



Home May 18, 2001



Policy The Honorable Don Samuelson
President of the Senate
120 State Capitol
Saint Paul, Minnesota 55155



For Citizens



Press Office

Dear President Samuelson:



The Administration

I have vetoed and am returning Chapter Number 122, Senate File Number 1821, a bill relating to the use of existing and abandoned railroad right-of-way by telecommunication and cable companies.



Lt. Governor

This bill creates the potential for future costs for the state as well as limiting the future use of the rail bank right-of-way. The bill allows telecommunication and cable lines to be placed parallel within rail bank corridors. It does not require that those lines be moved or relocated to accommodate the need for future recreational or transportation use of those rail bank corridors.



First Lady



Current News

Moreover, unlike the laws governing highway right-of-way, this bill does not require the utility to relocate its lines or to pay for their relocation. This creates a property right for the telecommunications or cable company in the State's rail bank right of way and may require the state to pay for future relocation of those utility or phone lines. This cost is not provided for.

This bill also restricts the state's future use of public land. If telecommunication and cable companies install lines parallel in the rail bank right of way, this may limit public use of the rail bank right of way if the utility lines must be removed before the rail bank land can be used for the state's desired purpose.

Finally, this bill conflicts with legislation that enacted last year that allowed MNDOT to sell or lease unneeded rail bank right of way for fair market value as determined by appraisal. This bill requires the

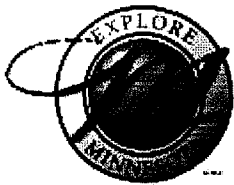
utility to pay only the diminution in value of the right-of-way.

In order to protect the rail bank right of way for future uses and from unanticipated costs, I am vetoing this bill.

Sincerely,

Jesse Ventura
Governor

cc: Senator Roger Moe, Majority Leader
Senator Dick Day, Minority Leader
Representative Steve Sviggum, Speaker of the House
Representative Tom Pugh, Minority Leader
Chief Senate Author
Chief House Author
Mr. Patrick E. Flahaven, Secretary of the Senate
Mr. Edward A. Burdick, Chief Clerk of the House
Ms. Mary Kiffmeyer, Secretary of State



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Contact Governor Ventura

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