Hunter Safety Education

Research Report No. 150
Legislative Research Commission
Frankfort, Kentucky

KENTUCKY LEGISLATIVE RESEARCH COMMISSION

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* * * * * *

The Kentucky Legislative Research Commission is a sixteen-member committee, comprised of the majority and minority leadership of the Kentucky Senate and House of Representatives. Under Chapter 7 of the Kentucky Revised Statutes, the Commission constitutes the administrative office for the Kentucky General Assembly. Its director serves as chief administrative officer of the legislature when it is not in session.

The Commission and its staff, by law and by practice, perform numerous fact-finding and service functions for members of the General Assembly. The Commission provides professional, clerical and other employees required by legislators when the General Assembly is in session and during the interim period between sessions. These employees, in turn, assist committees and individual members in preparing legislation. Other services include conducting studies and investigations, organizing and staffing committee meetings and public hearings, maintaining official legislative records and other reference materials, furnishing information about the legislature to the public, compiling and publishing administrative regulations, administering a legislative intern program, conducting a pre-session orientation conference for legislators, and publishing a daily index of legislative activity during sessions of the General Assembly.

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The Commission functions as Kentucky's Commission on Interstate Cooperation in carrying out the program of the Council of State Governments as it relates to Kentucky.

Hunter Safety Education

Prepared by
Don Stosberg
Jim Roberts

Research Report No. 150

Legislative Research Commission
Frankfort, Kentucky
November, 1978

This Report was prepared by the Legislative Research Commission and paid for from state funds

The League of Kentucky Sportsmen, Inc.

September 19, 1978

Mr. Don Stosberg (2) Mandatory Hunter Safety Certification

To clarify this action , let me state that we as the League do not oppose hunter safety programs. Many of us are hunter safety instructors and take part in classes qualifying youth sportsmen in hunter safety. We take pride in being involved in such a program and intend to do everything possible to expand the Voluntary Hunter Safety Program.

The members of the League thank you for your concern in this matter.

Very truly yours.

Roy M. Haddix,
Legislative Chairman

cc: Mr. Carl Kays
Sen. Ken Gibson
Rep. Don Blanford
Rep. Frank Smith

The League of Kentucky Sportsmen, Inc.

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September 19, 1978

Mr. Don Stosberg
Legislative Research Commission
Capitol Plaza
Frankfort, Kentucky 40601

Re: Mandatory Hunter Safety Certification

Dear Mr. Stosberg:

On receipt of the request from the Research Commission for information and suggestions from The League of Kentucky Sportsmen, Inc., on mandatory hunter safety certifications, League President Joe Coomes placed this subject on the agenda of the September 3, 1978 meeting of the Board of Directors of the League. Prior to this meeting all Directors were asked to get an opinion or evaluation from sportsmen in their respective districts and bring this information to the meeting. With this action, and the response that was received from these people, no favorable acceptance was found for such a program.

President Coomes has also discussed this matter with Commissioner Arnold Mitchell and newly appointed Commissioner Carl Kays of the Department of Fish & Wildlife Resourses and found that the program could cost from 1 million to 3 million dollars for the program to be run successfully and efficiently. This is a financial burden that the sportsmen could not accept voluntarily.

The new expanded program of the voluntary hunter safety certification program implementated during the past two years was reviewed with the Fish & Wildlife personnel and was found to be adequate at this time for the State of Kentucky.

After a thorough discussion among members of the League Board and other interested persons in attendance the League Board unanimously agreed not to support any program that would implement the mandatory hunter safety certification of sportsmen within the State of Kentucky

COOPERATING WITH THE DEPARTMENT OF FISH AND WILDLIFE RESOURCES MEMBER NATIONAL WILDLIFE FEDERATION

FOREWORD

In response to House Concurrent Resolution 116 of the 1978 General Assembly, this report represents information on the current status of and the need for further hunter safety education in Kentucky. HCR 116 was sponsored by Representative Frank Smith of Shepherdsville. It is hoped that the data and analysis in this report will aid Representative Smith and other legislators in their deliberations on legislative proposals on this subject.

The cooperation of the Kentucky Department of Fish and Wildlife and the U. S. Fish and Wildlife Service is acknowledged and appreciated. Credit should also be given to the more than 25 Hunter Safety Coordinators in various states who provided information, and to the more than 200 licensed Kentucky hunters who took the time to respond to a mail survey. The report was prepared by Don Stosberg with the assistance of Jim Roberts. The cover and drawings were prepared by Allen Salyer of the LRC staff.

VIC HELLARD, JR.
Director

The Capitol
Frankfort, Kentucky
November, 1978

A CONCURRENT RESOLUTION directing the Legislative Research Commission to study the feasibility of establishing a hunter safety certification program.

WHEREAS, each year hunters in the Commonwealth are involved in tragic accidents; and

WHEREAS, many hunting accidents might be avoided if hunters used proper safety precautions; and

WHEREAS, the unsafe hunter is a danger to others as well as himself; and

WHEREAS, the Commonwealth has no means of insuring that licensed hunters are aware of gun safety procedures; NOW, THEREFORE,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

Section 1. The Legislative Research Commission is directed to study the feasibility of establishing a hunter safety certification program which would require those under the age of sixteen and those seeking hunting licenses for the first time in the state to demonstrate adequate knowledge of hunter safety precautions.

Section 2. The results of the study and any recommendations shall be reported to the appropriate interim joint committee not later than December 31, 1978.

Section 3. Staff services to be utilized in completing this study are estimated to cost $8,000. These staff services shall be provided from the regular commission budget and are subject to the limitations and other research responsibilities of the commission.

78 BR 1754/GA

GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY
REGULAR SESSION 1978

HOUSE RESOLUTION NO. 116

MONDAY, MARCH 13, 1978

The following bill was reported to the Senate from the House and ordered to be printed.

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FISH & WILDLIFE COMMISSION BY DISTRICTS

1st Mike Boatwright, Paducah
2nd Jay Pruett, Madisonville
3rd Hall Morris, Louisville
4th Dr. James C. Blalock, Columbia
5th Dr. James K. Hicks, Jabez Mill
6th Charles T. Palmer, Lexington
7th Dr. W. W. Campbell, Jackson
8th Dr. Robert C. Webb, Grayson
9th Perrine Hays, Tyner

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF FISH & WILDLIFE RESOURCES
Carl E. Kays, Commissioner

CAPITAL PLAZA TOWER
FRANKFORT, KY. 40601
PHONE 564-3400

August 21, 1978

Mr. Don Stosberg
Legislative Research Commission
State Capitol Building
Frankfort, Kentucky 40601

Dear Mr. Stosberg:

This letter is in reply to your recent communication to Commissioner Kays as to how we receive accident reports and what our definition of a hunting accident is.

Each year through the inter-departmental publication INSIDE OUR REALM, we remind the Conservation Officers and other field personnel to report all hunting accidents to the Frankfort Office. When a report is received by our office, we mail to the reporting officer a standard form called UNIFORM HUNTER CASUALTY REPORT FORM, which was devised by the National Rifle Association. This form asks specific questions about the accident. When completed and returned, this form goes into our permanent record. We believe by using department employees to report these accidents, we are getting an accurate report.

As for our definition of a hunting accident, we define it as any gun accident that occurs while an individual is in the act of hunting. We do not include gun accidents in the home or accidents that occur while hunting that are not gun related, such as duck hunter drowning.

I hope that this has answered your questions.

Very truly yours,

DIVISION OF CONSERVATION EDUCATION

Marion C. Mattingly
Senior Hunter Training Officer

cc: Carl E. Kays
Don McCormick
William W. Bell

National Wildlife Federation

1412 16TH ST., N.W., WASHINGTON, D.C. 20036 Phone 202—797 6800

May 30, 1978

Mr. Don Stosberg
Legislative Research Commission
Capitol Annex
Frankfort, KY 40601

Dear Mr. Stosberg:

In the view of the National Wildlife Federation, hunter safety courses have proved themselves effective in reducing hunting accidents and helping to establish hunting ethics in various states throughout the nation. It is well established that states with mandatory requirements reach more young hunters than volunteer programs, as commendable as the voluntary may be.

In response to Grant Winston's letter on the subject, we favor mandatory hunter safety programs to reach as much of the hunting public as circumstances will allow. In the not very distant future the inclusion of hunting skills, wildlife management and hunter-landowner relations in hunter education courses will be needed to maintain hunting at its best.

Sincerely,

THOMAS L. KIMBALL
Executive Vice President

SUMMARY

The term "hunter safety education" generally refers to a course of study which includes elements of gun and archery safety, hunter ethics, wildlife conservation, survival techniques, and first aid. Presently, the Kentucky Department of Fish and Wildlife offers a 10-hour "voluntary" course which can lead to a certificate in hunter safety. The most important issue explored by this study is whether such hunter safety certificates should be made mandatory prior to the issuance of hunting licenses.

The study reveals the following:

1. The available evidence does not indicate the hunting accident rate in Kentucky poses a serious problem at the present time.
2. Poor public image is causing serious problems for hunters, particularly in gaining access to private land.
3. The experience of those states which have mandatory education is favorable.
4. A majority of hunters surveyed favor hunter safety certification, particularly for hunters under 16 years of age.

The report does not present any recommendation on the issue of whether Kentucky should have a mandatory education law. However, two policy options which appear to be feasible are presented in the concluding chapter. Some analysis of these options is included. It does appear that if the legislature should decide to pass mandatory certification, it would be workable and not excessively costly to the department. Some incidental recommendations which flow out of the research for the report are also presented in the final chapter.

The following study of the issue includes an analysis of accident statistics from Kentucky and other states, an assessment of the "slob hunter" problem, and an exploration of the increasing role of those who are philosophically opposed to hunting. The current hunter education program now available through the department is described, and the results of a survey of hunter safety coordinators in mandatory states and the responses from a survey of 866 Kentucky hunters are reported.

