



# STATE OF MINNESOTA

## Office of Governor Mark Dayton

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

May 24, 2012

The Honorable Kurt Zellers  
Speaker of the House  
Room 463, State Office Building  
100 Rev. Dr. Martin Luther King, Jr. Blvd.  
St. Paul, Minnesota 55155

Dear Mr. Speaker:

I write to inform you that I will neither sign Chapter 297, House File 322, nor deposit it in the Office of Secretary of State. Per Article IV, Section 23, of the Minnesota Constitution, “Any bill passed during the last three days of the session which is not signed and deposited within 14 days after adjournment does not become a law.” That is my intent with regard to this legislation.

I appreciate and respect the concerted efforts by the bill’s authors to involve both proponents and opponents of the legislation, to revise its language in light of those discussions, and to engage my office. Both proponents and opponents make compelling arguments in support of their respective positions.

Every marriage is different; therefore, each divorce has its own unique set of facts, conditions, and circumstances. Thus it is very difficult to codify one set of presumptions and preferences, which will apply to every family situation. The proponents of H.F. 322 cite many cases where the law’s changes would benefit both parents and their children. On the other hand, opponents cite many compelling reasons why, in other instances, the changes made by the legislation would have harmful consequences for at least one of the parents and the children.

The validity of one side’s arguments, as applied to certain situations, does not invalidate those made by the other side, based upon other cases. With a few exceptions, such as alleging financial self-interests or ideological rigidities, people and parties on both sides of the legislation share the same, good faith intentions, rooted in their shared desire to proscribe what will be best for every parent and, especially, every child ensnared in the painful dissolution of a marriage.

Torn between the persuasive arguments of both proponents and opponents of the legislation, I am particularly influenced by the strong opposition of so many organizations (although not all of their members), who work every day with the most challenging divorces and their effects on the well-being, and even the safety, of parents and children. There is enough uncertainty about all of the ramifications of this legislation to persuade me to give pause to its enactment.

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My view is that this dialogue and, hopefully, collaboration among legislators of both parties and the various stakeholders should continue into the 2013 Legislative Session. I will commit experts from my administration to become even more engaged, with the goal of producing legislation, which I can sign into law next year.

Sincerely,

A handwritten signature in black ink that reads "Mark Dayton". The signature is fluid and cursive, with the first name "Mark" being larger and more prominent than the last name "Dayton".

Mark Dayton  
Governor

cc: Senator Michelle L. Fischbach, President of the Senate  
Senator David H. Senjem, Senate Majority Leader  
Senator Thomas M. Bakk, Senate Minority Leader  
Senator Michael Jungbauer  
Representative Paul Thissen, House Minority Leader  
Representative Peggy Scott  
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