



# STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

May 23, 2003

The Honorable James P. Metzen  
President of the Senate  
State Capitol  
St. Paul, Minnesota

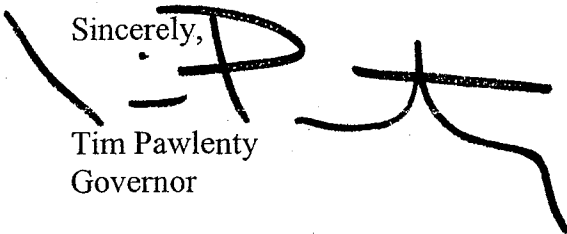
Dear Senator Metzen:

I have vetoed and am returning Chapter 88, Senate File 552, a bill relating to payment of claims against the state.

Section 3, Subdivision 1 of the bill is related to claims against the Department of Natural Resources for the Department's efforts to restore a wetland on the Bode property. Repeatedly, the Bodes have installed tile in an attempt to drain the wetland and repeatedly the courts have found in favor of the Department and ordered removal of the tile and restoration of the wetland. This section of the bill reverses the decision made by the courts, setting a terrible precedent for wetlands protection. The language in Section 3, Subdivision 1, if enacted, would also have a chilling effect on the state's ability to protect wetlands.

If Section 3, Subdivision 1 is deleted from this bill, the area would remain a public water and the Department would have the opportunity to work with the owners to acquire an easement or work out a mutually agreeable restoration strategy. If this section of the bill is satisfactorily amended or deleted, the bill would be acceptable for my signature.

Sincerely,

  
Tim Pawlenty  
Governor

cc: Mary Kiffmeyer, Secretary of the State  
Senator John Hottinger, Senate Majority Leader  
Senator Dick Day, Senate Minority Leader  
Representative Steve Sviggum, Speaker of the House  
Representative Matt Entenza, House Minority Leader  
Senator Wes Skoglund  
Representative Bruce Anderson  
Patrick Flahvén, Secretary of the Senate  
Ed Burdick, Chief Clerk of the House