



STATE OF MINNESOTA

Office of Governor Tim Pawlenty

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

May 25, 2010

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

Dear President Metzen:

I have vetoed and am returning Chapter 390, Senate File 2900, a bill relating to Game and Fish, Natural Resource Policy, and State Lands.

Several provisions in this bill reflect legislative overreach by attempting to set arbitrary hunting and fishing management policy, despite the recommendations of the Department of Natural Resource (DNR) experts. Signing this legislation into law would condone an approach that establishes a harmful precedent for managing our natural resources and undercut public confidence of the process.

Several examples in Article 1 make this point:

- Section 47 permits anglers to purchase that ability to fish with two lines, but cuts the possession limit in half. This provision was apparently developed to generate revenue, but without any evidence to support this belief.
- Section 50 requires the Commissioner to close the season for smallmouth bass until the "Monday following the third Sunday in June" in four specific areas along Elm Creek and the Rum and Mississippi Rivers. Yet our natural resource management experts have indicated that the smallmouth bass population in these areas does not need special protection beyond what is currently provided in statewide regulation. This type of legislative carve-out appears to be aimed at reducing access at popular shore fishing locations for no apparent natural resource management reason.

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- Section 53 imposes fishing restrictions on a popular fishing area of Lake Florida without a sound fisheries management rationale.
- Section 54 requires the DNR to adopt special regulations for Fish Lake Reservoir before the 2011 fishing season. Again, there appears to be no fisheries management reason to require this and there are reports that this provision may have been improperly inserted into legislation.

In addition, the bill unwisely accelerates the declining balance in the Game and Fish fund and threatens to deplete it in the near future. We need to be working constructively towards a comprehensive evaluation of the fund to ensure its long-term future, not passing provisions that undermine its solvency.

Despite this veto, there are important efforts in the legislation that should continue.

Specifically, I have directed Commissioner Holsten to work with the Board of Soil and Water Resources to immediately begin development of a Minnesota pilot hunting walk-in access program that will meet eligibility criteria for federal funding. These agencies will work with interested stakeholders to develop the operational aspects of a pilot walk-in program that include criteria for contract terms, habitat and acreage requirements, model contracts for landowners, posting and notification requirements, landowner liability, property damage, enforcement, long-term funding options, and potential for adding habitat enhancement or restoration components.

Likewise, I am asking Commissioner Holsten to administratively continue the important work of the Citizen Oversight Subcommittees and the Budgetary Oversight Committee.

Additionally, I have instructed Commissioner Holsten to work with local units of government and to use administrative powers where possible to assist in land transfer and sales issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Pawlenty', written over a horizontal line.

Tim Pawlenty
Governor

President Metzen/SF 2900

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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 Satveer Chaudhary
Representative Kurt Zellers, Minority Leader
Representative Jean Wagenius
Representative David Dill
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