

February 25, 1999

TO: ALL LEGISLATORS

FROM: SENATOR JIM BAUMGART

RE: COSPONSORING LRB 2276/1 – Relating to the baiting of deer for hunting.

This legislation increases the fine for excess baiting of deer from \$60 to \$160 in an effort to stop hunters from using more bait than is allowed. The final forfeiture for violating baiting laws, after the fees and assessments are added, will go from \$204.80 to \$402.80.

If you would like to sign on to LRB 1675/1 please call my office at 6-2056 by March 12, 1999.

Analysis by the Legislative Reference Bureau

Current rules promulgated by the department of natural resources (DNR) restrict the types, amounts and locations of bait that may be used for the hunting of deer. These restrictions include a limitation of ten gallons on the amount of bait to be used and a prohibition against using bait within 50 yards of any trail, road or campsite used by the public. Current law sets the maximum amount for a violation of these rules at \$1,000 but sets no minimum. This bill does not change the maximum amount but sets a minimum of \$160.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

Berry drafted

Fine for Excess Baiting during Deer gun/bow season.

- 5 gallon pails (2 pails allowed).

- Warden's make suggestions to the Judicial Conference who set the fine.
- Right now the total fine is \$204.80 but the courts can raise it to \$1000 if the person contests the fine and they deem it necessary.

➤ \$60.00	Fine (uniform bond schedule) ↑	
➤ \$13.80	Penalty Assessment 23% In Stat. Statutes	29.971
➤ \$86.00	Court Costs - Standard. for fight & fine viol.	29.99 (3) - Not more than \$1000
➤ \$45.00	Resource Assessment - 75% of fine	29.971
----- Total		
\$204.80		

- ⇒ What do you want the Minimum fine to be?
- ⇒ What do you want the Maximum fine to be?

create separate section dealing w/ baiting.

- Spoke with Patronsky: He warned not to make the fine too much because it might deter the Warden's from handing out the fine.
- He also said that we will need to add language such as "no one may bait deer in violation of DNR rules that prohibit such actions" because there is no language already in the statutes that refers to baiting of deer.

Drafted quest

Hand. P. → Gary Homuth - DNR Warden = 6-3244, Fax 266-3696
 Keith Wornke = 4-6023
 Mike Lutz = 2-7456

Natural Resources Restitution 29.989
 Co. baiting - Natural " assessment 29.987

Person cited for hunting w/out a license - DNR could add on the

Penalty section. take away the latitude of Judicial Conference. set a minimum fine & then immediately

the add-on go into effect
 200 + 46 + 150 + 86 = \$482
 100 + 23 + 75 + 86 = \$284

Draft

July 28, 1999

OK

Senator Alice Clausing
319 South, State Capitol
Madison, WI 53707

Dear Senator Clausing:

Currently, there are two bills relating to the baiting of deer in your committee. SB 103, relating to attracting wild animals with bait, and SB 104, relating to baiting of deer for hunting. I would like to request that each of these bills be given a public hearing at your earliest convenience.

Senate Bill 103, prohibits a person from using bait for the purpose of hunting deer during the period beginning on the Monday immediately before the first day of regular gun deer season and ending on the Friday immediately following the last day of regular gun deer season. The bill also prohibits the use of bait more than 100 yards from a residence for a purpose other than hunting unless the person has a free permit issued by DNR. I have introduced this bill at the request of several conservation minded constituents, who are concerned about hunter ethics and the spread of disease through the deer population.

Senate Bill 104, simply raises the minimum fine that given for excessively baiting deer. Currently law restricts the types and amounts of bait that may be used for the hunting of deer. The maximum fine for this violation is \$1,000 but sets no minimum. This bill would make the minimum fine \$160 and does not change the maximum fine. This change is important to insure that if someone decides to violate the baiting regulations they pay a substantial penalty.

I would appreciate your attention to this matter. If you have any questions about either bill, please feel free to contact me.

