

Minnesota House of Representatives

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Public safety panel adds gun-control provisions before approving omnibus bill

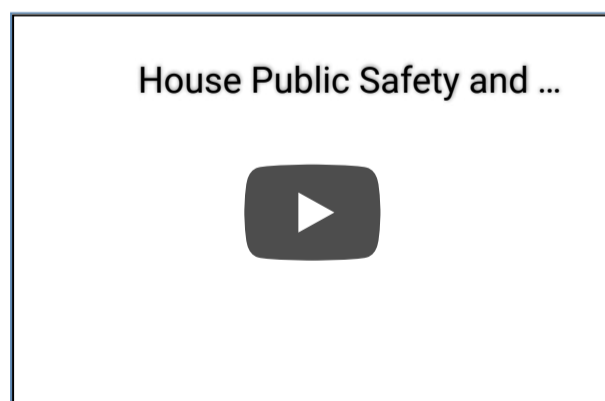
By Tim Walker



The expected showdown on gun-control legislation materialized Thursday evening during markup of the omnibus public safety and criminal justice reform finance bill.

DFL legislators offered two controversial amendments: one relating to [gun sale background checks and firearms transfers](#) and the other on so-called "[red-flag orders](#)" that would permit removal of guns from people deemed at risk of harming themselves or others. DFL leaders said the maneuver was necessary because the Republican-controlled Senate would likely block standalone bills.

Both were adopted on 10-7, party-line votes by the House Public Safety and Criminal Justice Reform Finance and Policy Division and incorporated into [HF2792](#), sponsored by [Rep. Carlos Mariani](#) (DFL-St. Paul).



Part 3 of April 4 House public safety division hearing

The division continued discussing amendments late Thursday before approving the bill, as amended, on a 10-7 party-line vote a hair before midnight. Its next stop is the House Ways and Means Committee, where it is scheduled to be heard April 11.

"In this bill you don't do anything for police officers; you don't do anything for victims of crime," said [Rep. Brian Johnson](#) (R-Cambridge). "... I'm very disappointed with this bill."

A delete-all amendment first [heard by the division](#) Tuesday shows that among the 2020-21 biennial appropriations, the omnibus bill calls for corrections to receive \$1.29 billion and public safety \$405.89 million.

Among its policy provisions, the bill would [restore felons right to vote](#) upon release from incarceration, [re-establish the Ombudsman for Corrections](#), require police departments to develop written policies for investigating sexual assault cases, increase penalties for child pornography and [eliminate the existing statute of limitations](#) for sex trafficking and other criminal sexual conduct offenses.

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But it's the gun proposals that generated the most controversy.

[Rep. Dave Pinto](#) (DFL-St. Paul) successfully offered the amendment containing language from [HF8](#), which he sponsors. It would require the state to conduct background checks for most private firearm transfers and raise the age to receive a firearm in a private transfer from 18 to 21.

Pinto and other DFL members noted that similar legislation passed in other states has successfully reduced gun violence.

Republicans offered a different perspective on the general effect of gun background check laws, saying that they would have no effect on criminals who are intent on using guns in their crimes.

"I appreciate your desire to reduce violent crimes committed with a gun ... But this bill does none of that; it is onerous for people already abiding by the law," said [Rep. Jim Nash](#) (R-Waconia).

Pinto also offered the amendment to insert language from [HF9](#), sponsored by [Rep. Ruth Richardson](#) (DFL-Mendota Heights), that would outline a procedure for designated authorities to petition courts for an "extreme risk protection order" that would remove guns from people deemed at risk of harming themselves or others.

Certain law enforcement officers, a city or county attorney, or a guardian could make such a petition.

[Rep. Matt Grossell](#) (R-Clearbrook) said the petition process outlined in the amendment to take weapons lacks due process and therefore would violate the Fourth Amendment.

"This piece of legislation, to me, is an enemy to the peoples' rights, all of our rights," he said.

[Rep. Jamie Long](#) (DFL-Mpls) said there are plenty of legal safeguards outlining the court hearing process and the level of proof needed before a judge could grant an emergency protection petition.

"This bill provides an abundance of due process," he said.

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