

Act No. 199
Public Acts of 2009
Approved by the Governor
December 29, 2009
Filed with the Secretary of State
December 29, 2009
EFFECTIVE DATE: December 29, 2009

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Reps. Lahti, McDowell and Lindberg

ENROLLED HOUSE BILL No. 5380

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 40111a (MCL 324.40111a), as amended by 2004 PA 537.

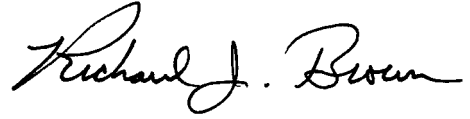
The People of the State of Michigan enact:

Sec. 40111a. (1) The commission, after consultation with the commission of agriculture, shall issue in the manner provided in section 40113a an order concerning deer and elk feeding in this state.

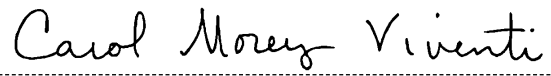
(2) As used in this section, "deer and elk feeding" means the depositing, distributing, or tending of feed in an area frequented by wild, free-ranging white-tailed deer and elk to prevent them from starving or for recreational viewing. Deer and elk feeding does not include any of the following:

- (a) Baiting to take game as provided by an order of the commission under section 40113a.
 - (b) The scattering of feed solely as the result of normal logging practices or normal agricultural practices.
 - (c) The storage or use of feed for agricultural purposes if 1 or more of the following apply:
 - (i) The area is occupied by livestock actively consuming the feed on a daily basis.
 - (ii) 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.
 - (iii) The feed is in a storage facility or is stored in a manner that is consistent with normal agricultural practices.
 - (d) 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.
- (3) This section is repealed effective January 1, 2016.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor