

HOUSE BILL NO. 4827

August 27, 2019, Introduced by Reps. Sabo, Hertel, Cherry, Ellison, Elder, Sowerby, Pohutsky, Howell, Lasinski and Jones and referred to the Committee on Natural Resources and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding subpart 8 to part 501.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SUBPART 8

OAK WILT CONTROL

**Sec. 50171. (1) In order to prevent the spread of oak wilt in
this state, except as provided in subsection (2), a person shall**



1 not prune an oak tree, remove deadwood from an oak tree, remove an
2 oak tree, clear land containing 1 or more oak trees, or otherwise
3 injure oak trees during the period from April 15 through July 15.

4 (2) A person may do any of the following during the period
5 from April 15 through July 15:

6 (a) Prune or remove deadwood from an oak tree if necessary for
7 reasons such as power line trimming, if the portion of the tree
8 that is injured is sealed immediately after the injury is made.

9 (b) Make emergency repairs to a storm-injured oak tree by
10 making a fresh cut several feet from the injured portion within 24
11 hours after the injury occurs, if the pruning wound is immediately
12 treated with a sealant.

13 (c) Remove an oak tree, if necessary for land clearing or
14 timber operations and if the stump is immediately treated with a
15 sealant, covered with soil, or chipped out within 48 hours.

16 (3) The department shall establish and update, as appropriate,
17 statewide best stewardship practices for the proper management of
18 oak trees and the control and eradication of oak wilt. The best
19 stewardship practices must include all of the following:

20 (a) Protocols for maintaining highly valued oak trees in
21 locations such as parks, golf courses, and grounds. In these areas,
22 the best stewardship practices must include recommendations that
23 the procedures described in subsection (2) should be followed
24 during the period from April 15 through November 30.

25 (b) Procedures for the treatment of oak wilt, such as root
26 graft disruption or trunk injections or both.

27 (c) References for the types of professionals who are
28 qualified to treat oak trees suffering from oak wilt.

29 (d) Protocols for the handling of oak trees that are killed by



1 oak wilt, including the transportation and use of the trees for
2 firewood, landscape mulch and other landscaping products, or
3 lumber.

4 (4) The department shall publicize the best stewardship
5 practices established under subsection (3) in a manner that is
6 designed to inform owners and managers of land containing oak
7 trees. The department shall also post the best stewardship
8 practices on its website.

9 (5) As used in this section, "oak wilt" means the disease
10 caused by the fungus *Bretziella fagacearum* (formerly known as
11 *Ceratocystis fagacearum*).

