

SUBSTITUTE FOR
SENATE BILL NO. 446

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 40111a (MCL 324.40111a), as amended by 2009 PA
199; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40111a. (1) The commission, after consultation with the
2 commission of agriculture **AND RURAL DEVELOPMENT**, shall issue in the
3 manner provided in section 40113a an order concerning deer and elk
4 feeding in this state.

5 (2) As used in this section, "deer and elk feeding" means the
6 depositing, distributing, or tending of feed in an area frequented
7 by wild, free-ranging white-tailed deer and elk to prevent them
8 from starving or for recreational viewing. Deer and elk feeding
9 does not include any of the following:

1 (a) Baiting to take game as provided by an order of the
2 commission under section 40113a.

3 (b) The scattering of feed solely as the result of normal
4 logging practices or normal agricultural practices.

5 (c) The storage or use of feed for agricultural purposes if 1
6 or more of the following apply:

7 (i) The area is occupied by livestock actively consuming the
8 feed on a daily basis.

9 (ii) The feed is covered to deter wild, free-ranging white-
10 tailed deer and elk from gaining access to the feed or is being
11 used on a daily basis.

12 (iii) The feed is in a storage facility or is stored in a
13 manner that is consistent with normal agricultural practices.

14 (d) Feeding wild birds or other wildlife if done in such a
15 manner as to exclude wild, free-ranging white-tailed deer and elk
16 from gaining access to the feed.

17 (3) This section is repealed effective January 1, ~~2016~~-2020.