



# STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

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

May 21, 2009

The Honorable Margaret Anderson Kelliher  
Speaker, Minnesota House of Representatives  
463 State Office Building  
St. Paul, Minnesota 55155

Dear Speaker Kelliher:

I have vetoed and am returning House File 211, Chapter 136.

The Legislature has taken action on numerous bills relating to homeowner warranties this session. Although this legislation may be well-intentioned, we should be cautious about placing more burdens on the housing sector during this historic recession.

This bill provides that a contractor pay the legal fees of a homeowner if the homeowner prevails in a lawsuit against the contractor. The bill even allows for currently pending cases to seek legal fees. The availability of legal fees can prolong litigation, and it does little to address the underlying issue of home defects. Moreover, attorney's fees are typically only available in limited circumstances, and Minnesota should be careful not to overreach in that regard.

I support provisions in the bill that would bring interested parties together to develop a timely and prescriptive process for resolving homeowner warranty disputes without litigation. My administration will move forward with that process even though this legislation was vetoed.

I encourage the authors to work towards a solution that addresses the issue of home defects without driving up the costs and burdens on contractors.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Pawlenty".

Tim Pawlenty  
Governor

Speaker Kelliher/HF 211

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cc: Senator James Metzen, President of the Senate  
Senator Lawrence J. Pogemiller, Majority Leader  
Senator David Senjem, Minority Leader  
Senator Kathy Saltzman  
Representative Marty Seifert, Minority Leader  
Representative Marsha Swails  
Mr. Peter S. Wattson, Secretary of the Senate (Legislative)  
Mr. Al Mathiowetz, Chief Clerk of the House of Representatives  
Mr. Mark Ritchie, Secretary of State