

LANGUAGE AMENDMENT to BIENNIAL BUDGET
PART AA- I (CORRECT VERSION)

In place of the changes proposed in the Biennial Budget – Language Section AA, the ACF Committee requests that the following be included:

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 A, §23, is repealed and the following enacted in its place:

1. Appointment. The Director of the Bureau of Forestry shall appoint forest rangers and the state supervisor of the forest protection unit of the Bureau of Forestry subject to the Civil Service Law. The state supervisor must be appointed from among the forest rangers of the bureau.

A. The forest protection unit of the Bureau of Forestry shall employ no fewer than 50 and no more than 56 forest rangers classified as Forest Ranger II to serve as wildfire control specialists and forestry law enforcement officers, and no fewer than 16 forest rangers classified as follows: 3 Regional Rangers, 8 District Rangers, 1 Ranger Pilot Supervisor, and 4 Ranger Pilots. Each forest ranger must, at a minimum, be a graduate of the Maine Criminal Justice Academy's law enforcement preservice program or equivalent and must be equipped with a ballistic vest and an electronic control device for officer safety. Use of an electronic control device by a forest ranger is governed by the provisions of Title 17-A including, but not limited to, section 101, subsection 5, paragraph B. All forest rangers may enforce laws listed in subsection 3.

B. The forest ranger classifications within the forest protection division shall be provided an electronic control device and a ballistic vest for the performance of their law enforcement duties.

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

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

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

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

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

I. Maintain a statewide surveillance system to detect and monitor insects, diseases and abiotic agents, including air pollution and acid deposition potentially injurious to the forest resources of the State;

J. Provide information and technical advice and assistance to individuals and other state and federal agencies on the identification and control of forest insects and diseases;

K. Conduct and supervise control programs for forest diseases and insects where authorized;

L. Assist in the enforcement of federal and state quarantine laws relating to forest insects and diseases;

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M. Conduct applied research related to the management of insects, diseases and abiotic agents potentially injurious to the forest resources of the State, including forest management strategies, insecticide and spray application technologies, integrated pest management techniques and other issues pertinent to the purposes of this chapter. The director shall maintain up-to-date information on the injurious impacts of insects, diseases and abiotic agents, including air pollution and acid deposition on the forests of the State;

N. Consult and cooperate with other agencies of the United States, other state governments, the federal and provincial governments of Canada and public and private landowners in the State on applied research, survey and management of forest pest problems; and

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

Sec. 5. 12 MRSA §8901, sub-§4, ¶B-1 is enacted to read:

B-1. "Electronic control device" means a portable device or weapon with an electrical current, impulse, wave or beam that may be directed toward and have a disabling effect upon human beings.

Sec. 6. PL 1999, c. 352, §§3 and 4 are repealed.

SUMMARY

This amendment requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to appoint the state supervisor and no fewer than 50 and no more than 56 Forest Ranger IIs, subject to the Civil Service Law, who serve in a role similar to that of current forest rangers and who must be provided ballistic vests and electronic control devices for their safety while performing their duties. Additionally, the director is required to appoint no fewer than 15 forest rangers classified as follows: 3 Regional Rangers, 8 District Rangers, 1 Ranger Pilot Supervisor, and 4 Ranger Pilots.

This bill changes the duties of forest rangers to include maintaining a statewide surveillance system to detect and monitor insects, diseases and abiotic agents, including air pollution and acid deposition potentially injurious to the forest resources of the State, providing information and technical advice and assistance to individuals and other state and federal agencies on the identification and control of forest insects and diseases, conducting and supervising control programs for forest diseases and insects where authorized; assisting in the enforcement of federal and state quarantine laws relating to forest insects and diseases; conducting applied research related to the management of insects, diseases and abiotic agents potentially injurious to the forest resources of the State, including forest management strategies, insecticide and spray application technologies, integrated pest management techniques and other issues pertinent to the purposes of this chapter, and consulting and cooperating with other agencies of the United States, other state governments, the federal and provincial governments of Canada and public and private landowners in the State on applied research, survey and management of forest pest problems. It also changes the duties of forest rangers to include providing assistance in disasters and emergencies, including search and rescue operations.

It removes the prohibition of the purchase of firearms, ballistic vests and other firearms-related equipment by the Department of Conservation.