

SENATE BILL 603

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2002 Regular Session
2lr2357
CF 2lr2422

By: **Senators Hafer, Colburn, and Munson**
Introduced and read first time: February 1, 2002
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Rangers - Jurisdiction**

3 FOR the purpose of expanding the law enforcement jurisdiction of forest, park, and
4 wildlife rangers to include all roadways owned by the State that are utilized by
5 forest, park, and wildlife rangers during work hours to travel from one property
6 owned by the State and managed by the Department to another.

7 BY repealing and reenacting, with amendments,
8 Article - Natural Resources
9 Section 5-206
10 Annotated Code of Maryland
11 (2000 Replacement Volume and 2001 Supplement)

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

14 **Article - Natural Resources**

15 5-206.

16 (a) The Secretary may commission any person to act as a forest or park
17 warden for a term of two years, subject to removal at any time at the pleasure of the
18 Secretary. While holding office, a warden has and may exercise the authority and
19 power of a Natural Resources police officer or a law enforcement officer as provided in
20 his commission so far as arresting and prosecuting persons for violations of any forest
21 or park laws or of the laws, rules and regulations enacted for the protection of the
22 State forestry reservations, State parks, historic monuments, recreation areas, or for
23 the protection of fish and game.

24 (b) The Secretary shall, within the limits of any appropriation made for this
25 purpose, commission forest, park, and wildlife rangers as the Secretary deems
26 necessary for the enforcement of laws and regulations as provided in this subsection.
27 All appointments shall be made from a list of eligible persons prepared in accordance
28 with the provisions of the State Personnel and Pensions Article. An employee so
29 commissioned and assigned law enforcement duties has and may exercise the powers

1 of a Natural Resources police officer or a law enforcement officer of the State. These
2 powers may be exercised upon:

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

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

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

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

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

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

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

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

19 (9) ALL ROADWAYS OWNED BY THE STATE THAT ARE UTILIZED BY
20 FOREST, PARK, AND WILDLIFE RANGERS DURING WORK HOURS TO TRAVEL FROM
21 ONE PROPERTY OWNED BY THE STATE AND MANAGED BY THE DEPARTMENT TO
22 ANOTHER.

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

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

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

35 (f) (1) Whenever Natural Resources police officers receive a salary increase,
36 forest and park rangers in the State Forest and Park Service shall receive a salary

1 increase in the same percentage as the salary increase received by Natural Resources
2 police officers.

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

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2002.