

STATE OF MINNESOTA

Office of Governor Tim Pawlenty 130 State Capitol • 75 Rev. Dr. Martin Luther King Jr. Boulevard • Saint Paul, MN 55155

May 1, 2008

The Honorable Senator James Metzen President of the Senate 75 Rev. Dr. Martin Luther King Jr. Blvd. 322 State Capitol Saint Paul, Minnesota 55155

Dear President Metzen:

I have vetoed and am returning Senate File 2919, Chapter 255, a bill relating to civil commitment hearings.

This legislation was requested by the Minnesota County Attorney Association (MCAA) as the result of a recent Supreme Court decision. The Court held that a person who is subject to a petition for civil commitment as a Sexually Dangerous Person (SDP) or Sexual Psychopathic Personality (SPP) has the right under Minnesota Statutes Section 253B.08 to demand a hearing be held on the petition within 15 days of the demand. Although this provision of law is appropriate to most civil commitment proceedings, the complexity of SDP and SPP civil commitment proceedings makes trial within the statutory 15 day time period unrealistic.

The bill as introduced would have exempted SDP and SPP civil commitment proceedings from the statutory requirement to provide a trial within 15 days of a demand, but would have continued to make SDP and SPP proceedings subject to the regular statutory timeframes for completing a civil commitment proceeding. Unfortunately, the bill mistakenly exempts SDP and SPP petitions from <u>all</u> of the trial timeframes in statute, rather than just the 15 day trial by demand provision.

The bill authors now acknowledge this mistake and have requested this bill be vetoed. Language to properly address these issues has been inserted into the Omnibus Judiciary Policy Bill.

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Removing all statutory timeframes for SDP and SPP commitment proceedings is clearly not what was intended by the MCAA or the Legislature. Accordingly, I am vetoing the bill. I am issuing this veto with the hope that there is still time in this session for the Legislature to pass legislation that would correctly address MCAA concerns.

Sincerely,

Tim Pawlenty Governor

Cc: Representative Margaret Anderson Kelliher, Speaker of the House Senator Lawrence J. Pogemiller, Majority Leader Senator David Senjem, Minority Leader Senator Don Betzold Representative Marty Seifert, Minority Leader Representative Steve Simon Mr. Patrick E. Flahaven, Secretary of the Senate Mr. Al Mathiowetz, Chief Clerk of the House of Representatives Mr. Mark Ritchie, Secretary of State