



STATE OF MINNESOTA

Office of Governor Mark Dayton

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

May 24, 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 37, Senate File 958, the Public Safety Appropriations Bill. I do so with the hope that we can come together to find a compromise; a balanced solution without the damaging cuts currently contained in this bill.

Legislators from both parties have worked well with my Commissioners and with me, to find some areas of agreement. I thank them for their thoughtful and persistent work. I appreciate the funding level provided for the courts in this Public Safety bill. You mostly hold the courts harmless, as I proposed in my budget. We all understand how crucial adequate court funding is to justice and public safety in Minnesota. Additionally, the removal of several problematic policy items is appreciated.

However, the Public Safety bill, as passed by the House and Senate, has consequences for Minnesota that I am unable to support. If enacted, this legislation would cut programs that hold felons accountable, would negatively affect crime victims, and would compromise our ability to protect the rights and freedoms of all Minnesotans.

Your suggestions to study medical discharge and early release are very unlikely to produce the savings needed to make up for the extreme cuts in funding in this bill.

The reduction in funding to the drug treatment program at the Faribault facility is especially troubling. Failing to fund the 90 chemical dependency beds at Minnesota Correctional Facility-Faribault may garner short-term savings of \$1.35 million in this biennium, but it will make Minnesota less safe and cost taxpayers more money in the long-run. Recent studies show that for every dollar invested in chemical dependency treatment, taxpayers save six to twelve dollars. It is much more cost effective to turn an offender into a taxpayer. Needless to say, I hope we can find compromise on this important budget item.

I am also concerned about the \$872,000 in cuts to the DOC Operational Support Division. The DOC currently has a very low cost for administrative support – only 5% of its total budget. In the past eight years, the workload of the Operational Support Division has increased, while the DOC has decreased the number of staff to do the work. Additional reductions to this division could impact the agency's ability to provide the logistical support necessary to operate our prisons. It will also jeopardize the DOC's ability to continue updating important databases that track sex offenders and other felons.

Your cut to community corrections does not recognize Minnesota's corrections delivery system. The DOC is able to achieve savings, while maintaining public safety, because it only incarcerates offenders who pose a direct threat to the community. Community-based correctional services such as probation, in-home monitoring, and sentencing to service programs ensure that offenders are held accountable for their actions. The proposal to cut \$1.712 million more than my proposal from community corrections programs would jeopardize their effectiveness. Offenders living in our communities may not receive the supervision needed to keep other citizens safe, and counties will be forced to spend more to make up for the loss of these resources.

The reduction to Civil Legal Services of 17%, or \$4 million over the biennium, is another serious concern. Civil Legal Services makes our courts more efficient by keeping over 3,000 non-meritorious cases out of the courts and helping thousands of Minnesotans to settle before trial. More importantly, they help ensure fair and equal access to Minnesota courts for all people regardless of race, ethnicity, income, or language abilities. This cut would be harmful to victims of domestic violence, families experiencing foreclosure, and seniors and disabled Minnesotans attempting to secure access to healthcare and disability benefits. I would also add my concern over a 6% reduction to the Guardian ad Litem Board. These individuals work to protect vulnerable children in our court systems. It is wrong to take funds away from such an urgently needed program.

I totally oppose the cuts this legislation would make to the Minnesota Department of Human Rights. This Department has a budget of less than \$6.6 million, composing .019% of the total budget proposed by conferees. However, this funding pays for 100% of the investigations and public outreach efforts that ensure Minnesota's citizens are not discriminated against in the workplace, in housing, and in their places of worship.

The proposed 65% cut to the Department of Human Rights is by far the worst to any agency, and it would eviscerate our ability to investigate human rights violations. An

additional policy rider prohibiting the Department from reaching out to businesses with technical assistance and education to avoid formal investigations is seriously misguided.

For citizens this bill would lengthen the time needed to complete investigations and make determination on charges. Education and outreach on diversity and discrimination would lessen, possibly causing unfair discriminatory practices. My budget provided the Department of Human Rights with barely sufficient funding to perform their mission; your proposal takes that away.

Discrimination remains a serious problem in Minnesota. Your extreme cut in funding, along with your policy language, would weaken the Human Rights Act and lessen the effectiveness of the Department of Human Rights. That I will not allow.

Taking \$5.2 million from the Department of Public Safety's 911 Fund, is contrary to federal law and puts Minnesota's bond rating in jeopardy. However, I am even more concerned by the setback this would create for our efforts to ensure our first responders have the equipment they need to communicate across jurisdictions and departments during a crisis.

The nearly \$12 million cut to the Office of Justice Programs would have a significant impact on crime victim services, prevention and reparations programs, and violent crime enforcement teams. It would reduce law enforcement's ability to respond to violent crimes throughout our state. The cuts to the Department of Public Safety are on top of a possible budget reduction stemming from the State Government Finance bill that could amount to \$5.5 million and the elimination of 320 employees. That outcome is very alarming.

The effects of the State Government Omnibus bill are significant in these agencies. Staff in these agencies are our crime fighters, our prison correctional officers, investigators, and public safety employees who keep us safe at night. The effect of the 15% staff reduction to this area will have a significant impact on public safety in our state. It is possible that 320 people from the Department of Public Safety and over 600 people from the Department of Corrections would be let go if this bill were to become law.

Each of us started our budget proposals by making a choice. I chose a balanced approach to our budget; one that included both significant cuts, but asked the top two percent of Minnesotans to pay more to ensure our quality of life and the services millions

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of Minnesotans depend on. My approach chooses not to balance the budget on the backs of the other ninety-eight percent of Minnesotans.

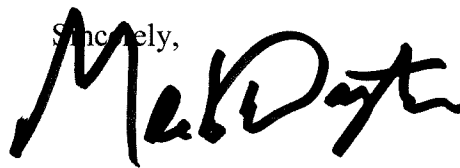
In the spirit of compromise, more than one week ago, I cut my proposal in half, in the hopes that an offer to meet in the middle would spur action toward the balanced solution the people of Minnesota have asked for.

Instead, you chose to present me with an all-cuts approach, one that has serious consequences for Minnesotans, and that I do not believe is in line with our shared commitment to build a better Minnesota.

From the beginning of this legislative session, it has been clear that compromise would be necessary to balance our state's budget. In November, Minnesotans voted for a divided government, and I believe, in their wisdom, they did so because they want part of what each of us has to offer, and they want us to work together to solve the state's budget crisis and build a better Minnesota.

Compromise is never easy, because each person must give up something that is important. Compromise requires us to agree to items that we don't agree with. That is the only way we will reconcile our differences on the state's budget. I am returning this and the other budget bills to you with the hope that you will choose to work with me, to find a fair, responsible, and balanced solution.

Sincerely,

A handwritten signature in black ink that reads "Mark Dayton". The signature is stylized and cursive.

Mark Dayton
Governor

cc: Senator Michelle L. Fischbach, President of the Senate
Senator Amy T. Koch, Majority Leader
Senator Thomas M. Bakk, Minority Leader
Senator Warren Limmer
Representative Paul Thissen, Minority Leader
Representative Steve Smith
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