

Good morning to those reading this,

There is a lot of discussion concerning forfeiture or seizure of nefarious loggers' assets used in the commission of a crime. In fact, the Chair of the House Committee on Agriculture, Food Resilience, and Forestry (David Dufee) suggested forming a study group to look into the areas of forfeiture or seizure. He suggested the study group after numerous professionals voiced their opinions on the problematic language used in H-614.

While Vermont and Maine currently do not have forfeiture or seizure laws concerning timber theft or timber trespass, Vermont's Fish and Wildlife division has forfeiture or seizure in place for taking big game illegally. The confiscation of any and all items used in the taking of a trophy animal is subject to seizure.

Both South Carolina and Alabama have laws in place to address nefarious loggers. South Carolina's H-3619, Sections: 16-13-77, 17-32-30, and 17-32-50 are well articulated addressing the above issues. Alabama's Title 9, Chapters 9 and 13 are equally able to address this situation. Communication with these states' enforcement divisions could be very beneficial. I question the professional witnesses who've testify, stating the language is "problematic," yet not one has taken the initiative to address the solution to rectify such short falls. Both South Carolina and Alabama have working legislation in place which could be a model for our legal council to review..... We should be asking those who havet solved the problem, rather than those who see it as a problem.

As with all implementations, funding can be an issue. I suggest we use New Hampshire's method of generating revenue; taking a percentage off all mill slips for the funding of a new division. Monies acquired could be directed towards a Chief Enforcement Officer specializing in seizures and forfeitures, at least two LEOs, clerks, an appropriate staff, working space, and equipment. Game wardens or State Police could be tasked if they are commissioned to perform these services.

It's been stated that seizing is a problem in at least three different areas, legality, enforcement, and retention. The new Enforcement Officer would be well versed in the law, LEOs would oversee the execution of seizures, and a contracted third party would be responsible for the delivery and retention of equipment at the impound yard where reasonable impound responsibilities and documentation would occur.

The assertions that requiring trip tickets is a burden and expensive to implement should be researched. The state of Vermont currently uses sequentially marked inspection stickers for motor vehicle inspections. The Department of motor Vehicles CHARGES for these stickers and closely monitors their documentation and adherence to proper protocol. The same could be implemented in Vermont as a good business practice for the logger's documentation, and the landowner's goodfaith review. No subpoena would be required for the landowner to access this document and a corresponding mill slip if desired. Stamping the owner's name on the end of a log is another way of identification in conjunction with trip tickets.

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stated both are responsible. Both proclaim they're overburdened, understaffed, and unable to bring justice to those who have been victimized. Primarily, only those with larger thefts or criminal actions are addressed. Consequently, the multitude of other less prominent cases fall through the cracks or are denied restitution because of the statute of limitations; a time default should be a consideration. Victims are subject to no response when inquiring about their case and are led on to believe it is an active investigation. No details can be divulged, and many cases are more than 6 years old!!!! DO THEY NOT WARRANT BEING MADE WHOLE AGAIN?

Multiple professionals have stated a licensing of loggers is warranted. A number of professional loggers are licensed and warrant esteem amongst their cohorts. They recognize the distinction of an elevated position in the logging industry, and are usually licensed, bonded, and insured. They willingly provide trip tickets to landowners. If all loggers were licensed, another measure for enforcement could be utilized. If one becomes a nefarious logger, his license is revoked and he can no longer have a validated license to operate as a logging contractor.

A question of adding one more bill to H-614 is setting this bill up for failure; it is laden with two other problematic areas far removed from the logging industry.

I realize I'm passionate about advancing this bill, but keep in mind timber theft and trespass have gone unchecked for decades by all enforcement divisions. Innocent Vermonters, senior citizens, veterans, and I, trust you will make us whole again.

