

HOUSE BILL 1473

M1

8lr3164
CF SB 860

By: **Delegate Malone**

Introduced and read first time: February 15, 2008

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Forest and Park Wardens – Responsibilities**

3 FOR the purpose of repealing a certain requirement that a forest or park warden take
4 certain actions on learning of a forest fire; making certain stylistic changes; and
5 generally relating to the responsibilities of a forest or park warden.

6 BY repealing and reenacting, with amendments,
7 Article – Natural Resources
8 Section 5–701
9 Annotated Code of Maryland
10 (2005 Replacement Volume and 2007 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Natural Resources**

14 5–701.

15 (A) [Every] **A** forest [and] **OR** park warden shall enforce every forest and
16 park law, rule, and regulation of the State and protect State forest reserves, State
17 parks, scenic preserves, parkways, historic monuments, and recreational areas.

18 (B) [He] **THE FOREST OR PARK WARDEN** shall report any violation of law
19 to the Secretary as soon as possible, assist in apprehending and convicting offenders,
20 and make an annual report to the Secretary on forest conditions in [his] **THE FOREST**
21 **OR PARK WARDEN’S** immediate neighborhood.

22 (C) If any forest or park warden sees [or learns of] a forest fire, [he] **THE**
23 **FOREST OR PARK WARDEN** shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Go immediately to the fire and employ those persons and means as
2 [he] **THE FOREST OR PARK WARDEN** deems necessary to extinguish the fire;

3 (2) Keep an itemized account of all expenses thus incurred and send
4 [his] **THE** account immediately to the Secretary;

5 (3) Control and direct any person and apparatus engaged in
6 extinguishing forest fires;

7 (4) Summon inhabitants of the county over the age of 18 years, if able,
8 to assist in extinguishing fires, and also require use of personal property needed for
9 this purpose; and

10 (5) Use the members of the Junior Forest Fire Fighters Service
11 between the ages of 14 and 18 years inclusive, either paid or unpaid, provided they
12 have the written consent of their parents or guardians.

13 **(D)** Any person summoned who is physically able, but who refuses or neglects
14 to assist, or allow the use of man power, equipment, or other material required, is
15 liable to a penalty of \$10.

16 **(E)** An action for trespass may not lie against a forest or park warden or
17 anyone working under [his] **THE FOREST OR PARK WARDEN'S** direction, for entering
18 on any person's land to extinguish a fire, plow furrows, tear down fences, or start a
19 back fire to check a fire that may be approaching.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2008.