



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 37 (as introduced 1-16-19)
Sponsor: Senator Curtis S. Vanderwall
Committee: Natural Resources

Date Completed: 4-8-19

CONTENT

The bill would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act to amend provisions pertaining to deer or elk feeding, and to allow deer or elk baiting during the open seasons for those animals.

Part 401 requires the Natural Resources Commission (NRC), after consulting with the Commission of Agriculture and Rural Development, to issue an order concerning deer and elk feeding in the State. Part 401 also defines "deer and elk feeding" and specifies actions that do not constitute deer and elk feeding. The bill would eliminate this language and, instead, would allow an individual to engage in deer or elk feeding in Michigan. Also, the bill would allow an individual to engage in deer or elk baiting in the State during the open seasons for deer or elk.

"Deer or elk feeding" means the depositing, distributing, or tending of feed in an area frequented by wild, free-ranging white-tailed deer or elk. The term does not include any of the following:

- 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.
- 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:
 - a) the area is occupied by livestock actively consuming the feed on a daily basis; b) the feed is covered to deter wild, free-ranging white-tailed deer or elk from gaining access to the feed; or c) the feed is in a storage facility that is consistent with normal agricultural practices.

The term also does not include baiting to take game as provided by an NRC order. Under the bill, the term would not include deer or elk baiting.

"Deer or elk baiting" would mean the depositing, distributing, or tending of feed in an area frequented by wild, free-ranging white-tailed deer or elk to aid in the taking of deer or elk. The term would not include any of the following:

- 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.
- 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 applied:
 - a) the area was occupied by livestock actively consuming the feed on a daily basis; b) the feed was covered to deter wild, free-ranging white-tailed deer or elk from gaining access to the feed; or c) the feed was in a storage facility that was consistent with normal agricultural practices.

MCL 324.40102 & 324.40111a

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Abbey Frazier

SAS\S1920\s37sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.