



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5453 (Substitute H-1 as reported without amendment)
 Sponsor: Representative Mike Green
 House Committee: Conservation, Environment and Great Lakes
 Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 3-18-96

RATIONALE

Public Act 256 of 1988 created the Wildlife Conservation Act to regulate the management, taking, and possession of game and protected animals in Michigan. (The Wildlife Conservation Act is now part of the Natural Resources and Environmental Protection Act.) Currently, the Act prohibits a person from taking game during the established daylight shooting hours from August 15 through August 30 unless the person wears a cap, hat, vest, jacket, or rain gear of the color "hunter orange", which includes blaze orange, flame orange, or fluorescent blaze orange, and camouflage that is at least 50% hunter orange. Exempt from this requirement, however, are bow and arrow deer hunters during archery deer season and hunters of waterfowl, crow, and turkey. Reportedly, the bow and arrow deer hunters are exempt because they must get closer to their prey than other hunters and, therefore, could be observed more easily by the animal if they had to wear hunter orange garments. For this reason, it evidently had been suggested that bow and arrow bear hunters also be exempted from the hunter orange requirement, but the exemption was not included in Public Act 256. Apparently, based on an understanding that the Act would be amended to include the exemption, the Michigan Hunting and Trapping Guide, published by the Department of Natural Resources (DNR), has exempted bow and arrow bear hunters from the hunter orange clothing requirement. To ensure that DNR policy and the statute are consistent with each other and to avoid any confusion on the part of the bow and arrow bear hunters, it has been suggested that the Natural Resources and Environmental Protection Act be amended to exempt bow and arrow bear hunters from the hunter orange clothing requirement.

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act to exempt bow and arrow bear hunters from the Act's requirement that hunters wear hunter orange gear.

MCL 324.40116

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

By exempting bow and arrow bear hunters from the hunter orange clothing requirement, the bill would make the Act consistent with current DNR policy and would make uniform the clothing requirements for bow and arrow deer hunters and bear hunters.

It makes sense for all bow and arrow hunters to be exempt from having to wear brightly colored, orange hunting gear. Since bow and arrow hunters must get closer to their prey than do firearm hunters, there is a greater chance that they could be seen by their prey if they were wearing bright clothing.

Legislative Analyst: L. Burghardt

FISCAL IMPACT

The bill would have no impact on State or local government.

Fiscal Analyst: G. Cutler

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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.