

HOUSE BILL 566

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HB 1140/02 - JUD

2003 Regular Session
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CF SB 247

By: **Delegate Schisler**

Introduced and read first time: February 6, 2003
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 20, 2003

CHAPTER _____

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;~~ 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.

