

**COMMUNICATIONS SUBSEQUENT TO ADJOURNMENT**

May 15, 2008

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2008 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2008	Date Filed 2008
3576		307	3:02 p.m. May 15	May 15
3669		308	2:46 p.m. May 15	May 15
3140		309	2:35 p.m. May 15	May 15
3672		311	2:33 p.m. May 15	May 15
2379		312	2:36 p.m. May 15	May 15
2909		313	2:44 p.m. May 15	May 15
3303		314	2:41 p.m. May 15	May 15
3235		315	6:19 p.m. May 15	May 15
3492		316	2:43 p.m. May 15	May 15
3563		317	3:03 p.m. May 15	May 15
2941		321	1:10 p.m. May 15	May 15
	3574	322	3:11 p.m. May 15	May 15
2876		325	2:50 p.m. May 15	May 15
	3222	326	6:25 p.m. May 15	May 15

Sincerely,  
Mark Ritchie  
Secretary of State

May 16, 2008

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2008 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of

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the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2008	Date Filed 2008
2833		328	4:12 p.m. May 16	May 16
	4223	331	4:03 p.m. May 16	May 16
2390		333	4:08 p.m. May 16	May 16
	3367	335	4:09 p.m. May 16	May 16
	3699	336	4:13 p.m. May 16	May 16

Sincerely,  
Mark Ritchie  
Secretary of State

May 18, 2008

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 3377.

Sincerely,  
Tim Pawlenty, Governor

May 18, 2008

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2008 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2008	Date Filed 2008
	3420	341	4:04 p.m. May 18	May 18
3377		343	3:22 p.m. May 18	May 18
	3783	344	4:02 p.m. May 18	May 18

Sincerely,  
 Mark Ritchie  
 Secretary of State

May 19, 2008

The Honorable Margaret Anderson Kelliher  
 Speaker of the House of Representatives

The Honorable James P. Metzen  
 President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2008 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2008	Date Filed 2008
	3034	337	10:03 a.m. May 19	May 19
	3955	338	10:02 a.m. May 19	May 19
	3195	340	11:13 a.m. May 19	May 19

Sincerely,  
 Mark Ritchie  
 Secretary of State

May 20, 2008

The Honorable James P. Metzen  
 President of the Senate

Dear President Metzen:

I write to inform you that Chapter 345, Senate File 3138, a bill regarding the collection and storage of genetic samples from newborns, has been vetoed. Although return of the bill to the house of origin and a veto message is not required because the Legislature has adjourned sine die, I wanted to share my concerns about this bill with the Legislature.

I support Minnesota's newborn screening program because it saves lives. Through this program, more than 73,000 newborns each year are screened for over 50 medical disorders. Each year, approximately 140 infants are found to have a confirmed disorder. For many of these children, early diagnosis and medical intervention prevents death or severe disability.

Under current law, the Department of Health can continue to collect newborn blood samples and conduct screening, follow-up, and test development procedures authorized by Minnesota Statutes, Section 144.123. Parents are permitted to "opt-out" of the screening process. Unless parents object,

the samples are collected and screened. The ability to collect blood samples in this manner for newborn screening purposes was upheld in a recent decision by an Administrative Law Judge (ALJ). My decision to veto this bill will not change the collection or use of samples for conducting the newborn screening as currently authorized by law.

This bill would make some improvements to current law relating to the notice parents receive before genetic information is collected. I support these provisions. However, this bill would also expressly exempt the Department of Health from laws which require written informed consent for the Department to store and use personally identifiable genetic information for non-screening purposes. The ALJ determined that indefinite storage and additional uses of newborn blood samples require written informed consent.

I understand the Department's desire to collect and use blood samples for newborn screening purposes using an opt-out approach. However, I believe written informed consent should be obtained for the long-term storage or use of the blood samples for non-screening research.

Government handling and storage of genetic information is a serious matter. Removing the requirement for express authorization from parents regarding the long-term storage and potential future uses of genetic samples, especially when such storage and use is not related to newborn screening, is concerning.

Sincerely,  
Tim Pawlenty, Governor

May 23, 2008

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 3360, 2809, 3096, 3056, 3322, 2492 and 2651.

