

LAWS

PERTAINING TO

PA – DCNR AND

FOREST FIRE

WARDENS

Department of Conservation and Natural Resources

Section 1. [Fire wardens] Be it enacted, &c., That there be hereby instituted and created a system of fire-wardens, within this Commonwealth, whose duty it shall be to protect forests, farmers' woodlots, and wild lands by preventing and suppressing fires. (1909, P.L.781, No.601, § 1)

Section 2. [Chief fire warden and deputy chief fire warden] The Commissioner of Forestry and the Deputy Commissioner of Forestry shall be, respectively, the Chief Fire Warden and the Deputy Chief Fire Warden of this Commonwealth, for the enforcement of the provisions of [the act of May 13, 1909 (P.L.781, No.601)]. They shall have immediate supervision and control of the whole system of fire-wardens hereby created, and, as such, shall have full power and authority to carry the same into effect. (1909, P.L.781, No.601, § 2)

Section 3. [District fire warden] As soon after the approval of [the act of May 13, 1909 (P.L.781, No.601)] as may be convenient, the Commissioner of Forestry shall appoint in each borough and township in this Commonwealth, if in his judgment necessity exists for such appointment, a suitable and competent person, who shall be known as the district fire-warden of the particular borough or township wherein he shall be appointed. The persons appointed district fire-wardens shall be expressly chosen to carry out the provisions of [the act of May 13, 1909 (P.L.781, No.601)], by reason of their physical fitness and their good reputation for sobriety, honesty, and ability to perform the duties herein demanded and required. (1909, P.L.781, No.601, § 3)

Section 4. [Badge of authority for fire wardens and assistants] Every district fire-warden and every assistant fire-warden, appointed or provided for under the provisions of [the act of May 13, 1909 (P.L.781, No.601)], shall procure, at his own expense, and wear and be known by, an appropriate badge of authority, to be approved by the Commissioner of Forestry, which shall be produced and shown on all proper occasions, whenever demanded. (1909, P.L.781, No.601, § 4)

Section 5. [Duties; compensation] Whenever fire is discovered in or approaching woodlots, forests, or wild lands, whether the same be owned by individuals, corporations or by the Commonwealth, it shall be the duty of the fire-warden, immediately, to take such measures as are necessary for the extinguishment of the fire. He shall have authority to employ such other persons as, in his judgment, may be necessary to render assistance in extinguishing fire; and when ever it shall not otherwise be possible for him to secure a sufficient number of persons to assist in extinguishing fire, he is hereby given the power and authority to compel the attendance of, and the rendering of assistance by, persons, in the extinguishing of fire under the penalties prescribed in [the act of May 13, 1909 (P.L.781, No.601)]. The district fire-warden, while engaged in performing the duties imposed by [the act of May 13, 1909 (P.L.781, No.601)], shall receive as compensation twenty-five (25¢) cents per hour, and his actual, necessary expenses incurred; and the persons so employed, or compelled to assist the warden, in the extinguishment of fire, shall receive as compensation for their services fifteen (15¢) cents per hour. (1909, P.L.781, No.601, § 5)

Section 6. [Powers] The employees of the Department of Forestry [now the Department of Conservation and Natural Resources] shall be exofficio fire-wardens, whose duties and powers shall be the same as, by [the act of May 13, 1909 (P.L.781, No.601)], are vested in

the district fire-wardens appointed by the Commissioner of Forestry; but they shall not receive any compensation other than the regular pay allowed as an employee of the Department of Forestry, and the necessary expenses by them incurred in the performance of their duties as fire-wardens.

(1909, P.L.781, No.601, § 6)

Section 8. [Assistant fire wardens] In each township and borough the district fire-wardens, appointed by the Commissioner of Forestry, may appoint, by and with the consent of the Commissioner of Forestry, suitable persons, to be known as assistant fire-wardens, who shall possess the same qualifications demanded by [the act of May 13, 1909 (P.L.781, No.601)] for the district fire-wardens, and who are hereby vested with the same power and authority. They shall receive, as compensation for their services so to be performed, the sum of twenty (20¢) cents per hour, and the necessary expenses incurred in the actual performance of their duty.

