

MAINE STATE LEGISLATURE

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SMG
H. of B.

L.D. 8

Date: 6/7/17

Majority

(Filing No. H-451)

1
2
3 **AGRICULTURE, CONSERVATION AND FORESTRY**

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5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **128TH LEGISLATURE**
8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 9, L.D. 8, Bill, "An Act To Protect
10 Maine's Forest Rangers"

11 Amend the bill by striking out the title and substituting the following:

12 '**An Act To Provide Training for Forest Rangers To Carry Firearms'**

13 Amend the bill by striking out everything after the enacting clause and before the
14 summary and inserting the following:

15 '**Sec. 1. 12 MRSA §8901, sub-§1, ¶A**, as enacted by PL 2015, c. 267, Pt. Z, §1,
16 is amended to read:

17 A. The forest protection unit of the Bureau of Forestry shall employ no fewer than 45
18 and no more than 50 forest rangers classified as Forest Ranger II to serve as wildfire
19 control specialists and forestry law enforcement officers, and no fewer than 17 forest
20 rangers classified as follows: 3 Regional Rangers, 8 District Rangers, one Forest Fire
21 Prevention Specialist, one Ranger Pilot Supervisor and 4 Ranger Pilots. Each forest
22 ranger and the state supervisor of the forest protection unit of the Bureau of Forestry
23 within the Department of Agriculture, Conservation and Forestry must, at a
24 minimum, be a graduate of the Maine Criminal Justice Academy's law enforcement
25 preservice program or equivalent meet the training requirements of Title 25, section
26 2804-L.

27 **Sec. 2. 25 MRSA §2801-B, sub-§1, ¶C**, as amended by PL 2015, c. 267, Pt. CC,
28 §1, is further amended to read:

29 C. ~~An agent or a representative of the Department of Agriculture, Conservation and~~
30 ~~Forestry, Bureau of Forestry whose law enforcement powers are limited to those~~
31 ~~specified by~~ The state supervisor of the forest protection unit of the Bureau of
32 Forestry within the Department of Agriculture, Conservation and Forestry or a forest
33 ranger appointed under Title 12, section 8901, subsection 3 and who does not carry a
34 firearm;

35 **Sec. 3. 25 MRSA §2803-A, sub-§8-D** is enacted to read:

COMMITTEE AMENDMENT

1 8-D. Training of forest rangers. To establish certification standards and a training
2 program for the state supervisor of the forest protection unit of the Bureau of Forestry
3 within the Department of Agriculture, Conservation and Forestry and forest rangers
4 appointed under Title 12, section 8901. This program must include:

- 5 A. Preservice law enforcement training under section 2804-B;
- 6 B. An additional basic forest ranger training program developed by the state
7 supervisor of the forest protection unit of the Bureau of Forestry within the
8 Department of Agriculture, Conservation and Forestry and approved by the board
9 that is specific to the duties of a forest ranger;
- 10 C. In-service law enforcement training that is specifically approved by the board as
11 prescribed in section 2804-E; and
- 12 D. A firearms training program equivalent to a firearms training program of a full-
13 time law enforcement officer trained at the Maine Criminal Justice Academy that is
14 developed and approved by the board.

15 Forest rangers are exempt from section 2804-C, but completion of basic training under
16 section 2804-C exempts a person from the preservice training requirement under
17 paragraph A;

18 **Sec. 4. 25 MRSA §2804-L** is enacted to read:

19 **§2804-L. Law enforcement training for forest rangers**

20 Beginning July 1, 2018, all forest rangers and the state supervisor of the forest
21 protection unit of the Bureau of Forestry within the Department of Agriculture,
22 Conservation and Forestry must successfully complete the training requirements
23 established under section 2803-A, subsection 8-D.

24 **Sec. 5. Appropriations and allocations.** The following appropriations and
25 allocations are made.

26 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
27 **Division of Forest Protection Z232**

28 Initiative: Provides appropriations for the purchase of firearms, ammunition, holsters and
29 lockboxes, and for training and overtime staffing costs associated with a firearms training
30 program for forest rangers.

31	GENERAL FUND	2017-18	2018-19
32	Personal Services	\$25,065	\$0
33	All Other	\$71,872	\$4,225
34			
35	GENERAL FUND TOTAL	<u>\$96,937</u>	<u>\$4,225</u>

36 **Forest Health and Monitoring Z233**

1 Initiative: Provides appropriations for the purchase of firearms, ammunition, holsters and
 2 lockboxes, and for training and overtime staffing costs associated with a firearms training
 3 program for forest rangers.