HUNTER SAFETY EDUCATION SURVEY
(For Kentucky Legislative Study)

1. When was your mandatory education act first passed? _____.

   First effective? _____.

2. Is a hunter safety certificate required prior to issuing a license for:

   ☐ Persons of a certain birthdate ☐ All hunters

   ☐ All first time hunters ☐ Others, please list:

   ☐ Hunters in specific wildlife areas _____

3. What type of exemptions does your law allowed?

   ☐ Non-resident hunters ☐ None

   ☐ Landowners hunting on own land ☐ _____

   ☐ Children under certain age ☐ _____

4. What is the minimum number of hours of instruction required to be certified? _____ Do you require field experience with live ammunition? _____.

5. What approximate percent of the cost of your hunter safety education program is supported by:

   federal funds? _____%

   fines, license receipts, etc.? _____%

   general tax revenue? _____%

6. Estimate the approximate cost per certified student (include all costs--salaries, travel, rent, equipment, administrative costs to your agency. Skip this question, if information not readily available.)

7. How many employees (full-time and part-time) does your agency have assigned to hunter safety?

8. Do you use voluntary instructors? _____ If so, how many do you have certified? _____ How many active? _____

9. Do you have any evidence that the image of the hunter in your state has been enhanced as a result of your program?

10. Do you have any evidence of a reduction of hunting accidents as a result of your program? (Would appreciate a copy of recent annual casualty reports, if available.)

11. Do you have any procedure for ongoing formal evaluation of your program?

12. Are you aware of any committee reports, legislative studies, agency memoranda, or other reports which were considered when the legislature passed your law? _____ If so, can you enclose copies or notify us where they might be obtained?

13. Additional information/comments:

Mail complete questionnaire to:

Don Stosberg, Legislative Analyst
Legislative Research Commission
Room 4 - Capitol Annex
Frankfort, Kentucky 40601
(502) 564-8100, ext. 518

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Assistant President Pro Tem

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Minority Caucus Chairman

Dwight Wells
Majority Whip

Arthur L. Schmidt
Minority Whip

May 12, 1978

NAME AND ADDRESS OF ADDRESSEE

Dear Hunter Safety Coordinator:

Because of your interest in hunter safety, I hope you will take a few minutes to complete the attached brief questionnaire. The Kentucky legislature has directed that a study be done to determine the feasibility of establishing a mandatory hunter education law in our state. The information which you supply will be used in that legislative study. A copy of the completed report will be sent to those who respond. For your convenience, a self-addressed envelope is enclosed.

Your cooperation and assistance are much appreciated.

Sincerely,

Don Stosberg
Legislative Analyst

DS/rm

Enclosures

cc: Brian Kiernan
Legislative Research Commission
William Bell
Fish and Wildlife

CHAPTER I

HUNTING TODAY: PROBLEMS AND ISSUES

Since the days of Daniel Boone, hunting has been a strong tradition in Kentucky. In his time hunting was a matter of basic survival. Now it is primarily a sport. It is one way to escape concrete and plastic and return to the beauty and quiet of a naturally wild area. There are currently about 400,000 people who obtain annual hunting licenses in Kentucky. Assuming there are another 100,000 people who have hunted or may hunt occasionally, there are about a half million hunters in Kentucky, or above 15% of the population. This is consistent with national statistics which indicate that about 17% of Americans hunt.[1] If spouses and friends are grouped with the hunters, then the Kentucky citizens who are sympathetic to the hunting ethic are a significant group.

Each year hunters in the Commonwealth are involved in tragic accidents, some of them fatal. Most of these accidents result in death or injury to hunters and not to the non-hunting public. In 1977 five Kentuckians died as a direct result of hunting accidents. Six others were seriously injured. Still others died as a result of firearms accidents, some of which may have been from guns purchased primarily for hunting purposes.

For those to whom the hunting tradition is a valued legacy, hunting is almost a right. Traditionally, the wild animals in this country have belonged to all the citizens and not to landowners, as in countries such as Germany. However, the public image of the hunter has been declining in recent years. Because of what sportsmen call "slob hunters," that is, those who flagrantly disregard basic courtesy and safety rules, there has been mounting enmity between hunters and farmers.

Farmers complain about hunters who hunt without permission, cut their fences, and shoot their cows.[2] Stories of similar violations of basic respect for others' property and person are common among farmers. A national study of duck hunters in nine states across the country contains the following finding: "As more and more hunters have used their land, farmers have had more and more problems such as gates being left open, crops being trampled, and littering."[3] According to fish and game officials and sportsmen, this bad image has

led to a decline in the availability of private hunting lands. They point to the increase of "posted" signs in recent years as evidence.

KRS 150.993 requires that a hunter seek permission from the landowner before going out on his land—common courtesy dictates no less—but this rule is frequently violated, adding further fuel to landowner complaints about hunters.

In response to this continuing public image problem, "hunter safety education" is always interpreted broadly by the federal agency and the states responsible for administering hunter-education laws. The official Department of the Interior regulations which list the type of subjects to be covered under "hunter safety education" include subjects which go beyond safety.[4] These topics include safe use of firearms and archery equipment, general hunter safety, survival techniques, first aid, sporting ethics, and basic principles of wildlife management. These last two are particularly directed at reducing the ranks of "slob hunters." With this official U. S. Fish and Wildlife Service interpretation of hunter safety education in mind, the terms "hunter safety education" and "hunter education" are used synonymously throughout this report.

An example of anti-hunter sentiment can be found in Cleveland Amory's book *Man Kind?*[5] Mr. Amory is President of the Friends of the Animals and is philosophically opposed to hunting. His book satirically advocates the creation of a "Hunt The Hunters Hunt Club." The main ground rule of this club is not to shoot a hunter within the city limits. He argues that limiting the hunter population is the most humane thing people could do for them. Certain sportsmen, on the other hand, in their defenses against "animal advocates" such as Mr. Amory, argue that they have done much for the interests of animals. To them, the ideal sportsman is a blend of hunter, naturalist, and conservationist. In articles, journals and conversations, sportsmen frequently point out that the hunter has financed, through his license fees, the biological research needed to protect and manage game. They also maintain that a quick kill is more humane than the slow starvation which results from the overpopulation of a species. Likewise, they say that professional wildlife management and controlled hunting are the most beneficial approach to wildlife preservation.

This report will not attempt to analyze the conflict between the anti-hunting and the pro-hunting groups. For the present, as far as Kentucky state policy is concerned, KRS Chapter 150 resolves this problem by the creation of the Department of Fish and Wildlife Resources, which has among its purposes "to insure adequate supply of game and provide for the prudent taking of it."[6] The "pro-

LEGISLATIVE RESEARCH COMMISSION

SURVEY OF LICENSED HUNTERS

June, 1978

1. Your Age ____ Years of Hunting Experience ____

2. Do you usually hunt:

____Once a year ____2 to 4 times a year ____more than 4 times a year

HUNTER SAFETY EDUCATION, as used in the questions below, generally means 6 to 10 hours of instruction in subjects such as gun safety, hunter ethics, wildlife identification, wildlife management, survival and first aid, history of firearms, and archery and muzzle loading firearms.

3. a. Do you favor hunter safety education prior to issuing a license for all first time hunters regardless of age?

____strongly agree ____agree ____disagree ____strongly disagree

____no opinion

b. Do you favor hunter safety education prior to issuing a license for all hunters age 16 and under?

____strongly agree ____agree ____disagree ____strongly disagree

____no opinion

c. Do you favor hunter safety education prior to issuing a license for all hunters?

____strongly agree ____agree ____disagree ____strongly disagree

____no opinion

4. If you were required to take hunter safety education and pass a basic test, before being issued a license, would you still decide to buy a hunting license?

____Yes ____No ____Maybe

5. Comments:

RETURN TO: Don Stosberg, Legislative Research Commission, Capitol Annex, Frankfort, Kentucky 40601

LEGISLATIVE RESEARCH COMMISSION
State Capitol Frankfort, Kentucky 40601 502 564-8136

Joe Prather, Senate President Pro Tem
William G. Kenton, House Speaker
Chairmen

Vic Hellard, Jr.
Director

June 13, 1978

Dear Hunter:

The 1978 General Assembly has directed that a study be done to determine whether Kentucky should have a mandatory hunter education law. As a licensed hunter, you may be directly affected by such a law. In order that the legislature may have the benefit of your opinion, we ask that you take a few minutes to answer the brief questionnaire and return it in the enclosed stamped self-addressed envelope.

All survey results will be published in summary form and no names of individuals will be disclosed.

Thank you for your cooperation.

Sincerely,

Don Stosberg
Legislative Analyst

gsl

cc: Bill Bell, Fish & Wildlife
Brian Kiernan, LRC

"Slob Hunter"

animal" sentiment is mentioned here only because in recent years it appears that these groups have been gaining strength politically, particularly at the national level, and also that they have succeeded in creating a defensive mentality among sportsmen and fish and game agencies.[7] Also, it likely that this conflict is one of the reasons that active sportsmen are often the prime sponsors of legislation requiring mandatory hunter education for themselves and their children.

Among fish and game professionals, evidence of concern over anti-hunting sentiment can be found in the proceedings of the Southeastern Association of Fish and Game Commissioners. A considerable number of presentations in recent years have made reference to this growing problem for the hunter.[8] At a recent annual meeting, for example, David Samuel presented documentation that anti-hunting sentiment is a real threat to hunting and may threaten its survival.[9] He and others have suggested that continuing hunter and non-hunter education may be essential to the survival of hunting as well as wildlife habitat.