Section 9. [Investigation and reports] *Whenever* a forest, woodlot or wild-land fire shall *have* been combated or extinguished, by the means provided for in [the act of May 13, 1909 (P.L.781, No.601)], the district fire-warden shall prepare a correct statement, showing the date of the fire, the number of men employed to extinguish the fire, the number of hours each was employed, and the actual amount of expense incurred, verified by oath or affirmation, and shall forward the same at once to the Commissioner of Forestry. It shall be the further duty of the district fire-warden thoroughly to investigate the cause or origin of the fire, to collect such *evidence* as may be discovered relating thereto, and make a report thereon to the Commissioner of Forestry, together with a statement showing the area burned *over* and damage done by the fire. The assistant fire-wardens shall render their accounts, under oath or affirmation, to the district fire-warden, who shall thoroughly investigate the facts therein stated, and, if he find them correct, shall transmit the same to the Commissioner of Forestry. The *above* reports and accounts shall be made upon uniform blanks to be furnished by the Commissioner of Forestry. (1909, P.L.781, No.601, § 9)

Section 10. [Audit] Upon receipt of bills for extinguishing forest fires, the Commissioner of Forestry [now the Secretary of Conservation and Natural Resources] is hereby authorized and directed carefully to audit the same. He shall not approve any bill until he has first satisfied himself of its correctness, and that the services therein claimed were actually rendered, or the expense actually incurred. If the Commissioner of Forestry approve an account so rendered, he shall transmit the same to the Auditor General of the Commonwealth; who shall first satisfy himself of its correctness, and shall then draw his warrant, against the fund hereinafter appropriated to pay for the extinguishment of forest fires, and in *favor* of the respective district fire-wardens, as directed by the Commissioner of Forestry. Said warrants shall be delivered to the Commissioner of Forestry, for transmission to the district fire-wardens, who are hereby then required to pay the *several* sums so transmitted to the persons lawfully entitled thereto, taking proper receipts and vouchers for each payment so made, which vouchers shall be filed with the Commissioner of Forestry. (1909, P.L.781, No.601, § 10)

Section 12. [Power to enter other jurisdictions] The said fire-wardens shall not be limited in their jurisdiction, as such, to the boroughs, townships, or counties for or within which they may be appointed; but shall *have* power and authority to enter adjacent or other boroughs, townships, or counties, and there exercise the authority and perform the duties

conferred upon them by [the act of May 13, 1909 (P.L.781, No.601)]: Provided, That when, for the purpose of extinguishing fire, a fire-warden shall enter adjacent or other territory than that for or within which he shall *have* been appointed, the local warden, if present, shall be in command and direct the work of the various fire-fighting crews. (1909, P.L.781, No.601, § 12)

Section 13. [Service in two or more counties] Whenever any fire-warden, or person employed by him, shall have rendered service in the extinguishment of fire which may have burned within two or more counties, the district fire-warden shall render to the Commissioner of Forestry his report, as hereinbefore required, relating to each of the said counties, in order that the expense of extinguishing fire may be rightly and properly distributed between or among the counties in which fire may have burned.
(1909, P.L.181, No.601, § 13)

Section 14. [Disability or absence of fire warden] Whenever any fire-warden, by reason of physical disability, or unavoidable absence from home during the fire season, or for any good and sufficient cause, shall be unable to perform the duties required by [the act of May 13, 1909 (P.L.181, No.601)], he is hereby empowered, with the consent of the Commissioner of Forestry, to employ a suitable person to act in his stead; which said person, so appointed, shall have all the qualifications demanded of the fire-warden, and for services so rendered, in the absence of the fire-warden, he shall receive the same compensation: Provided, That the reports hereinbefore required to be made to the Commissioner of Forestry shall be made by the district fire-warden. In case the death of the district fire-warden should occur before making the report herein required, or in case of his total physical disability, the said report may be made by an assistant fire-warden, after first ascertaining the facts; and in making such examination or investigation, such assistant fire-warden is hereby empowered to examine persons, under oath or affirmation to be administered by himself.
(1909, P.L.181, No.601, § 14)

Section 15. [Compensation of persons not employed by fire warden; prosecution] Whenever, in the absence of a fire-warden, a forest, woodlot or wild land fire shall be extinguished or combated by persons without first having been employed by said warden, such persons shall receive the compensation allowed by [the act of May 13, 1909 (P.L.781, No.601)]: Provided, That after a thorough investigation by the district fire-warden, wherein he shall have power and authority to examine persons under oath or affirmation, administered by himself, he shall have ascertained, as a result of his investigation, the facts hereinbefore required to be included in his report to the Commissioner of Forestry [now the Secretary of Conservation and Natural Resources], the truth of which he shall first have fully demonstrated to his own satisfaction: Provided further, That if his investigation shall disclose that any person, so claiming compensation, set the fire, or in any manner, carelessly, negligently, or maliciously, contributed to its burning, such person not only shall not be allowed any compensation, but shall be proceeded against criminally, if in the judgment of the Commissioner of Forestry the evidence shall warrant such prosecution.
(1909, P.L.181, No.601, § 15)

