

May 29, 2004

The Honorable James P. Metzen
President of the Senate
322 State Capitol
Saint Paul, Minnesota 55155

Dear Senator Metzen:

I have vetoed and am returning Chapter 237, Senate File 2696, a bill relating to liquor licenses and liquor sales.

Current law prohibits the issuance of a license to sell intoxicating liquors in certain areas. One such prohibition applies to an area, "within 1,000 feet of a state hospital, training school, reformatory, prison, or other institution under the supervision or control, in whole or in part, of the Commissioner of Human Services or the Commissioner of Corrections."

It is my understanding the Legislature desired to make it clear that the prohibition against selling alcohol within 1,000 feet of hospitals, training schools, reformatories and prisons only applied if such facilities were "state" facilities. The legislation seems to accomplish that goal. Even setting aside whether that is a sound idea, the legislation also eliminates the prohibition on liquor sales within 1000 feet of other institutions "under the supervision or control, in whole or in part, of the Commissioner of Human Services or the Commissioner of Corrections."

There are many other facilities beyond hospitals, training schools, reformatories and prisons that are, in whole or in part, under the supervision or control of the Commissioners of Human Services or Corrections. It would surprise me if the Legislature intended to allow liquor sales near all such facilities. Yet, the bill seems to do just that. The complete removal of statutory language relating to those other facilities supervised or controlled by the Commissioners of Human Services and Corrections is troubling and appears to have occurred without any real debate or deliberation by the Legislature. For these reasons, I am returning Chapter 237 with my veto.

Sincerely,

Tim Pawlenty
Governor

cc: Senator Dean Johnson, Senate Majority Leader
Senator Dick Day, Senate Minority Leader
Representative Steve Sviggum, Speaker of the House
Representative Matt Entenza, House Minority Leader
Senator Sandra Pappas
Representative Andy Westerberg
Patrick Flahaven, Secretary of the Senate
Ed Burdick, Chief Clerk of the House
Mary Kiffmeyer, Secretary of State