Among the non-hunting public, there is more anti-hunter sentiment than anti-hunting sentiment. Many Kentucky farmers, like farmers elsewhere, are not philosophically opposed to hunting, but they are angered by the practices they encounter on their farmlands.[10]

The two problems which point to the need for additional hunter education, particularly in gun safety and hunter ethics, can be summarized briefly in two statements: 1) Each year a number of hunters are injured or killed as a result of hunting accidents in Kentucky. The majority of these accidents happen when a hunter is violating a basic safety rule. 2) The availability of private land for hunting may be threatened by the deterioration of the public image of the hunter, particularly among rural landowners.

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875-5544
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May 9, 1978

Mr. Don Stosberg
Legislative Analyst
Legislative Research Commission
State Capitol Building
Frankfort, Kentucky 40601

Dear Mr. Stosberg:

As I previously advised you by letter of May 3, 1978, your letter of April 25, 1978, to Commissioner Arnold L. Mitchell, has been forwarded to me for review.

KRS 150.015 sets forth the purposes for the acts which govern the Fish & Wildlife Department. One of the stated purposes is to: "promote the general welfare of the Commonwealth." The statute further provides that the acts shall be liberally construed in such manner as to most effectually carry out its purposes and intent. KRS 150.025(2)(g) gives the power to the Department of Fish & Wildlife Resources to make any other regulations reasonably necessary to implement or carry out the purposes of KRS Chapter 150. I believe a hunter safety certification program would certainly fall within the purposes stated in KRS 150.015. KRS 150.025 thus empowers the Department to make regulations in this area if it so desires.

I am available to discuss this opinion with you at your convenience.

Very truly yours,
JOHNSON, JUDY & GAINES
Paul C. Gaines III

PCGIII:mlm

cc: Hon. Arnold L. Mitchell, Commissioner
Department of Fish & Wildlife Resources
592 East Main Street
Frankfort, Kentucky 40601

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Arthur L. Schmidt
Minority Whip

April 25, 1978

Mr. Arnold Mitchell, Commissioner
Department of Fish & Wildlife Resources
592 East Main Street
Frankfort, Kentucky 40601

Dear Commissioner Mitchell:

As you are aware, I have been assigned to study the issue of Hunter Safety Certification as mandated by House Concurrent Resolution 116.

After reviewing the statutes and administrative regulations relating to your Department, it appears that you now have statutory authority to require a safety course before issuing a hunting license. I note that 301 KAR 2:105 (Section 8.2.d.) requires a Hunter Safety Certificate before a particular type of hunting license is issued.

In this regard, I have two questions relating to your statutory authority:

1. What is the specific statutory authority upon which 301 KAR 2:105 (Section 8.2.d.) is based? There are 10 KRS sections listed at the heading of the regulation.

2. In your opinion, is this authority broad enough to allow the department to require hunter safety certificates before issuing other types of hunting licenses?

Thank you for your assistance.

Sincerely,

Don Stosberg
Legislative Analyst

cc: Brian Kiernan
Jim Roberts

CHAPTER II

RATIONALE FOR HUNTER EDUCATION: ACCIDENT STATISTICS AND CARELESS HUNTERS

Accident Statistics

In Kentucky, hunting accident statistics are compiled by the Department of Fish and Wildlife Resources. The Department's information is received from reports by their enforcement officers in each county. A report is filed whenever an accident comes to the attention of the enforcement officer. Newspaper articles and oral reports are the usual sources. Because of its reliance on the initiative of individual officers, this system may result in some accidents going unreported. However, Department officials have stated that they are fairly confident of the reports in most counties. Only in the large metropolitan counties do they feel that they may be missing some accidents. The Senior Hunter Training Officer for the Department describes the Department's reporting system in a letter in the fourth appendix of this report.

The Department defines a "hunting accident" as a gun accident that occurs while an individual is in the act of hunting. An example of a hunting-related accident which is *not* classified as a hunting accident is shown below in a summary of a newspaper clipping taken from the *Lexington Herald* of August 21, 1978.

Mount Sterling Woman Killed By Gunshot

Mount Sterling, Ky.—A Montgomery County woman was accidentally shot by her husband Sunday afternoon. She died instantly of a gunshot wound to the chest, according to the county coroner.

The victim was seated at the table preparing supper when her husband laid his shotgun on the table. The gun accidentally discharged. The husband had just returned from a squirrel hunting trip and intended to continue hunting after supper.

Most fish and game agencies in the U. S. maintain hunting accident statistics. However, the data from those states, as in Kentucky, are only as reliable as the reporting system which they use to compile statistics. It is difficult to assess the comparability of other states' data to Kentucky's, and it would be impractical to review each state's reporting methodology in this study. However, these statistical problems are mentioned because some states may appear to have higher accident rates when, in fact, a higher rate may only mean that their reporting system is more accurate or that their definition of "hunting accident" is broader than that of another state.

TABLE 1

KENTUCKY HUNTING CASUALTY REPORT
13 Year Trend

	License Sales (Total Resident Adult & Jr.)	Casualties	Fatal	Non-Fatal
1965	249,088	*	5	*
1966	261,860	*	14	*
1967	253,973	*	5	*
1968	256,195	*	7	*
1969	258,887	7	5	2
1970	271,759	12	10	2
1971	268,521	13	4	9
1972	275,900	6	3	3
1973	280,023	7	4	3
1974	300,985	8	3	5
1975	308,343	5	4	1
1976	312,856	4	2	2
1977	312,578	11	5	6

* Data not available

SOURCE: Kentucky Department of Fish and Wildlife

APPENDICES

1. LRC Inquiry Concerning Statutory Authority and Response from Departmental Attorney
2. Copies of Cover Letters and Survey Forms
3. Letter from National Wildlife Federation
4. Letter from Department Describing Accident Reporting System
5. Copy of HCR 116
6. Letter from League of Kentucky Sportsmen

TABLE 2

HUNTING ACCIDENTS IN SOUTHEASTERN STATES
By Federal Fiscal Year

	1971-72		1972-73		1973-74		1974-75		1975-76	
	Fatal	Non-Fatal	Fatal	Non-Fatal	Fatal	Non-Fatal	Fatal	Non-Fatal	Fatal	Non-Fatal
Alabama	*	*	*	*	19	27	5	20	5	26
Arkansas	*	*	10	34	9	37	9	30	8	16
Florida	*	*	10	11	10	20	18	23	15	24
Georgia	5	12	12	21	10	21	10	15	9	26
KENTUCKY	4	9	3	3	4	3	3	5	4	1
Louisiana	*	*	*	*	*	*	*	*	17	16
Mississippi	23	32	34	46	15	60	57	104	48	95
North Carolina	15	45	15	39	6	36	9	26	9	22
South Carolina	*	*	*	*	*	*	*	*	3	16
Tennessee	8	11	11	19	5	9	4	11	9	9

* Not available

SOURCE: Atlanta Regional Office, Bureau of Sport, Fisheries, and Wildlife, U.S. Department of the Interior, April, 1978.

As Table 2 indicates, Kentucky appears to have the lowest accident rate in the southeastern region. As was stated above, however, it is difficult to compare the reliability of the reporting systems and these reporting differences may partially account for the differences in the statistics. The Kentucky Fish and Wildlife officials believe that the figures are reasonably accurate and that Kentucky's low accident rate can be credited in part to the conservation education taught in the elementary schools since the 1940's.

The Mississippi report includes almost all gun accidents in the home because, as they define it, almost all guns, including handguns can be and are used for hunting. Most states, Kentucky included, do not count firearms accidents in the home as hunting accidents. It is further significant that the Mississippi Fish and Game Agency receives a Statewide Clipping Service with stories about any gun accidents. They require their officers to investigate each report and report back to them. Some states, including Minnesota and Pennsylvania, require by law that hunters report any hunting accident which occurs.

An argument for mandatory hunter safety education in Kentucky could not be made solely on the basis of a comparison to surrounding states because the available evidence indicates that Kentucky is doing better than her neighbors. For example, South Carolina, with only about 212,000 license holders, compared to Kentucky's 318,000, reported nineteen accidents during fiscal year 1976, while Kentucky reported five. Nor does the situation appear critical when the number of Kentucky hunting deaths are compared to license sales. Deaths have generally declined as license sales have steadily increased. This is graphically demonstrated in Figure 1.

However, in absolute terms, it could be argued that one death resulting from violation of a basic safety rule is one too many. Of the eleven Kentucky hunting deaths in the past three years, it is estimated that *at least ten* happened while the hunter was in violation of elementary safety rules. (This finding is based on a comparison of the departmental accident reports with the NRA Hunter Safety Manual.) In the other years for which data is available (1965-70), the overwhelming majority of fatalities were a result of the hunter's violating basic safety rules. In the nine-year period for which information is available, approximately eleven percent of the deaths occurred when the hunter was crossing a fence with a loaded gun. Gun safety literature consistently cautions against this hazard.[11]

Another fact revealed by the Kentucky data is that a disproportionate number of the deaths occur to young hunters. In the nine years for which Kentucky information is available (1975-77, 1965-70), 33%

