



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5453 (Substitute H-1 as passed by the House)
Sponsor: Representative Tom Casperson
House Committee: Conservation, Forestry, and Outdoor Recreation
Senate Committee: Agriculture, Forestry and Tourism

Date Completed: 3-7-06

CONTENT

The bill would amend Part 525 (Sustainable Forestry on State Forestlands) of the Natural Resources and Environmental Protection Act to do the following:

- Require the Department of Natural Resources (DNR), after evaluating acreage within the State forest, to put up for timber sale within 18 months all acreage that met certain criteria.**
- Require the DNR to notify bidders if acreage up for timber sale had contained factor limitations before the bill's effective date.**
- Require the DNR to report to the Legislature annually on the number of acres in the State forest containing factor limitations, the reasons for the limitations, and recommended actions to remove them.**

The bill would define "factor limitations" as any legal requirements that restrain timber sales within the State forest on acres meeting silvicultural criteria that are designed to maximize forest economics and forest growth.

Under the bill, when the DNR evaluated acreage within the State forest for purposes of management activities, within 18 months of the completion of the evaluation the Department would have to put up for timber sale all acreage meeting silvicultural criteria that were designed to maximize forest economics and forest growth, except for acreage restricted from harvesting under State or Federal law or requirements necessary to maintain certification with sustainable forestry standards.

When the DNR put timber sales up for bid under this provision, it would have to provide to all bidders, for educational purposes only, the acreage included in the timber sale that was identified by the DNR before the bill's effective date as containing factor limitations.

By October 1 of each year, the DNR would have to submit a report to the standing committees of the Senate and the House of Representatives that handled forestry issues. The report would have to include the total number of acres in the State forest that had been identified by the DNR as containing factor limitations, the specific reasons for the factor limitations identified, and recommended actions to remove the factor limitations and return those lands to active forest management.

The bill is tie-barred to House Bill 4622. That bill would amend Part 21 (General Real Estate Powers) of the Act to require the DNR, upon request, to grant a person an easement over State-owned land for access to his or her property, if certain conditions were met.

FISCAL IMPACT

The bill would cost the State an indeterminate amount. Most timber sold by the Department of Natural Resources (DNR) is made available for sale within 18 to 24 months following completion of the evaluation. The bill would require the DNR to shorten this time frame slightly, which could require additional personnel. Timber evaluation and marking are primarily supported from the Forest Development Fund. The DNR also would incur a small amount of administrative expense for notifying bidders of acreage included in the timber sale and reporting to the Legislature.

Fiscal Analyst: Jessica Runnels

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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.