

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1188

S.P. 397

In Senate, February 11, 1999

An Act to Amend Law Enforcement Powers of Maine Forest Rangers.

Submitted by the Department of Conservation pursuant to Joint Rule 204.
Reference to the Committee on Agriculture, Conservation and Forestry suggested and
ordered printed.

A handwritten signature in black ink, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KIEFFER of Aroostook.
Cosponsored by Representative CARR of Lincoln and
Senator KILKELLY of Lincoln.

Be it enacted by the People of the State of Maine as follows:

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4 **Sec. 1. 12 MRSA §8901, sub-§3**, as amended by PL 1991, c. 652, §2 and 1995, c. 502, Pt. E, §30, is repealed and the following enacted in its place:

6 3. Law enforcement powers. In addition to any law
8 enforcement powers expressly provided to forest rangers by another law:

10 A. Forest rangers and the state supervisor, 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, have statewide law enforcement powers equivalent to those of a sheriff, or a sheriff's deputy, in the sheriff's county, including the right to execute or serve criminal and civil violation processes against offenders, make warrantless arrests for crimes, investigate and prosecute offenders, require aid in executing forest ranger duties and deputize temporary aides;

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18 B. The Director of the Bureau of Forestry, at the director's discretion, may authorize forest rangers and the state supervisor while on duty to arrest without a warrant a person who has committed or is committing in the ranger's or supervisor's presence any crime involving the use or threatened use of physical force against a person.

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24 For the purposes of this paragraph, criminal conduct has been committed or is being committed in the presence of a law enforcement officer when one or more of the officer's senses afford that officer personal knowledge of facts that are sufficient to warrant a prudent and cautious law enforcement officer's belief that a crime involving the use or threatened use of physical force against a person is being or has just been committed and that the person arrested has committed or is committing that crime. An arrest made pursuant to this paragraph must be made at the time of the commission of the criminal conduct, or some part thereof, or within a reasonable time thereafter or upon fresh pursuit; and

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38 C. Forest rangers and the state supervisor while on or off duty are authorized to provide assistance in a life-threatening emergency consistent with agency policies and within the scope of individual training.

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44 **Sec. 2. 12 MRSA §8901, sub-§3-A** is enacted to read:

