

Professional FOREST CARE "SHARING KNOWLEDGE OF TREES AND THE FOREST"
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June 9, 2014

Mr. Brandon Haskell
Constituent Relations
State Representative Theresa Abed
Lansing, MI

Dear Mr. Haskell,

Thank you for your email with announcement of the upcoming hearing on June 10, 2014 regarding the bills pending that would deregulate the profession of forestry as authorized by Article 21 of the 1980 Occupational Code, Act 299.

My simple statement.

1. The Forestry Profession should not be deregulated by the State of Michigan.
2. It is unfortunate that the Michigan Legislature would be at the place to even consider forester deregulation as authorized by Article 21.
3. It is equally disappointing that the effort and subsequent discussion on forester deregulation as it relates to Article 21 does not include the provision to address 'forester professionalism' as required in the language of the current Qualified Forest Act or the Commercial Forest Act. If that effort is in fact being made but not communicated in this announcement of the Regulatory Reform Committee then a real disservice is being committed and should be remedied immediately.

The State of Michigan first recognized the significance of long term forest land management policy with the enactment of The Private Forest Reserve Act, P.A 86-1917. Initially a land tax bill, the intent was to encourage farm landowners to carry cut-over timber land for future forest growth at the lowest affordable tax liability. The Department of Conservation was established in 1925 and within the department were employed some of the first 'professional foresters' at the time. In the same year, The Pearson Act, Act 94 of 1925, known as the Commercial Forest Act, carried legislative authority for the Department to review and verify the forest inventory of lands sought to be enrolled for the benefit of lower land taxes and long term forest development. Both pieces of legislation provided property tax incentives for properly managed forest land, land managed under the professional evaluation and prescription of 'A Forester'. In 1925 there seemed to be no lack of understanding as to who was a forester, and what credentials a forester possessed. Professional forestry was a necessary compliment to the challenge of management of the God given resource that provided the first infusion of true wealth into Michigan through the timbering of the forest of our state. Good forest management was dedicated to the benefit of future generations. The Occupational Code of 1980 included foresters and provided for registration, that is, use of the TITLE of Registered Forester. The Commercial Forest act was subsequently amended to include that forest plans submitted by landowners must be written by a natural resource professional or a Registered Forester.

The steps to deregulate the profession of forestry will not take away my right to earn a living in this state. That statement may surprise you. Excuse me for rebuking the arrogance of government but this discussion isn't about my job because my opportunity for engaging in professional forestry is afforded by the free market, not government. This discussion should be about sustaining the historical commitment this state has made to forest stewardship since 1925. What the proposed deregulation of forestry does do is to illuminate the level of incompetence that has blighted our Legislature. Who in the legislature cannot understand that the taxes collected on gross forest

LYNNWOOD C. STEPHENS, Registered Forester #317

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industry wealth, estimated at over 12 billion dollars annually, cannot sustain the (part-time requirement) of a full time position of a bureaucrat to administer a 'list of professional foresters'?

The Legislatures, Executives and Courts of Michigan over the past 15 years have demonstrated a disregard for responsible fiscal management resulting from the lack of effective budgeting of tax generated revenue paid by the hard working class of citizens and free market entrepreneurs of this great state.

The blight of partisan political maneuvering has further blinded the eyes of our Governor and Legislators from recognizing the vision of thirty fold and sixty fold increase in the provision of the renewable forest. Photosynthesis is wealth to a forest minded person and instead of deregulating forestry as a 'profession' we should be recognizing that it is the key to growth and prosperity to a part of our natural resource base that is grossly under-utilized. The state's land base is 39 million acres and over half of that area is classified as commercial forest. The annual growth input to the standing timber inventory is far more than the drain of harvesting. We grow more than we use.

The following goals are recommended as a successful 'positive' path forward to assure the sustained provision of the forest resource for abundant benefits available for Michigan's future generations.

1. Assure every existing wood using mill in Michigan it will not run out of wood over the next 30 years.
2. Allow every existing wood using mill in Michigan the opportunity to expand or initiate new markets to utilize our timber resources. Grow the forest industry to utilize 75% of annual growth by the year 2025, 80% by the year 2030 and 90% by the year 2035.
3. Allow the industry to develop a comprehensive forest health plan that will sustain the natural productivity of the forest to the growing demands of utilization.
4. Enhance and intensify the comprehensive forest fire suppression plan for the entire state as it would apply to public and private lands to protect the growing stock of already established and intensively managed forest lands.

