

EXTEND SUNSET ON DEER AND ELK FEEDING

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Senate Bill 446 (S-1 substitute as passed by Senate)

Sponsor: Sen. Rick Jones

House Committee: Natural Resources

Senate Committee: Outdoor Recreation and Tourism

Complete to 11-30-15

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

SUMMARY:

Section 40111a of the Natural Resources and Environmental Protection Act (NREPA) requires the Natural Resources Commission to issue an order regulating deer and elk feeding in Michigan. The order delineates where such feeding is prohibited in the state and where it is permitted and under what conditions. The section is scheduled to be repealed on January 1, 2016. Under Senate Bill 446, this sunset provision would be extended so that the section would be scheduled for repeal effective January 1, 2020. This sunset date has been extended several times since Section 40111a was first enacted.

This bill is similar to House Bill 4908, with the exception that House Bill 4908 would eliminate the sunset and leave Section 40111a in place indefinitely.

BACKGROUND INFORMATION:

Current deer and elk feeding orders can be found (beginning at page 7) at:
http://www.michigan.gov/documents/ChapterIII_128581_7.pdf

Deer and Elk feeding is defined as 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. Deer and elk feeding does not include any of the following:

- Baiting to take game as provided by an order of the commission issued under this section.
- The scattering of feed solely as the result of normal logging practices or normal agricultural practices.
- The storage or use of feed for agricultural purposes if one or more of the following apply:
 - The area is occupied by livestock actively consuming the feed on a daily basis.
 - The feed is covered to deter wild, free-ranging white-tailed deer and elk from gaining access to the feed or is being used on a daily basis.
 - The feed is in a storage facility or is stored in a manner that is consistent with normal agricultural practices.
- Feeding wild birds or other wildlife if done in such a manner as to exclude wild, free-ranging white-tailed deer and elk from gaining access to the feed.

FISCAL IMPACT:

The bill would have no fiscal impact on the Department of Natural Resources or local units of government.

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