



# STATE OF MINNESOTA

## Office of Governor Mark Dayton

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

February 10, 2012

The Honorable Michelle L. Fischbach  
President of the Senate  
226 State Capitol  
St. Paul, Minnesota 55155

Dear Madam President:

I have vetoed and am returning Chapter 119, SF 373, which drastically lowers the statute of limitations for many important civil claims. This legislation does not represent justice for Minnesotans. It would eliminate important protections for citizens and businesses, when they are harmed by the wrongful actions of others.

I am perplexed by the charge that Minnesota is an excessively litigious state or has a negative civil justice system for business. According to the Minnesota Supreme Court, civil case filings for injury claims are down over 40% since 1997, despite our expanding population. The U.S. Chamber of Commerce ranks Minnesota among the very top states for our treatment of businesses in the courtroom. Those and other comparisons affirm that our court system is working well to protect our Constitutional rights and is not being overburdened by frivolous matters.

Despite those facts, this legislation would lower by one-third the statute of limitation for Minnesota citizens and businesses to assert their rights in court. The current statute of six years was established in 1841 and has remained largely unchanged since that time. Minnesota's current statute of limitations is not out of line with other states, that have a "discovery rule" to allow an individual or company to learn of the harm sustained before the limitations period begins. In fact, we now have a shorter limitation period for many types of cases.

I am particularly concerned about lowering the limitation period for contract cases for businesses and consumers. Many companies may not learn of their claims within this shorter period. The Legislature has enacted laws to help businesses assert their rights at the behest of very important Minnesota companies, like Marvin Windows in Warroad. I

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see no justifiable reason to harm our businesses by taking away this important right of redress. A four-year limitation period would be a disadvantage to good Minnesota businesses. This legislation would end the exposure of large, mostly out-of-state insurance companies to pay legitimate claims two years earlier than the current law.

I will not support that change.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Dayton". The signature is stylized with a large initial "M" and a long, sweeping underline.

Mark Dayton  
Governor

cc: Senator David H. Senjem, Senate Majority Leader  
Senator Thomas M. Bakk, Senate Minority Leader  
Senator Julianne E. Ortman  
Representative Kurt Zellers, Speaker of the House  
Representative Paul Thissen, House Minority Leader  
Representative Doug Wardlow  
The Honorable Mark Ritchie, Secretary of State  
Mr. Cal R. Ludeman, Secretary of the Senate  
Mr. Albin A. Mathiowetz, Chief Clerk of the House of Representatives