

MAINE STATE LEGISLATURE

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M
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L.D. 2392

DATE: 3-3-00

(Filing No. H-836)

REPORT A

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1686, L.D. 2392, Bill, "An Act to Provide Safety for Forest Rangers and the Public"

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

'Sec. 1. 5 MRSA §935, sub-§1, ¶K, as enacted by PL 1987, c. 349, Pt. H, §3, is amended to read:

K. State Supervisor, Division of Forest Fire--Operations Protection.

Sec. 2. 12 MRSA §8901, sub-§1, as amended by PL 1999, c. 155, Pt. A, §4, is further amended to read:

1. **Appointment.** The Director of the Bureau of Forestry shall appoint forest rangers, subject to the Civil Service Law and the State Supervisor, Division of Forest Protection. Rangers assigned to posts at Clayton Lake, St. Pamphile, Estcourt Station, Daaquam, Musquacook Lake, Snare Brook and Baker Lake must be bilingual in French and English. An appointment made after July 1, 2000 to the position of forest ranger or State Supervisor, Division of Forest Protection is contingent upon the successful completion of training and certification required under subsection 4 within the first 12 months of employment.'

Further amend the bill by striking out all of section 1 (page 1, lines 3 to 17 in L.D.) and inserting in its place the following:

'Sec. 1. 12 MRSA §8901, sub-§§4, 5 and 6 are enacted to read:

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2 4. Training. Except as provided in subsection 6, a forest
4 ranger and the state supervisor authorized under subsection 3 to
6 perform the duties of law enforcement officers must successfully
meet and maintain the training standards and certification
requirements for full-time law enforcement officers as
established in Title 25, chapter 341.

8 5. Equipment. The state supervisor and any forest ranger
10 who has successfully completed the training and certification
12 required under subsection 4 must be issued personal protective
14 equipment, including, but not limited to, body armor, handcuffs,
pepper spray, firearms, magazines, magazine holders, duty belts,
ammunition and other related materiel for the protection of the
public, the forest ranger and the state supervisor.

16 6. Exemption. A person employed by the State prior to July
18 1, 2000 as a forest ranger or as the State Supervisor, Division
20 of Forest Protection may continue to be employed in that capacity
22 without successful completion of the training and certification
24 required in subsection 4. A person who has not successfully
completed the training and certification required in subsection 4
may not be issued a firearm by the bureau and is not authorized
to carry a firearm while in the performance of the duties of a
forest ranger or state supervisor.'

26 Further amend the bill in section 2 in subsection 1 by
28 striking out all of paragraph C (page 1, lines 35 to 38 in L.D.)
and inserting in its place the following:

30 'C. Agents or representatives of the Department of
32 Conservation, Bureau of Forestry, whose law enforcement
34 powers are limited to those specified by Title 12, section
8901, subsection 3 and who are specifically exempted under
Title 12, section 8901, subsection 6.'

36 Further amend the bill by inserting after section 3 the
38 following:

40 '**Sec. 4. Plan for training at Maine Criminal Justice Academy.** No
42 later than August 1, 2000, the Commissioner of Conservation shall
44 send a letter to each person employed as a state forest ranger to
46 ascertain that person's willingness to be certified as a law
enforcement officer and to determine that person's level of
training and experience in law enforcement. The commissioner
shall request that responses be returned to the commissioner no
later than September 1, 2000.

48 The Commissioner of Conservation, in consultation with the
50 Commissioner of Public Safety, shall develop a plan to address
training needs of people currently employed as forest rangers and

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2 a timeline for the training and certification of forest rangers
3 and the State Supervisor, Division of Forest Protection
4 equivalent to the training and certification requirements for
5 full-time law enforcement officers at the Maine Criminal Justice
6 Academy under the Maine Revised Statutes, Title 25, chapter 341.
7 The plan must provide for every forest ranger who is willing to
8 be certified as a full-time law enforcement officer with the
9 required training and the opportunity for certification no later
10 than July 1, 2003.

11 **Sec. 5. Appropriation.** The following funds are appropriated
12 from the General Fund to carry out the purposes of this Act.

13 2000-01

14 **CONSERVATION, DEPARTMENT OF**

15 **Division of Forest Protection**

16 Personal Services \$ 46,338
17 All Other 149,637

18 Appropriates funds for law enforcement
19 training and protective equipment costs.

20 **DEPARTMENT OF CONSERVATION**
21 **TOTAL** \$195,975'

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

25 Further amend the bill by inserting at the end before the
26 summary the following:

27 **FISCAL NOTE**

28 2000-01

29 **APPROPRIATIONS/ALLOCATIONS**

30 General Fund \$195,975

31 This bill includes a General Fund appropriation of \$195,975
32 in fiscal year 2000-01 for the Department of Conservation to pay
33 for certain law enforcement training and protective equipment

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costs. The estimated future costs are approximately \$175,675 in each of fiscal years 2001-02 and 2002-03.

The Department of Conservation will incur some minor additional costs to develop a schedule for law enforcement training. These costs can be absorbed within the department's existing budgeted resources.'

SUMMARY

This amendment allows a forest ranger or a State Supervisor, Division of Forest Protection employed prior to July 1, 2000 to continue serving in that capacity without successfully completing the training required of persons appointed to those positions after July 1, 2000. It clarifies that appointments to those positions made after July 1, 2000 are contingent on successful completion of law enforcement training and certification. It directs the Commissioner of Conservation to work with the Commissioner of Public Safety to establish a schedule for the state supervisor and forest rangers that will provide for completion of training and certification no later than July 1, 2003 at the Maine Criminal Justice Academy.

The amendment also corrects an obsolete reference to the State Supervisor, Forest Fire Operations to the correct term of State Supervisor, Division of Forest Protection.

This amendment also adds an appropriation and a fiscal note to the bill.