

# Legislative Analysis



## EXTEND DEER AND ELK FEEDING BAN

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**Senate Bill 926 as passed by the Senate**

**Sponsor: Sen. Michelle A. McManus**

**Senate Committee: Natural Resources and Environmental Affairs**

**House Committee: Conservation and Outdoor Recreation**

**Complete to 12-8-04**

## A SUMMARY OF SENATE BILL 926 AS REPORTED FROM COMMITTEE 12-8-04

Section 40111a of the Natural Resources and Environmental Protection Act requires the Natural Resources Commission to issue an order by September 1, 1999 concerning deer and elk feeding. The section is to be repealed effective December 31, 2004. The bill would, instead, repeal the section on January 1, 2010.

The act provides that the order shall prohibit deer and elk feeding in the Lower Peninsula except for recreational viewing purposes. The act further requires the order to require that feed deposited for recreational viewing purposes shall be within 100 yards from the individual's residence and on land owned by that person, and permits the order to establish other reasonable conditions on feeding for recreational purposes. The act provides that the order shall also establish criteria for deer feeding in the Upper Peninsula.

The act also provides that the NRC may issue an order that prohibits all deer and elk feeding in all or part of the state if doing so is necessary to properly manage wildlife populations or to control or eradicate disease.

MCL 324.40111a

**Note:** A substitute is expected to also delete a sunset date of 12-31-04 for Section 40111a that is contained in Section 42702 (MCL 324.42702) of the Natural Resources and Environmental Protection Act.

## BACKGROUND INFORMATION:

The feeding order is contained in Section 3.100a of the NRC's Wildlife Conservation Order. The order prohibits feeding deer and elk in Alcona, Alpena, Crawford, Montmorency, Oscoda, Otsego, and Presque Isle counties. In the remaining counties, individuals are prohibited from deer and elk feeding, unless it is for "recreational viewing" – that is, feeding for the purpose of viewing wildlife.

A person may engage in feeding for recreational viewing with the following conditions: (1) the feed is placed within 100 yards from the person's residence and on land owned by that person; (2) the feed is placed at least 100 yards from any area that is accessible to

cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae, and no more than 100 yards from a residence; (3) the volume of feed placed on the ground cannot exceed two gallons per residence at any time; and (4) any type of feed materials may be used as feed.

Finally, the NRC order provides that if Chronic Wasting Disease (CWD) is documented within the state or within 50 miles of the state's borders in an adjoining state or Canadian province, the director of the Department of Natural Resources shall issue an interim order banning the use of bait and banning the feeding of deer and elk within the peninsula that is adjacent to the adjoining state or province with CWD or containing CWD.

**FISCAL IMPACT:**

The bill would have no fiscal impact on the state or local units of government.

**POSITIONS:**

The Department of Natural Resources supports the bill. (12-8-04)

The Department of Agriculture supports the bill. (12-8-04)

The Michigan United Conservation Clubs supports the bill. (12-8-04)

The Michigan Farm Bureau supports the bill. (12-8-04)

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