Sincerely,  
Tim Pawlenty, Governor

May 23, 2008

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2008 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

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S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2008	Date Filed 2008
	1724	348	11:55 a.m. May 23	May 23
	3800	350	12:01 p.m. May 23	May 23
3360		353	12:14 p.m. May 23	May 23
2809		355	11:50 a.m. May 23	May 23
3096		356	12:19 p.m. May 23	May 23
3056		357	12:17 p.m. May 23	May 23
	3376	361	11:54 a.m. May 23	May 23
3322		364	11:57 a.m. May 23	May 23
2492		367	12:13 p.m. May 23	May 23
2651		368	12:37 p.m. May 23	May 23

Sincerely,  
Mark Ritchie  
Secretary of State

May 23, 2008

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

I write to inform you that Senate File 100, Chapter 351, a bill that would sanction additional embryonic stem cell research and allow therapeutic cloning, has been vetoed. Although return of the bill to the house of origin and a veto message are not required because the Legislature has adjourned sine die, I wanted to share my concerns about this bill with the Legislature.

I support stem cell research that is consistent with sound ethical and moral standards. As stated in earlier letters sent to legislators, I would be willing to consider signing legislation that would rely on technology or methods such as:

- using stem cells from discarded umbilical cords;
- using placental stem cells;
- using adult-derived stem cell lines;
- extracting stem cells from embryos without damaging them;
- using stem cell lines generated from amniotic fluid; and

deriving pluripotent stem cells from embryos that have died naturally in the course of attempts to use them in fertility treatments, but yet the stem cells within the embryo are still viable for research purposes.

Moreover, stem cell research is evolving rapidly. Significant and promising progress continues to be made on the use of adult stem cells. This creates ample opportunity to work toward lifesaving cures without crossing core ethical and moral boundaries. We should encourage this science.

In November 2007, two independent studies from the University of Wisconsin and Kyoto University in Japan showed adult skin cells can be reprogrammed into induced pluripotent stem cells (iPSC). These stem cells exhibit the same characteristics of an embryonic stem cell without destroying an embryo or causing harm to the donor. This procedure was replicated a month later by scientists at Harvard University.

Unlike embryonic stem cells, which are obtained by destroying live embryos, iPSCs are made directly from adult stem cells by adding a small number of factors to these cells in the laboratory. No human eggs are required and no human embryos are destroyed.

Minnesota should follow the lead of these and other great institutions. The options outlined above create ample opportunity for stem cell research without crossing moral and ethical lines relating to embryos or cloning.

Sincerely,  
Tim Pawlenty, Governor

May 23, 2008

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

I write to inform you that Chapter 354, Senate File 2368 has been vetoed. Although return of the bill to the house of origin and a veto message are not required because the Legislature had adjourned sine die, I wanted to share my concerns about this bill with the Legislature.

This bill would require the Department of Human Services to receive legislative authorization prior to closing or relocating any enterprise activity under the state operated services program. These enterprise activities include an array of state operated community programs, but consist primarily of small community-based group homes. Although state employees deliver these services, in many cases these are not traditional safety net services. Similar services are often provided in private facilities that receive funding from both state and private sources.

State operated enterprise activities have always been required to operate off the revenues generated from payments for the services delivered. By prohibiting the closure of enterprise activities, this bill will unnecessarily force the Department to carry the costs of those activities that cannot be supported by revenues. In fact, this bill would require the state to keep services open even after the payer has notified the state that the service is no longer needed.

According to the Department of Finance, this bill will cost the state \$3.1 million in FY 2009, \$4 million in FY 2010, and \$4.2 million in FY 2011. The amendments made to the bill in conference committee suggest that the state should use the cash flow account to cover on-going operational losses. This is an inappropriate use of the cash flow account. It places unnecessary financial risk on other state operated services and to the general fund.

This bill also prevents the state from relocating its services without legislative authorization. Under this bill, the state would not be able to relocate a service even when the landlord refused to reauthorize the lease of the facility. Services could not be relocated to another home even if this change of location was required to meet clients needs, or even if the relocation occurred within the same community.

The spending obligations created by this bill are outside of the budget agreement reached between my office and the House and Senate leaders. I am not willing to support additional spending that is not included in the global agreement reached with legislative leaders.

