



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

BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 1105 (as enrolled)

**PUBLIC ACT 282 of 2006**

Sponsor: Senator Michelle A. McManus

Senate Committee: Natural Resources and Environmental Affairs

House Committee: Conservation, Forestry, and Outdoor Recreation

Date Completed: 4-18-07

### **RATIONALE**

Hunting has occupied a prominent position in Michigan's heritage. In 2002, there were approximately 865,000 licensed hunters in the State. While the number of hunters in Michigan has remained relatively unchanged over the last 40 years, the percentage of the population that hunts has declined, and the diversity of game being hunted is waning as more hunters focus on deer. According to the Department of Natural Resources (DNR), sales of hunting licenses drop by 1% to 2% every year. Reportedly, the sport is losing popularity among young people in particular.

In 2005, the DNR Director established the Hunter Recruitment and Retention Work Group to identify strategies to recruit new hunters and sustain the interest of those already involved in hunting. Among its final recommendations, the Work Group included suggestions that the State provide the opportunity for a wider spectrum of society to participate in hunting, and to create and expand opportunities to infuse hunting and related outdoor recreation into existing and emerging mentoring programs. Some people believe that the creation of an apprentice hunting program, as well as a reduction in the State's minimum hunting age, will be an effective way to implement these recommendations and help attract new people to the sport.

### **CONTENT**

**The bill amended Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to do the following:**

- Provide for a hunting "apprentice license" that a person with no previous hunting experience may obtain.
- Allow a minor child (a person under 17) to hunt pursuant to an apprentice license if accompanied by another person at least 21 years old.
- Allow a minor child to hunt on land upon which a parent or guardian is not regularly domiciled if accompanied by an authorized person who is at least 18 (rather than 17, as previously allowed).
- Lower the minimum age for a hunting license from 12 to 10 years old.
- Lower the minimum age for a firearm deer, bear, or elk hunting license from 14 to 12 years old.
- Require the DNR, by October 1, 2008, to submit to Legislature a report on the bill's effect on recruitment of new hunters and other relevant issues.

The bill took effect on July 10, 2006. It is described below in further detail.

#### Apprentice License

Under the Act, a person authorized to sell hunting licenses may not issue a license to a person born after January 1, 1960, unless the person presents proof of previous hunting experience in the form of a hunting license or a certification of completion of training in hunter safety. If an applicant does not have proof of a previous license or certification, the seller may issue a license if the applicant submits a signed affidavit

stating that he or she has completed a hunter safety course or possessed a hunting license previously. Under the bill, these requirements do not apply to the issuance of an apprentice license. The bill specifies that an apprentice license or its equivalent does not satisfy the Act's requirements concerning proof of previous hunting experience.

Under the bill, a person who does not meet the requirements for previous experience may obtain an apprentice license for the same price as the corresponding regular license that he or she otherwise would be qualified to obtain. An apprentice license must be distinguished from a regular license by a notation or other means. A person is not eligible to obtain a specific type of apprentice license, such as a firearm deer license, an archery deer license, a combination deer license, a small game license, or a turkey license, for more than two license years.

A person who is at least 17 may not hunt game under an apprentice license unless another person at least 21 who has a license other than an apprentice license to hunt that game accompanies him or her and does not accompany more than one other apprentice licensee.

(Under the bill, "accompany" means to go along with another person under circumstances that allow one to come to the immediate aid of the other person and while staying within a distance from the person that permits uninterrupted, unaided visual and auditory communication.)

A person may not go along with more than two apprentice licensees of any age for the purpose of accompanying them while they were hunting. If a person has represented to an apprentice licensee, or, if the apprentice licensee is a minor child, to the child's parent or legal guardian, that he or she will accompany the apprentice licensee, he or she may not go along with the apprentice licensee while the apprentice licensee is hunting unless he or she actually accompanies the apprentice licensee and possesses a license, other than an apprentice license, to hunt the same game as the apprentice licensee.

## Minor Child

Previously, the Act prohibited a parent or legal guardian from allowing a minor child (a person under 17) to hunt under the authority of a license issued under Part 435 on land upon which the parent or guardian was not regularly domiciled unless the child was accompanied by the parent or guardian, or another person authorized by the parent or guardian who was at least 17 years old.

