

Written Comments received via email: April 28, 2015

RE: H.297

I understand the committee is meeting today to discuss the proposed ivory ban and want to contribute to the discussion... I am sorry this is long, but there seems to be a lack of information around this discussion from a musician's viewpoint.

I almost drove off the road yesterday listening to an ivory ban interview on Charlie, Ernie & Lisa. The young woman completely misrepresented (or was unaware of) the impact the proposed Vermont ivory ban will have on local musicians. Her remark that anyone who owns a piano with ivory keys simply "made a bad investment" or was somehow "supporting terrorists" is both callous and uninformed. It's also magical thinking to believe that outlawing ivory on antique instruments will stop the slaughter of today's elephants and collapse the ivory market worldwide. If only that were so!

Contrary to dismissive attitude of the elephant activist, this bill will negatively and very personally affect the lives and livelihoods of many Vermont musicians as well as endanger the existence of a shrinking number of historic, hand crafted instruments from the Golden Era of piano manufacturing – not to mention stringed instruments, guitars, woodwinds, claviers, harpsichords and other beautiful old instruments.

Many people are still unaware that ivory has not been used in American piano manufacturing since the 1950s -- 20 years BEFORE the first ivory ban. There is NO demand for NEW instruments with ivory keys in this country. Pianists including myself, and the piano industry, agree that in today's world of new materials, killing elephants for ivory keys would be a bad thing. Many fine old instruments built before the 1975 ban, however, do contain ivory parts.

If the Vermont bill passes -- and it becomes illegal to sell a legally-acquired piano or vintage instrument containing pre-ban ivory -- it would be a blow to the gentle musicians everywhere who have scraped money together to purchase a fine instrument. It takes many of us a lifetime to save enough money for a quality grand piano. Many musicians buy vintage pianos from private parties and bring them back to life because it is all they can afford. It is not the ivory keys that attract – it is the sound, the quality of vintage craftsmanship, the playability, the beauty of the instrument, the history and the relative affordability. With careful shopping, one can find a vintage, well-loved piano for much less than a new piano. Criminalizing the market for antique instruments will force musicians with modest budgets to settle for lesser instruments, wait longer to purchase a top tier American-made or European instrument or never enjoy them at all.

When time or circumstances force a sale, the proposed ban would label these musicians criminals, with fines ensuing, and erase a lifetime of hard-earned savings. Pianists do not make a market or speculate in these instruments. They play them, preserve them, inherit them, sometimes collect them and love them, only selling them when life's changes make it necessary – or when they need the money. Over time, a musician may choose to sell or trade their piano to acquire a finer instrument. Prohibiting sale of these instruments will damage the free flow of fine instruments from one home to the next. Vermont musicians would not be able to sell their instruments in a multi-state market, vastly reducing potential buyers or even their ability to ship a piano as a gift to a relative out of state. This bill will be disruptive, confusing, difficult to enforce, and expensive for musicians whose grand piano may be their most precious asset.

For those of us who cherish and maintain vintage instruments, a complete ban would also make it illegal to repair only a few keys on a grand piano using recycled ivory from old or broken instruments. Piano

technicians who have carefully conserved/recycled ivory key tops over many years will no longer be able to use that material for repairs. That is just wrong – and wasteful.

Travel with, or shipment of, ivory-containing instruments is already problematic and a Vermont bill may add another layer of confusion. There is currently discussion about the fairness of this on the federal level. Rules are confusing, bureaucrats are not ivory experts, and it is a hardship for working musicians with fine instruments. Musicians who travel with antique instruments for performances will be criminalized and priceless instruments may be harmed in the process. Those who wish to have pianos restored or rebuilt may have trouble shipping them across state lines for services.

Organizations with collections of instruments (music schools & camps, colleges, churches, small museums) will face agonizing and expensive decisions sales of large piano or instrument collections. They may have to choose between the cost of ripping off and replacing ivory keys or simply sending pianos to the landfill. Institutions will have difficulties making new purchases if they are unable to trade their old ivory pianos in a multi-state market or compelled to remove all the ivory before purchase of new pianos.

Vermont should be able to address the ivory issue without criminalizing musicians, devaluing a major investment or source of someone's livelihood – or forcing people to rip the key tops off grandma's piano. I could support a ban on new ivory imports, however not exempting pre-ivory ban instruments is needless overkill. The New Jersey bill, a complete ivory ban, is draconian in this regard. New York state added a musical instrument exemption to their ivory ban as a result of loud musician outcry over government confiscation of instruments (sometimes wrongly due to lack of government expertise) and sale restrictions. With its vibrant musical culture, New York may be more in tune with the disruption a complete ban would cause in the musical community.

It would be sensible, and simplest, to exempt pianos and other instruments with serial numbers showing they were manufactured before 1975. Anything beyond that is "feel-good" political theater, accomplishing only pain and expense for innocent Vermonters and their beloved instruments. The true problem lies with China and lack of poaching enforcement in Africa.

Sadly, this reminds me of the Taliban campaign to blow up antiquities in the Middle East. It will destroy the historic integrity of many beautiful, musical treasures. It dishonors elephants and artisans who are long dead. And it will not accomplish the intended goal.

Please do not enact this bill without addressing the damaging consequences to Vermont musicians and instruments.

Sincerely,

Kate Wolinsky

A few other points worth noting:

- Jon Fishman, while a fine musician, does not "represent the musician community," despite what your guest claimed.
- No piano-manufacturing company is lobbying for the use of ivory.
- American piano manufacturers have not used ivory in pianos since 1956.
- No piano importers have been found to be attempting to disguise new ivory as old ivory.

- Since the piano industry is not currently involved in any way in the use of new ivory, prohibiting the movement of old pianos with ivory will do nothing to save elephants.
- Use of government funds to discover interstate shipments of old pianos with ivory will unfairly target owners of old pianos and reduce the resources available to stop illegal ivory trafficking.

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