To place this letter and the entire discussion in proper context, it is necessary to address my political position in these statements. I will never vote for a democrat because they do not share similar economic philosophy, although they are great friends and we do enjoy welcoming 'converts' from time to time when they have seen the light. I will not vote for any Republican that does not commit to balanced budgets, encourages growth of the private sector and acknowledgment that it is free market capital that creates jobs, not government. Finally, if Governor Snyder signs any law that would ignore the role of professional forestry in the astounding 'future' potential of the forest industry in this state, I will not be joining "Team Nerd" for 2014.

Sincerely,

LYNNWOOD C. STEPHENS
Registered Forester #317

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To: House Regulatory Reform Committee members:

RE Registered Foresters Act.

My name is Dennis P Renken, longtime forester that has lived in the Upper Peninsula of Michigan since 1970. The Reasons I recommend keeping the act is that I represent my clients in court on timber trespass cases and other land management issues. The registered forester status means a great deal to the court system. This is very similar to a registered land surveyor that appears in court. Or a professional engineer status on signing plans and drawings. Elimination of this status of a Registered Forester will open items that the registered land surveyors do not want to happen. Presently the Registered Foresters have an agreement based on the professional activities we as registered foresters will do and not enter into activities that are performed by registered land surveyors.

The reason why professions are licensed is to protect the public and hold the professional to a higher goal of serving the public. The public would suffer more with untrained individuals and unethical practices calling them foresters that should not be assisting the private landowner on the management of their timber lands. Improper management can have a long term financial effect of not doing what is best for the woodland resource and achieving the goals of the landowners. I am also a licensed associate real estate broker and there are reasons for having a licensed person in taking care of the real estate transactions.

There will be no financial savings by eliminating the registered forester act. There are 226 licensed registered foresters in the State of Michigan and the RF is more than self-supporting. Therefore why eliminate a very important registration of foresters as this will only cause many problems down the road. I understand some representatives want to move RF status into a Quality Foresters position. The Quality Forester only gives a forester the okay to write a QF plan for the QF program.

All these designations like Technical Service Provider for the USDA NRCS office and the Quality Forester Classification means that I can provide a land management plan for the NRCS and MDARD respectfully. But will not have any bearing on my status when I am in court.

Therefore I urge this committee to act responsibly and not eliminate the Registered Foresters Status in Michigan for the reasons stated above and I thank you for reading this document.

Sincerely,

Dennis P Renken

Dennis P Renken

Registered Forester #312

Association of Consulting Foresters, member

Certified Forester #14, SAF

Elected Fellow of the Society of American Foresters, 1995

TSP, QF plan writer

Forest Stewardship plan writer

BS Forest Management Iowa State University 1961

MBA Oregon State University 1970

US Army Veteran HD

Angie Lake

From: Carlson, Gerry <Gerry.Carlson@aecom.com>
Sent: Monday, June 9, 2014 8:14 AM
To: Angie Lake
Subject: NOT in favor of forester Deregulation

Dear Ms Lake

Subj: Forester Deregulation, SB 481; 484, HB 4379; 4380

Below is a brief summary/comparison between the Registered Forester (RF) designation and other forestry programs and/or credentials:

1. Legislation intended to eliminate the Michigan Registered Forester Regulation was originally drafted under the erroneous assumption that it was a large public subsidy.
 - a. However, analysis by the Senate Fiscal Agency concluded:

"The bills would cost the Department of Licensing and Regulatory Affairs approximately \$3,700 annually, and have no fiscal impact on local units of government. The bills would eliminate the licensure of foresters, who currently pay a registration fee of \$80 every two years. The Department has indicated that the fees paid by foresters are sufficient to cover the costs of doing the work associated with regulating the profession, and that the revenue generated by licensing the profession exceeds costs by \$3,700 annually." Date Completed: 10-14-13 Fiscal Analyst: Josh Sefton

Conclusion: The Michigan Registered Forester Regulation is self-sufficient and generates positive cash flow for the State.

2. It has been argued that the Michigan State Forester Regulation is redundant and not necessary.

- a. Many programs keep lists of individuals who can participate in their programs (these include the USDA NRCS-TSP program, the USDA Forest Stewardship Program in Michigan, and the MDA Qualified Forester Program). None of these speak to any function other than participation in their specific program. They are "silos" that are only for their program.
- b. The Society of American Foresters maintains a national credential program, to certify individual credentials. However it is not part of the occupational code and does not have standing in Michigan. "*The Society of American Foresters supports state credentialing requirements for foresters implemented through state licensing and registration mandates.*"
- c. The Michigan State Forester Regulation includes functions that a "Registered Forester" can and does perform. Without its inclusion in the Occupational Code other professions will define what a forester can and cannot do. This will result in more regulation and higher management expenses as well as an additional competitive disadvantage for the Michigan forest products industry.
- d. There is apparently a long list of local ordinances and in some cases State laws that require a Michigan Registered Forester.

