



State of Connecticut

HOUSE OF REPRESENTATIVES STATE CAPITOL

REPRESENTATIVE FRED CAMILLO
ONE HUNDRED AND FIFTY-FIRST DISTRICT

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MEMBER
BANKING COMMITTEE
EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE

Testimony

In support of

**Raised H.B. No. 5602, AAC A PROPERTY OWNER'S LIABILITY FOR THE
EXPENSES OF REMOVING A FALLEN TREE OR LIMB.**

Judiciary Committee

March 23, 2015

Dear Sen. Coleman, Rep. Tong, Sen. Kissel, Rep. Rebimbas, and distinguished members of the Judiciary Committee:

Thank you for the opportunity to submit testimony on HB 5602, AAC A PROPERTY OWNER'S LIABILITY FOR THE EXPENSES OF REMOVING A FALLEN TREE OR LIMB.

This is an improved version of a bill I introduced last session that gained passage, but was vetoed by the Governor. This year, we have added protections for non-profit organizations and put back the provision for a licensed Arborist having to certify that the tree in question is dead and or hazardous.

However, I would like to see the bill add the following components to eliminate any unintended consequences:

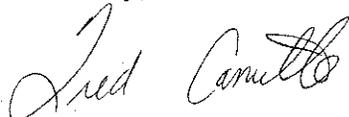
1) Allow the property owner who has the tree located on his or her property the opportunity to hire his or her own Arborist if they do not agree with the report issued by the neighbor who is alleging that a tree is in danger of falling into his or her property. If

the Arborists then have reports with different findings, then the parties could then take their case to a court of law; and

2) Regarding the exemption for non-profit organizations, I believe all non-profit organizations acquiring land after the law takes effect should abide by the same rules as all other citizens and thus not enjoy same exemption as those non-profit organizations that would enjoy grandfather status under this law. This is to protect only those non-profit organizations that took ownership of land not knowing they would be responsible for upkeep and maintenance of trees on their property that are within the fall zone of neighboring properties. Hence, this would not change the rules on them in the middle of the game;

Again, thank you for considering the effort to protect property owners from damage caused by trees not belonging to them, after they have followed the process of certified inspection and notification.

Sincerely,

A handwritten signature in cursive script, appearing to read "Fred Camillo".

Fred Camillo
State Representative
151st District