



# STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

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

April 25, 2008

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

Dear Speaker Kelliher:

I have vetoed and am returning House File 1351, Chapter 239, the 2007 Omnibus Transportation Policy Bill.

This bill includes many positive provisions I support, including provisions related to the transportation of forest and agricultural products and commercial transportation needs and requirements. However, the bill includes problematic language relating to the implementation of more secure driver's licenses under the federal REAL I.D. Act. For this reason, I am vetoing the bill.

If Minnesota driver's licenses are not compliant with federal REAL I.D. requirements after December 31, 2009, Minnesotans will be prohibited from using their driver's licenses as identification for air travel or for entering federal buildings.

REAL I.D. requires inclusion of minimum security features in state driver's licenses. It was a product of the recommendations of the 9/11 Commission. REAL I.D. was passed by Congress on a bipartisan basis and signed into law by the President. Implementing REAL I.D. will significantly enhance homeland security, reduce identity fraud, and help reduce illegal immigration.

On behalf of the nation's governors, I have been deeply involved in advocating for the federal government to protect states' rights, pay their fair share of this federal mandate, and ensure the privacy rights of our citizens as REAL I.D. moves forward. The federal government's response is not complete or finalized. Until it is, we should be careful not to unduly restrict our ability to at least begin

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preparations for implementing REAL I.D. or to undertake state initiatives to improve our Minnesota driver's licenses.

I share concerns about the need for government to pay for this program and to protect privacy, but the provisions in this bill are flawed.

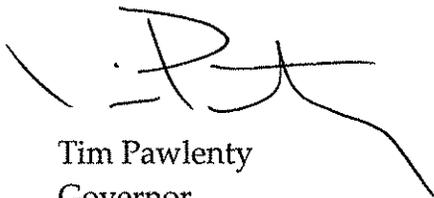
My suggestions for improving the REAL I.D. provisions in this bill were not incorporated in the bill. These matters should have been resolved before the bill was presented to me. A clear description of the items or activities we expect the federal government to fund should be included in the bill. Many of the costs of REAL I.D. will overlap with security features Minnesota will pursue for its driver's licenses independently of REAL I.D. It is unrealistic to expect the federal government to pay for implementing those state features. I also requested that language regarding the federal obligation be specific as to the time period involved. These requests were also ignored or rejected.

The bill also prohibits REAL I.D. compliance efforts, unless Congress appropriates and designates funding for Minnesota's costs. Federal funding for REAL I.D., like many other federal programs, may be provided on a reimbursement basis. It is likely that Congress will appropriate funds to a federal agency for disbursement and will not specifically designate federal dollars for Minnesota.

My concerns could have been easily addressed in the bill, but my suggestions were rejected. The positions of interest groups such as the ACLU, the lack of clarity as to what constitutes state costs, and the requirement that Congress designate funds for Minnesota will likely cause protracted and unnecessary litigation for the state and impair homeland security in the process.

I strongly support the compromise privacy protections included in the bill. I am issuing my veto with the hope that the Legislature will re-pass a non-controversial transportation policy bill, without the objectionable language regarding REAL I.D.

Sincerely,

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

Tim Pawlenty  
Governor

Speaker Kelliher/HF 1351

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Cc: Senator James Metzen, President of the Senate  
Senator Lawrence J. Pogemiller, Majority Leader  
Senator David Senjem, Minority Leader  
Senator Steve Murphy  
Representative Marty Seifert, Minority Leader  
Representative Frank Hornstein  
Mr. Patrick E. Flahaven, Secretary of the Senate  
Mr. Al Mathiowetz, Chief Clerk of the House of Representatives  
Mr. Mark Ritchie, Secretary of State