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BILL ANALYSIS



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House Bills 4379 and 4380 (as passed by the House)
Sponsor: Representative Hugh Crawford
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Date Completed: 10-10-13

CONTENT

House Bill 4379 would amend Parts 507 (Forest Management Demonstration Program) and 511 (Commercial Forests) of the Natural Resources and Environmental Protection Act (NREPA) to delete references to registered foresters and transfer their responsibilities to "qualified foresters", as that term is defined in Section 7jj of the General Property Tax Act.

House Bill 4380 would amend Section 7jj of the General Property Tax Act to revise the definition of "qualified forester".

House Bill 4379 is tie-barred to House Bills 4380 and 4381. House Bill 4380 is tie-barred to House Bill 4381. (House Bill 4381 would repeal Article 21 of the Occupational Code, which regulates and provides for the registration of foresters.)

House Bill 4379

Under Part 507 of NREPA, two of five members of a county forestry committee appointed by the county board of commissioners must be foresters registered under Article 21 of the Occupational Code. The bill, instead, would require that two members be qualified foresters.

Within 30 days after the execution of a lease authorized by Part 507, the county forestry committee must submit to the Department of Natural Resources (DNR), for its approval, a forest management plan prepared by a forester registered under Article 21. Under the bill, the forest management plan would have to be prepared by a qualified forester.

Part 511 of NREPA defines "forest management plan" as a written plan prepared and signed by a registered forester or a natural resources professional that prescribes measures to optimize production, utilization, and regeneration of forest resources. Under the bill, the definition would refer to a written plan prepared and signed by a qualified forester.

If an applicant is unable to secure the services of a registered forester or a natural resources professional to prepare a forest management plan, the DNR upon request must prepare the forest management plan on behalf of the owner of the forestland and charge him or her a forest management plan fee not to exceed the actual cost of preparing the plan. Under the bill, this would apply if an applicant could not secure the services of a qualified forester, rather than a registered forester.

The bill provides that "qualified forester" would mean that term as defined in Section 7jj of the General Property Tax Act.

House Bill 4380

Under Section 7jj of the General Property Tax Act, except as otherwise provided, qualified forest property is exempt from school operating taxes levied by a local school district. The amount of qualified forest property in Michigan that is eligible for the exemption is limited as provided in Section 7jj.

Currently, "qualified forester" means a natural resources professional, a registered forester, or a conservation district forester. The bill would delete the reference to a registered forester.

MCL 324.50703 (H.B. 4379)
211.7jj[1] (H.B. 4380)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

Fiscal Analyst: Josh Sefton

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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.