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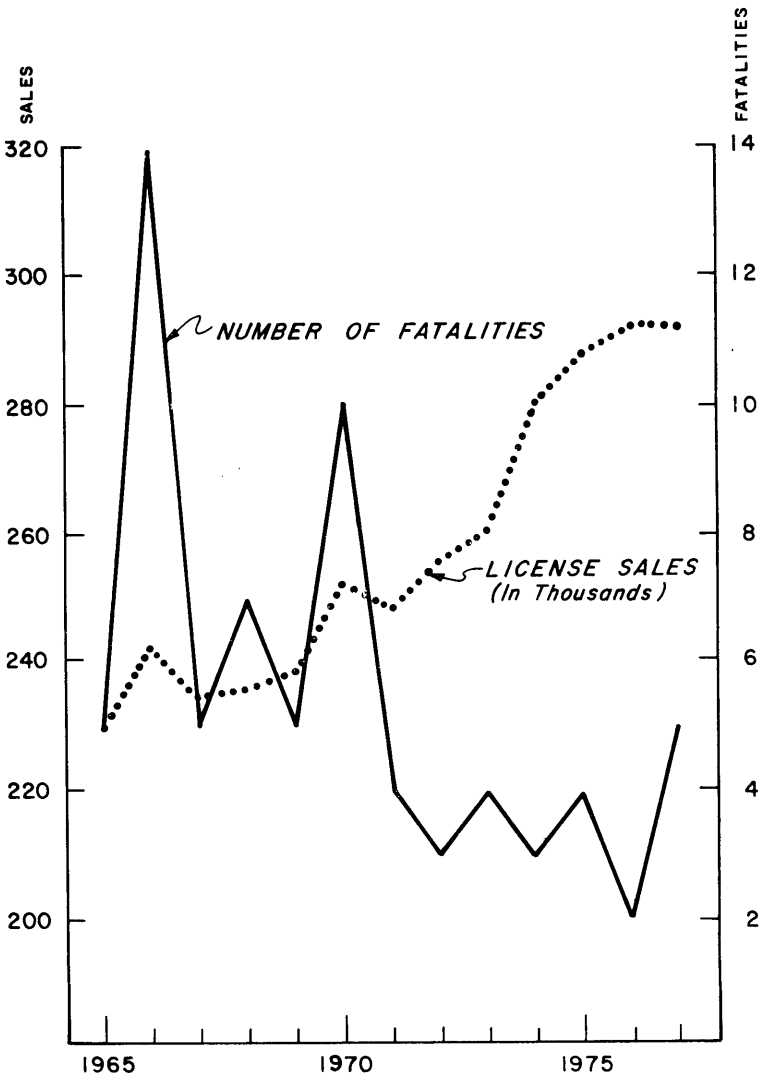
FIGURE 1

A Comparison Between Hunting License Sales And Hunter Fatalities



SOURCE:
Ky. Dept. of Fish & Wildlife

of those killed in hunting accidents were under 18. According to a national survey conducted under the auspices of the U. S. Fish and Wildlife Service, it is estimated that about 22% of all hunters are under 18 years of age. Fifty-eight per cent of those killed in Kentucky were under 24 years of age, whereas on the average only about 43% of those who hunt are under 24. Data from other states also indicates that a high percentage of those involved in accidents are young. For example, in 1977 Kansas reported that 65% of those killed in hunting accidents were under 30 years of age. In the same year Oregon reported 58% under 30. Over a ten-year period Georgia found that 32% of all fatal hunting accidents involved victims 16 years old or younger.

Accident reports from Kentucky and other states also reveal that a high percentage of hunting accident wounds are self-inflicted. Over a ten-year period Georgia reported 35% self-inflicted, and in 1977, Washington State reported 55% self-inflicted and Kansas 30%. Mishandling and lack of proper respect for the destructive power of a firearm are frequently given by analysts as reasons for self-inflicted wounds.

Firearms and Hunting

Information from the National Shooting Sports Foundation, an organization of gun manufacturers and others interested in promoting shooting sports, indicates that the major use of firearms is for hunting. In fact, the Foundation uses hunting license holders as an index of firearms ownership in the states.[12] In addition, data from the Federal Bureau of Alcohol, Tobacco, and Firearms indicates that about 66% of the guns manufactured in the United States are shotguns and rifles.[13] The vast majority of these long guns are designed primarily for hunting. Occassionally even handguns are used for hunting. Comparatively little hunting, in fact, is done without a firearm.

Based on the above background, it seems reasonable to estimate that at least 50% of the firearms held in this state were acquired for hunting purposes. If this estimate is accepted and compared to recent accident data from the State Division of Vital Records (See Table 3), as well as the Department of Fish and Wildlife hunting accident reports, then as high as 40 deaths may occur each year in Kentucky that result from shotgun and rifle accidents in non-hunting situations.

Hunting firearms accidents and non-hunting firearms accidents are compared because the distinction is relevant to the discussion of the pros and cons of hunter safety education. "Gun safety" is a major element in hunter safety education and potentially gun accidents in

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10. Dale L. Shaw, p. 58.

11. National Rifle Association, *Student Manual—Hunter Safety and Conservation Program*, (Washington, D. C., 1976), p. 39.

12. Alan S. Krug, "The Relationship between Firearm Ownership and Crime Rates: A Statistical Analysis," in *Fact Pack II on Firearms Ownership*, ed. Alan S. Krug (Riverside, Conn.: National Shooting Sports Foundation, 1970), p. 68.

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14. A. H. Rohlfing, "Hunter Conduct and Public Attitudes," an unpublished paper, available through National Shooting Sports Foundation, Riverside, Conn.

15. A. H. Rohfling, p. 10.

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17. Captain John Huston Craige, *Practical Book of American Guns*, (New York: Branshall Holl House, 1950), p. 342.

18. KRS 150.015.

19. 301 KAR 2:105.

20. Raymond E. Owen, *A Survey Manual for State Legislators* (Pittsburgh: University Center for International Studies, 1975), p. 13.

TABLE 3

ACCIDENTAL DEATHS
OCCURRING IN KENTUCKY

Year	Total*	Motor Vehicle*	Non-Motor Vehicle*	Firearms*	Firearms as % of Non-Motor Vehicle	Hunting Deaths†
1972	2,142	1,116	1,026	64	6.2	3
1973	2,214	1,110	1,104	59	5.3	4
1974	1,875	818	1,057	58	5.5	3
1975	1,917	898	1,019	53	5.2	2
1976	1,901	911	990	41	4.5	2

SOURCES: * Department for Human Resources, Division of Vital Records
† Department of Fish and Wildlife. Figure included with those listed under firearms.

the home and other non-hunting situations could be reduced if hunter safety education should become more widespread.

Public Perception of Hunting

Another aspect of the safety issue is the public's perception of the safeness of hunting. A few years ago, in response to an apparent rise in anti-hunting sentiment, the National Shooting Sports Foundation commissioned a major advertising agency to study the problem. The agency chose a group from the general public, eliminating those with strong pro-hunting or anti-hunting bias. They asked the people surveyed to rank the seriousness of a list of 115 problems related to hunting, some of which were near-duplications. The problem which the respondents ranked number one was "Hunters don't have to know anything to buy a rifle."[14] Further, the top ten problems all had something to do with unskilled or incompetent hunter performance.

Regardless of the comparative safety of hunting as a sport, the foundation's sponsored survey indicates that the general public does not perceive it as safe. And as Mr. Rohlfing, President of the Foundation at that time, put it, "Whatever the non-hunting public perceives to be true about today's hunter is the truth which we must confront." The agency stated in its report that no amount of advertising could change the general public attitudes "unless some fundamental changes were made in the preparation of hunters and in the ethical manner in which hunters conduct themselves."[15] As a result of the agency's research, the Foundation decided to work closely with the National Association of Hunter Safety Coordinators to make hunter safety training more widespread and help them improve the preparation and performance of hunters.[16]

Arguments Against Hunter Safety

The arguments against mandatory safety measures generally point to the restriction of individual freedom. Typical statements against imposed hunter safety include the following: "My father taught me how to hunt and that is how my son should learn," and "Compulsory hunter education would be just another example of government regulation taking away my rights."

An administrative argument that is made against mandatory education is that when a mandatory program has to cover so many students the program tends to get watered down. Quality control is lost. Some believe that the quality of the education under the voluntary program may be superior.

FOOTNOTES

1. Alan S. Krug, ed., *Fact Pact II* (Riverside, Connecticut: National Shooting Sports Foundation, 1970), p. 5.

2. Lee K. Nelson, "All Hunters Aren't Sportsmen," *Happy Hunting Ground*, May, 1977, p. 18.

3. National Analysts, *Report of Group Depth Interviews in the National Study of Waterfowl Hunters: A Qualitative Study* (U. S. Bureau of Sport, Fisheries, and Wildlife, Contract No. 14-16-0008-648, February, 1973), p. 23.

4. 50 C. F. R. Sec. 80.1 (n).

5. Cleveland Amory, *Man Kind?* Evanston: Harper and Row, 1974.

6. KRS 150.015.

7. Dale L. Shaw, "Anti-Hunting Sentiment: Can We Fight It?," *Field and Stream*, November 1977, p. 58.

8. *Proceedings of the Twenty-Eighth Annual Conference Southeastern Assocition of Game and Fish Commissioners* (White Sulphur Springs, West Virginia, November, 1974) includes the following pertinent essays: F. E. "Bud" Eyman, "Hunter Safety Goes to School. . .A Classroom Challenge to the Anti Crowd"; Robert S. Baker, "Hunter Safty Goes to School. . ."; and Gerald H. Cross and David L. Groves, "The Impact of the Environmental Movement Upon Hunting and Fishing." See also James N. Kerrick, "Hunter Safety Education," *Proceedings of the Twenty-Second Annual Conference Southeastern Association of Fish and Game Commissioners* (Baltimore, Maryland, October, 1968), p. 748.

9. David E. Samuel, "The Conservation Officer's Role in Hunter, Non-Hunter Education," *Proceedings of the Twenty-Seventh Annual Conference Southeastern Association of Fish and Game Commissioners* (Hot Springs, Arkansas, October, 1973), p. 791.

Another potential administrative problem, commonly mentioned by officials in the Kentucky Department of Fish and Wildlife, is that license sales will decline if hunter education is made mandatory. This concern is unsupported, however. Kentucky Department officials, when asked if they could cite any states which had experienced a decline as a result of mandatory education, were unable to do so. Five states (Pennsylvania, Nebraska, Nevada, Illinois, Vermont) with recent experience in instituting mandatory education laws were questioned about this. None reported any evidence of a decline in license sales as a result of mandatory certification. One coordinator was of the opinion that it may have helped sales.

