



Home May 25, 2001

Current News The Honorable Steve Sviggum  
 Speaker of the House of Representatives  
 463 State Office Building  
 Saint Paul, Minnesota 55155

Policy

For Citizens Dear Speaker Sviggum:

Press Office

I have vetoed and am returning Chapter Number 172, House File Number 1153, a bill modifying local government building project architect requirements.

The Administration

Lt. Governor

First Lady

This bill exempts non-institutional and non-assembly buildings owned by a local unit of government that meet all requirements of the state building and fire codes, and estimated to cost less than \$50,000 from the provisions requiring that a licensed architect plan, design, or supervise the construction. It also directs the Board of Architects, Engineers, Surveyors, Landscape Architects, Geoscientists, and Interior Designers (AESLAGID) to conduct a study of buildings constructed by local governments with a cost of up to \$150,000 to identify buildings that can be constructed without the use of a licensed architect or engineer. Finally, it directs the AESLAGID to develop and implement a program to educate local units of government about the requirements for using architects and engineers for the construction of public buildings.

I have several concerns with this bill. First, the exemption in section one of the bill creates potential liability concerns for local units of government. If a local unit of government decided to allow a project under \$50,000 to move forward without using a licensed architect or engineer, it could be held liable for problems resulting from structural defects with the building. The legislature also does not appropriate money to the AESLAGID for the study or the educational program required by this bill. The board estimates that it would cost about \$27,000 to implement these requirements.

More importantly, the decision about whether a licensed professional is required on a building project should be determined by the nature of the project, not the cost of the project. For example, a building project may cost less than \$50,000, yet the life-safety impact dictates the need to use an architect or engineer. There currently are exemptions in law and rule based on square footage and occupancy, rather than a specific dollar threshold. I would encourage the legislature to work with state agencies and other interested parties to review these exemptions to determine if changes are necessary.

It is unsafe to suspend the use of a licensed professional on low-cost public buildings. I believe that exemptions based upon size and occupancy, rather than an arbitrary dollar amount, are key to providing local flexibility and protecting the public.

For these reasons, I am vetoing this bill.

Sincerely,

Jesse Ventura  
Governor

cc: Senator Don Samuelson, President of the Senate  
Senator Roger Moe, Majority Leader  
Senator Dick Day, Minority Leader  
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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