

## STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

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

May 15, 2009

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

Dear President Metzen:

I have vetoed and am returning Senate File 1033, Chapter 81, a bill that allows a city, county, or town to manage or control private property which has benefited from public assistance.

A developer or owner of property who enters into an agreement with a local unit of government for receipt of public assistance should abide by the terms of the agreement.

However, this law appears unnecessary. Parties to a development agreement could insert provisions dealing with the concerns this bill attempts to address in their agreement.

In its current form, this bill would also allow a city, county, or town to more broadly "manage or control" a property without providing notice in the public assistance agreement that the local government entity could use the provision of public assistance to invoke such management or control. At the very least, the bill should require notice in applicable development agreements regarding the circumstances under which the management or control of the property would occur.

Sincerely,

Tim Pawlenty Governor

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cc: Representative Margaret Anderson Kelliher, Speaker of the House

Senator Lawrence J. Pogemiller, Majority Leader

Senator David Senjem, Minority Leader

Senator John Marty

Representative Marty Seifert, Minority Leader

Representative Carlos Mariani

Mr. Peter S. Wattson, Secretary of the Senate (Legislative)

Mr. Albin Mathiowetz, Chief Clerk of the House of Representatives

Mr. Mark Ritchie, Secretary of State