Arguments for Hunter Safety Programs

In the final chapter of his book *The Practical Book of American Guns*, Captain John Huston Craige, a retired Marine Corps Officer, presents a persuasive argument for gun safety training that deserves quoting at some length here because of its pertinence to this study.

> The gun was created for the purpose of killing human beings and has developed into the most efficient killer known to man. In view of their unparalleled lethal powers, it might seem that firearms would be treated with universal caution and respect, but this is far from being the case. Few human implements are handled so carelessly by so many. Guns have no powers of discrimination as to whom they kill and how. In the hands of the ignorant and the thoughtless, they will destroy the gunner himself, his friends, his enemies and the casual passer-by with complete impartiality.
>
> Newspapers frequently tell in headlines of fatal and near fatal accidents to citizens, caused by guns they didn't know were loaded. Every year when autumn rolls around, millions of Americans take to the hunting field with guns in every imaginable state of repair and disrepair. An appallingly large percentage of these enthusiasts have not the faintest notion of how to use their guns correctly or what may happen if they are improperly handled.
>
> This is not only regrettable but entirely unnecessary. Convincing proof of the possibility of complete safety in the handling of firearms on the largest imaginable scale is furnished by the record of target shooting in the United States. Millions of American boys learned to shoot on the

rifle range of the armed services during the first and second World Wars. Millions of shots are fired every year on our country's civilian rifle ranges, and millions more with the scatter-gun at trapshooting and skeet. Yet in more than thirty years of acquaintance with organized target shooting of all descriptions, the writer never has heard of a fatal accident.

The importance of training at the targets as a safety factor in hunting of all kinds has been stressed by many shooting authorities and widely known hunters for years. It frequently has been suggested that some such training be required on the part of all applicants for hunting licenses or for permits to own firearms. This certainly would constitute a long step towards the elimination of shooting accidents and would seem to be in line with intelligent modern procedure. We require applicants for driving licenses to demonstrate their efficiency in handling motor vehicles. Why not make it necessary for prospective users of the much more deadly gun to prove that they know how to handle weapons with reasonable skill and safety to themselves and the public?[17]

These rather strong words are from a strong gun enthusiast, not an anti-gun or anti-hunting advocate.

Like Captain Craige above, hunter safety administrators and others interested in hunter education frequently make an analogy between driver license testing and mandatory hunter education. All fifty states require that drivers meet certain minimum standards before they are allowed to operate an automobile, a machine not designed primarily as an instrument of destruction. In addition, the state and federal government now regulate safety in many industrial procedures where the equipment in use is not nearly as potentially harmful as a gun is.

Disadvantages: The Department of Fish and Wildlife may be reluctant to make hunter education compulsory without the support of a legislative mandate.

Option No. 2

Legislate mandatory hunter safety education. This option could be exercised in one of two similar ways, either of which appears feasible. The first would be to require that each hunter under sixteen show a certificate of competency as defined by the Department before he is issued his first hunting license. The actual language of the bill could vary under this approach; an approach in a number of states is that all hunters born on or after a certain date are required to have a certificate of competency or a prior hunting license. The second alternative would be to require that all first-time hunters have a certificate of competency before they are issued a hunting license. The "first-time hunter" approach would be more comprehensive in the beginning, but would eventually have about the same impact as the "sixteen and under" approach.

Advantages: It is likely to reduce fatalities and serious injuries, particularly among young hunters. Most other states with mandatory hunter education have experienced a decline in hunting accidents.

All hunters covered by the law will enter the field with a basic knowledge of gun safety and other basic hunting skills.

Prospects for creating a more favorable public image of hunters should be improved. Anti-hunter sentiment is not now organized in this state. If more well-trained, well-informed hunters are in the field, the likelihood of a rise of organized anti-hunter sentiment should be reduced.

All Kentucky hunters will immediately qualify for a license in other states with mandatory requirements.

Disadvantages: The ability to buy a hunting license becomes more restrictive. Some hunters feel that this is an unwarranted restriction on their freedom and an insult to their intelligence.

Training will never provide assurance that all hunters will exercise good judgment.

The number of hunters to be trained may put a strain on the resources of the Department, particularly in the beginning. The cost may be double that of continuing the present program. However, most of the additional cost can be derived from federal Pittman-Robertson Funds.

2. The Legislature may want to explore the possibility of requiring hunters to submit hunting accident reports as a number of states now do.

3. Actions to improve hunter-landowner relations and safety should be given consideration by the Legislature and the Department. An example of such action might be stiffer penalties for failure to get landowner permission as required by KRS 150.993.

4. Since accidental death from firearms in non-hunting situations is much greater than in hunting, ways to improve firearms knowledge among non-hunters might also be explored.

Review of Policy Options

The key word in the legislative resolution directing this study is "feasibility." The LRC was directed to study the *feasibility* of a hunter safety certification program. In a narrow sense, this seems to raise questions like "Is it administratively workable?" and, "Is the cost reasonable?" In a broader political sense, the term "feasibility" implies "advisability." This leads to questions such as "Is there significant public support or opposition?" and "Does the available evidence lead one to conclude that the proposed policy is reasonable?" For the legislative analysis that follows, "feasibility" will be used in both senses. Two general policy options which appear to be "feasible" are outlined below and analysed with regard to their advantages and disadvantages.

Option No. 1

Allow the Department of Fish and Wildlife to establish Hunter Safety Certification by administrative regulation when they deem it necessary and appropriate. Under this option, which actually continues present policy, the Department of Fish and Wildlife or the Legislature may want to consider conducting an in-depth evaluation of the present conservation education and hunter education programs in order to discover ways in which they could be strengthened and improved.

This option would not require legislative action, since the Department now has very broad statutory authority and, in fact, they now require certificates for youth deer hunts at Land Between the Lakes. (See letter from Department attorney explaining legal basis.)

Advantages: The Legislature would not have to inhibit the freedom of hunters and possibly risk alienating those who are strongly opposed.

CHAPTER III

FISH AND WILDLIFE DEPARTMENT'S ROLE IN HUNTER EDUCATION

The Department of Fish and Wildlife Resources was originally established in 1944 as an independent agency with broad authority to protect and conserve the fish and wildlife of the Commonwealth. Among the purposes of the Department are insuring a permanent and continued supply of wildlife, promoting the general welfare of the Commonwealth, and providing for the prudent taking of wildlife. The enabling statute further states that the provisions of the Act "shall be liberally construed in such manner as most effectually to carry out its purpose and intent" (KRS 150.015).[18]

In addition, KRS 150.025 allows the Department to adopt regulations to insure an adequate supply of any type of wildlife. In doing so, the Department may regulate the dates of the seasons, bag limits, buying and selling, the device or method of taking, and the places where taking is permitted. Further, the Department may "make any other regulation reasonably necessary to implement or carry out the purpose of this chapter."

According to the opinion of the Department's attorney, submitted in response to an inquiry from the LRC, the Department already has legal authority to require a hunter safety certificate before issuing any type of hunting license. Under the present regulations, the Department requires a hunter safety certificate before children under sixteen may receive a permit to hunt deer at Land Between the Lakes Wildlife Management Area.[19]

The departmental attorney states by letter that the authority of the Department to promote the general welfare of the Commonwealth, as outlined in KRS 150.015, is the legal basis for the present requirement. The opinion further indicates that the Department has the authority to require hunter safety certification of all hunters, if it so desires. (A copy of the LRC inquiry and the Department's response are in Appendix 1.)

The Department established its first conservation education program in 1945, shortly after the Department became independent. Since the beginning, the conservation education program has included elements of hunter safety. In this regard Kentucky has been more pro-

gressive than other states. The Federal law allowing conservation funds to be used for hunter education was not passed until much later.

Presently, the conservation education program includes three aspects: the 5th and 6th grade program, a summer camp for elementary students, and miscellaneous hunter safety courses taught to various public groups. The estimated budget for conservation education in fiscal year '79-'80 is $880,200. About 66% of that budget goes for salaries and personnel cost of instructors and administrators.

Hunter Education in the Schools

The Department's education program in the 5th and 6th grades introduces about 95% of the public and private elementary school students to wildlife and hunting. It consists of seven one-hour meetings (one per month). Each meeting covers a particular conservation topic consistent with the goals of the Department. The programs are presented by the nineteen wildlife conservation education supervisors (teachers employed by the Department) who are assigned to districts and travel from school to school. A sample of a typical plan for a year is included in the table that follows:

TABLE 4

TYPICAL COURSE OUTLINE
5TH AND 6TH GRADE PROGRAM

September	Organization
October	Land Use—Fish and Wildlife Management—Its Value to Me
November	Firearm Safety in the Home
December	Movie 16MM (Supervisor Choice)
January	Mammals of Kentucky
February	Snakes
March	Summer Camp
April	Water Safety

Summer Camp

The Kentucky Department of Fish and Wildlife is one of about three fish and game agencies in the United States which sponsor sum-

CHAPTER VI

FINDINGS, RECOMMENDATIONS, AND POLICY ALTERNATIVES

Findings

The findings in this report can be summarized as follows:

1. Hunter Safety Education is designed to reduce hunting accidents, but almost equal in importance is the objective of improving the hunter's public image.

2. While hunting accidents occur regularly in Kentucky, the available evidence does not indicate that the accident situation is serious or alarming. However, the reliability of the accident data is somewhat questionable.

3. An LRC mail survey to a random group of licensed hunters indicated that the majority who responded favor hunter safety certification, particularly for hunters under sixteen years of age.

4. The experience of those states which now have mandatory hunter education is favorable and the program administrators believe such programs workable and desirable.

