

SENATE BILL 765

P4, M1

9lr2880

By: **Senator Dyson**

Introduced and read first time: February 6, 2009

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources Police – Minimum Staffing**

3 FOR the purpose of requiring the Governor to include in the annual proposed State
4 budget for the Department of Natural Resources an appropriation for a
5 minimum number of natural resources police officer positions; requiring that
6 funding for natural resources police officer positions come from certain
7 designated sources; providing that if funding is reduced for the minimum
8 number of natural resources police officer positions by the General Assembly or
9 the Board of Public Works, the number of natural resources police officer
10 positions may not be reduced below a certain number; and generally relating to
11 the minimum number of natural resources police officer positions authorized in
12 the State budget.

13 Preamble

14 WHEREAS, The General Assembly established the Natural Resources Police
15 Force within the Department of Natural Resources; and

16 WHEREAS, The General Assembly specifically charged the Natural Resources
17 Police Force with enforcing the natural resources laws of the State; and

18 WHEREAS, The General Assembly has charged the Natural Resources Police
19 Force with the responsibility of providing for the public safety, law enforcement, and
20 criminal investigation of every State-owned or leased forest, park, scenic preserve,
21 natural area, parkway, historic monument, and recreation area; and

22 WHEREAS, The Potomac River Compact of 1958 requires that the regulations
23 and orders of the Potomac River Fisheries Commission be enforced by the law
24 enforcement agencies and officers of Maryland; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The General Assembly has charged the Secretary of Natural
2 Resources with the enforcement of all natural resources laws of the State; and

3 WHEREAS, The General Assembly has charged the Department of Natural
4 Resources with the inspection of fish caught or sold in the State and to enforce the cull
5 laws and other protective measures; and

6 WHEREAS, The intent of the General Assembly has been established to foster
7 the development, use, and enjoyment of all the waters of Maryland and that the State
8 shall cooperate to the fullest possible extent with neighboring states and the federal
9 government in connection with assistance and rescue operations and in enforcement of
10 laws and regulations relating to recreational boating safety; and

11 WHEREAS, The General Assembly has directed the Department of Natural
12 Resources in order to protect life and property, to tow disabled vessels on any waters
13 of the State to the nearest safe harbor or to a location where commercial towing
14 facilities are available; and

15 WHEREAS, The number of authorized law enforcement positions within the
16 Natural Resources Police Force has been reduced to a level that prevents the Natural
17 Resources Police Force from effectively discharging the responsibilities mandated by
18 the General Assembly; now, therefore,

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That:

21 (a) The Governor shall include in the annual proposed State budget for the
22 Department of Natural Resources, an appropriation for not less than 480 natural
23 resources police officer positions.

24 (b) Notwithstanding any other provision of law relating to how the funds
25 described in this subsection may be utilized, the positions described in subsection (a) of
26 this Act shall be funded from any combination of:

27 (1) A portion of funds generated by the Maryland Park Service that is
28 equal to the cost of providing law enforcement and public safety on lands managed by
29 the Department of Natural Resources;

30 (2) A portion of funds collected by the Department of Natural
31 Resources for the protection of fisheries;

32 (3) A portion of funds collected by the Department of Natural
33 Resources for the Waterway Improvement Fund;

34 (4) A portion of funds distributed by the State as aid to counties and
35 Baltimore City for law enforcement purposes, based on the number of registered and
36 documented boats in each county; and

2 (c) If funding for the natural resources police officer positions is reduced by
3 the General Assembly or by an action of the Board of Public Works, the authorized
4 number of natural resources police officer positions may not be reduced below 480.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2009.