



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 207 (as enacted)
House Bill 4371 (as enacted)
Sponsor: Senator Joe Hune (S.B. 207)
Representative Peter Pettalia (H.B. 4371)
Senate Committee: Outdoor Recreation and Tourism
House Committee: Natural Resources, Tourism, and Outdoor Recreation

PUBLIC ACT 109 of 2011
PUBLIC ACT 120 of 2011

Date Completed: 7-23-12

RATIONALE

For a number of years, Michigan has experienced a decline in the number of people who hunt. Reportedly, the State ranks last in the nation in hunter recruitment and retention, replacing only 26 out of every 100 people who leave the field. Age restrictions were considered to be one factor contributing to the declining popularity of the sport. Previously, a child had to be at least 10 years old to hunt, or 12 years old to hunt deer, bear, or elk with a firearm. It was suggested that the minimum age requirements be eliminated, and that a mentored youth hunting program be implemented to encourage children under 10 to take up the sport.

Commission to establish a mentored youth hunting program, and allow a mentored youth hunting licensee to hunt with a mentor who is at least 21 in accordance with the program.

The bills were tie-barred to each other. They took effect on September 1, 2011.

House Bill 4371

Minimum Hunting Age

Under Part 435, the Department of Natural Resources (DNR) may issue a hunting license to a minor child (a person under 17) if the following requirements are met:

- A parent or legal guardian applies for the license on behalf of the minor child.
- The parent or guardian represents that the requirements of Part 435 regarding the conditions under which a minor may hunt will be complied with.

Previously, the minor child had to be at least 10 years old or, if the license were a license to hunt deer, bear, or elk with a firearm, at least 12 years old. The bill deleted the minimum age requirements.

Part 435 requires the DNR to issue a combination deer license that authorizes an individual to hunt deer both during the firearm deer seasons and during the bow and arrow seasons. The bill eliminated a provision under which a combination deer

CONTENT

House Bill 4371 amended Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to do the following:

- **Eliminate the minimum hunting age.**
- **Establish a mentored youth hunting license for a person younger than 10.**
- **Require the Department of Natural Resources to report to the Legislature every four years regarding the adequacy of the revenue from mentored youth hunting licenses.**

Senate Bill 207 amended Part 435 to require the Natural Resources

license issued to a person younger than 12 was valid only for taking deer with a bow and arrow, until the person was at least 12 years old. For a minor child, the fee for a combination deer license is discounted 50% from the cost of a resident combination license for a minor child. The bill refers to a minor child who is at least 10 years old.

Under Part 435, the fee for a resident fur harvester's license is \$15. Under the bill, for a resident or nonresident minor child who is at least 10 years old, the fee is discounted 50% from the cost of the resident license. Previously, the 50% discount applied to a person who was 12 through 16 years old.

Mentored Youth License

Under the bill, only a minor who is younger than 10 years old may obtain a mentored youth hunting license. The minor may not hunt game under the license unless he or she complies with all requirements of the mentored youth hunting program established by the Natural Resources Commission (NRC) under Senate Bill 207. The fee for a mentored youth hunting license is \$7.50, and includes all of the following:

- Resident small game license.
- Combination deer license.
- All species fishing license.
- Spring and fall turkey hunting licenses.
- Resident fur harvester's license.

DNR Report

Within four years after the bill's effective date, and every four years after that, the DNR must submit a report to the standing committees of the Senate and House of Representatives with primary responsibility for conservation and outdoor recreation issues. The report must evaluate whether the fee revenue the Department receives from mentored youth hunting licenses is adequate to administer the mentored youth hunting program.

Senate Bill 207

NRC Order

The bill requires the Natural Resources Commission to issue an order establishing a mentored youth hunting program by September 1, 2012. The order must require

that a mentor be at least 21 years old before participating in the program, and that a mentor possess a valid hunting license, other than an apprentice license, before engaging in any mentored youth hunting program. The order also must provide that an individual may not be a mentor unless he or she presents proof of previous hunting experience in the form of a previous hunting license, other than an apprentice license, or certification of completion of training in hunter safety issued by the State of Michigan, another state, a province of Canada, or another country.