Sincerely,

Jim Baumgart
State Senator
9th Senate District

JB/ph

February 14, 2000

Dear Sir:

I am writing in response to the deer baiting and feeding issue. I am 46 years old and have been hunting deer in the farm belt with shotgun and archery since the 1960's. I also, hunt deer and bear in Forest County since the 1970's. From my experience I would like to see baiting and feeding deer stopped.

The first concerns are disease. Bait piles promotes congregation of deer and spread of disease. As in Michigan, TB in Wisconsin is a threat.

From my experience baiting deer and bear have caused wildlife to become more cautious and nocturnal. Adult wildlife avoids the area until after dark. Only the fawns and yearlings venture into feed. This nocturnal activity has only encouraged illegal after hours shooting.

Dumping bait piles in the woods has changed the natural patterns of wildlife causing a surplus of deer that the natural habitat cannot support.

The quality of the hunt has been steadily declining as a result of deer baiting. Hunters have lost the woodsmen ship that our fathers have taught us. They no longer spend the time scouting natural deer sign. There is no respect for the land, the animal and leaving a positive role for our children.

As we have heard Ontario has lost its spring bear hunt over opinions and not scientific evidence on orphaned cubs. This baiting issue could be a stepping-stone for anti-hunting groups here. I would like to save our hunting seasons.

I am enclosing an article by John Ozoga, outdoor writer and retired Michigan DNR Biologist. In my opinion he says it best!

Please join me in supporting the elimination of baiting and feeding deer in Wisconsin.

Concerned hunter,

Alan Barnick

Pros & cons of deer feeding

By John Ozoga

In Upper Michigan, the welfare of whitetail deer depends primarily upon their nutritional status during winter.

When the habitat is poor, thousands of deer may die from starvation during longer winters with deep snow – as occurred most recently in 1996 and 1997. In addition, malnourished pregnant does give birth to stunted, weak fawns that seldom survive their first few days of life.

With few exceptions, wildlife biologists have opposed artificial feeding of deer as a means of circumventing heavy winter deer losses. Instead, they believe a healthy deer herd can be maintained by improving habitat and proper deer harvest through antlerless hunting regulations.

Contrary to professional advice, however, deer feeding in Michigan's "North Country" has gained in popularity. Many private clubs have fed deer regularly in an attempt to provide plentiful hunting stock, and sympathetic feeding of hungry deer has increased on wild lands as well as in residential areas throughout the state.

Traditionally, deer feeding efforts could be classified as "supplemental" or "emergency." Both practices are designed to help deer survive winter. More recently, the Department of Natural Resources and Natural Resources Commission have recognized, and given special consideration to, a third category referred to as "recreational viewing" – feeding strictly for the purpose of viewing deer.

