

Legislative Analysis



DEER & ELK FEEDING

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 6234

Sponsor: Rep. Mark Meadows

Committee: Tourism, Outdoor Recreation and Natural Resources

Complete to 6-22-10

A SUMMARY OF HOUSE BILL 6234 AS INTRODUCED 6-1-10

The bill would revise a provision that excludes some feeding of wild birds and other wildlife from the meaning of "deer and elk feeding."

The Natural Resources Commission (NRC) has been given authority to regulate deer and elk feeding under Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act – in particular, Section 40111a (MCL 324.4011a). According to the Department of Natural Resources and Environment (DNRE), deer and elk feeding can facilitate the spread of contagious diseases such as bovine tuberculosis (TB) and chronic wasting disease (CWD). Section 40111a was amended most recently by Public Act 199 of 2009 to revise what is and what is not considered "deer and elk feeding," and to extend NRC authority to regulate deer and elk feeding until January 1, 2016. Under the current Wildlife Conservation Order (Section 3.100a), issued under Section 40111a, deer and elk feeding is completely banned in Michigan's Lower Peninsula, and allowed in the Upper Peninsula only for certain purposes (recreational viewing and supplemental feeding), if specific rules are followed.

Under Section 40111a(2) of the Natural Resources and Environmental Protection Act, the term "deer and elk feeding" means "the depositing, distributing or tending of feed in an area frequented by wild, free-ranging white-tailed deer and elk to prevent them from starving or for recreational viewing." On the other hand, currently under Section 40111a(2)(d), "*feeding wild birds or other wildlife*" is not considered "deer and elk feeding," *if done in a manner that prevents wild, free-ranging white-tailed deer and elk from gaining access to the feed.* (The act also contains other exceptions.)

House Bill 6234 would revise this exception to exclude the "***incidental feeding of wild, free-ranging white-tailed deer and elk during the feeding of wild birds or other wildlife***" from the definition of "deer and elk feeding." The requirement that the feeding of birds or other wildlife be done in a manner that prevents deer and elk from gaining access to the feed would be deleted. "***Incidental feeding***" would mean that "***the primary purpose of the feeding was not to provide food to wild, free-ranging white-tailed deer and elk.***"

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Shannan Kane
Fiscal Analyst: Viola Bay Wild

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

Analysis available at <http://www.legislature.mi.gov>

Page 1 of 1