Conclusion: The Michigan Registered Forester Regulation is NOT redundant and generates positive cash flow for the State.

3. It has been argued that State Government needs to reform.

- a. The Governor-appointed Timber Advisory Committee, the Michigan Forest Products Council, the Michigan Forest Association, the Michigan Chapter of the Association of Consulting Foresters, Michigan Timberman's Association, Michigan State University, Michigan Technological University, and the Michigan Society of Professional Surveyors support the Michigan forester regulation within the Occupational Code.
- b. As presented by the Michigan Forest Association in past testimony:

It seems to us to be contradictory for the state government to be targeting the forest products industry for growth while simultaneously erasing its professional ranks from the occupational code. We hope you will elect to retain *registered forester* in the occupational code and help our forest landowners get the quality assistance they are accustomed to and that they need to maintain the health and value of the resource that is under their control.

Conclusion: The Michigan Registered Forester Regulation is NOT redundant and generates positive cash flow for the State. It adds value to our \$14 billion forest products industry, provides important consumer protection at a very reasonable cost (positive) and provides for long term sustainability of our forest resources.

Gerald W. Carlson, P.S.

Principal Surveyor

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Angie Lake

From: Scott Erickson <michitreeinc@gmail.com>
Sent: Monday, June 9, 2014 8:05 AM
To: Angie Lake
Cc: Paul Drysdale
Subject: SB 481 and SB 482

Hello

I am a practicing consulting forester in the western part of the lower peninsula of Michigan and would like to go on record that I'm **opposed** to the deregulation of forestry. My company has been in business since 1983 and my clients make up some of the largest landowner's in approximately a 13 county area. These landowners own some of the most productive well managed timber holdings around. It is **NOT** in the best interest of my clients (or any other landowners) for the State of Michigan to deregulate the forestry profession. Anyone who owns high quality timberland already knows the pressures that are put on them to sell their trees to industrial timber companies, brokers, etc. We do not need to further muddy the water in regards to who is a professional forester and who is not. The idea of deregulating the forestry profession is a bad one and most certainly would result in the mis-management of the private forest resource. Unfortunately, I cannot attend the Tuesday meeting, but would like to pass this on to the appropriate parties. Feel free to contact me with any questions.

Sincerely,
Scott R. Erickson, ACF
MI Registered Forester #671
MichiTree, Inc
2650 W. Fisher Rd
Ludington, MI 49431
o: 231.845.0142
c: 231.499.9371

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Angie Lake

From: DAVE wellman <dewmawir@gmail.com>
Sent: Sunday, June 8, 2014 11:41 PM
To: Angie Lake
Subject: Regulatory Reform Committee

Dear Ms Lake:

Reference to SB 481 and SB 482: Deregulate Forester Position.

I am a graduate forester, Michigan Technological University-1972. Having spent 21 years as a state forester (retired 1995) and 19 years as a consultant forester, I am adamantly opposed to the deregulation of the forester position.

To many times I have been called to either clean up a mess, determine damage, or assist landowners get the money owed them by individuals representing themselves as a "forester".

Of course, not all foresters are without some short comings and conversely all log buyers are not without scruples. However, to lump us all into the same pot really devalues the forestry profession.

It is not necessary to tell you what a Bachelor Degree cost today. But I would like to believe there is and should be some extra credibility with having earned the degree.

Sincerely,

Dave Wellman
Michigan DNR, Retired Forester ('95)
MTU 1972

Angie Lake

From: norman caldwell <nccsurveyor@yahoo.com>
Sent: Friday, June 6, 2014 7:10 PM
To: Angie Lake
Cc: Mollee Neff; Michael Moore
Subject: Professional Licensure of Foresters

Ms. Lake:

As a Michigan Professional Surveyor for over 55 years, it has been my pleasure to work alongside, and in conjunction with, many Foresters.

This writer has recently compiled and published, in the Michigan Surveyor magazine, a multi-segmented tribute to Marcus Schaaf, the First State Forester of Michigan, who served our citizens admirably from 1910 to 1949.

Mr. Schaaf is widely credited with instituting a recovery of the Michigan forest industry while also overseeing the establishment of numerous State Forests, State Parks and Recreation Areas. His management actions, leadership principles and re-forestation philosophy remain as guides for the Registered Foresters of the present day.

There is no doubt regarding the need for continued Professional Licensure of the Forester occupation which effectively defines their appropriate professional activities.

Your consideration is appreciated,

Norman C. Caldwell, P.S.