



STATE OF MINNESOTA

Office of Governor Mark Dayton

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

April 28, 2012

The Honorable Michelle L. Fischbach
President of the Senate
226 State Capitol
St. Paul, Minnesota 55155

Dear Madam President:

I have vetoed and am returning Chapter 243, Senate File 1694, a bill which would legalize the sale and use of additional kinds of fireworks in Minnesota.

I greatly respect the care with which the legislative authors crafted it, especially their willingness to listen to and incorporate the concerns of people with differing views. Their work is a role model for the legislative process.

Much as I would like to reward their efforts and to satisfy the many Minnesotans who want greater latitude to buy and use fireworks legally in our state, I cannot do so. Most Minnesotans are responsible enough to ignite and explode those inherently dangerous devices properly and safely. Unfortunately, some are not.

It is government's foremost responsibility to protect the safety and the well-being of its citizens. Sometimes that requires laws, which protect citizens from others. Sometimes, it requires laws to protect people from themselves. In this case, government has the responsibility to do its utmost to protect vulnerable young Minnesotans, courageous firefighters and police officers, and innocent bystanders of all ages, who could become victims of someone else's carelessness.

The Minnesota-specific data on fireworks-related injuries and property damage are telling. Prior to 2002, essentially all consumer fireworks were illegal in Minnesota. In 2002, certain types of non-aerial and non-explosive fireworks were legalized. During the ten years prior to the 2002 law change, 350 fireworks-related injuries were reported in Minnesota (an average of 35 per year) during the week prior to and following the July 4th holiday. Since 2002, there have been 790 reported injuries (average of 79 per year) during the same two-week period—a 111 percent increase. **Fifty-two percent of injuries over this period were suffered by persons 19 years old and younger and 22 percent were injuries to children nine years old and younger.**

Property damage statistics showed a similar trend. In the decade before the 2002 law change, reported property loss from fireworks totaled \$908,530. Since 2002, property damage from fireworks has totaled \$4,564,845—a 500 percent increase. Expanding the array of legally-available fireworks products, particularly to explosive and aerial varieties, can only be expected to exacerbate these statistics.

That is why the bill is opposed by the State Fire Marshall, the Minnesota Commissioner of Public Safety, and the following organizations:

- o Minnesota Professional Fire Fighters Association
- o Minnesota Chiefs of Police Association
- o Minnesota State Fire Chiefs Association
- o Minnesota Safety Council
- o Allina Hospitals and Clinics
- o Children's Hospitals and Clinics
- o Regions Hospital-Burn Center
- o American College of Emergency Physicians
- o Minnesotans for Safe Fireworks
- o National Fire Protection Association
- o Minnesota State Fire Departments Association
- o Minnesota Academy of Ophthalmology
- o The Mayo Clinic
- o The Mayo Clinic Health System
- o League of Minnesota Cities
- o Association of Minnesota Counties
- o City of Minneapolis
- o Insurance Federation of Minnesota
- o Fire Marshall Association of Minnesota
- o International Association of Arson Investigators (Minnesota)
- o Minnesota Safe Kids
- o Anoka County Safe Kids
- o Minnesota Ambulance Association
- o Property Casual Insurers Association of America
- o City of Fridley
- o Minnesota State Trauma Advisory Council
- o American Academy of Family Physicians
- o American Academy of Pediatrics
- o American Association for Hand Surgery
- o American Academy of Ophthalmology
- o American Association of Public Health Physicians
- o American Burn Association
- o American College of Emergency Physicians
- o American Society of Plastic Surgeons
- o American Society for Reconstructive Microsurgery
- o American Society for Surgery of the Hand
- o Center for Injury Research and Policy
- o Emergency Nurses Association
- o Fire Department Safety Officers Association
- o International Association of Fire Chiefs

- o International Association of Fire Fighters
- o International Fire Marshals Association
- o Metropolitan Fire Chiefs
- o National Association of Pediatric Nurse Practitioners
- o National Association of State Fire Marshals
- o National Association of School Nurses
- o National Volunteer Fire Council
- o Prevent Blindness America

The Minnesota Professional Firefighters wrote me: "Make no mistake – fireworks are exceedingly dangerous to persons, property, and limbs. Our members have fought fires caused by fireworks. They have responded to medical emergencies where children have been disfigured as a result of unexpected explosions. The bottom line is that even well supervised fireworks use is exceedingly dangerous."

The Minnesota Academy of Ophthalmology wrote: "On behalf of the Minnesota Academy of Ophthalmology, representing over 270 eye physicians and surgeons across Minnesota, we are writing to express our concerns with the potential for an increase in the number of serious eye injuries from the further proliferation of dangerous fireworks. Fireworks are by their nature dangerous instruments involving explosions, accelerants and projectiles that have the potential to cause devastating injuries to face and eyes. Please VETO the recently passed legislation."

I hereby veto it.

Sincerely,

Mark Dayton
Governor

cc: Senator David H. Senjem, Senate Majority Leader
Senator Thomas M. Bakke, Senate Minority Leader
Senator Mike Jungbauer
Representative Kurt Zellers, Speaker of the House
Representative Paul Thissen, House Minority Leader
Representative John Kriesel
The Honorable Mark Ritchie, Secretary of State
Mr. Cal R. Ludeman, Secretary of the Senate
Mr. Albin A. Mathiowetz, Chief Clerk of the House of Representatives