

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 1399

(Delegates Gaines and DeBoy)

Environmental Matters

Education, Health, and Environmental Affairs

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Natural Resources Police Force - Nonfull-Time Officers

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This bill exempts part-time Natural Resources Police (NRP) officers from Police Training Commission (PTC) certification requirements if they perform law enforcement activities in the same duty assignment as a certified officer. The bill expresses the General Assembly's intent that (1) the number of part-time NRP officers not exceed 15% of the total number of patrol officers and (2) when hiring part-time officers, NRP prioritize hiring retired NRP officers first, other retired law enforcement officers second, and then persons without PTC certification.

The bill takes effect July 1, 2013, and terminates June 30, 2019.

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Fiscal Summary

**State Effect:** Department of Natural Resources (DNR) general/special fund expenditures may decrease in FY 2014 and subsequent years to the extent part-time officers are hired and do not require certification training; however, any impact cannot be reliably estimated. Revenues are not affected.

**Local Effect:** The bill is not expected to materially affect local finances.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** PTC was created in 1966 and is chaired by the Superintendent of State Police. It operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. It also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools.

PTC certifies individuals as police officers who have met commission standards. An individual who is not satisfactorily trained in the 12-month probationary period may not be employed as a police officer, and a police officer may not serve after certification has been revoked, suspended, or allowed to lapse.

A law enforcement agency may employ an individual for up to one year only if the individual is certified by PTC. An exemption is provided for an individual who works in law enforcement less than five months per year for a law enforcement agency that (1) employs, during the calendar year, at least 70 full-time sworn police officers and (2) employs at least 100 part-time police officers. This exemption is commonly referred to as the “Ocean City” exemption.

**Background:** Training for the certification of law enforcement officers in the State may be conducted at PTC’s facilities or at one of 20 certified police training academies in the State. There are approximately 16,000 certified police officers in Maryland.

NRP serves as a public safety agency with statewide authority to enforce all natural resources and conservation laws and regulations relating to seafood harvesting and sport fishing, boating, waterways pollution, wildlife conservation, and enforcement activities in State parks, forests, and other public lands. In addition, NRP is responsible for maritime and rural search and rescue and is the lead agency for maritime homeland security on State waterways. NRP also provides public education in the areas of hunting, boating, and water safety. Each NRP officer has full law enforcement powers statewide.

In January 2013, DNR submitted a report on NRP level of service standards to the budget committees, in accordance with the 2012 *Joint Chairmen’s Report*. Among other things, the report had several findings about NRP staffing levels, which are summarized below.

- To offset anticipated retirements, NRP must hire and train enough recruits to replace a minimum of 14 officers annually over the next five years.
- A total of 233 NRP patrol officers – 70 more than current staffing levels – are required to handle the current patrolling workload. In addition, 10 positions are required to support the additional NRP officers on patrol duty.
- NRP officers should be hired on a contractual, rather than permanent, basis to respond to summer peak workload demands in State forests and parks.

By providing an exemption from PTC certification, the bill may facilitate DNR’s efforts to hire part-time officers to handle the additional workload during the summer months.

**State Expenditures:** DNR general/special fund expenditures may decrease in fiscal 2014 and subsequent years to the extent DNR hires part-time officers and is not required to conduct certification training; however, any impact cannot be reliably estimated as it depends on the number of part-time officers hired and the training NRP no longer provides. NRP currently has six part-time contractual officers who are certified, some who are retired Maryland State Police officers. However, DNR advises that it does not, in the short term, intend to replace any of its current certified part-time officers with new part-time officers who are not certified. DNR further advises that if a part-time officer without certification is hired in the future, DNR will still require some training courses, for liability and other reasons.

Currently, DNR spends *at least* \$7,350 to train a new full-time police officer, excluding approximately \$24,000 for contractual instructors. Also, DNR spends *at least* \$2,102 to train each part-time certified police officer that is hired. DNR estimates that, under the bill, it would require each noncertified part-time police officer to complete a 30-day training on constitutional and criminal law, firearms, and emergency vehicle operations at a cost of *at least* \$2,430 per officer, excluding approximately \$24,000 for contractual instructors.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Natural Resources, Department of Public Safety and Correctional Services, Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2013  
mc/lgc Revised - House Third Reader - March 25, 2013

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