

March 10, 2016

TO: House Committee on Judiciary
FROM: Put Blodgett, President, Vermont Woodlands Association,
Bradford forestland owner and Tree Farmer
RE: H.854

Page 1, lines 7-9—"The bill clarifies the right of a person to bring a civil action for damages due to the unlawful cutting of trees. The bill would also establish as a crime the unlawful cutting of timber."

We are delighted with these long-overdue proposals and strongly support them!

We are not so happy with lines 10-12 on page 1—"The bill also repeals the requirement that a timber harvester mark the boundaries of a harvest unit prior to harvest." It seems to us that marking the boundaries of a harvest unit prior to harvest would go a long way in preventing, on page 6, lines 13-17, "If the defendant in an action brought pursuant to subsection (a) of this section establishes by clear and convincing evidence that he or she had good reason to believe that the timber or forest products belonged to him or her, or that he or she had a legal right to perform the acts complained of..."

On page 2, lines 18, we suggest for consideration that "may grow" be coordinated with page 4, lines 20-21 of H.851 so as to read the same in the two bills.

Page 3, lines 12-21 and page 4, lines 1-3 are a major deterrent and we welcome them!

Page 6, lines 3-8—we welcome "treble damages" and "reasonable costs of litigation, including investigation cost and attorney's fees." Section (c), lines 18-22 is a very helpful addition concerning damages caused by illegal harvesting!

This bill is badly needed and should cause a lot of thought before "mistakes" are made!

We hope the Committee will give its approval to the bill.