The Department needs the ability to take timely action about the relocation of programs and services so as not to jeopardize patient care and safety or fiscal viability. Requiring these actions to receive prior legislative approval is not appropriate and would potentially subject these decisions to political pressure. The implementation of the enterprise activity program is an executive branch function that should remain within the executive branch of state government.

Sincerely,  
Tim Pawlenty, Governor

May 27, 2008

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 3594 and 2597.

Sincerely,  
Tim Pawlenty, Governor

May 27, 2008

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2008 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2008	Date Filed 2008
3594		347	12:10 p.m. May 27	May 27
	3082	349	12:09 p.m. May 27	May 27
	3346	362	12:11 p.m. May 27	May 27

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2597

369

12:50 p.m. May 27

May 27

4166

370

1:01 p.m. May 27

May 27

Sincerely,  
Mark Ritchie  
Secretary of State

May 27, 2008

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

I write to inform you that Chapter 360, Senate File 3363, a bill relating to the state budget process has been vetoed. Although return of the bill to the house of origin and a veto message is not required because the Legislature has adjourned sine die, I wanted to share my concerns about this bill with the Legislature.

This bill would do little to improve the options for decision making in relation to development of the state budget or the efficiency of state government operations. The changes in this bill would create significant additional agency administrative costs. The bill would also interfere with the decision making process necessary for the development of the Governor's comprehensive budget proposal, and it would allow the Legislature to inappropriately direct the actions of individual state employees.

We need to continue working on the structural alignments of spending and revenues, not creating more process.

Sincerely,  
Tim Pawlenty, Governor

May 29, 2008

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 3780.

Sincerely,  
Tim Pawlenty, Governor

May 29, 2008

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives



The Honorable James P. Metzen  
 President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2008 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2008	Date Filed 2008
3780		358	2:20 p.m. May 29	May 29
	*1812	363	8:26 a.m. May 29	May 29
	4072	365	2:35 p.m. May 29	May 29
	3149	366	8:27 a.m. May 29	May 29

\*Chapter with line item veto

Sincerely,  
 Mark Ritchie  
 Secretary of State

May 29, 2008

The Honorable James P. Metzen  
 President of the Senate

Dear President Metzen:

I have vetoed and am returning Chapter 352, Senate File 3396, the Minnesota Subprime Borrower Relief Act of 2008.

Mortgage foreclosures are a great concern in Minnesota and nationally. I have signed 11 bills this session that were the result of bipartisan legislation to help address and mitigate mortgage foreclosure. These 11 newly enhanced laws require additional notice to homeowners regarding counseling services, require lenders to provide contact information to counselors, provide additional tenant rights and notice, address abandoned properties, increase the cap for homeowner financial assistance, and contain other provisions to address specific foreclosure related issues.

Minnesota also leads the nation in dealing with the mortgage situation with the enactment of laws last year addressing predatory lending, mortgage licensing, and fraud. My Administration has also aggressively pursued additional administrative actions that will help preserve homeownership such as securing a \$4.3 million federal grant for direct foreclosure counseling services, enhanced borrower workshops, and creation of a counselor hotline.

Unfortunately, S.F. 3396 is not an appropriate solution. If Minnesota creates a statutory right for individuals to remain in their homes beyond our already extensive foreclosure laws, mortgage providers will factor this additional business risk into mortgage agreements and Minnesota mortgages will be more expensive. This will negatively impact the credit market in Minnesota

by increasing interest rates for Minnesotans who are trying to refinance or purchase a new home. Those most likely to be negatively impacted with higher credit costs or the inability to access credit will be individuals with challenging credit histories or lower incomes.

The bill also raises significant legal and philosophical concerns. The contract clause of the U.S. Constitution forbids states from enacting legislation that impairs existing contracts. This bill impacts existing mortgage contracts by statutorily changing monthly payment obligations and altering the contracts in other ways. The due Process and Equal Protection Clauses of the federal Constitution may also be violated by this bill.

No other state in the nation has enacted a bill like S.F. 3396. There is a reason for that - it is not sound policy.

Although this bill may be well-intentioned, it would likely make credit more expensive for the approximately 98 percent of Minnesotans who are not in foreclosure. It is unfortunate this bill did not go through the bipartisan foreclosure study committee as did the 11 other mortgage foreclosure bills. A more rigorous review may have minimized this bill's technical, constitutional problems and policy flaws.