Section 16. [Liability] No fire-warden, appointed in accordance with the provisions of [the act of May 13, 1909 (P.L.181, No.601)], shall be personally liable to any person employed or required to combat or extinguish fire, by reason of such employment or requirement; and no action for any compensation alleged or claimed to be due any person for combating or extinguishing fire shall lie against such fire-warden. (1909, P.L.181, No.601, § 16)

Section 17. [Appeals relating to compensation] If any person shall feel aggrieved by the act of any fire-warden, in allowing or disallowing any sum as compensation for extinguishing fires, such person may appeal to the Commissioner of Forestry, who will examine into the complaint. After hearing the proofs and allegations of the parties, he shall decide as to him shall seem just and right, and his decision shall be final and not subject to review. (1909, P.L.781, No.601, § 17)

Section 18. [Daily patrol during fire season] During the months of April and May and the period from September fifteenth to November fifteenth, in each year, commonly called the fire seasons, in order to prevent fire and provide for its immediate suppression, the fire-wardens may, in the discretion of the Commissioner of Forestry, be required to keep daily patrol in the regions under their care known to be especially hazardous or subject to outbreak of fire. For such services, so to be rendered, the fire-wardens, in addition to the compensation hereinabove allowed, shall be entitled to receive a stated sum, not in excess of twenty-five dollars per month, to be fixed and allowed by the Commissioner of Forestry. The Commissioner of Forestry shall, likewise, designate the fire-wardens for such continuous service, and the places to be patrolled by them, as in his judgment will produce the best results in the prevention or immediate suppression of fire. All sums of money which may thus become due to fire-wardens for continuous patrol service, and all other sums of money which may be earned by them and others in the prevention and suppression of fire, shall be paid, in manner hereinbefore provided, from the fund appropriated for the use of the fire-warden system created by [the act of May 13, 1909 (P.L.781, No.601)]. (1909, P.L.781, No.601, § 18)

Section 19. [Powers of arrest] Every fire-warden appointed, or so constituted and designated, in accordance with the provisions of [the act of May 13, 1909 (P.L.781, No.601)], shall have the same powers as by existing law are conferred upon constables and other peace officers, to arrest on view, without first procuring a warrant therefor, any person detected by them in the act of committing an offence against any of the laws now enacted or hereafter to be enacted for the protection of forests, woodlots, timber or wild lands, or when they shall have a reasonable suspicion that any person is committing or is about to commit some such offence. The said wardens shall have further power to take and convey the offender before a justice of the peace, or other magistrate having jurisdiction, for hearing, trial, or other due process of law. (1909, P.L.781, No.601, § 19)

Section 1. [Cooperative agreements and expenditures] Be it enacted, &c., That the Department of Forestry [now the Department of Conservation and Natural Resources] is hereby authorized to enter into co-operative agreements with local forest fire associations, within this Commonwealth, for the prevention and suppression of forest fires; and is hereby authorized to expend, from its general forest fire appropriation, for this purpose, a sum of money equal in amount to the amount which shall be expended by each local association for the employment of proper persons to patrol such lands during those danger seasons of the year known as the forest fire seasons, and for such period of time each season as, in the

judgment of the local association and the department, it is necessary or expedient to maintain such regular patrol; and under such terms and conditions made with such local associations as, in the judgment of said department, will produce the best and most satisfactory results in the prevention and suppression of forest fires: Provided, That such expenditure by the department shall not exceed thirty dollars per month for each patrolman. (1913, P.L.906, No.432, § 1)

Section 2. [Reporting] Every such local forest fire protection association shall render to the Department of Forestry [now the Department of Conservation and Natural Resources], at the end of each calendar year, a report showing the number of acres of land comprised within the activities of the association, and an itemized statement of all receipts and expenditures during the year for which the report is rendered. And in case no appropriation shall be made by the Legislature for forest fire and protective work at any future time, all such co-operative agreements, subsisting at that time, shall be construed as being suspended during such interval for which no appropriation is made. Said local association shall also report any general results of the work that the Commissioner of Forestry may desire. (1913, P.L.906, No.432, § 2)

