

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 866

S.P. 311

In Senate, March 12, 2015

An Act To Ensure Efficiency and Safety in the Bureau of Forestry

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator BURNS of Washington.
Cosponsored by Representative NADEAU of Winslow and
Senators: DAVIS of Piscataquis, SAVIELLO of Franklin, Representatives: BEAVERS of
South Berwick, LONG of Sherman, MAKER of Calais, MALABY of Hancock, TIMMONS of
Cumberland, TURNER of Burlington.

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

2 **Sec. 1. 12 MRSA §8901, sub-§1**, as amended by PL 2011, c. 657, Pt. X, §7 and
3 PL 2013, c. 405, Pt. A, §23, is repealed and the following enacted in its place:

4 **1. Appointment.** The Director of the Bureau of Forestry shall appoint forest rangers
5 and the state supervisor of the forest protection unit of the Bureau of Forestry subject to
6 the Civil Service Law. The state supervisor is appointed from among the forest rangers
7 of the bureau.

8 A. The forest protection unit of the Bureau of Forestry shall employ no fewer than 16
9 forest rangers classified as Forest Ranger III to serve as the primary law enforcement
10 officers for the unit and may enforce all laws of the State, with an emphasis on forest,
11 natural resource and wildfire protection. Each forest ranger in this classification must
12 meet the training, certification and evaluation standards for full-time law enforcement
13 officers established by the department and the Board of Trustees of the Maine
14 Criminal Justice Academy pursuant to Title 25, section 2803-A. Each Forest Ranger
15 III must be armed with a firearm. Notwithstanding any other provision of law, only a
16 person employed as a forest ranger by the bureau is eligible for appointment as a
17 Forest Ranger III.

18 B. The forest protection unit of the Bureau of Forestry shall employ no fewer than 32
19 forest rangers classified as Forest Ranger II to serve as wildfire control specialists and
20 forestry law enforcement officers. Each forest ranger in this classification must, at a
21 minimum, be a graduate of the Maine Criminal Justice Academy's law enforcement
22 preservice program or equivalent and must be equipped with a ballistic vest and an
23 electronic control device for officer safety. Use of an electronic control device by a
24 trained law enforcement officer is considered to be the use of nondeadly force. A
25 Forest Ranger II may enforce laws listed in subsection 3.

26 **Sec. 2. 12 MRSA §8901, sub-§2, ¶G**, as amended by PL 1989, c. 174, §1, is
27 further amended to read:

28 G. Carry out such other duties as the director prescribes; ~~and~~

29 **Sec. 3. 12 MRSA §8901, sub-§2, ¶H**, as enacted by PL 1989, c. 174, §2, is
30 amended to read:

31 H. Have rights of access to all lands within the State to carry out the duties they are
32 authorized by law to administer and enforce. Entry into private property under this
33 paragraph is not a trespass. This paragraph does not authorize entry into any building
34 or structure-;

35 **Sec. 4. 12 MRSA §8901, sub-§2, ¶¶I and J** are enacted to read:

36 I. Investigate, plan and implement measures regarding forest health issues, including
37 the control of invasive forest insect species, and provide support to the units within
38 the bureau that are responsible for forest health and insect disease control; and

39 J. Subject to the supervision of the director, assist in disasters and emergencies,
40 including search and rescue operations.

