

REDUCE MINIMUM AGE REQUIREMENT FOR HUNTING

House Bill 4225 (Substitute H-2) First Analysis (7-1-03)

Sponsor: Rep. Sue Tabor
**Committee: Conservation and Outdoor
Recreation**

THE APPARENT PROBLEM:

Under the Natural Resources and Environmental Protection Act (NREPA) the minimum age at which a person is issued a hunting license is 12 years of age. The minimum age for hunting deer, bear, and elk with a firearm is 14 years of age. In either case, however, minors younger than the minimum age are still permitted to accompany an adult who is legally hunting as long as the minor is not carrying a firearm or bow and arrow. It is believed by some that the minimum age requirements arbitrarily exclude otherwise eligible minors from actually taking game animals, and that lowering the minimum age would go a long way toward encouraging minors to get involved with hunting at an earlier age.

THE CONTENT OF THE BILL:

The bill would amend the Natural Resources and Environmental Protection Act (Public Act 451 of 1994) to reduce the minimum age requirements for obtaining a hunting license. The bill would eliminate a prohibition against the issuance of a license to hunt deer, bear, or elk with a firearm to a person who is less than 14 years of age. In addition, the bill would lower the minimum age at which a person is issued a license from 12 years of age, to 11 years of age if the hunter turns 12 years of age at anytime during the calendar year in which license is issued. Throughout the bill, specific age references as they relate to setting fees, most notably references to a person "who is 12 years of age through 16 years of age" would be changed to "a minor child".

Furthermore, the bill would make technical amendments to several provisions in the act pertaining to the cost of hunting licenses. Public Act 585 of 1996 increased the price of several hunting licenses in 1997, 1999, and 2001. Public Act 585 also included a provision (MCL 324.43522a) that permitted the director of the Department of Natural Resources (DNR) to defer the fee increases scheduled in 1999 and 2001. [The hunting license fee increases

set for 2001 were, in fact, deferred.] The bill would delete language pertaining to license fees set specifically in 1999 and 2001, as that language is outdated. In addition, the bill would add that the current license fees - essentially the amount set in 2001 - would be "subject to section 43522a" (i.e., that the current hunting license fees are those amounts set in 2001, unless the increases scheduled for that year were deferred).

MCL 324.43520 et al.

FISCAL IMPLICATIONS:

According to the Department of Natural Resources, there may be an increase in the number of hunting licenses sold, resulting some increases in revenue. (Department analysis dated 2-28-03 on an earlier, though substantially similar, version of the bill.)

ARGUMENTS:

For:

This bill is actually a compromise with the Department of Natural Resources. As originally introduced, the bill would have eliminated the age restrictions altogether. While total elimination of the age requirement would have significantly increased the hunting opportunities for younger children, several interested parties, particularly the DNR, expressed concern that the bill could potentially harm efforts by the DNR and hunters to ensure the safety of the sport, notwithstanding the fact that the introduced version did not alter the requirements that the child pass the hunter safety course and be accompanied by his or her parents, legal guardian, or authorized adult.

The current hunter safety course (which is required for licensure of anyone born after January 1, 1960) is designed for 12-year-old or sixth grade comprehension level. It was believed that if the

original bill was enacted into law, the DNR would have to redesign the hunter safety course to accommodate younger children, and that the safety course would then be of no benefit to the older students. This bill, then, reasonably expands youth hunting opportunities in this state, and, at the same time, maintains the safety of the sport.

Response:

The introduced version of the bill continues to serve as a better alternative to the substitute. As it stands now, under current law, a hunting license is not issued to any person less than 12 years of age (or for hunting deer, bear, and elk with a firearm, any person under 14 years of age). The problem with these age restrictions is that they do not permit younger children to fully participate in the sport. Children are permitted to accompany a parent or other adult who is legally hunting, but they are not able to “take” any game animal. This fact alone often discourages children from accompanying their parents (and further discourages that child to choose to hunt in subsequent years when he or she is fully permitted to do so). Keeping children interested in hunting teaches them about proper stewardship of the state’s natural resources, fosters a better relationship between children and their parents (that is, if the children hunt with their parents), and encourages children to stay active in outdoor activities. To that end, the substitute version appears to do very little in terms of expanding hunting opportunities of children.

In addition, some believe the age limits are rather arbitrary, in that they summarily exclude a child from fully participating in the sport simply because of their age. Now, nothing precludes a child younger than 12 years old from taking the required hunter safety course prior to their 12th birthday. Indeed, there are often children as young as eight or nine (and, on occasions, younger still) who have successfully passed the safety course. Passage of the course signifies that a person is mature and well-enough informed so as to make proper decisions when hunting. Once a child has passed the course, he or she should be permitted to hunt (with parental consent/supervision). Moreover, it is not likely that eliminating the age limit outright would allow younger children (4-8 years of age) to fully participate in a hunting activity, as children must still pass the hunter safety course.

Furthermore, it is believed by some that, at the very least, the age restriction for hunting small game (rabbit, squirrel, ruffed grouse, pheasant, etc.) should be lowered to 10 years of age. Reducing the age for a small game license can better prepare children for when they hunt larger game animals (bear, deer, and

elk), and peek their interest in hunting at an earlier age.

Against:

Though the substitute bill is a marked improvement over the introduced version, the bill would still put firearms and other dangerous weapons in the hands of younger children.

Response:

A child receiving a license under the bill would still be required to pass the hunter safety course and be accompanied by a parent, legal guardian, or other authorized adult.

POSITIONS:

The Department of Natural Resources supports the bill. (6-25-03)

The Michigan Hunting Dog Federation supports the bill, but prefers the bill as introduced. (6-25-03)

The Quality Deer Management Association supports the bill. (6-25-03)

The Michigan Coalition of Responsible Gun Owners testified in support of the bill as introduced. (6-25-03)

A representative of Ted Nugent’s United Sportsmen of America (TNUSA) testified in support of the bill as introduced. (6-25-03)

The Humane Society of the United States opposes the bill. (6-26-03)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.