5. Presently, the Conservation Education Division in the Department of Fish and Wildlife reaches a significant number of hunters through three programs: 5th and 6th grade monthly classroom sessions in schools, summer camp, and special hunter safety courses.

Some Recommendations

Some recommendations not directly related to the issue of whether Kentucky should have mandatory hunter education flow out of the research for this report. They are presented below for consideration by the Agriculture and Natural Resources Committee and the Department of Fish and Wildlife.

1. The Department of Fish and Wildlife should evaluate its method of recording hunting accidents in order to improve accuracy and comparability of data with that from other states. The present system relies rather heavily on the individual initiative of enforcement officers. (Perhaps a special U. S. Fish and Wildlife Service grant could be obtained to study the accident reporting system.) An additional problem not confined to Kentucky is that U. S. fish and game agencies do not have a standard definition for "hunting accident."

AGE 24:

This program would simply be one more bureaucratic fiasco which would waste taxpayers' hard-earned money.

AGE 51, Campbellsville:

Is this all we are paying you all to do in Frankfort, if so, you need to be replaced. Immediately.

Other Interest Groups

It is very likely that farmers and rural landowners would be in favor of any legislation which might improve the ethical practices of hunters. However, the Farm Bureau, to date, has not taken any formal position regarding such legislation. As was stated previously, there are apparently no organized anti-hunter groups at this time in Kentucky.

mer camps for elementary age children. Currently, about 6,000 boys and girls have the opportunity to benefit from this summer camp experience each year. Elements of a Hunter Study Course constitute a significant part of the summer camp program. As a result, about 1,500 campers each year receive recognized Hunter Safety Certificates upon completion of the camping period. The education supervisors who teach the 5th and 6th grade program act as Camp Counselors during the ten-week summer camping period. (The charge per camper for a week of camping is $23.00.)

Hunter Safety Program

The two programs described above have been established within the Department for more than thirty years and have become part of a tradition. The elementary school program gives introductory broad exposure to wildlife and hunting subjects to almost every school child in Kentucky. The Department speculates that this exposure may partially explain Kentucky's apparently low accident rate. In addition, those children of the same age who attend camp get more in-depth training in hunter education and conservation topics. No attempt was made during this project to evaluate those two programs, but such an evaluation might be pertinent to determining whether there is a need for further hunter education in the state.

Last year (1977), with the encouragement of the Federal agency which administers the funds for wildlife programs, and with their financial assistance, the Department instituted an expanded hunter safety program. Under this program four staff members are assigned full-time to hunter safety. These include a coordinator and three regional training officers (each assigned to about a third of the state). These training officers offer a ten-hour course on hunter safety to any public or private group of twenty or more interested people. The course includes six hours of classroom instruction and four hours of field training. The majority of the courses are presented to youths, although they are open to all ages. Upon completion of the course, and passing a test, a pupil is eligible to be certified a safe hunter and he may use his certificate to acquire a hunting license in those states with mandatory education requirements. (Table 5 shows the basic elements of the present course, Kentucky Hunter Safety.)

AGE 31, Paducah:

I think all fathers should teach their children hunter safety before letting them carry a gun.

AGE 38:

If I have to take a test, I'll hunt without a license. If you want to spend more money, spend it on wildlife conservation and game preserves.

AGE 26, Owensboro:

If there becomes too much red tape involved in hunting legally, most hunters (I would suspect) would take their chances with the law. Personally, I keep beagles and derive most of my pleasure from pack running and don't kill over half a dozen head of game per year. If this amount of shooting gets to be troublesome, the gun and the license can be discarded.

AGE 53, Paducah:

We don't need another law to complicate things.

AGE 20, Leitchfield:

I don't favor legislation on any *more* of my freedoms which are growing fewer and fewer.

AGE 45, Paducah:

I have considered the cost to finance such a program, and have decided this would be a burden on any and all hunters. I also feel it would be an insult to the parents or guardian of children, also visiting hunters in our state.

AGE 19, Eubank, Kentucky:

Did Daniel Boone take a test?

AGE 27:

I have been hunting since I was ten, and thanks to God, I have had no accidents. I'm not putting you or anyone down, but I think all this dum ideals come from people that just look for some new law or rules to make up. Hunters have made out this long without any safety education, so I believe we, the hunters, can make it.

AGE 35, Louisville:

I've been hunting 23 years and have never heard of anything so stupid. There are some things you can't do by a book, and hunting is one of them. My father took me in the woods with an unloaded gun for two years, so I would learn to handle it and be woods wise. My son will do it the same way or neither of us will hunt.

AGE 23:

I don't feel a structured hunter's education program is necessary. I feel that if a test is to be required to receive a hunting license, it should be set up like the driver's license program, a book to read and a test to take before the first-time hunter receives his license.

"My father took me in the woods with an unloaded gun for two years, so I would learn to handle it and be woods wise. My son will do it the same way or neither of us will hunt!"

TABLE 5

KENTUCKY HUNTER SAFETY COURSE PROGRAM SCHEDULE

1st Night

I. Introductions and Explanation of Program
II. History of Hunting and Traditions
III. The Hunter's Responsibilities
IV. Basic First Aid and Survival

2nd Night

I. Firearms and Ammunition
II. Basic Firearm Safety
III. Blackpowder
IV. Archery

Range Work

I. Demonstrations of Different Types of Guns
II. Fundamentals of Shooting (Rifle)
III. Fundamentals of Shooting (Shotgun)
IV. Fundamentals of Archery Shooting
V. Test

Federal Support

Money spent on hunter safety education is reimbursible to the state through the Department of the Interior, Fish and Wildlife Service. Derived from an excise tax on guns and archery equipment, this money is available through a 1970 amendment to the Pittman-Robertson Act (Public Law 16-669). The pertinent section of that act specifies a 75 federal-25 state matching program for hunter safety programs or public target ranges or both. The amount of money spent on hunter safety is at the option of the state, but based on a federal formula designed to apportion the money fairly among the states, there is a ceiling which determines the maximum amount of money which the states may receive for hunter safety. In recent years, at the option permitted under the federal regulations, the Kentucky Department of Fish and Wildlife has chosen to use some of the available money for other wildlife conservation programs. In federal fiscal year '76, the

Department applied about 75% of the federal money available for hunter safety toward hunter safety. The Department derives its state matching funds from license fees and other receipts. In federal fiscal year 1978, $290,562 in Pittman-Robertson Funds were available to Kentucky for hunter safety.

Cost Analysis of a Mandatory Program

A natural question which arises during the consideration of any legislation is how much it will cost. Without the precise wording of a statute or proposed legislation, estimates can only be very general. However, based on a combination of Fish and Wildlife and LRC staff figures, it is estimated that 25,000 students would need to be certified annually by 1982 if "16 year olds and under" were required to be certified.

Even more difficult to estimate is the number who would need to be certified under the "first time hunter" version of the law, since the Department does not now record when a hunter is initially licensed. However, in other states with a similar law the number of certifications tends to range between five and ten percent of resident license holders. Kentucky has had about 300,000 license holders in recent years. This means the "first time hunter" version of the law might require 28,000 to 30,000 to be certified. Both of the above estimates may be considered maximums; it's possible that the actual number certified would be lower.

Using a figure of $11.50 per student for a program staffed primarily by volunteer instructors, the cost for 25,000 students would be $287,500 (Table 6). For 30,000 students, the cost would be $345,000. Depending upon the priorities of the Department and the federal regulations at the time, it is probable that a large share of this cost could be subsidized by federal Pittman-Robertson Funds, as explained above. The Department's federal allocation for fiscal year 1978 would support a total program costing $387,416. This includes about $97,000 in agency matching funds. Colorado currently certifies about 21,000 students at a total program cost of $180,000. Missouri certifies 25,000 with a total program costing less than $250,000.

AGE 26, Cincinnati:

Safety in the field not only protects the hunter, it protects others in the woods.

AGE 17, California, Kentucky:

Yes, I think all hunters should take some kind of test before they get their first license because accidents do happen but they could be cut down a little bit.

AGE 29, Corbin:

I think all deer hunters should have some kind of education in the dangers of shooting high power rifles.

AGE 20, Louisville:

I feel that a general test could be given to anyone that applies for a license and those who didn't pass it should be required to take the hunter safety education class and take another test.

AGE 26, Campbellsville:

This should have been law a long time ago.

Those opposed to all types of mandatory education:

AGE 31:

I love hunting. Not so much for the killing, but for the opportunity to enjoy the peace and quiet nature has to offer. We are a nation of *laws* and *mandatory* requirements. Safety is something that should be practiced in everything you do. Does this mean a mandatory law is required to teach safety to peel an apple, or light a match? No. I don't think so. Safety should be a basic "survival" course taught from our babies to death.

If anything were to make an improvement in hunting, fishing, boating, driving, etc., a basic safety education course provided by our schools should be a good answer.

"In order that future hunters may be made welcome on farmlands, a hunter safety program such as this is necessary."

AGE 34, Leitchfield:

It sure would be safer for all hunters if more hunters were more safety conscious. But who's going to pay tab on all of these safety courses? Us taxpayers?

AGE 51:

This all seems a matter of common sense of the hunter. I taught my two sons, and well, as they always observe all safety rules. Certain incidents have proven this. The modern teenager under sixteen is changing, city bred and raised, and probably needs instruction in safety.

AGE 33, Owensboro:

I feel that deer and dove hunting with inexperienced and young hunters is the most dangerous.

AGE 29:

As many needless and careless things that happen in the fields, some action is warranted. I don't blame a lot of farmers for not letting others hunt when some idiot kills a cow, or worse another man. More precise screening of hunters is needed at once.

