

HOUSE BILL 1473

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8lr3164
CF SB 860

By: **Delegate Malone**

Introduced and read first time: February 15, 2008

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, February 25, 2008

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2008

CHAPTER _____

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; requiring a forest or park warden to
5 take certain actions under certain circumstances; making certain stylistic
6 changes; and generally relating to the responsibilities of a forest or park
7 warden.

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 5–701
11 Annotated Code of Maryland
12 (2005 Replacement Volume and 2007 Supplement)

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

15 **Article – Natural Resources**

16 5–701.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

5 **(C)** If any forest or park warden sees [or learns of] a forest fire, [he] **OR IS**
6 **REQUESTED BY A FIRE COMPANY TO ASSIST WITH A FIRE PLOW OR PROVIDE**
7 **INCIDENT COMMAND EXPERTISE AT THE SCENE, THE FOREST OR PARK WARDEN**
8 shall:

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

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

13 (3) Control and direct any person and apparatus engaged in
14 extinguishing forest fires;

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

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

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

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

28 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
29 October 1, 2008.