy Finance and Policy Division/Finance.

H. F. Nos. 353, 376, 536, 591, 924 and 1770; and S. F. Nos. 1323 and 1399 were returned to the Committee on Environment Policy and Oversight.

H. F. Nos. 411, 501, 775, 877, 905, 984, 986, 1081, 1088, 1270, 1467, 1708, 2069 and 2175; and S. F. Nos. 536, 656, 1369 and 1566 were returned to the Committee on Finance.

H. F. No. 1141; and S. F. Nos. 401, 496 and 1220 were returned to the Committee on Health Care and Human Services Policy and Oversight.

H. F. Nos. 871 and 1699 were returned to the Higher Education and Workforce Development Finance and Policy Division/Finance.

H. F. No. 1667 was returned to the Committee on K-12 Education Policy and Oversight.

H. F. Nos. 582, 1235, 1457 and 1518; and S. F. No. 556 were returned to the Committee on Public Safety Policy and Oversight.

H. F. Nos. 222, 622, 653, 1010 and 1011; and S. F. Nos. 32, 41, 80, 307, 423 and 484 were returned to the Committee on State and Local Government Operations Reform, Technology and Elections.

H. F. Nos. 899, 1191, 1490 and 1568; and S. F. No. 1028 were returned to the Transportation and Transit Policy and Oversight Division/Transportation Finance and Policy Division/Finance.

H. F. No. 572 and S. F. No. 208 were returned to the Transportation Finance and Policy Division/Finance.

H. F. No. 2380 and S. F. No. 1778 were returned to the Committee on Rules and Legislative Administration.

H. F. Nos. 696, 1219, 1221, 1665, 2134 and 2367; and S. F. Nos. 82, 119, 727 and 1016 were returned to the Committee on Ways and Means.

REPORT PURSUANT TO JOINT RULE 3.02(a)

Pursuant to Joint Rule 3.02(a) the following bills, which were being considered by a Conference Committee at the time of adjournment, were returned to the House and laid on the table and the Conference Committees were discharged:

H. F. Nos. 705 and 1880.

REPORT PURSUANT TO JOINT RULE 3.02(b)

Pursuant to Joint Rule 3.02(b) the following bills which were re-referred to the House Committee on Rules and Legislative Administration pursuant to Joint Rule 2.03 were returned to the standing committee or division to which they were last previously referred:

H. F. Nos. 200, 737 and 860 were returned to the Committee on Finance.

H. F. No. 1164 was returned to the Transportation Finance and Policy Division/Finance.

H. F. No. 1963 was returned to the Committee on Civil Justice.

REPORT PURSUANT TO JOINT RULE 3.02(c)

Pursuant to Joint Rule 3.02(c), the following bills were returned to the House by the Governor with his objections and laid on the table:

H. F. Nos. 211, 239, 330, 354, 362, 412, 925, 928, 1053 and 2323.

CERTIFICATE

I certify that the Journal of the House for Monday, May 18, 2009, including subsequent proceedings, has been corrected and is hereby approved.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

