



## SUMMARY OF LEAD BILLS – 2020 Minnesota Legislative Session

April 15, 2020

### COVID-19 VIRUS PANDEMIC

Friends of Minnesota Scientific and Natural Areas understand and agree that the Covid-19 virus pandemic is the highest priority for the Minnesota Legislature, Governor Walz, and all Minnesotans. We thank Governor Walz, the Legislature, and all of the Minnesotans on the front line for their hard work to address this crisis.

When the time is appropriate, we respectfully request the Minnesota Legislature and Governor Walz to take action to alleviate another important public and environmental health problem – the impacts of lead ammunition and lead fishing tackle.

### BACKGROUND

Friends of MN Scientific and Natural Areas (FMSNA) is a Minnesota non-profit, tax-exempt corporation organized to protect and enhance Minnesota's Scientific and Natural Areas (SNAs), the crown jewels of Minnesota's state land base. SNAs protect some of Minnesota's rarest and most sensitive plant and animal species - and the ecosystems upon which they depend.

FMSNA is on record in favor of requiring non-toxic ammunition and non-toxic fishing tackle. On September 3, 2019, FMSNA filed a legal Petition with the Minnesota Department of Natural Resources (DNR) requesting the DNR to adopt rules prohibiting the use of lead ammunition and lead fishing tackle – not just in SNAs – but throughout the State of Minnesota.

Among the many organizations supporting our Petition to prohibit lead ammunition and lead fishing tackle were: Izaak Walton League – Minnesota Division; Friends of the Mississippi River, Hawk Ridge Bird Observatory, Minnesota Herpetological Society, Minnesota Ornithologists Union, and the Raptor Resource Project.

On October 13, 2019, the Minneapolis Star Tribune Editorial Board published an article supporting the prohibition of lead ammunition and lead fishing tackle. (See attachment, October 13, 2019, "Getting the Lead Out of Minnesota.")

As required by law (Minn. Stat. 14.09), the DNR replied to our Petition stating, the "... proposal is one more **appropriately addressed** by the **Minnesota legislature.**"

FMSNA is also on record, at the Minnesota Legislature, requesting the adoption of comprehensive legislation to require the phasing out of lead ammunition and lead fishing tackle.

We continue to recognize and support the Minnesota constitutional amendment (Article XIII, Section 12) which states: "Hunting and fishing ... shall be **forever preserved** for the people

and **shall be managed by law and regulation for the public good.**” [Emphasis added.] Laws requiring non-toxic ammunition and non-toxic fishing tackle do not deprive a person of their constitutional right to hunt and fish, nor their Second Amendment right to bear arms.

## LEAD BILLS – AND OTHER ACTIVITIES

### I. **Holdup of BP Oil Spill Settlement Money by Senator Bill Ingebrigtsen.**

For several months, State Senator Bill Ingebrigtsen held up \$1.27 million from the BP Oil Spill settlement funds. This money was already directed by the U.S. Fish and Wildlife Service to the Minnesota Pollution Control Agency (MPCA) for its “Get the Lead Out” program to reduce loon and other wildlife exposure to lead-based fishing tackle.

Senator Ingebrigtsen, as Chair of the Senate Environment and Natural Resources Finance Committee, held a hearing on February 18, 2020 – to discuss whether or not to release the money. The committee heard testimony from the MPCA and Carrol Henderson (retired DNR employee and long-time advocate of non-toxic tackle). The committee received letters from Friends of MN SNA and others. (Tom Casey, Board Chair, also attended the hearing.)

Senator Ingebrigtsen sent a letter, the next day, releasing the \$1.27 million to the MPCA.

### II. **HF 3342 (no companion Senate File) - a bill requiring non-toxic shot in wildlife management areas within the farmland zone.** (Authors: Representatives Fue Lee, DFL and Jamie Becker-Finn, DFL.)