Sincerely,  
Tim Pawlenty, Governor

June 12, 2008

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

On May 29, 2008, I sent a letter stating that I have vetoed Chapter 352, Senate File 3396, the Minnesota Subprime Borrower Relief Act of 2008. That letter stated I was returning the bill. However, due to session having adjourned sine die, an actual return of the bill is not possible or necessary at this time. While I did veto the bill, the original bill will be kept on file here in my office.

Sincerely,  
Tim Pawlenty, Governor

June 18, 2008

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

As the Senate Minority Leader, I am hereby making the following appointment:

Pursuant to Minnesota Statutes 2007

Section 175.007: Advisory Council on Workers' Compensation - Senator Joe Gimse for an indefinite

term replacing Senator Geoff Michel as the Caucus liaison to the Council.

Sincerely,  
David H. Senjem  
Senate Republican Leader

June 18, 2008

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The Subcommittee on Committees of the Committee on Rules and Administration met on June 18, 2008, and made the following appointments:

Pursuant to Minnesota Statutes 2007

3.305, subd. 6: Advisory Committee to the LCC Office on the Economic Status of Women - Senators Dille; Limmer; Olson, M. and Pappas, to serve a term expiring January 9, 2009.

137.0245: Regent Candidate Advisory Council - William Brady, Steve Claypatch, David Fisher, Sylvia Kaplan and Jo-Anne Stately to serve a six year term expiring January 6, 2014, and Daniel Kauppi to serve a two year term expiring January 4, 2010.

Pursuant to Laws of Minnesota 2008

Chapter 340, section 2: Legislative Greenhouse Gas Accord Advisory Group - Senators Anderson, Frederickson and Prettner Solon to serve at the pleasure of the appointing authority.

Sincerely,  
Larry Pogemiller  
Chair, Subcommittee on Committees

July 9, 2008

The Honorable Tim Pawlenty  
Governor, State of Minnesota

Dear Governor Pawlenty:

I hereby resign my seat as State Senator for District 63, effective November 5, 2008.

It has been an honor to have served the people of the State of Minnesota as a member of the Legislature for the last ten years. I want to express my appreciation to the people of District 63 for allowing me to represent them and the community in which I was raised.

While my decision was a difficult one, I have decided now is the right time for me to return to private employment.

Sincerely,  
Dan Larson  
State Senator

July 11, 2008

The Honorable Tim Pawlenty  
Governor, State of Minnesota

Dear Governor Pawlenty:

It is with a degree of sadness mixed with excitement and anticipation that I write you this letter of resignation as the Senator of Minnesota Senate District 16.

Subsequent to my appointment and assumption of the position of Public Utilities Commissioner I will be vacating the position as Senator of District 16. The anticipated end date of my Senate position is July 28, 2008 upon the assumption of the office of Public Utilities Commissioner.

It has been a great honor to serve the citizens of Senate District 16. The citizens of the district have been engaged and very supportive of me during my time as a Senator and so I leave the office with some sadness. I could have asked for no better people to serve.

Having had the privilege of serving under your leadership as the Governor of the great state of Minnesota has made the experience that much richer and I thank you for your leadership.

I look forward to serving the people of the entire state of Minnesota in new capacities to the best of my ability.

Sincerely,  
Betsy Wergin  
Senator

July 23, 2008

The Honorable Tim Pawlenty  
Governor, State of Minnesota

Dear Governor Pawlenty:

The purpose of this letter is to alter the dates as stated in my earlier communication concerning my resignation from Senate District 16 Senate seat.

It has come to my attention that the resignation date of July 28th poses some unusual circumstances and challenges for Senate payroll. Elected Senators are paid on a prospective basis and therefore I have already been paid by the state of Minnesota through July 31, 2008. In order to eliminate confusion and possible payroll, pension and insurance issues, I will be leaving my position as Senator effective 11:59 PM on July 31, 2008. This in turn means I will assume the position as Public Utilities Commissioner at 12:00 AM on August 1, 2008.

Please accept my apologies for any confusion. It is my desire to make the transition as simple as possible for everyone involved.

Sincerely,  
Betsy L. Wergin  
Senator

August 1, 2008

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The Subcommittee on Committees of the Committee on Rules and Administration met on August 1, 2008 and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 2007

103B.702: Star Lake Board - Dave Kavanaugh, William Stearns and John Sturner to serve at the pleasure of the appointing authority.

