

ALLOWING HUNTER PINK

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House Bill 5416 as introduced
Sponsor: Rep. Steven Johnson
Committee: Natural Resources
Complete to 1-23-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5416 would amend the Natural Resources and Environmental Protection Act to allow individuals to wear hunter pink while hunting and to remove a requirement that the Natural Resources Commission (NRC) decide whether hunter pink, or any additional colors, would be “effective and safe” for individuals to wear while hunting.

Under current law, an individual must wear a cap, hat, vest, jacket, or rain gear that is hunter orange while he or she is taking game. The hunter orange garment must be the outermost layer that the individual has on and must be visible from all sides. As long as camouflage is not less than 50% hunter orange, it is compliant with the color requirement.

Individuals engaging in the following activities are exempt from the color requirement:

- Taking deer with a bow or crossbow during archery deer season.
- Taking bear with a bow or crossbow.
- Taking turkey or migratory birds other than woodcock.
- The sport of falconry.
- Hunting bobcat, coyote, or fox while stationary.

The bill would include hunter pink as a permissible safety color, to be worn as hunter orange is currently worn. Hunter pink is defined as including blaze pink, flame pink, and fluorescent blaze pink. The bill would also remove a requirement that the NRC determine whether hunter pink or other colors are effective and safe for individuals to wear while hunting.

MCL 324.40116

BACKGROUND INFORMATION:

House Bill 5416 is a partial reintroduction of House Bill 5484 of 2016, which was enacted as Public Act 377 of 2016. While deliberating that bill last session, the Natural Resources Committee heard testimony that Wisconsin had enacted a law in February 2016 to allow individuals to wear “hunter pink” in addition to the traditional hunter orange. Also during committee testimony, Representative Lisa Lyons shared a study indicating that pink is at least as visible to the human eye as orange, if not more so, and is still undetectable by deer. Supporters said it should be a color individuals can wear while hunting because it remains recognizable by humans but not deer.

The Department of Natural Resources noted during its testimony last session that hunter orange has been the standard hunter safety color since the 1970s, and that it would like to study the issue for itself before giving support to adding pink, or any other color, to the list of allowable colors to wear while hunting. HB 5484 as amended and enacted as Public Act 377 of 2016 required the NRC to study the issue and determine whether pink or other colors should be allowed to be worn while hunting. In September of 2017, the NRC decided not to allow hunter pink as a substitute for hunter orange. Hunters may wear pink, but the dominant color of the outfit must still be orange.¹

Other states that allow hunter pink as a substitute for hunter orange include Colorado, Louisiana, Minnesota, New York, and Virginia. Other states that have rejected hunter pink as a substitute include Illinois, Maine, and Montana.

FISCAL IMPACT:

House Bill 5416 would not affect costs or revenues for the Department of Natural Resources. This bill would also not affect costs or revenues for local units of government.

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

¹ <https://www.freep.com/story/news/local/michigan/2018/01/21/michigan-hunter-pink-clothing/1047955001/>