
“GREEN SHEET”

Meeting dates: September 5-6, 2008

Agenda item 8: Minimum Hunting Age -- Briefing

Staff Contact: Bruce Bjork, Chief, Enforcement Program

Presenter(s): Bruce Bjork, Chief, Enforcement Program

Background:

Pamela Almi, from Oso, Snohomish County, was killed Saturday, August 2, on a marked hiking trail on Sauk Mountain out of Rockport. Pamela was shot by a 14-year-old hunter who believed that she was a bear. The youth had his hunter education certificate, license, and tag. He was hunting with his 16-year-old brother. The 14-year-old is being charged as a juvenile with first-degree manslaughter and faces up to nine months in juvenile detention if convicted.

During the 1994 legislative session, a violence prevention bill was passed (ESSHB 2319). Prior to that bill, a person under age 14 had to be accompanied by a parent or guardian to hunt with a firearm. ESSHB 2319 made significant changes, consolidation, and technical revisions to firearms and dangerous weapons statutes in chapter 9.41 RCW. Now, current laws allow hunters or trappers of any age to be licensed, legally possess a firearm, and hunt or trap alone.

In 2001 WDFW proposed legislation to amend RCW 9.41.042 (SB 5928) to require minors under the age of fourteen (14) to have parental supervision (or supervision of a guardian or other adult approved by the parent or guardian) to carry a firearm to hunt or trap. The proposal did not pass out of committee.

In 2005 WDFW supported legislation to amend RCW 9.41.042, 77.32.155, 77.32.450 and 77.32.460 (HB1213) requiring persons under the age of 14 to be under immediate parental supervision (or that of a guardian or other adult approved by the parent or guardian) to carry a firearm and hunt or trap. We also proposed a minimum age of 10 for enrolling in hunter education and obtaining a big game or small game license. This bill did not pass. In 2007 WDFW and hunter education (HE) instructors worked with legislators to introduce SB 5791. This bill encouraged school districts to offer hunter and firearm safety courses as an elective. It did not pass. It should be noted that Utah enacted a similar law, Utah Code 53A-13-106(8). It allows certified instructors to teach firearm safety education classes on a voluntary basis.

Attached is a grid showing the minimum ages for hunter education, hunting with a weapon, etc., in other states. It is important to note that California's minimum ages will be changing, due to a firearms-related incident there in 2007.

Communications:

On August 6, the Department issued a news release outlining plans to examine minimum hunting ages and potential safety improvements for areas where mixed-use recreation occurs during hunting seasons. Outdoor recreation safety advice also was posted on the agency website

In addition, customer-service staff provided safety information to citizens who called WDFW offices. Public Affairs and program staff provided information to numerous news media outlets, including the Seattle Times, the Seattle P-I, The Associated Press, the Skagit Valley Herald, KING TV, KIRO TV, KOMO TV and KIRO Talk Radio. The Director has asked WDFW staff to convene a forum of public landowners to discuss potential safety improvements for all users of mixed-use recreation areas.

Department Staff Perspective: The Department continues to support the reinstatement of a law that requires persons younger than 14 years to be under immediate parental supervision (or that of a guardian or another adult approved by the parent or guardian) while carrying a firearm to hunt or trap. In addition, the department supports a minimum age of 10 years for getting a hunting or trapping license, with the additional requirement that youths take and pass hunter education in the 12 months prior to the date of license purchase.

Policy issue(s) you are bringing to the Commission for consideration:

The Commission may discuss the Department's position regarding minimum age requirements for persons wishing to hunt or trap unaccompanied and to purchase a hunting or trapping license.

Public involvement process used and what you learned:

There has been extensive media coverage of the hunting accident that resulted in the death of Pamela Almli.

Action requested:

None; this is for discussion only.

Draft motion language:

N/A

Justification for Commission action:

N/A

State	Minimum age required to...						
	Possess/use firearms?	Take hunter education (HE)?	Have passed HE and want to hunt unsupervised?	Have passed HE and want to hunt w/ adult?	Not take HE and want to hunt unsupervised?	Not take HE and want to hunt w/ adult?	Take a HE-deferral (HED) program?
AK	No min. age w/ parent's or guardian's consent. Otherwise, over age 16 & emancipated	No min. age. HE is only offered in the road-connected areas of the state	<i>Road-connected areas:</i> Over age 10	<i>Road-connected areas:</i> No min. age	<i>Road-connected areas:</i> Until child is age 16, unsupervised is not allowed	<i>Road-connected areas:</i> Adult must be (a) over age 16 & grad of HE; or (b) born after 1/1/86	Not offered
			<i>Remote areas:</i> HE not req'd; must be over age 10	<i>Remote areas:</i> HE not req'd; must be over age 10	<i>Remote areas:</i> HE not req'd; must be over age 10	<i>Remote areas:</i> HE not req'd; must be over age 10	
AZ	No min. age	10 yrs old (soon to be 9 yrs old)	14 yrs old	10 yrs old (but only for big game)	14 yrs old	14 yrs old	Not offered
CA	No min. age	No min. age	No min. age	No min. age	Not allowed	Not allowed	Not offered
KS	No min. age	11 yrs old	12 yrs old	11 yrs old	Not allowed	OK at any age parent feels child is ready	No min. age

State	Minimum age required to...						
	Possess/use firearms?	Take hunter education (HE)?	Have passed HE and want to hunt unsupervised?	Have passed HE and want to hunt w/ adult?	Not take HE and want to hunt unsupervised?	Not take HE and want to hunt w/ adult?	Take a HE-deferral (HED) program?

OR	No min. age if firearm provided by parent or w/ parent's consent	No min. age	<i>On parent's land:</i> no min. age unless hunting big game. <i>Hunting big game:</i> 12 yrs old.	<i>Hunting small game:</i> No min. age. <i>Hunting big game:</i> 12 yrs old.	<i>On parent's land:</i> 14 yrs old.	<i>Hunting small game:</i> no min. age. <i>Hunting big game:</i> 12 yrs old.	9 yrs old
			<i>On other land:</i> 14 yrs old		<i>On other land:</i> 18 yrs old.		
TX	No min. age	9 yrs old	9 yrs old	9 yrs old	Not allowed	No min. age	Not offered
UT	No min age if accompanied by adult	No min. age.	16 yrs. old	No min. age, but must be 16 to hunt big game w/ weapon, & can't purchase hunting license w/o proof of HE if born after 12/31/65.	Can't purchase hunting license w/o proof of HE if born after 12/31/65. Can hunt "unprotected wildlife" w/o license, but must be accompanied by parent to hunt with weapon up to age 16.	Can hunt "unprotected wildlife"* w/ a weapon and w/o a license or parental supervision after age 16. *includes coyote, field mouse, gopher, ground squirrel, jack rabbit, muskrat and raccoon.	Not offered

State	Minimum age required to...						
	Possess/use firearms?	Take hunter education (HE)?	Have passed HE and want to hunt unsupervised?	Have passed HE and want to hunt w/ adult?	Not take HE and want to hunt unsupervised?	Not take HE and want to hunt w/ adult?	Take a HE-deferral (HED) program?

WA	<p><i>18 yrs old; but no min. age if any one of these applies:</i></p> <ul style="list-style-type: none"> • Attending HE; • target-shooting at a range; • shooting in a competition; • hunting w/ a valid license; • passed HE & is 14 yo or supervised by parent; • traveling w/ unloaded gun; • is on parent's property w/ approval; • is home and has permission to defend self; • is member of & on duty for armed forces, national guard, or reserves. 	No min. age	No min. age as long as has all licenses, tags, etc.	No min. age as long as has all licenses, tags, etc.	Not allowed for anyone born after 1/1/72 unless can show a WA hunting license from a previous year.	See next column.	10 yrs old when applying. Cannot have failed HE w/in the previous 12 mos. Accompanying hunter must be at least age 18 and had a WA hunting license the previous 3 yrs.
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