Minor Child: Hunting Conditions

Part 435 prohibits a parent or legal guardian of a minor child from permitting or allowing the child to hunt game under the authority of a license except under specified conditions. Depending on the child's age and the type of license, the child might be limited to hunting on private property; he or she might have to be accompanied by a parent or guardian, or another authorized person who is at least 18 or 21; or both conditions might apply.

Also, under the bill, a parent or guardian may allow a minor child who is younger than 10 to hunt only with a mentor in compliance with the mentored youth hunting program.

MCL 324.43517 (S.B. 207)
324.43520 et al. (H.B. 4371)

BACKGROUND

The Natural Resources Commission issued an order establishing the mentored youth hunting program effective March 1, 2012 (Section 2.14 of the Wildlife Conservation Order). In addition to the requirements specified in the legislation, the NRC's order requires a mentor to ensure that any hunting device (i.e., a firearm, crossbow, or bow and arrow) possessed by a mentored youth is sized appropriately to fit the youth's physical abilities. The order also requires the mentor to maintain not more than an arm's length distance from a mentored youth who is in possession of a hunting device.

The order allows a person younger than 10 years old to possess a mentored youth hunting license and hunt with a mentor only if the youth demonstrates the operation of

his or her hunting device's safety features at the request of any law enforcement officer. While hunting, a mentor and the youths for whom he or she is responsible may not possess more than a total of two hunting devices.

A deer kill tag issued under a mentored youth hunting license is valid for any deer in any deer management unit. Mentored youths may not hunt deer with a firearm on public land. Turkey kill tags issued under the license are valid on public or private land in any open turkey hunting unit.

The order provides that a mentor who causes or allows a mentored youth to engage in an unlawful act as defined in Part 435 or Part 401 (Wildlife Conservation) of the Act, or an order or interim order issued under those parts, is punishable as the principal offender.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Individuals engaged in hunting and fishing reportedly spend approximately \$3.4 billion in Michigan every year and generate hundreds of millions of dollars in tax revenue. In addition, hunters play an important role in wildlife conservation and management through the license fees they pay and by helping to control animal populations. For these reasons, waning participation in hunting is troubling, and measures should be taken to reverse the downward trend.

The State's minimum age requirements presented a significant barrier to new hunter recruitment. Children have numerous opportunities for extracurricular activities and hobbies; when the requirements were in effect, their schedules often became filled with other choices before they reached the minimum age. In addition, some parents who hunt chose to forgo the experience rather than exclude their children who were too young to participate. Reportedly, most lifelong hunters are introduced to the sport in early childhood. Eliminating the age threshold will enable parents to determine when their children are mature enough to

hunt and instill enthusiasm for the sport at an early age.

Children who hunt under the guidance of experienced family members develop respect for the outdoors, a sense of stewardship, and safe hunting habits that they carry into adulthood. Reportedly, in states with a minimum age threshold, hunting incident rates are about 10% higher than in states without such a requirement. According to the U.S. Sportsmen's Alliance, hunters accompanied by experienced mentors are seven times safer than the general hunting population. Under the mentored youth hunting program, young people will be introduced to hunting in a safe, controlled environment. The program will help foster Michigan's hunting heritage and all of its associated benefits.

Opposing Argument

The elimination of hunting age restrictions is unwise. To protect individuals and the public interest, the law prescribes a minimum age for a number of activities, such as operating a motor vehicle, voting, and consuming alcohol. Children under the age of 10 are too young to use devices that carry a risk of injury or death if handled improperly.

The bills do not require that a mentored youth hunter complete a hunter safety course before participating in the program. In addition, while the DNR recommends that an adult should not mentor more than two children at one time, no official limit is specified in the legislation or the NRC's order. Also, the order's supervision requirements are inadequate; a mentor's ability to stay within arm's length of a child at all times the child has a weapon is questionable. These concerns, combined with the complete elimination of age restrictions, cast doubts on the safety of the program.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The \$7.50 fee for youth hunting licenses will bring some unknown amount of revenue into the Department. The revenue will be credited to the Game and Fish Fund. The Department must report to the Legislature every four years on the adequacy of the fee. The DNR will experience some increased

costs as a result of administering the program. It is unknown whether the new revenue will exceed the additional costs; therefore, the fiscal impact of the bills is indeterminate.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.