

HOUSE BILL No. 4198

February 5, 2009, Introduced by Reps. Lahti, McDowell, Sheltroun, Hansen, Spade, Booher and Lindberg and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111a (MCL 324.40111a), as amended by 2004 PA 537.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40111a. (1) By September 1, 1999, the commission, after
2 consultation with the commission of agriculture, shall issue in the
3 manner provided in section 40113a an order concerning deer and elk
4 feeding. The order shall take effect October 1, 1999 and shall do
5 all of the following in the lower peninsula:

6 (a) Prohibit a person from engaging in deer or elk feeding
7 unless the deer or elk feeding is for recreational viewing
8 purposes.

9 (b) Require that the feed be deposited or distributed not more

1 than 100 yards from the residence of the person engaged in deer or
2 elk feeding for recreational viewing purposes on land owned or
3 possessed by that person.

4 (c) Establish any other reasonable conditions for deer and elk
5 feeding for recreational viewing purposes that are consistent with
6 the requirements of this section.

7 (2) The order issued under subsection (1) shall also establish
8 criteria for deer feeding in the Upper Peninsula.

9 (3) Notwithstanding subsections (1) and (2), the commission,
10 after consultation with the commission of agriculture, may issue in
11 the manner provided in section 40113a an order that prohibits all
12 deer and elk feeding in all or part of this state if the commission
13 considers the prohibition to be necessary to properly manage
14 wildlife populations or to control or eradicate disease.

15 (4) An order under this part concerning baiting to take deer
16 or elk or concerning deer or elk feeding shall not make a
17 distinction between the depositing or distributing of feed by hand
18 and the depositing or distributing of feed by a mechanical device,
19 whether the mechanical device is operated by human power or
20 otherwise.

21 (5) This section is repealed effective January 1, ~~2010~~2016.