



# Ohio Forestry Association, Inc.

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#### Hand Delivered

Chairman Dave Hall  
Ohio House Agriculture and Natural Resources Committee  
Riffe Building,  
77 South High Street  
Columbus, Ohio 43215

Dear Chairman Hall:

The Ohio Forestry Association (“OFA”), on behalf of its member companies and the thousands of individuals employed in Ohio’s forestry and wood products industry, writes to oppose H.B. 515.

Because Ohio’s forests support a “quiet” industry, many Ohioans are not aware of the positive impact of the forestry industry. For instance, timber is largely grown and supplied by more than 336,000 private forest landowners in Ohio, in addition to the forests managed on publicly owned lands. A recent study shows that direct impacts from Ohio’s forestry products industry account for 47,905 jobs with \$2.4 Billion in wages and \$12.7 Billion in industrial output. These numbers roughly double when considering the industry’s direct, indirect, and implied employment.<sup>1</sup>

The stated purpose of the proposed legislation is to curb timber theft and to make it easier to bring and prove criminal cases of timber theft. Unfortunately, H.B. 515 does neither. Instead, the bill effectively creates a new regulatory program relating to the buying and selling of timber on private lands by private individuals and enforces violations of this excessive regulatory program exclusively through criminal sanctions. Because there is no exclusion for the private owner who desires to sell timber as part of occasional land clearing activity prior to the use of his property, that private landowner will be required to comply with all aspects of the bill.

Under threat of criminal prosecution, H.B. 515 imposes upon a landowner and a timber buyer the obligation to enter into a contract prescribed by statute; provides an affirmative defense against claims of timbering off of contract lands only when notices are sent to adjacent property owners; implicitly requires a landowner to enter into negotiations or arbitration for compensation of another landowner on whose land timber was improperly harvested; imposes a multitude of recordkeeping requirements on the timber buyer that are impracticable

and unreasonable; makes the timber buyer responsible for the acts and omissions relating to the harvesting of timber by an agent, employee, or subcontractor of the timber buyer through a required contract provision; implicitly makes the landowner liable for harvesting of timber off of the landowner's land by the timber buyer who is buying from the landowner; makes the failure to enter into a written contract or comply with BMPs, and recordkeeping requirements criminal offenses; creates numerous new criminal offenses relating to theft of timber; authorizes ODNR to adopt as rules certain BMPs relating to harvesting practices and if not adopted as rules, landowner/grower must still practice BMPs.

While the OFA shares every Ohioan's concern that private property is to be respected, H.B. 515 is bad public policy and should not become the law of the state of Ohio.

Should you have any questions or concerns, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink that reads "John Dorka". The signature is written in a cursive, flowing style.

John Dorka  
Executive Director

cc: Ohio House Agriculture and Natural Resources Committee

<sup>1</sup>Dr. Eric McConnell, OSU Extension Specialist for Forest Products and Operations