

# Gun control debate flares up in St. Paul during 2019 legislative session

By [Gabriel Lagarde](#) on Apr 11, 2019 at 5:00 a.m.

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1 / 4 Dale Lueck



For better or worse, the issue of gun regulation has reared its ugly head again.

Since mid-February, the wedge issue reasserted itself in Minnesota political discourse and flared up during the current legislative session in St. Paul. In short, the new debate revolves around DFLers' attempts to pass legislation enacting a bevy of background check measures, while Republicans have been strongly opposed.

If passed—a dicey proposition, as the DFL majority House butts heads with the Republican Senate—these bills would require the state to conduct background checks in the majority of sales or gun transfer situations, raise the age to receive a firearm in a private transfer from 18 to 21, and establish procedures for police or family members to remove guns from people who are deemed dangerous.

In particular, Republicans have balked at the expansion of background checks and labeled them as unnecessary infringements on civil liberties, even if enacted, wouldn't substantially combat gun violence in Minnesota.

Members of the GOP caucus have lambasted "red flag" portions of the bills, which would enable individuals to notify law enforcement of imminent suspicious or concerning individuals with access to a firearm.

The age-old argument has gotten heated—with both DFLers and Republicans converging on St. Paul in recent weeks to host rallies for and against these measures. As the Pioneer Press reported, at a pro-Second Amendment rally Feb. 20, State Rep. Cal Bahr, R-East Bethel, made incendiary statements in opposition to the DFL bills.

"There's a lot of us in this room that have had enough, and it's time to start riding herd on the rest of these people that want to take your rights away from you," Bahr said. "They will not go quietly into the good night. They need to be kicked to the curb and stomped on and run over a few times."

Leaders from both the DFL and GOP denounced Bahr's statements and Bahr himself subsequently apologized.

Among those who called for a more civil discourse was Senate Majority Leader Paul Gazelka, R-Nisswa. But even the typically reserved Gazelka made a strong statement of his own via social media.

"On my watch, the Minnesota Senate will protect the 2nd Amendment," Gazelka tweeted Feb. 23. "We will not allow red flag or universal background check laws to pass."

Here's a rundown of the local politicians and their stances on the controversial issue.

## Area legislators respond

Local elected officials—including state Reps. Josh Heintzeman, R-Nisswa, and Dale Lueck, R-Aitkin, as well as Gazelka and state Sen. Carrie Ruud, R-Breezy Point—gave their thoughts on background checks and red flag legislation currently being debated.

State Rep. John Poston, R-Lake Shore, did not return repeated requests for comment. Heintzeman declined to conduct a phone interview and opted to communicate via email.

- Heintzeman said gun control legislation—as it's currently being bandied about in St. Paul—would do little to curb gun violence as most sales are straw purchases (or when a buyer acquires a gun through an intermediary or middleman).

"Before more regulations are even considered current statute needs to be enforced," he stated in an email. "Statistics show that most criminals don't personally go to Walmart or gun shows to acquire a firearm, because they'll be subject to a background check. The most typical path for a criminal to acquire a gun is through a straw purchase. Friends or family members who have a clean record all too often are buying guns for those who are unable to pass a background check themselves."

- Lueck said there's already a solid framework of background checks and gun sale supervision, despite what the media perception may be. According to state statutes, while licensed sellers are required to conduct background checks, private gun sellers are not mandated to conduct background checks—though, it should be noted, they're subject to a misdemeanor if the firearm is given to a prohibited person who commits a firearm-related crime within one year.

Instead, what DFLers are proposing would go beyond that framework and trample the rights of law-abiding citizens, he noted, without addressing a real problem: mental health.

"What we're talking about here is doing some additional things on top of a background check system," Lueck said. "Meanwhile, the people we really need to worry about are just going to hide beneath the radar."

- Ruud echoed Gazelka and reiterated she stands by her colleague's position on background checks and red flag legislation.

"There will be no universal background check legislation or red flag legislation coming through the Senate and I wholeheartedly support that position," Ruud said.

- Gazelka said about 98 percent of gun transfers have some form of background check implemented in the process—with the exception, he noted, of gifting or lending firearms to relatives, neighbors or friends in various capacities.

Instead, Gazelka said there should be more focus on bipartisan responses—such as increased funding for safer facilities, or increased funding for mental health treatment.

"It eliminates due process," Gazelka said of red flag provisions, which would present countless opportunities for abuses and infringements on personal freedoms. "You could have an estranged girlfriend or spouse turn in their partner right before hunting season and have his guns confiscated."

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[gabe.lagarde@brainerddispatch.com](mailto:gabe.lagarde@brainerddispatch.com)

(218) 855-5859