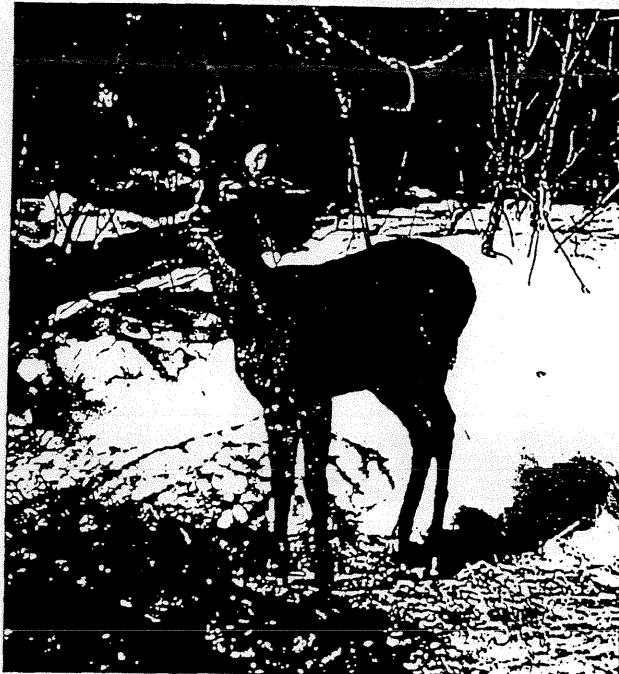
New Concerns

By some estimates, nearly half of the wintering whitetails in northern Lower Michigan's "Club Country" were being hand fed by the late 1980s. Artificially large deer populations resulted which devastated the habitat and ultimately led to widespread poor health in the herd. This helped ignite the recent spread of bovine tuberculosis (TB) – the only known case in wild animals in North

America.

As early as the 1950s, the Club Country was identified as Michigan's deer food shortage area. Whitetails there were among the state's unhealthiest and smallest deer in terms of body and antler size. The combination of unhealthy, highly stressed deer crowded at artificial feeding sites set the stage for transmitting TB.

Because of the serious disease problems generated in the Club Country, feeding for the purpose of helping deer survive harsh winter conditions is now



-- Photo by Marty Kovarik

allowed only in the Upper Peninsula, except in the area south of highway U.S. 2 between Escanaba and Iron Mountain. Deer feeding for recreational viewing is legal throughout the state, except in the bovine TB area located in northeastern Lower Michigan.

Emergency Feeding

Emergency feeding of deer to prevent large-scale winterkill has been tried (and has failed) in many states, including Michigan.

Historically, such ventures were initiated near the end of winter, due to political pressure. Unfortunately, most were ill-conceived and offered relatively poor quality feed in limited amounts, or food

that was too rich, to animals already in starving condition. Severe deer losses due to malnutrition were seldom averted.

As a sole diet, sugar beets, apples, potatoes, lettuce, rutabagas, corn, bread, chocolate cake, etc., fail to meet the whitetail's basic nutritional requirements. Likewise, hay provides little nourishment for deer unless it's good second-cut alfalfa or fine clover. Even then, deer are likely to waste more of the hay than they eat.

Deer must be in relatively good physical condition and harbor healthy rumen microflora to digest high-energy foods. Starving deer generally exhibit altered rumen function due to decreased concentrations of rumen microflora and volatile fatty acids. As a result, they may not be able to digest high-energy foods containing readily fermentable carbohydrates.

Corn makes a good winter supplement for healthy deer on a browse diet. However, when a starving deer consumes large amounts of corn, toxic quantities of lactic acid may accumulate in the rumen and result in death. Such problems arose in Michigan in the 1960s when government surplus corn was fed to wintering deer throughout northern parts of the state.

Although suitable pelletized rations have been developed and are readily available from feed mills, a strong case against emergency feed-

ing of deer rests on economics, practicality, and potential damage to the range.

Minnesota has a long history of emergency deer feeding as a result of political pressure. During the severe winter of 1988-89, for example, volunteers distributed nearly 4,000 tons of pelletized feed. Despite spending over \$1 million, the state-funded feeding operation was largely unsuccessful because most of the supplemental feed was unused by deer and wasted. Despite the effort, deer populations declined the next year.

Minnesota's experience indicates that emergency feeding of deer is not only risky, but is completely impractical in remote areas.

Supplemental Feeding

Supplemental feeding of healthy deer throughout winter is entirely another matter and far different from emergency feeding of famished deer. Supplemental feeding operations are planned and conducted annually, not done on a spur-of-the-moment basis. Such feeding of big game is routinely and successfully employed in Europe where herds are more intensively managed and "culled" to regulate sex-age composition and size.

Some provinces of Canada have employed winter feeding of whitetails as part of their on-going deer management programs.

Many private hunting clubs in northern Michigan have fed deer regularly as a means of carrying more deer than the natural habitat could otherwise support. Some clubs have spent well in excess of \$100,000 annually to feed deer.