Under the bill, a parent or guardian of a minor child may not permit the child to hunt game under the authority of a license except under one of the following conditions:

- The minor child hunts only on land upon which a parent or guardian is regularly domiciled or a parent or guardian, or another authorized person who is at least 18 years old, accompanies the child, unless the license is an apprentice license, or the child is younger than 14 and the license is a license to hunt deer, bear, or elk with a firearm.
- If the license is an apprentice license, a parent or guardian, or another authorized person at least 21 years old, who is licensed to hunt that game under a license other than an apprentice license accompanies the child; and if the child is younger than 14 and the apprentice license is a license to hunt deer, bear, or elk with a firearm, the child hunts only on private property.
- If the child is younger than 14 and the license is a license to hunt deer, bear, or elk with a firearm, the child hunts only on private property and a parent or guardian, or another authorized person who is at least 18 years old, accompanies the minor child (unless the license is an apprentice license).

Previously, the Act allowed the Department of Natural Resources to issue a hunting license to a minor child on application of a parent or legal guardian, if the child, when hunting on land upon which the parents were not regularly domiciled, was accompanied by the parent or guardian or an authorized individual who is at least 17; and upon payment of the license fee.

Under the bill, the DNR may issue a hunting license to a minor child if a parent or legal guardian applies for a license on the child's behalf; the license fee is paid; and the

parent or legal guardian represents that the apprentice license requirements will be complied with; that the child will hunt only on land upon which the parent or guardian is domiciled or will be accompanied by the parent or guardian or an authorized person at least 21 years old; or that if the child is younger than 14 and the license is a license to hunt deer, bear, or elk with a firearm, the child will hunt only on private property while accompanied by a parent, guardian, or authorized person who is at least 18 years old. Additionally, the minor child must be at least 10 years old or, if the license is a license to hunt deer, bear, or elk with a firearm, at least 12 years old.

The bill deleted provisions prohibiting the DNR from issuing a license to hunt to a person younger than 12, and a license to hunt deer, bear, or elk with a firearm to a person younger than 14.

#### DNR Report

The bill requires the DNR, by October 1, 2008, to submit to the standing committees of the Senate and House of Representatives with primary responsibility for conservation and outdoor recreation issues, a report on the effect of the apprentice hunter program and the reduction in minimum hunting age on recruitment of new hunters and other relevant issues, such as hunter safety.

MCL 324.43502 et al.

#### **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**

A rich hunting tradition is one of Michigan's defining characteristics, contributing to wildlife management and conservation, providing a positive family experience, and stimulating economic activity. Due to the positive impact of hunting on the State, some people are concerned about the sport's decline in recent years, particularly among the younger population. These concerns are magnified when one realizes that fewer young hunters today will result in a smaller teaching class, and therefore a smaller pupil class, in the future. Due to the decline in hunting among minors, it is important that the State take action to

eliminate barriers to hunter participation. Evidently, Michigan ranks last among the states for new hunter recruitment. According to a report on youth hunting by the National Shooting Sports Foundation (NSSF) and the National Wild Turkey Federation (NWTF), youth recruitment is less successful in states with more restrictive youth hunting laws, such as minimum age and education requirements.

Children are offered a vast array of leisure time choices, often at younger and younger ages. By the time they reach age 12, the State's previous minimum hunting age, many have not had any exposure to hunting and already have become involved in other activities. Lowering the minimum age will enable more people to be introduced to hunting at an earlier age and develop enthusiasm for the sport and being outdoors and protecting the environment. Reportedly, states with no minimum age requirement have better safety records than other states because parents are heavily involved with their children's hunting experience, beginning with the determination of when their children are ready to hunt safely and responsibly.

The apprentice program under the bill will help ensure that the young people being introduced to hunting are supervised properly. According to the youth hunting report by the NSSF and the NWTF, the presence of an attentive, responsible adult is a major factor in the safety of young hunters. In addition to extending the hunting experience to youths, the bill may help draw adults with little or no previous experience to the sport. The requirement that an individual successfully complete a hunter safety class in order to obtain a hunting license can be a deterrent to potential new hunters. A typical course generally requires three to five days, which might be inconvenient for a person who is not entirely sure he or she will continue to hunt in the long term. The new apprentice license will enable people of all ages to gain exposure to hunting before making a substantial commitment.

Many parents who like to take their children hunting spend money on hunting licenses and travel in states with less restrictive laws, but not all parents can afford to do so. By expanding in-State hunting opportunities, the bill should boost revenue from license

sales, which funds the DNR's wildlife management programs, and help to reverse the trend of low hunter replacement ratios. A decline in the number of hunters, as well as license revenue, can result in wildlife overpopulation, which can lead to increased crop damage, vehicular accidents, and property damage. In addition to providing economic benefits, the bill will enhance safety, help foster a sense of stewardship among youths, and reinforce the bonds between hunters and the family members and friends who introduce them to the sport and mentor them.

**Response:** It would be more prudent to allow a person to hunt under an apprentice license for one year, rather than two, before he or she must complete a hunter safety course and obtain a regular hunting license. In recent years, the State has experienced only a handful of reported hunting accidents annually, in relation to the number of people who hunt. One reason for this is the requirement for hunter safety education. Allowing a new hunter to forgo the course for one year might remove a barrier to entry to the sport, but care must be taken not to interfere with the development of well educated, safe hunters.

Additionally, the definition of "accompany" should require that the person accompanying the apprentice or minor child stay within 50 feet of the other person while hunting small game and within an arm's length of the person while hunting deer, bear, and elk.

The law also should place issues related to the apprentice license program within the purview of the Natural Resources Commission so any changes to the program could be made in a more timely manner than if legislative action were required.

In addition, Michigan's hunter safety courses are developed for approximately a sixth-grade level. By reducing the minimum age and providing for an apprentice program, the bill might result in a wide age range of people seeking education. Hunter safety instructors are volunteers, who, while knowledgeable, might be ill-equipped to teach groups with such varied needs related to instructional methods and materials.

#### **Opposing Argument**

The bill might compromise the safety of young hunters and those around them. An

adult hunter should be focused on his or her own actions, as well as the actions of others, to reduce the level of endangerment to all. Under the apprentice program, a hunter may have to attend to two other people with little to no previous hunting experience or education. Some children inherently are less responsible and demonstrate a lower level of skill or instinct than others. It is questionable whether one licensed hunter adequately can supervise apprentice hunters under these conditions.

**Response:** All activities carry some risk of injury or death, and hunting actually is safer than many other activities. The sport is unfairly stigmatized as dangerous, placing it at a disadvantage when it comes to the choices children and parents make regarding participation. When young or inexperienced hunters are supervised properly and observe their mentors engaging in responsible behavior, they also become safe hunters. Under the apprentice program, parents will determine if their children are ready to hunt. Furthermore, once an individual reaches the minimum hunting age, he or she may hunt under an apprentice license for only two years. After that, he or she must complete a hunter safety course successfully and obtain a standard hunting license. The bill actually might improve safety because, presumably, people who try hunting under an apprentice license will decide to continue after the two-year apprentice period and will have some experience before completing a hunter safety course.

Legislative Analyst: Julie Cassidy

#### **FISCAL IMPACT**

The bill's provisions concerning an apprentice hunting license will increase revenue to the Game and Fish Protection Fund by an indeterminate amount depending on the number of apprentice hunting licenses sold and the type of hunting licenses.

In addition, the bill will increase revenue to the State by an indeterminate amount, by lowering the minimum hunting age from 12 to 10 years old, which may result in the issuance of additional hunting licenses. Also, the minimum age for hunting deer, bear, or elk is lowered from 14 to 12 years, further expanding the number of people eligible to hunt. It is unknown how many

additional hunting licenses will be issued for minor children. Hunting license revenue is deposited into the Game and Fish Protection Fund for use in habitat development, fisheries activities, and the promotion of hunting and fishing.

Fiscal Analyst: Jessica Runnels

A0506\1105ea

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.