

MAINE STATE LEGISLATURE

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REPORT B
AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 273, L.D. 351, Bill, "An Act to Clarify the Training Requirements for Forest Rangers"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place 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 October 1, 2001 to the position of forest ranger or state supervisor is contingent upon the successful completion of training and certification required under subsection 4 within the first 12 months of employment.

Sec. 3. 12 MRSA §8901, sub-§§4, 5 and 6 are enacted to read:

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

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

16 6. Exemption. A person employed by the State prior to
17 October 1, 2001 as a forest ranger or as the state supervisor may
18 continue to be employed in that capacity without successful
19 completion of the training and certification required in
20 subsection 4. A person who has not successfully completed the
21 training and certification required in subsection 4 may not be
22 issued a firearm by the bureau and is not authorized to carry a
23 firearm while in the performance of the duties of a forest ranger
24 or state supervisor.

26 **Sec. 4. 25 MRSA §2801-B, sub-§1, ¶C,** as amended by PL 1999, c.
27 682, §3, is further amended to read:

28 C. Agents or representatives of the Department of
29 Conservation, Bureau of Forestry, whose law enforcement
30 powers are limited to those specified by Title 12, section
31 8901, subsection 3 and who are specifically exempted under
32 Title 12, section 8901, subsection 6;

34 **Sec. 5. PL 1999, c. 352, §§3 and 4** are repealed.

36 **Sec. 6. Plan for training at Maine Criminal Justice Academy.** No
37 later than October 1, 2001, the Commissioner of Conservation
38 shall send a letter to each person employed as a state forest
39 ranger to ascertain that person's willingness to be certified as
40 a law enforcement officer and to determine that person's level of
41 training and experience in law enforcement. The commissioner
42 shall request that responses be returned to the commissioner no
43 later than November 1, 2001.

44 The Commissioner of Conservation, in consultation with the
45 Commissioner of Public Safety, shall develop a plan to address
46 training needs of people currently employed as forest rangers and
47 a timeline for the training and certification of forest rangers
48 and the State Supervisor, Division of Forest Protection within
49
50

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2 the Department of Conservation equivalent to the training and
3 certification requirements for full-time law enforcement officers
4 at the Maine Criminal Justice Academy under the Maine Revised
5 Statutes, Title 25, chapter 341. The plan must provide for every
6 forest ranger who is willing to be certified as a full-time law
7 enforcement officer with the required training and the
8 opportunity for certification no later than July 1, 2004.

9
10 **Sec. 7. Appropriation.** The following funds are appropriated
11 from the General Fund to carry out the purposes of this Act.

	2001-02	2002-03
12		
14	CONSERVATION, DEPARTMENT OF	
16	Division of Forest Protection	
18	Personal Services	46,338
	All Other	149,637
20		46,338
		129,337
22	Appropriates funds for law enforcement training and protective equipment costs.	
24		
26	DEPARTMENT OF CONSERVATION	
	TOTAL	<u>\$195,975</u>
		<u>\$175,675</u>

28 Further amend the bill by inserting at the end before the
29 summary the following:

32 FISCAL NOTE

	2001-02	2002-03
34		
36	APPROPRIATIONS/ALLOCATIONS	
38	General Fund	\$195,975
		\$175,675

40 This bill includes General Fund appropriations of \$195,975
41 and \$175,675 in fiscal years 2001-02 and 2002-03, respectively,
42 for the Department of Conservation to pay for certain law
43 enforcement training and protective equipment costs.'

46 SUMMARY

48 This amendment is one of 2 minority reports. This amendment
allows a forest ranger or a State Supervisor, Division of Forest

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2 Protection within the Department of Conservation employed prior
to October 1, 2001 to continue serving in that capacity without
3 successfully completing the training required of persons
4 appointed to those positions after October 1, 2001. It clarifies
that appointments to those positions made after October 1, 2001
5 are contingent on successful completion of law enforcement
6 training and certification. It directs the Commissioner of
7 Conservation to work with the Commissioner of Public Safety to
8 establish a schedule for the state supervisor and forest rangers
9 that will provide for completion of training and certification no
10 later than July 1, 2004 at the Maine Criminal Justice Academy.

12
13 The amendment also corrects an obsolete reference to the
14 State Supervisor, Forest Fire Operations to the correct term of
State Supervisor, Division of Forest Protection.

16
17 This amendment also repeals Public Law 1999, chapter 352,
18 section 4, which prohibited the Department of Conservation to
purchase certain equipment without legislative approval.

20
21 This amendment also adds an appropriation and a fiscal note
22 to the bill.