



April 3, 2023

To: Senator John Marty, Chair, Senate Finance Committee

From: John Rust, President, Minnesota Division, Izaak Walton League of America

Re: **Two Raids on Heritage Enhancement Account for Non-Conservation Purposes**
Senate Omnibus Environment bill (SF 2438A-3)

Summary

The Minnesota Division of the Izaak Walton League of America is concerned that the present language in the Senate Omnibus Environment bill (Senate File 2438A-3) contains **two raids from the Heritage Enhancement Account to fund activities that are contrary to the conservation purposes of this account:** (1) shooting sports facilities grants; and (2) hunter and angler recruitment and retention.

We agree that these activities, when exercised ethically, are an important part of our national heritage. However, the present language of this bill amounts to a **taxpayer subsidy for the proliferation of toxic lead in the environment – a perverse incentive to continue harming wildlife and human health.**

We respectfully request, as described below, amendments to the bill to rectify these raids.

Background – Conservation Purpose of Heritage Enhancement Account

Minn. Stat. 297A.94(h)(1) references the “in lieu of sales tax” collected from the sale of lottery tickets:

“(h) 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65 [payments in lieu of sale tax on lottery tickets], must be deposited by the commissioner in the state treasury as follows:

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“(1) 50 percent of the receipts must be deposited in the **Heritage Enhancement Account** in the game and fish fund, and **may be spent only on activities that improve, enhance, or protect fish and wildlife resources**, including conservation, restoration, and enhancement of land, water, and other natural resources of the state ...” [Emphasis added.]

This language is restated in “Minnesota Game and Fish Fund Annual Report”, published by the Minnesota DNR on December 15, 2022, which states on page 65:

“Minnesota’s Legislature established the **Heritage Enhancement Account** (2209) in the GFF in 2000. **Revenue in the Heritage Enhancement Account (2209) comes from the in-lieu-of-sales tax on the sale of lottery tickets.** Of total in-lieu-of-sales tax receipts, 72.43 percent are currently deposited to accounts spent for environmental and natural resource purposes, 50 percent of which is directed to the **Heritage Enhancement Account** (2209) for **spending on activities that improve, enhance, or protect fish and wildlife resources**, including conservation, restoration, and the enhancement of land, water and other natural resources (M.S. 297A.94.” [Emphasis added.]

As explained below, SF 2438A-3 creates two raids or exemptions from the statutory requirements of the **Heritage Enhancement Account** by stating: “**Notwithstanding Minnesota Statutes, section 297A.94 ...**”

Raid #1 on Heritage Enhancement Account Shooting Sports Facilities

The Senate Omnibus Environment Bill (SF 2438A-3, lines 34.1 – 34.15) creates an exemption (in **yellow highlights**) from the statutory conservation requirements of the Heritage Enhancement Account:

“(q) **Notwithstanding Minnesota Statutes, section 297A.94, \$300,000** the first year and **\$300,000** the second year are from the **Heritage Enhancement Account** in the game and fish fund for **shooting sports facility grants** under Minnesota Statutes, section 87A.10, including grants for archery facilities. Grants must be matched with a nonstate match, which may include in-kind contributions. Recipients of money appropriated under this paragraph must provide information on the toxic effects of lead. This is a onetime appropriation and is available until June 30, 2026. This appropriation must be allocated as follows:

- (1) \$200,000 each fiscal year is for grants of \$25,000 or less; and
- (2) \$100,000 each fiscal year is for grants in excess of \$25,000.”

Without conditions attached, taxpayer subsidies to shooting sports facilities will expand the facilities to allow more shooters, who will then discharge more toxic lead ammunition over the landscape.

Raid #2 on Heritage Enhancement Account

Hunter and Angler Recruitment and Retention Grants

The Senate Omnibus Environment Bill (SF 2438A-3, Lines 32.10 to 32.19) creates a second exemption (in **yellow highlights**) from the statutory conservation requirement of the Heritage Enhancement Account:

“(a) \$11,458,000 the first year and \$11,658,000 the second year are from the **Heritage Enhancement Account** in the game and fish fund only for activities specified under Minnesota Statutes, section 297A.94, paragraph (h), clause (1). **Notwithstanding Minnesota Statutes, section 297A.94**, five percent of this appropriation may be used for **expanding hunter and angler recruitment and retention.**”

Note: 5% times \$11,458,000 = **\$572,900 each year for a total of \$1,145,800 for two years** – with no strings attached. The result will be a taxpayer subsidy for the use of toxic lead ammunition and toxic lead fishing tackle.

Summary of Two Raids

The grant of **\$600,000** from the **Heritage Enhancement Account** for shooting sports facilities - and **\$1,145,800 (\$572,000 each year)** from the **Heritage Enhancement Account** for “hunter and angler recruitment and retention” - are **not serving the statutory conservation purposes for which the account was established**. Instead, the grants will result in more proliferation of lead ammunition and lead fishing tackle.

Adopting the requested amendments, stated below, would help to mitigate this concern and advance conservation.

Legislative Remedy – Raid #1

SF2348A-3 also states that the grants are subject to **Minn. Stat. 87A.10**, which presently states:

“87A.10 SHOOTING SPORTS FACILITY GRANTS. The commissioner of natural resources shall administer a program to provide cost-share grants to local recreational shooting clubs or local units of government for up to 50 percent of the costs of developing or rehabilitating shooting sports facilities for public use. A facility rehabilitated or developed with a grant under this section must be open to the general public at reasonable times and for a reasonable fee on a walk-in basis. The commissioner shall give preference to projects that will provide the most opportunities for youth.”

Under the present language of Minn. Stat. 87A.10 (and without other conditions), shooting sports facilities grants amount to a **taxpayer subsidy for the proliferation of toxic lead in the environment – a perverse incentive to continue harming wildlife and human health.**

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Therefore, the Izaak Walton League proposes the following amendment, **which would create incentives to convert to non-toxic ammunition.** Furthermore, the amendment applies to all shooting sports facilities grants, no matter where the money is coming from, thereby discouraging other applicants from seeking an exemption from the requirements of the heritage enhancement account.

Amend Minnesota Statute 86A.10 by adding the underlined language to read:

“87A.10 SHOOTING SPORTS FACILITY GRANTS. The commissioner of natural resources shall administer a program to provide cost-share grants to local recreational shooting clubs or local units of government for up to 50 percent of the costs of developing or rehabilitating shooting sports facilities for public use. A facility rehabilitated or developed with a grant under this section must be open to the general public at reasonable times, **and** for a reasonable fee on a walk-in basis, **and require the use of non-toxic ammunition only.** The commissioner shall give preference to projects: **(a)** that will provide the most opportunities for youth; **and (b) that contain an educational component regarding the toxic effects of lead ammunition and non-toxic ammunition alternatives.**”

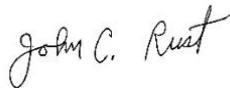
Legislative Remedy – Raid #2

Add the following underlined language to SF 2438A-3, Lines 32.10 to 32.19:

“(a) \$11,458,000 the first year and \$11,658,000 the second year are from the heritage enhancement account in the game and fish fund only for activities specified under Minnesota Statutes, section 297A.94, paragraph (h), clause (1). **Notwithstanding Minnesota Statutes, section 297A.94,** five percent of this appropriation may be used for expanding hunter and angler recruitment and retention, **which shall include an education component about: (1) the toxic effects of lead ammunition and lead fishing tackle; and (2) non-toxic alternatives to lead ammunition and lead fishing tackle.**”

Thank you for your kind consideration.

Sincerely,



John Rust
President MN Division IWLA
(763) 202-3346
imgahn2u@yahoo.com