



# STATE OF MINNESOTA

## Office of Governor Mark Dayton

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

May 27, 2011

The Honorable Michelle L. Fischbach  
President of the Senate  
226 State Capitol  
St. Paul, Minnesota 55155

Dear Madam President:

With this letter, I am vetoing and returning Chapter 111, Senate File 943, the Game and Fish Bill.

I am deeply concerned with the impacts that this legislation could have on our Minnesota-headquartered ATV manufacturers—including two of northern Minnesota's largest employers. Polaris and Arctic Cat employ over 4,000 Minnesotans and generate more than \$2 billion into the state's economy. The provisions in this legislation that modify the definitions of Class 1 / Class 2 ATVs will have a detrimental impact on these job providers. The proposed definition is in direct conflict with the recommendations reached by consensus of a bipartisan work group of agency, stakeholder, and industry interests, and unnecessarily restricts ATV riding on designated trails. Further, the definitions were only added once the bill hit conference committee; the language never had a committee hearing and really does not belong in a game and fish bill. I hope the Legislature will reconsider the stakeholder recommendations and provide a bill that will not disadvantage our state's job providers.

Secondly, I am concerned with two provisions in this bill that relate to fishing regulations. Specifically, section 57 requires the Department of Natural Resources to reduce the number of experimental and special management lakes from 119 to 90 by this fall. Section 72 allows spearing on Cass Lake and prohibits restrictions on spearing northern pike, which may diminish the quality of the northern pike fishery. These provisions impact Minnesota's 1.4 million anglers, who spend approximately \$2.5 billion each year in the state on angling-related expenditures, and yet, to my knowledge, anglers and other stakeholders were not consulted on the proposed changes. I have heard from many individuals and groups who believe they have not been adequately heard in this discussion, resulting in changes that don't reflect constituent desires. I strongly encourage you to work with all the stakeholders who place tremendous value in our state's natural resources to find workable compromise on these issues.

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Finally, another troubling provision in the bill deals with the pasturing of livestock and feedlot permits. It is astonishing to see a feedlot issue tucked into legislation dealing with the state's game and fish. It does not belong there. Changing the state's definition of pasturing for very large animal operations (over 1,000 animal units) would be counter to the federal requirement that these facilities be subject to permit if their animals are confined in one location for a long time. As a result, these livestock operators could be subjected to much higher federal fines and forced to deal with EPA's office in far off Chicago. This will only end up costing producers more time and money, because they will still need to comply with federal regulations, even with this proposed change in state law. My goal is to make it easier for businesses to operate, not subject them to lawsuits and increased costs.

I ask that you remove the provisions relating to ATV definitions and feedlot permits and that you find a workable compromise on sections 57 and 72. I am willing to accept this Game and Fish bill in a special session if you address these concerns. We share a commitment to growing jobs in this state while sustaining our natural resources. I will not accept legislation that damages our state's fragile economy or our state's precious natural resources.

Sincerely,

A handwritten signature in black ink that reads "Mark Dayton". The signature is stylized and cursive, with a large initial "M" and "D".

Mark Dayton  
Governor

cc: Representative Kurt Zellers, Speaker of the House  
Senator Amy T. Koch, Majority Leader  
Senator Thomas M. Bakk, Minority Leader  
Senator Bill Ingebrigtsen  
Representative Paul Thissen, Minority Leader  
Representative Tom Hackbarth  
The Honorable Mark Ritchie, Secretary of State  
Mr. Cal R. Ludeman, Secretary of the Senate  
Mr. Albin A. Mathiowetz, Chief Clerk of the House of Representatives