

# Legislative Analysis

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## ALLOW THE USE OF RIFLES IN "SHOTGUN" ZONE

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**House Bill 5249 (Substitute H-1)**

**Sponsor: Rep. Matt Lori**

**Committee: Natural Resources, Tourism, and Outdoor Recreation**

**First Analysis (7-12-12)**

**BRIEF SUMMARY:** The bill would allow the use of certain specific rifles during the regular firearm deer season in the area that is currently restricted to only shotguns, muzzleloaders, and certain types of pistols.

**FISCAL IMPACT:** The bill would have an indeterminate fiscal impact on the Department of Natural Resources. Under the bill, areas of the state which lie within the limited firearms area would now be open to the use of certain specific rifles during the firearm deer season, whereas, under current law, the use of all rifles in these areas is prohibited.

According to the Department, the provisions of the bill may make firearm regulations harder to enforce in the part of the state below the current rifle/shotgun zone boundary since under current law, there is a clear prohibition against all rifles in these areas during the firearm deer hunting season. Under current law, only shotguns, muzzle loaders, and certain handguns may be used during the firearm deer season below the rifle/shotgun zone boundary line. Any additional enforcement costs to the DNR would be dependent upon possible increased law enforcement activities under the bill's provisions and any additional complaints that conservation officers might be called upon to investigate.

### **THE APPARENT PROBLEM:**

Michigan is currently divided into two zones for firearm deer season: a northern zone where rifles can be used for deer hunting, and a southern zone where only shotguns, muzzleloaders, and certain handguns can be used. According to committee testimony, rifles are prohibited in the southern zone because the rounds potentially travel farther and pose possible safety concerns due to the higher population density of the region. Pistols that shoot straight-walled cartridges are currently allowed for hunting in the southern shotgun.

In 2007, the Indiana Natural Resources Commission adopted administrative rules to allow for the use of rifles that fired certain straight-walled pistol cartridges. As is being proposed in Michigan, legal rifles in Indiana must meet certain criteria related to caliber and case length.

Some people propose allowing the use of certain rifles that shoot straight-walled cartridges so as to (1) attract additional youth and female hunters and (2) to bring Michigan in line with Indiana.

## ***THE CONTENT OF THE BILL:***

The bill would amend Part 435 (Hunting and Fishing Licensing) of the Natural Resources and Environmental Protection Act to allow individuals to use the following firearms in the *limited firearms area* during the regular firearm **deer** season:

- A shotgun with a smooth or rifled barrel.
- A .35-caliber or larger pistol that can hold up to nine shells at a time in the barrel and magazine combined and loaded with straight walled cartridges.
- A muzzle-loading rifle or black-powder rifle loaded with black powder or a commercially manufactured black powder substitute.
- A .35-caliber or larger rifle loaded with straight-walled cartridges that have a minimum case length of 1.16 and a maximum case length of 1.80 inches.

Under the bill, *limited firearms area* would be identical to the area currently designated as the "southern shotgun zone" (see map below).

## ***BACKGROUND INFORMATION:***

Below is a depiction of Michigan's northern and southern firearm hunting zones.



(Adapted from the DNR's Hunting and Trapping and Rifle/Shotgun zones map)

## **ARGUMENTS:**

### ***For:***

Adopting this change will bring Michigan in line with Indiana and could potentially prevent Michigan hunters from leaving the state to hunt. According to testimony, rifles that shoot straight-walled cartridges cause less recoil than shotguns. Less recoil may be appealing to youth, women, and senior citizens and could provide additional opportunities for those populations to hunt during the firearm deer season.

According to testimony, there is little difference in the velocity of a straight-walled cartridge shot from a rifle or a slug shot from a shotgun. Assuming that to be true, this new exception would not appear to pose significantly increased safety risks to hunters or the general public. Many believe the straight-walled cartridges will provide greater accuracy.

### ***Against:***

The state is currently divided into a northern and southern zone for the firearm deer season. According to committee testimony, the division is intended to prevent the use of long-range firearms in southern portions of the state because of higher population densities. However, allowing the use of rifles with straight-walled cartridges, even if they shoot a distance similar to what is currently allowed, could create the perception of a safety risk. This could lead to local communities requesting the closure of some hunting land, potentially eliminating hunting opportunities.

Additionally, the DNR has concerns over how it would enforce this new exception. Currently, conservation officers are able to monitor and check firearm compliance from long distances because all rifles are currently prohibited in the southern shotgun zone. Allowing certain rifles that shoot straight-walled cartridges could result in conservation officers having to enter privately-owned land to check cartridges, rather than simply being able to check the gun from the road using binoculars.

## **POSITIONS:**

Michigan United Conservation Clubs supports the bill. (5-15-12)

A representative of Chief Okemos Sportsmen's Club testified in support of the bill. (5-15-12)

Michigan Department of Natural Resources opposes the bill. (5-22-12)

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■ 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.