116J.977: Trade Policy Advisory Group - Senators Senjem and Tomassoni to serve a two year term expiring January 4, 2010.

124D.141: State Advisory Council on Early Childhood Education and Care - Senators Clark and Michel to serve at the pleasure of the appointing authority.

137.0245: Regent Advisory Council - Billie Young to replace Frances Gardeski, who resigned, to serve a six year term expiring the first week of January 2014.

161.1419: Mississippi River Parkway Commission - Senators Pappas and Senjem to serve until the close of each regular session.

Pursuant to Minnesota Laws 2008

Chapter 152, section 9: Transportation Strategic Management and Operations Task Force - Senators Day and Saltzman and Adam Dunnick to serve at the pleasure of the appointing authority.

Chapter 296, section 28: Size Election Stakeholder Group - Senators Dahle and Jungbauer to serve at the pleasure of the appointing authority.

Chapter 297, article 1, section 66: Agriculture and Open Space Preservation Task Force - Senators Dille and Lourey to serve at the pleasure of the appointing authority.

Chapter 297, article 2, section 26: County Veterans Services Working Group - Senators Erickson Ropes and Hann to serve at the pleasure of the appointing authority.

Chapter 299, section 27: Working Group on Controlled Substances - Tom Adkins, Judge Pam Alexander, Judge Toddrick Barnette, Dan Cain, Melvin Carter Jr., Phil Cohen, Chief Jim Crace, Carol Falkowski, Paul Ford, Mike Freeman, Paul Hetland, Brock Hunter, Melanie Majors, Lt. David McLaughlin, Judge Tom Neuville, Thomas Pertler and John Stuart to serve at the pleasure of the appointing authority.

Chapter 318, article 1, section 1: Legislative Commission on Planning and Fiscal Policy Subcommittee on Government Accountability - Senators Bakk, Clark, Cohen and Frederickson to serve at the pleasure of the appointing authority.

Chapter 356, section 15, and Chapter 363, article 6, section 12: Green Jobs Tasks Force - Senator Anderson as Co-Chair and Senators Dibble and Jungbauer, Deb Bahr-Helgen, David Foster and

Lorrie Louder to serve at the pleasure of the appointing authority.

Pursuant to Minnesota Senate Resolutions 2007

Senate Resolution 176: Autism Task Force - Senators Bonoff and Senjem, Amy Dawson, Dr. Allison Golnick, Dr. Eric Larsson, Jacki McCormack, Darren Shuler and Brad Trahan to serve at the pleasure of the appointing authority.

Sincerely,  
Lawrence J. Pogemiller, Chair  
Subcommittee on Committees

September 5, 2008

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The Subcommittee on Committees of the Committee on Rules and Administration on September 5, 2008, by appropriate action made the following appointment.

Pursuant to Minnesota Laws 2008

Chapter 356, section 15, and Chapter 363, article 6, section 12: Green Jobs Task Force - Ken Day to serve at the pleasure of the appointing authority.

Sincerely,  
Lawrence J. Pogemiller, Chair  
Subcommittee on Committees

September 9, 2008

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

As the Senate Minority Leader, I am hereby making the following appointment:

Pursuant to Laws of Minnesota 2008

Laws 2006, Chapter 270, Article 2, Section 1; as amended by Laws 2007, Chapter 90, Section 4; as amended by Laws 2008, Chapter 196, Article 1, Section 21: Municipal Boundary Adjustment Advisory Task Force - Senator Steve Dille to replace former Senator Betsy Wergin, who resigned from the Senate. Senator Dille is to serve for an indefinite term, serving until replaced or no longer a member of the Senate. The Task Force is currently set to expire on January 16, 2009.

Sincerely,  
David H. Senjem  
Senate Republican Leader

September 9, 2008

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

As the Senate Minority Leader, I am hereby making the following appointment:

Pursuant to Minnesota Statutes, 2007 Supplement

Section 116L.665: Governor's Workforce Development Council - Senator Bill Ingebrigtsen for a term of three years beginning immediately and expiring on June 30, 2011.

Sincerely,  
David H. Senjem  
Senate Republican Leader