Most of these efforts have failed miserably, however, because of insufficient antlerless deer harvesting. As a result, overbrowsing by concentrations of hungry deer caused extensive damage to the natural habitat and inevitably contributed to unhealthy deer more prone to disease.

Michigan Research

During the 1970s, we conducted a comprehensive study to evaluate the pros and cons of supplemental feeding whitetails, in the square-mile Cusino enclosure located near Shingleton. We concluded that supplemental feeding of deer can be

restore a balance between deer numbers and the natural carrying capacity of the habitat.

The primary goal must be to maintain deer in excellent health, not merely alive. When well-nourished, whitetails are fairly sociable; related does and their fawns commonly band together and feed compatibly. They form strict dominance hierarchies (peck-order) and waste little energy competing aggressively for food available in good supply. Healthy deer also tend to be selective feeders, choosing items in proper proportions that best meet their nutritional needs.

Extreme competition for limited feed

successful and cost-effective in some local situations, provided certain feeding guidelines are followed and deer population size is strictly regulated with adequate harvesting of antlerless deer.

It's essential that feeding start as soon as deer enter wintering cover and continue until spring. Only a high quality pelletized ration provided on an unlimited, self-need basis should be used. Pelletized feeds that are specially developed for deer are the best supplemental diets.

Human disturbance should be restricted within the primary feeding area, and

among starving deer is another matter. Subordinate animals (especially fawns) eventually become seriously malnourished and often gorge when offered artificial feed. The abrupt switch in diet from rough forage to energy-rich grain can cause acute digestive disorder and death.

The effective supplemental feeding program tends to maximize the whitetail's reproductive success and can contribute to a rapid (if not startling) increase in deer numbers. In most cases, it requires harvesting 30 to 40 percent of the population annually, to prevent a population explosion - a fact most deer feeders ignore.

Even the summer deer range in Upper Michigan has limitations and can favorably support just so many deer. Without fail, costs soar and biological returns drop sharply when the artificially managed deer herd grows to excessive size.

Recreational Viewing

Recreational deer feeding is strictly for human benefit - often to the detriment of deer - which some consider a legitimate use of a natural resource. However, I question whether deer should be lured into poorly sheltered or otherwise vulnerable situations, strictly to pacify human whims, or in an attempt to tame them - which new laws encourage.

By its very nature, recreational feeding violates certain scientifically based guidelines set forth for artificial feeding of deer. With recreational feeding, for example, the amount of food is restricted, feeders

where the animals rest. Since winter is a pinch period for whitetails, when energy in the form of food is a scarce commodity, every effort should be made to minimize their wasteful expenditure of energy.

The successful feeding operation is not inexpensive. On average, each deer requires two to three pounds of feed per day. Therefore, feed costs alone will run \$20 to \$40 per deer during the average Upper Michigan winter. Furthermore, once started, there's no turning back or stopping without drastic herd reduction (via hunting or starvation) necessary to

can not be used (which makes feeding or pelletized rations difficult, if not impossible in wet weather) and deer must be fed within 100 yards of a residence.

Enticing deer into residential areas to become dependent upon humans for sustenance is demeaning to an otherwise majestic wild creature. Backyard deer tend to become pets, then eventually pests. Such a practice also sends the wrong message to the non-hunting public and contributes to serious deer-human conflicts that are difficult to resolve in an urban environment.

Conclusions

The magnitude and effectiveness of deer feeding in Upper Michigan is unknown. However, there is ample evidence that deer can benefit from a properly conducted supplemental feeding program, especially during harsh winters. On the other hand, many such failed efforts have produced long-term consequences.

In the future, resource managers will place greater emphasis on biodiversity, as they strive to produce plant and animal communities more like those that existed prior to the white man's arrival on this peninsula. Among other things, this means more old-growth forests, reduced human access, and likely fewer deer on public lands.

One must wonder, what will be the deer hunter's role in this new "naturalism" movement? And, will artificial deer feeding - in any form - be justified in the 21st century?