

PETITIONS AND COMMUNICATIONS

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55101

April 29, 1971

The Honorable Aubrey W. Dirlam
Speaker of the House

Sir:

I am herewith returning without my approval House File No. 102.

In our judgment this bill would unduly restrict the rights of citizens on the property of public elementary and secondary schools in Minnesota.

We believe the language of the bill is so vague and broad that such a law might be used to prevent almost anyone from being on school property at any time, unless he is a public official or a parent or guardian of a student in that particular school or a full-time employee of the mass media.

It appears that this bill might be used to keep children and adults off public school playgrounds. It might be used to prevent or discourage some people from attending public meetings at schools. It might even be used to discourage a taxpayer who does not have a child in a school from going into the school to see what is going on there.

We believe that our public schools belong to all of our people, not just to public officials and parents of children in a particular school and reporters. We share the bill's intention to protect schools, schoolchildren, school employees, and the educational process from harassment and disruption. But we believe the bill is unnecessarily vague and general in the restrictions it places on citizen access to school property. Such access also needs protection.

Our courts have held that a person has a right to be in a public school or on school property unless he disrupts the edu-

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cational process or undermines the discipline or good order of the school. This bill appears to depart from that standard. It assumes a person must have a special right to be on public school property.

Our present state laws and local ordinances are adequate to handle crimes that might be committed on public property, at an elementary school, a secondary school, or anywhere else. In 1969 the Minnesota Legislature created a law concerning interference with the use of public property (Section 624.72, Minnesota Statutes 1969). It deals specifically with the need to carry on public business on public property at the same time that it protects the right of the public to be on public property.

Sincerely,

WENDELL R. ANDERSON
Governor

Mr. Lindstrom moved that H. F. No. 102, together with the veto message from the Governor, be laid on the table. The motion prevailed.

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MONDAY, MAY 3, 1971

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