4	GENERAL FUND	2017-18	2018-19
5	Personal Services	\$10,238	\$0
6	All Other	\$29,356	\$1,726
7			
8	GENERAL FUND TOTAL	\$39,594	\$1,726

9	AGRICULTURE, CONSERVATION AND		
10	FORESTRY, DEPARTMENT OF		
11	DEPARTMENT TOTALS	2017-18	2018-19
12			
13	GENERAL FUND	\$136,531	\$5,951
14			
15	DEPARTMENT TOTAL - ALL FUNDS	\$136,531	\$5,951
16			

17 **SUMMARY**

18 This amendment strikes and replaces the bill. The amendment amends the powers
 19 and duties of the Board of Trustees of the Maine Criminal Justice Academy to include
 20 that the board establish certification standards and a training program for forest rangers
 21 and the state supervisor of the forest protection unit of the Bureau of Forestry within the
 22 Department of Agriculture, Conservation and Forestry. The training program must
 23 include preservice law enforcement training under the Maine Revised Statutes, Title 25,
 24 section 2804-B; an additional basic forest ranger training program developed by the state
 25 supervisor of the forest protection unit of the Bureau of Forestry within the Department of
 26 Agriculture, Conservation and Forestry and approved by the board that is specific to the
 27 duties of a forest ranger; in-service law enforcement training that is specifically approved
 28 by the board as prescribed in Title 25, section 2804-E; and a firearms training program
 29 equivalent to a firearms training program of a full-time law enforcement officer trained at
 30 the Maine Criminal Justice Academy that is developed and approved by the board. The
 31 training program exempts forest rangers from basic law enforcement training and other
 32 requirements under Title 25, section 2804-C, but completion of the basic training under
 33 section 2804-C exempts a person from the preservice training requirement.

34 The training program satisfies requirements necessary for forest rangers to carry
 35 firearms in the course of their duties. The amendment also specifies that beginning July
 36 1, 2018, all forest rangers and the state supervisor must successfully complete the training

COMMITTEE AMENDMENT "A" to H.P. 9, L.D. 8

1 requirements established under Title 25, section 2803-A, subsection 8-D, which provides
2 the department and the board time to develop and implement the training.

3 The amendment also adds an appropriations and allocations section.

4 **FISCAL NOTE REQUIRED**

5 (See attached)



128th MAINE LEGISLATURE

LD 8

LR 372(02)

An Act To Protect Maine's Forest Rangers

Fiscal Note for Bill as Amended by Committee Amendment
Committee: Agriculture, Conservation and Forestry
Fiscal Note Required: Yes

A(H-451)

Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
General Fund	\$136,531	\$5,951	\$5,951	\$5,951
Appropriations/Allocations				
General Fund	\$136,531	\$5,951	\$5,951	\$5,951

Fiscal Detail and Notes

This bill would modify certification standards of, and create a training program for, forest rangers within the Department of Agriculture, Conservation and Forestry (ACF) to allow them to carry firearms in the line of duty. It directs the Maine Criminal Justice Academy (MCJA) to develop a forest ranger specific law enforcement training program in conjunction with the ACF.

This bill includes appropriations of \$87,899 to purchase firearms, ammunition, holsters and lockboxes to arm forest rangers, \$13,330 for firearms training and \$35,302 for overtime staffing in fiscal year 2017-18. Also, starting in fiscal year 2018-19 all forest rangers will complete annual firearms certification requiring an appropriation of \$5,951. The department has indicated that 50 Rangers currently classified as Forest Ranger II positions will need to be reclassified with a salary equivalent to a Game Warden or Marine Patrol Officer. If such a reclassification occurs the cost is estimated to be \$9,880 per position for a total of \$494,000. This cost is not included in this fiscal note.

Current statute provides that Forest Rangers have law enforcement authority but they are exempt from having to complete the Basic Law Enforcement Training Program (BLETP) required of other law enforcement officers because they do not carry a firearm. With the issuance of firearms the ACF has indicated that it will require forest rangers who have not already completed the BLETP to complete a newly developed forest ranger specific basic law enforcement training program within 5 years. Because this program has yet to be developed, no appropriation for this cost is made at this time. Currently there are 59 positions that would need to complete the newly created training program. The department projects that they will begin to cycle through training at a rate of 5 positions per year starting in fiscal year 2018-19. Using the current BLETP as an estimate, this training would have an annual cost of \$36,403 in tuition and \$72,366 for overtime to fill coverage requirements.