

# STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

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

May 11, 2006

The Honorable Steve Sviggum  
Speaker of the House of Representatives  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
463 State Office Building  
Saint Paul, Minnesota 55155

Dear Speaker Sviggum:

I have vetoed and am returning Chapter Number 197, House File Number 3464, a bill relating to the Minnesota State Board of Barber and Cosmetology Examiners ("Board") and the Minnesota Racing Commission.

I am concerned that the bill goes too far in allowing felons, including those convicted of serious crimes, to work in the gaming industry. Current law requires the Racing Commission to issue an occupational license to persons who wish to be employed in horse racing where pari-mutuel betting is conducted and prohibits felons from obtaining an occupational license. The current license requirement is designed to ensure the integrity of horse racing in Minnesota. Indeed, the rigor of the license provisions was a key provision when the legislation authorizing pari-mutuel horse racing was passed by the Legislature.

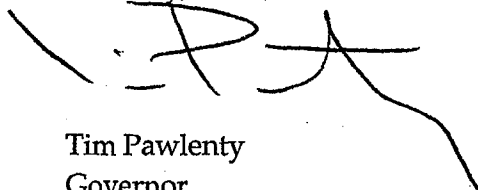
This bill raises a number of significant concerns. First, this bill would allow felons to work directly in gaming related jobs. For example, persons with significant criminal histories would be permitted to work as pari-mutuel employees, security guards and card club employees. The bill is not limited to job classifications that work directly with caring for the horses or other non-gaming positions.

Second, some of the specific language used in the bill is problematic. Where prior convictions are used in assessing fitness for an occupation, Minnesota law almost universally uses the date a person's sentence is discharged as the starting point to calculate an exclusion period. A person is discharged only after they have completed any sentence, supervised release or period of probation. This bill uses the date of conviction, rather than date of discharge of the sentence, to initiate the 10 year exclusion period. This would permit persons who have committed serious crimes to obtain a license within a very short time after serving time in prison. In addition, the language that prohibits licensure of

someone "on parole resulting from a felony conviction" is confusing because it does not reflect Minnesota sentencing practices. Minnesota does not utilize a parole-based system for offenders.

It is my understanding that the intent of this portion of the bill was to allow persons with felony convictions to work in areas that currently require a Class C license, but that are not directly involved in gaming operations or security. While a limited exception to the current requirements may be more appropriate, the licensing standards for the race track must remain rigorous to ensure the integrity of horse racing and pari-mutuel gaming in Minnesota.

Sincerely,

A handwritten signature in black ink, appearing to be "Tim Pawlenty", written over a horizontal line.

Tim Pawlenty  
Governor

cc: Senator James Metzen, President of the Senate  
Senator Dean Johnson, Majority Leader  
Senator Dick Day, Minority Leader  
Senator Linda Higgins  
Representative Matt Entenza, Minority Leader  
Representative Neva Walker  
Mr. Patrick E. Flahaven, Secretary of the Senate  
Mr. Al Mathiowetz, Chief Clerk of the House of Representatives  
Ms. Mary Kiffmeyer, Secretary of State