

Legislative Analysis



ALLOW DEER OR ELK BAITING

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

House Bill 5902 as introduced
Sponsor: Rep. Gary R. Eisen
Committee: Natural Resources and Outdoor Recreation
Complete to 5-19-22

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

SUMMARY:

House Bill 5902 would amend the Natural Resources and Environmental Protection Act to allow an individual to engage in *deer or elk baiting* during the open seasons for deer or elk if the individual does all of the following:

- Uses only single-bite bait (defined as chopped or diced carrots, sugar beets, or apples).
- Uses no more than five gallons of bait spread over a circle that is at least 20 feet across.
- Places each piece of bait at least two feet apart.

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.

Deer or elk baiting would *not* include any of the following activities:

- Feeding wild birds or other wildlife if done in a way that excludes 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 or agricultural practices.
- Storing or using feed for agricultural purposes if at least one of the following applies:
 - The area is occupied by livestock actively consuming the feed every day.
 - The feed is covered to deter wild deer and elk from gaining access to it.
 - The feed is in a storage facility that is consistent with normal agricultural practices.

MCL 324.40102 and 324.40111a

BACKGROUND:

The bill is similar House Bill 4687 of the 2019-20 legislative session.¹ That bill was vetoed by the governor, who said that it “would have removed the Natural Resources Commission’s authority to regulate deer baiting and feeding, and instead would have allowed any person to engage in baiting and feeding during the open season for deer or elk, ignoring the will of Michigan voters, who overwhelmingly decided to give authority for wildlife management to the Natural Resources Commission.”²

¹ <http://legislature.mi.gov/doc.aspx?2019-HB-4687>

² https://content.govdelivery.com/attachments/MIEOG/2019/12/18/file_attachments/1345925/HB%204687%20Signing%20Statement.pdf

FISCAL IMPACT:

House Bill 5902 is unlikely to affect revenues or costs for the Department of Natural Resources or local governments.

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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.