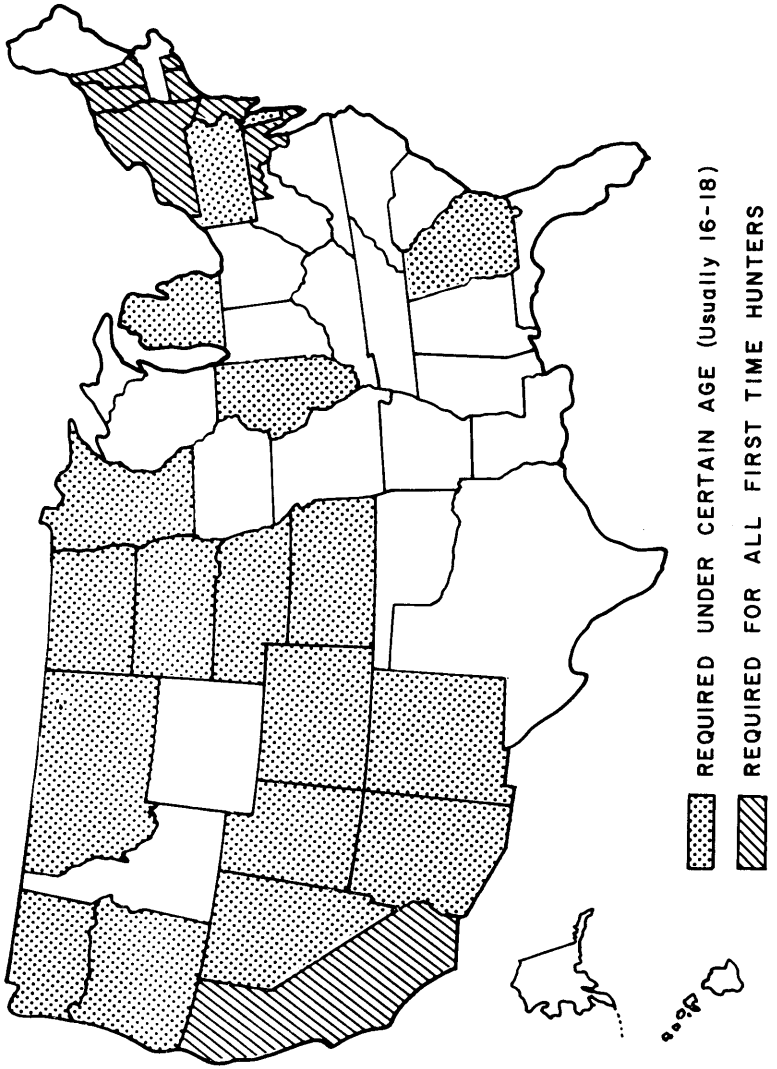
TABLE 6

POTENTIAL COST
FOR
HUNTER SAFETY CERTIFICATION PROGRAM

No. of Students	Cost Per Student			
	$13.00	$11.50	$10.00	$8.00
15,000	195,000	172,500	150,000	120,000
20,000	260,000	230,000	200,000	160,000
25,000	325,000	287,500	250,000	200,000
30,000	390,000	345,000	300,000	240,000

FIGURE 2

States With Mandatory Hunter Safety Laws



Typical Comments from Hunters

Typical comments received from hunters in the mail survey are reported below. The age of the respondent and the postmark or town on the envelope are reported if known.

Those in favor of some form of mandatory hunter education:

AGE 25, Ashland:

It's the few inexperienced hunters who would shoot anything that moves that gives hunters a bad name. A hunter safety education would give these people valuable information concerning hunting and make the woods safer for all hunters. I do and would support such a requirement.

AGE 42, Louisville:

I think this is a damn good thing and should be put into action.

AGE 44, Louisville:

Although my participation in hunting has somewhat diminished, my love for the sport has not. I think it is a Kentucky heritage that should be available to all citizens of this Commonwealth. In order that future hunters may be made welcome on farmlands, a hunter safety program such as this is necessary.

AGE 65, Louisville:

Though age 65 and lifetime experience, I am thinking of my sons (hunters), grandson and overall public safety.

AGE 30, Louisville:

We have needed this type of program for years.

AGE 21:

There is a need for basic training and safety to help prevent, or at least reduce injury and death while hunting. I'm glad to see someone doing something about it.

TABLE 12

MANDATORY SAFETY EDUCATION AND
ITS EFFECT ON LICENSE PURCHASES

(All respondents)

Question:	Response		
If you were required to take hunter safety education and pass a basic test, would you purchase a license?	Yes	Undecided	No
	62%	20%	17%

TABLE 13

ATTITUDE OF RESPONDENTS WHO OPPOSE MANDATORY
CERTIFICATION TOWARD LICENSE PURCHASE

Attitude Toward Mandatory Education for All Hunters	If you were required to take hunter education and pass a basic test, would you still purchase a license?			
	Total	Yes	Undecided	No
Strongly Disagree	77	24	25	22
Disagree	61	41	11	9

Survey Summary

The conclusions indicated by the hunter survey are as follows:

(1) The majority of hunters do see a need for hunter safety education for young and first-time hunters.

(2) The most favored program would be the "16 and under" approach.

(3) The inclusion of some type of "grandfather" clause would remove considerable potential opposition.

(4) Hunters say they would not refuse to buy a license if a mandatory hunter education law should pass.

CHAPTER IV

HUNTER EDUCATION IN OTHER STATES: EXPERIENCE AND TRENDS

Twenty-six states now have some form of mandatory hunter safety education (See Figure 2 and Table 7). Georgia, the only one in the Southeast, only recently passed its legislation, which is due to go into effect in 1979. The Mississippi and Indiana Fish and Game Agencies plan to introduce legislation in their 1979 legislative sessions. All Southern states except Georgia have some form of "voluntary" program. In a "voluntary" program "certificates of competency" are issued to persons who take a brief course and pass a test of basic skills, but a certificate is not required to obtain a license. This is what Kentucky now has. In both "mandatory" and "voluntary" states, the hunter education program is usually supported by the 75% federal subsidy permitted under the Pittman-Robertson Act.

The Hunter Safety Coordinators of the twenty-six mandatory states were mailed a brief two-page questionnaire as a part of this study. The primary purpose of the survey was to identify the major features of their present law and to solicit their experience in operating under the law. A list of the mandatory states is included in Table 7. Most of the information reported about the states is derived from the survey, to which twenty-three of the twenty-six states responded.

TABLE 7

States Requiring Hunter Safety

All First Time Hunters

California	New Jersey
Connecticut	New York
Maryland	Rhode Island
New Hampshire	Vermont

Youth Below a Specified Age

Arizona	Michigan	North Dakota
Colorado	Minnesota	Oregon
Delaware	Montana	Pennsylvania
Georgia	Nebraska	South Dakota
Illinois	Nevada	Utah
Kansas	New Mexico	Washington

The concept of mandatory hunter education was initiated by New York state in 1949. During the 50's, Connecticut, Rhode Island, New Jersey, and five western states, including California, followed New York's lead. In the early 1960's Oregon, New Hampshire and Utah went to mandatory hunter education. Since 1970, twelve states have passed similar legislation. The southeastern region has been the least receptive toward mandatory hunter education, Georgia being its only mandatory state.

As Table 7 indicates, the people required to have a safety certificate before being issued a license under these laws can be grouped into two broad categories: "all first-time hunters" and "persons of a certain birthdate." As might be expected, each state has its own adaptations and variations of these basic approaches. Both approaches are designed to "grandfather in" either experienced or older hunters. No state has gone to the point of requiring safety training immediately for all hunters. The impact of the "first-time hunter" approach is greater immediately after passage. However, the "birthdate" approach becomes more comprehensive as time goes on; for example, Colorado passed its law in 1970, requiring training for those born "on or after January 1, 1949." At the time of passage it covered all those under 21. Now it binds all those under 29. Under either system, eventually there are no licensed hunters in the field who have not had the minimum safety training. In some states, the "birthdate" approach is written in such a way that the youth are required to show certificates of competency only while they are youth. For example, in Arizona, youth between the ages of 10 and 14 who hunt big game are required to show a certificate of competency. This is the least restrictive approach of any of the mandatory states.

Two types of exemptions are common: non-resident hunters and landowners. Eight states among the twenty-three who responded exempt non-resident hunters from their law. Seven states exempt landowners hunting on their own land. However, nine states do not allow

TABLE 11

ATTITUDE TOWARD HUNTER SAFETY EDUCATION/AGE 51 AND ABOVE

Question:	All First-time Hunters	Hunters 16 Years Old or Younger	All Hunters
Response:			
Strongly Agree	13	17	6
Agree	4	5	5
Undecided	1	1	2
Disagree	8	6	6
Strongly Disagree	10	7	17
Total	36	36	36

A contention of some members of the Fish and Wildlife Department is that hunters forced to take training courses would not purchase a license. At the suggesstion of a Department official, a question was included to assess hunter's attitudes on purchase of a license if hunter education were made mandatory. Table 12 outlines the respondent's answers to whether hunter education would discourage license purchases. If the hunters who responded are typical, it appears that hunters would continue to hunt despite restrictions placed on license purchases. Several respondents stated in their comments that they would hunt without a license, but they represent a small minority.

Table 13 is further indication that hunting license purchase would not be affected. This table indicates that even those who do not agree with education for all hunters would continue to purchase licenses if such education were mandatory. Approximately two-thirds of the hunters surveyed were opposed (either mildly or strongly) to a program mandatory for all hunters. Of those in this group who strongly disagreed about 64% said "yes," they would still buy a license, or they were undecided. Of those who mildly disagreed, 85% said "yes," or they were undecided.

