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**SFA****BILL ANALYSIS**

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House Bill 4499 (Substitute H-3 as reported by the Committee of the Whole)

Sponsor: Representative Rick Johnson

House Committee: Agriculture and Resource Management

Senate Committee: Natural Resources and Environmental Affairs

### **CONTENT**

The bill would amend the Natural Resources and Environmental Protection Act to provide that by September 1, 1999, the Natural Resources Commission (NRC), after consultation with the Agriculture Commission, would have to issue an order concerning deer and elk feeding. The bill would be repealed December 31, 2004.

The order would take effect October 1, 1999, and would have to do all of the following in the Lower Peninsula: prohibit a person from engaging in deer or elk feeding unless it was for recreational viewing purposes; require that the feed be deposited or distributed within 100 yards from the person's residence on land owned or possessed by that person; and establish any other reasonable conditions for deer and elk feeding for recreational viewing purposes consistent with the bill's requirements. The order also would have to establish deer feeding criteria in the Upper Peninsula. In addition, the NRC, after consultation with the Agriculture Commission, could issue an order that would prohibit all deer and elk feeding in all or part of the State if the NRC considered it necessary to manage wildlife populations properly or to control or eradicate disease.

The bill provides that after three years after its effective date, an order issued under the bill concerning baiting to take deer or elk or deer or elk feeding could not make a distinction between the depositing or distribution of feed by hand or by a mechanical device, whether the mechanical device was operated by human power or otherwise.

"Deer or elk feeding" would mean the depositing, distributing, or tending of feed in an area frequented by wild, free-ranging white-tailed deer or elk. The term would exclude the feeding of wild birds or other wildlife if done as to exclude deer and elk from gaining access to the feed; the scattering of feed solely as the result of normal logging practices, or normal agricultural practices; baiting to take game as provided by an NRC order; or the storage or use of feed for agricultural purposes if any of the following applied: the area was occupied by livestock actively consuming the feed, the feed was covered to deter deer or elk from gaining access, and/or the feed was in a storage facility consistent with normal agricultural practices.

MCL 324.40102 et. al

Legislative Analyst: N. Nagata

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government. The Natural Resources Commission is currently debating the issue of deer feeding and is authorized to take this action.

Date Completed: 6-9-99

Fiscal Analyst: G. Cutler

floor/hb4499 (H-3)

Analysis available @ <http://www.michiganlegislature.org>

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