

MAINE STATE LEGISLATURE

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DATE: 5-14-99

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION**

HOUSE AMENDMENT "C" to S.P. 397, L.D. 1188, Bill, "An Act to Amend Law Enforcement Powers of Maine Forest Rangers"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 12 MRSA §8869, sub-§11, as amended by PL 1997, c. 694, §1, is further amended to read:

11. Right of entry. Agents of the bureau have rights of access to all lands within the State to carry out the duties they are authorized by law to administer and enforce; however, while on private property, an agent of the bureau may not exercise against a landowner any law enforcement powers not directly involving forest and forest preservation laws as long as that landowner does not commit any of the offenses enumerated in Title 17-A, chapter 9. This subsection does not authorize entry into any building or structure.

Sec. 2. 12 MRSA §8901, sub-§2, ¶H, as enacted by PL 1989, c. 174, §2, is amended to read:

H. Have rights of access to all lands within the State to carry out the duties they are authorized by law to administer and enforce; however, while on private property, an agent of the bureau may not exercise against a landowner any law enforcement powers not directly involving forest and forest preservation laws as long as that landowner does not commit any of the offenses enumerated in Title 17-A, chapter 9. Entry into private property under this paragraph is not a trespass. This paragraph does not authorize entry into any building or structure.'

HOUSE AMENDMENT

P. of S.

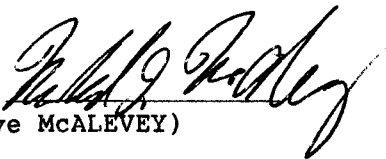
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Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

Under the current law and the bill, forest rangers are given the same law enforcement powers as a sheriff or sheriff's deputy. Additionally, a forest ranger may enter any land, public or private, in the State for the purpose of enforcing forest and forest preservation laws, laws of the Maine Land Use Regulation Commission and laws and rules relating to the lands under the jurisdiction of the Bureau of Parks and Lands.

This amendment retains the ability of a forest ranger to enter upon any lands in the State, but prohibits the forest ranger from exercising any of these enhanced law enforcement powers against a landowner if the exercise of power is not directly related to enforcement of the forest or forest preservation laws and the landowner has not engaged in criminal activity such as assault or criminal threatening.

SPONSORED BY: 
(Representative McALEVEY)

TOWN: Waterboro