TABLE 9

ATTITUDE TOWARD HUNTER SAFETY EDUCATION/AGE 25 AND UNDER

Question:	All First-time Hunters	Hunters 16 Years Old or Younger	All Hunters
Response:			
Strongly Agree	15	25	4
Agree	29	19	12
Undecided	3	1	4
Disagree	6	8	23
Strongly Disagree	5	5	15
Total	58	58	58

TABLE 10

ATTITUDE TOWARD HUNTER SAFETY EDUCATION/AGE 26-50

Question:	All First-time Hunters	Hunters 16 Years Old or Younger	All Hunters
Response:			
Strongly Agree	42	49	13
Agree	27	24	20
Undecided	6	6	6
Disagree	17	16	31
Strongly Disagree	22	19	44
Total	114	114	114

any exemptions. This means Kentucky hunters who visit any of those nine states will need a safety certificate before obtaining a license there. One state exempts bow hunters and another exempts non-resident waterfowl hunters.

The minimum number of hours of required instruction ranges from six to sixteen, with six to eight being the most common. Kentucky, under its voluntary program, now requires ten hours. Some states require field experience with live ammunition, but the majority do not. Some of those who do not require it reported that they encourage field experience, but do not insist on it.

Twenty-one out of twenty-three states reported that 75% of their program was supported by federal funds. Most commonly the balance of the program is supported by in-kind contributions from agency funds or from the time of volunteer instructors.

The mandatory states were asked to estimate the cost per certified student. Among replies of those who were able to answer this question, estimates ranged from $1.50 in South Dakota to $10 in Washington, with most states reporting in the average range of from $3 to $5 per student. Typically, few full-time employees are required to staff a hunter safety program. All programs use volunteer instructors, which enables fish and game agencies to reach the large numbers of students who need to be certified. Also, agencies usually use their regular staff, such as conservation officers, in such aspects of the program as recruitment and coordination. Of the states surveyed, the highest number of employees assigned to the program was twelve in New York.

One of the reasons for having hunter education is to improve the image of the hunter with the general public. In an attempt to assess the impact of this effort, each state was asked the following question: "Do you have any evidence that the image of the hunter in your state has been enhanced as a result of your program?" The responses on image improvement did not yield any hard evidence, but did reveal that all administrators felt that their program was having a positive effect. The answers can be grouped as follows: five states said "image" is difficult to assess, but that what comments they have received have been positive. Five others cited favorable oral and written comments from hunters and the general public. The others simply said they had no evidence. One cited their accident report as evidence of image improvement. New York State said they planned a formal evaluation for '78-'79.

Each state was also asked whether they had any evidence of a reduction of hunting accidents as a result of their hunter education

program. Results from the 23 states were as follows: a. Accidents have been reduced—14; b. No evidence available—6; c. Average accident level remained about same, but no trained person has had firearm accident—2; d. Law not in effect yet—1.

Ten states sent copies of their accident reports. All those reports with information from more than one year showed improved accident records. Others, without sending copies of reports, simply stated that their accident record had improved. In addition, the Pennsylvania Hunter Safety Coordinator said in a phone conversation that the number of accidents in his state had decreased despite an increase in hunters. Most commonly, the reporter showed that basic safety rules were being violated when the accident occurred.

At the end of the questionnaire, each hunter safety administrator was offered an opportunity to make general comments. The general tone of those who commented on the value of hunter education was positive.

In a letter in response to the state survey, Mr. William A. Rollins, Hunter Safety Coordinator in Nevada, commented as follows:

> I can only state that no hunter who has passed our course has been involved in a firearms accident, hunting-related or otherwise.
>
> I have found that a person schooled in conservation, management, ethics and responsibility to our natural resources and to his fellow man almost automatically acquires and accepts the principles of firearms safety. This does not mean we de-emphasize the safety factor but put it in its proper place in the curriculum.

Mr. John E. Davis, Hunter Training Coordinator in New Mexico commented as follows:

> We strongly believe that hunter education has many side benefits. We dictate a minimum of eight hours of classroom instruction but most courses are of 12-13 hours. It incorporates a sound basic firearms course plus material we deem critical. We use the revised NRA (National Rifle Association) Hunter Safety and Conservation Program manuals. We consider the HTP (Hunter Training Program) as being the only avenue presently open to bring about needed changes in hunter attitudes and conduct, therefore changing the image the public has of the hunter and shooter.
>
> The various hunting seasons of the past fall and winter attest to the HTP's success. Bear, antelope, deer,

A significant change develops in the response of hunters when mandatory hunter safety education for all hunters is proposed. Only 29% of the hunters agree that safety education should be required of everyone purchasing a license, while 66% disapprove of implementation of such a broad-scale program. The opposition to this option is quite strong. Nevertheless, it is somewhat surprising that nearly a third of responding hunters are effectively saying that they would not object if they themselves had to present a hunter safety certificate before receiving their license.

One hundred sixty-one out of the 210, or 77%, were in support of at least one of the forms of mandatory hunter education. This portion of the survey suggests that hunters see a need for mandatory education and favor such a program. However, the majority believe that previously licensed hunters should be exempted. The hunter's responses could reflect that

(1) a need is perceived for safety education for new and younger hunters only; or

(2) the implementation of such a program is favored if they are exempted from its requirements.

The questionnaire asked the hunters to identify themselves by age and number of years of hunting experience. Tables 9, 10, and 11 indicate whether the respondent's age and experience affected his attitude toward implementation of a program.

Earlier in this chapter, Table 8 showed that 63% of all respondents agree with a mandatory education program for all first-time hunters. However, there is a difference in percentages when each age group is examined. The 25-and-under age group respond with 61% in favor of mandatory education for all first-time hunters, and 74% of the 26 to 50-year-old respondents are in favor of education for all first-time hunters. However, only 47% of the 51-and-over age group favor implementation of the program at this level. Significantly, the 25-and-under group, which is closest in age to the hunters who might be affected by mandatory education, agreed the most strongly with the safety program for first-time and younger hunters.

The final question of the survey involved mandatory education of all hunters. All three age groups were opposed to the implementation of such a comprehensive program.

(1) First-time hunters
(2) Sixteen-year-old and younger hunters
(3) All hunters, regardless of prior experience.

The questionnaire consisted of five questions regarding hunting. Question three was a three-part question relating to hunter groups which could feasibly be brought into a mandatory program. The first asked if the hunter was in favor of hunter safety education for all first-time hunters; the second, mandatory education of all hunters 16 or younger; and the third, mandatory education of all hunters. The final question in the survey asked the hunter if he would continue to purchase a license should mandatory safety education be required. A copy of the questionnaire and cover letter are included in the appendices.

TABLE 8

PERCENTAGE AGREEMENT AND DISAGREEMENT WITH MANDATORY EDUCATION BY PROGRAM

Question:	All First-time Hunters	Hunters 16 Years Old and Under	All Hunters
Response:			
Strongly Agree	34 %	44 %	11 %
Agree	29 %	23 %	18 %
Undecided	5 %	4 %	6 %
Disagree	15 %	14 %	29 %
Strongly Disagree	18 %	15 %	37 %

Table 8 shows the percentage in agreement or disagreement with the three types of mandatory hunter safety programs. The results, as tabulated in the table, reflect majority support for mandatory safety education for hunters in two categories. The greatest support was for the program involving education of hunters sixteen years of age or younger, with 44% "strongly favoring" such a program and 23% "favoring." Thus 67% either agreed or agreed strongly with the "16-year-old" approach.

The responding hunters also showed strong agreement with mandatory education of all first-time hunters regardless of age. Of the 210 hunters responding to the survey, approximately one-third (71) were strongly in favor of mandtory safety education for first-time hunters. Sixty-three percent showed some agreement (i.e. "agree" or "agree strongly") with this type of program, while 33% disagreed.

turkey, upland game bird, waterfowl, elk, ibex and oryx were hunted here. There were no hunter fatalities during those several months. Firearms mishaps of all kinds are declining in New Mexico despite greater participation.

In summary, the responses from the fish and game agencies indicate that they are positive about the programs which they administer. The majority believe that hunter education is having a favorable impact on the attitudes and safety practices of hunters. From a research point of view, this evidence is not as good as an independent third party assessment, but it is one indication of feasibility from those who have experienced compulsory hunter education. Most believe in their law. Some would like to make some adjustments in their law, often to make it more comprehensive. As far as can be determined, no state has repealed its law or is considering a repeal. In addition, the trend in the 70's for states to pass mandatory hunter education legislation which other states have had for twenty to thirty years is probably further indication that the "mandatory" states have had a reasonably favorable experience with it.

CHAPTER V

ATTITUDES OF KENTUCKY HUNTERS

The people most affected by any hunter education law are the hunters themselves, though the general public would benefit from any increase in safety. Hunters would encounter both the inconveniences and the principal benefits of the law. In order to assess hunter attitudes toward such a law, a mail survey of licensed Kentucky hunters was conducted.

A mail survey has the limitation that it tends primarily to elicit responses from the parties most interested in a subject.[20] However, budget and time limitations did not allow a personal interview approach to this aspect of the study. Eight hundred sixty-six licensed hunters were mailed a one-page questionnaire. Discounting those returned because of incorrect addresses, more than 26% of those surveyed responded.

The hunters surveyed were chosen out of eighteen counties in the state. The Fish and Wildlife Department recognizes for administrative purposes nine conservation districts. Hunters were selected from one urban county and one rural county in each of the nine districts. Some of those selected were holders of combination hunting and fishing licenses, and some were holders of resident hunting licenses. The records are kept by the Department in small receipt-type books, with a maximum of 50 licenses per book. The books are stored in cardboard boxes by county. The hunters chosen to be surveyed were selected at random from these records.

Results

Two hundred ten Kentucky hunters responded to the survey. The respondents ranged in age from eleven to sixty-five. Hunting experience ranged from one to fifty-five years. The average age of the hunters who replied was 34.6 years; the average hunting experience was 20 years.

This survey was designed to examine three basic areas involving mandatory hunter safety education. The survey sought answers from hunters on the acceptability of an educational program for: