

SENATE BILL 247

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SB 603/02 - EHE

2003 Regular Session  
3lr1335  
CF 3lr2248

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By: **Senators Hafer, Colburn, Munson, Jacobs, and Mooney**  
Introduced and read first time: January 30, 2003  
Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 12, 2003

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CHAPTER 223

1 AN ACT concerning

2 ~~Natural Resources~~ - **Forest, Park, and Wildlife Rangers - Jurisdiction - Pilot**  
3 **Program**

4 FOR the purpose of expanding, for a certain time, the law enforcement jurisdiction of  
5 certain forest, park, and wildlife rangers to include ~~all roadways owned by the~~  
6 ~~State that are utilized by forest, park, and wildlife rangers during work hours to~~  
7 ~~travel from one property owned by the State and managed by the Department to~~  
8 ~~another, or to and from court on official business~~ certain roadways at certain  
9 times; requiring the Department of Natural Resources to report on the  
10 implementation of this Act by a certain date; providing for the termination of  
11 certain provisions of this Act; and generally relating to the law enforcement  
12 jurisdiction of forest, park, and wildlife rangers.

13 BY repealing and reenacting, with amendments,  
14 Article - Natural Resources  
15 Section 5-206  
16 Annotated Code of Maryland  
17 (2000 Replacement Volume and 2002 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Natural Resources**

21 5-206.

22 (a) The Secretary may commission any person to act as a forest or park  
23 warden for a term of two years, subject to removal at any time at the pleasure of the

1 Secretary. While holding office, a warden has and may exercise the authority and  
 2 power of a Natural Resources police officer or a law enforcement officer as provided in  
 3 his commission so far as arresting and prosecuting persons for violations of any forest  
 4 or park laws or of the laws, rules and regulations enacted for the protection of the  
 5 State forestry reservations, State parks, historic monuments, recreation areas, or for  
 6 the protection of fish and game.

7 (b) The Secretary shall, within the limits of any appropriation made for this  
 8 purpose, commission forest, park, and wildlife rangers as the Secretary deems  
 9 necessary for the enforcement of laws and regulations as provided in this subsection.  
 10 All appointments shall be made from a list of eligible persons prepared in accordance  
 11 with the provisions of the State Personnel and Pensions Article. An employee so  
 12 commissioned and assigned law enforcement duties has and may exercise the powers  
 13 of a Natural Resources police officer or a law enforcement officer of the State. These  
 14 powers may be exercised upon:

15 (1) Properties owned by the State and managed by the Department;

16 (2) Railroad rights-of-way and utility properties which are not owned by  
 17 the State, but which traverse properties owned by the State and managed by the  
 18 Department;

19 (3) All public and private properties which are within the boundaries of  
 20 State properties managed by the Department;

21 (4) All waters of the State within one mile of the shoreline of all  
 22 properties owned by the Department;

23 (5) All public and private property adjoining property owned by the State  
 24 and managed by the Department;

25 (6) All park property in Maryland owned by the federal government;

26 (7) All roadways within the boundaries of or that portion of roadway  
 27 adjoining properties owned by the State and managed by the Department; [and]

28 (8) Any property in Maryland for the purpose of executing a warrant  
 29 that has resulted from law enforcement activities on property on which a forest, park,  
 30 and wildlife ranger may exercise law enforcement powers; AND

31 (9) IN ALLEGANY, FREDERICK, GARRETT, AND WASHINGTON COUNTIES,  
 32 ALL ROADWAYS OWNED BY THE STATE THAT ARE UTILIZED BY FOREST, PARK, AND  
 33 WILDLIFE RANGERS TRAVELED BY A UNIFORMED FOREST, PARK, AND WILDLIFE  
 34 RANGER IN A MARKED LAW ENFORCEMENT VEHICLE DURING WORK HOURS TO  
 35 TRAVEL WHEN THE RANGER IS TRAVELING:

36 (I) FROM ONE PROPERTY OWNED BY THE STATE AND MANAGED BY  
 37 THE DEPARTMENT TO ANOTHER ~~;~~ OR

38 (II) TO AND FROM COURT ON OFFICIAL BUSINESS.

1 (c) In exercising the powers granted under subsection (b) of this section, the  
2 law enforcement officer shall make every attempt to minimize delay of the operations  
3 of railroads and all utilities.

4 (d) Unless the Department has a signed memorandum of understanding with  
5 the law enforcement agency with primary jurisdiction over the property, a forest,  
6 park, and wildlife ranger may not exercise law enforcement powers under the  
7 provisions of subsection (b)(3) and (5) of this section.

8 (e) All forest, park, and wildlife rangers, including persons appointed for  
9 training prior to regular assignment as a ranger, shall remain in a probationary  
10 status for a period of 2 years from the date of initial appointment. The Secretary may  
11 discharge an employee in probationary status for any cause which is deemed  
12 sufficient in the sole discretion of the Secretary.

13 (f) (1) Whenever Natural Resources police officers receive a salary increase,  
14 forest and park rangers in the State Forest and Park Service shall receive a salary  
15 increase in the same percentage as the salary increase received by Natural Resources  
16 police officers.

17 (2) Whenever Natural Resources police officers receive a grade or step  
18 increase, forest and park rangers in the State Forest and Park Service shall receive  
19 an equal grade or step increase.

20 (g) In cases of inconsistency between this subtitle and the provisions of the  
21 State Personnel and Pensions Article, the provisions of this subtitle shall control as to  
22 all matters relating to Natural Resources law enforcement officers.

23 SECTION 2. AND BE IT FURTHER ENACTED, That by September 30, 2005,  
24 the Department of Natural Resources shall report to the Governor and, in accordance  
25 with § 2-1246 of the State Government Article, to the General Assembly on the  
26 implementation of this Act, including: the number of times forest, park, and wildlife  
27 rangers assumed additional law enforcement duties and the types of violations  
28 involved; the number and types of emergencies to which rangers responded; and the  
29 personnel and fiscal impacts of this Act.

30 SECTION 2-3. AND BE IT FURTHER ENACTED, That this Act shall take  
31 effect ~~October~~ July 1, 2003. Section 1 of this Act shall remain effective for a period of  
32 2 years and, at the end of June 30, 2005, with no further action required by the  
33 General Assembly, Section 1 of this Act shall be abrogated and of no further force and  
34 effect. Section 2 of this Act shall remain effective for a period of 2 years and 3 months  
35 and, at the end of September 30, 2005, with no further action required by the General  
36 Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.

