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Testimony of Brian Posewitz on House Bill 2503 (2015)
House Committee on Agriculture and Natural Resources

February 19, 2015

Chair Witt and members of the Committee:

Thank you for the opportunity to testify today. My name is Brian Posewitz. My testimony today is on behalf of Humane Oregon. As a personal matter, I don't hunt or fish these days, but I spent a substantial amount of time doing those things when I was younger. I went through the transition from lead shot to steel shot in waterfowl hunting and found it not to significantly diminish my hunting experiences.

Humane Oregon opposes House Bill 2503. While the bill uses broad language, my understanding is that its primary purpose is to prevent the Fish and Wildlife Commission from restricting the use of lead in ammunition and fishing tackle.

I don't claim to be an expert on the science yet, but my understanding from talking to people who do know the science is that lead ammunition and fishing tackle are indeed having a serious adverse effect on wildlife.

In any event, the question on this bill is not whether that's true. The question on this bill is who should get to decide if that's true and, if so, what to do about it.

The Legislature has traditionally deferred to the Fish and Wildlife Commission, at least in the first instance, to translate complicated science into detailed hunting and fishing regulations. The theory, apparently, is that the Commission has greater expertise from its focus on fish and wildlife issues, and that it will perhaps be less influenced by politics.

The issues with lead ammunition and tackle do not justify a departure from these principles. They are complicated questions that should be decided, at least in the first instance, by the experts based on the science. The Legislature could always intervene later if it felt a great injustice had been done.

House Bill 2503 also seems flawed by its lack of specificity. By prohibiting any regulation not "expressly authorized by state statute," the bill seems prone to reach beyond its intended effect and to create litigation over the meaning of "expressly authorized."

Thank you for considering my comments.