



RUDY PERPICH
GOVERNOR

STATE OF MINNESOTA

OFFICE OF THE GOVERNOR

ST. PAUL 55155

June 12, 1987

The Honorable Fred Norton, Speaker
Minnesota House of Representatives
Room 463, State Office Building
St. Paul, Minnesota 55155

Dear Speaker Norton:

This letter is to advise you that I have today signed H.F. 243, the Health and Human Services Appropriations Bill. However, pursuant to the powers vested in me by Article IV, Section 23 of the Minnesota Constitution, I have determined to line-item veto Section 157 of H.F. 243.

Section 157 appears on page 164, line 30 through page 166, line 11. It relates to the appropriation of oil overcharge funds.

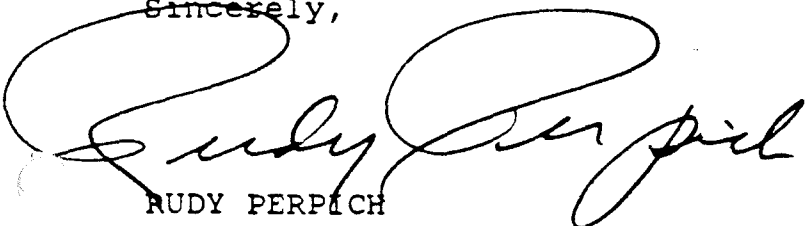
Section 157 adds the requirement that the State of Minnesota obtain the U.S. Department of Energy's approval for the intended use of oil overcharge funds. The federal court decision which governs the use of the oil overcharge funds only requires that the State of Minnesota provide notice to the U.S. Department of Energy of the State's intent for the use of the funds. Under Section 157, the State of Minnesota would become the only State in the nation to give up its authority to the federal government to appropriate oil overcharge funds.

Further, Section 157 establishes the Legislative Advisory Commission as the body which would make the appropriation decision. This is inconsistent with the Minnesota Constitution and the interpretations of the Constitution by the State Supreme Court.

I believe that since the entire state was injured by the action of oil companies in overcharging citizens of the State of Minnesota, the entire State should benefit from the return of oil overcharge funds. This can be accomplished by developing programs and projects with broad application and long-term impact. Funds could be used effectively and in a manner consistent with the federal court order to improve energy efficiency, indoor comfort, and air quality in homes, apartments, schools, factories, and offices. This would allow all of the citizens of Minnesota to reduce their energy costs, while maintaining a sound indoor environment.

Pursuant to the requirement of Article IV, Section 23 of the Minnesota Constitution, an executed copy of this letter has been appended to the bill as filed with the Secretary of State.

Sincerely,



RUDY PERPICH
Governor

cc : The Honorable Jerome M. Hughes, President
Minnesota Senate

The Honorable Gene Merriam, Chairman
Senate Finance Committee

The Honorable Glen Anderson, Chairman
House Appropriations Committee

The Honorable Don Samuelson, Chairman
Health and Human Services Division
Senate Finance Committee

The Honorable Ann Wynia, Chair
Health and Human Services Division
House Appropriations Committee