On Monday, February 24, 2020, this bill was heard in Representative John Persell’s Environment and Natural Resources Policy Committee. Testifying in favor were: Carrol Henderson, DNR – retired; Howard Goldman, Friends of MN Scientific and Natural Areas; Luis Ramirez, Audubon Minnesota; Collette Adkins, Center for Biological Diversity; Nels Paulsen, Conservation Minnesota; Aaron Klemz, Minnesota Center for Environmental Advocacy; and Dr. Pat Redig, retired director of the Raptor Center.

Testifying in opposition were Jon Zinnel of Federal Premium Ammunition and Troy Olsen of the National Shooting sports Foundation.

The bill passed on a voice vote, was placed in the General Register, and read for the second time.

### III. On March 5, 2020, **the following three bills** were heard by the House Environment and Natural Resources Finance Division Committee, chaired by Representative Rick Hansen, DFL:

**HF 2946 (SF 3309) – educational efforts to protect raptors and other wildlife from lead poisoning**, to be funded from the Environment and Natural Resources Trust Fund (ENRTF). Dollar amount stated: \$133,000. (Chief author – Rep. Patty Acomb, DFL.)

**HF 3063 (SF 4031) – non-toxic ammunition vouchers to persons completing gun safety training**, to be funded from game and fish fund. No dollar amount stated. (Chief author – Rep. Jamie Becker-Finn, DFL.)

**HF 3220 (SF 4323) – lead fishing tackle trade-in program**, to be funded from general fund. No dollar amount stated. (Chief author – Rep. Jamie Becker-Finn, DFL.)

Testifying in favor of the three bills were: Julia Ponder, Raptor Center; Meg Grammage-Tucker, CEO, National Eagle Center; Tom Casey, Friends of MN SNAs; Carrol Henderson; and Lance Ness, Anglers for Habitat. No one spoke in opposition to any of these bills.

All three bills were laid aid over by Chair Hansen for possible inclusion in a larger bill.

Note: All three Senate File companion bills (to the three bills cited above) were referred to the Senate Environment and Natural Resources Finance Committee, Chaired by Senator Bill Ingebrigtsen. All were authored by DFL Senators. None of these bills received a public hearing.

**IV. HF 3825 (SF 3892) – phase out manufacturing or sale of lead fishing tackle by July 1, 2023; phase out use of lead fishing tackle by July 1, 2024.** (Chief authors: Rep. Peter Fischer, DFL; and Senator Chuck Wiger, DFL.) These bills have received no hearing in either chamber.

**V. HF 3394 (no companion Senate File) – requiring non-toxic ammunition at DNR sponsored hunting and shooting events.** (Authors: Representatives Kaohly Her, Jamie Becker-Finn, and Brad Tabke, all DFL.) There is no companion Senate file. There has been no hearing scheduled in the House.

## SUMMARY

### Minnesota House:

The Minnesota House held two hearings on lead ammunition or lead tackle, but none of the four bills have yet passed the House:

1. **HF 3342** – requiring non-toxic shot in wildlife management areas in the farmland zone.
2. **HF 2946** - non-toxic ammo education to protect raptors and other wildlife; **HF 3063** - non-toxic ammo vouchers, if complete a gun safety course; and **HF 3220** - lead fishing tackle exchange. No specific dollar amounts have been stated for any of the three bills.

The following bills received no hearings in the House:

1. **HF 3825** - to phase out lead fishing tackle; and
2. **HF 3394** - to require non-toxic ammo in Minnesota DNR sponsored hunting and shooting events.

### Minnesota Senate:

The Minnesota Senate has heard no bills pertaining to either lead ammunition or lead fishing tackle, except Senator Ingebrigtsen finally released the BP Oil Spill money to the MPCA for its lead tackle education program. All Senate bills were authored by DFL Senators.

When the time arises, we must work hard again to alleviate lead ammunition and lead fishing tackle – and continue to pursue our recreational passions in a way that is safe for people and all living organisms.

Thank you to all for your hard work! We will prevail.

Very truly yours,

*Thomas E. Casey*

Thomas E. Casey

Board Chair

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