Section 4. [Organization of mutual forest fire protective association] When any group of land owners desire to organize themselves into a mutual forest fire protective association they shall promptly notify the Commissioner of Forestry [now the Secretary of Conservation and Natural Resources] of their intent, if it be the desire of such land owners to avail themselves of the benefits of [the act of July 22, 1913 (P.L.906, No.432)]. (1913, P.L.906, No.432, § 4)

Section 1. [Bureau established] Be it enacted, &c., That a Bureau of Forest Protection is hereby established within the Department of Forestry [now the Department of Conservation and Natural Resources]. The persons appointed thereto or assigned to duty therein shall be subject to the authority and under the control of the Commissioner of Forestry [now the Secretary of Conservation and Natural Resources]. (1915, P.L.797, No.353, § 1)

Section 102. Duties [of chief forest fire warden]:-

(h) He shall plan and put into effect as rapidly as convenient a system of fire towers, observation stations, and a system of telephone lines which shall cover the regions subject to forest fires; and for such purposes he may purchase the necessary material and equipment to build and maintain such towers, stations, and lines, and hire the necessary labor for the installation of such systems. In maintaining systems of telephone lines he is authorized to buy or lease any existing lines. He may permit the attachment of telephones of persons, firms, and corporations on such lines, under such conditions, and for such rental, as may be agreed upon; and shall, through the Commissioner of Forestry [now the Secretary of Conservation and Natural Resources], deposit all moneys so received with the State Treasurer, which shall be placed into the fund appropriated for forest protection purposes; and such moneys shall be available upon requisition of the Commissioner of Forestry for the extension, maintenance, and upkeep of such telephone lines, and for such purposes such moneys are hereby specifically appropriated: Provided, That there shall be no competition by the Department of Forestry [now the Department of Conservation and Natural Resources] in telephone service with any commercial telephone company.

(j) He may enter into agreements, with the consent of the Commissioner of Forestry, with

persons, firms, corporations, or associations, upon satisfactory terms, for the successful accomplishment of forest fire prevention or control. He is authorized to receive from any person, firms, corporations, or associations contributions for the prevention and control of forest fires. All such contributions shall be paid into the State Treasury, and shall be credited by the State Treasurer to the fund of the Department of Forestry for forest protection purposes; and such moneys are hereby specifically appropriated to the said Department of Forestry for the purposes for which such fund is appropriated, and for the purpose of making refunds to contributors of amounts severally paid in by them in excess of their obligations, respectively, under such agreements. (1915, P.L.797, No.353, § 102)

Section 501. [Special and ex-officio forest fire wardens] The chief forest fire-warden may appoint persons who will serve without compensation as special or as ex officio forest fire-wardens. They shall have the same power and authority as local forest fire-wardens, but their duties may be changed or extended by the chief forest fire-warden. (1915, P.L.797, No.353, § 501)

Section 502. [Foresters and rangers] Foresters and rangers in the employ of the Department of Forestry [now the Department of Conservation and Natural Resources] shall be forest fire-wardens ex officio. (1915, P.L.797, No.353, § 502)

Section 503. [Compensation] Special and ex officio forest fire-wardens shall receive no compensation under [the Forest Fire Protection Law], other than the necessary expenses incurred by them in the performance of their duties as fire-wardens. (1915, P.L.797, No.353, § 503)

Section 601. [Power to employ others and compel attendance] A fire-warden shall have authority to employ such other persons as, in his judgment, may be necessary to render assistance in extinguishing fire; and, whenever it shall not otherwise be possible for him to secure a sufficient number of persons to assist in extinguishing fire, he is hereby authorized to compel the attendance of persons and to require them to render assistance in the extinguishing of fire, under penalties prescribed in [the Forest Fire Protection Law]. (1915, P.L.797, No.353, § 601)

Section 602. [Power to administer oath] A fire-warden shall have authority to administer an oath or affirmation, in order to examine any person who he believes knows facts relating to any fire, or who claims compensation for services rendered. (1915, P.L.797, No.353, § 602)

Section 603. [Entry] Every official provided for by [the Forest Fire Protection Law] shall have authority to enter upon any land at any time for the purpose of performing duties in accordance herewith. (1915, P.L.797, No.353, § 603)

Section 604. [Power to arrest] A fire-warden shall have power to arrest on view, without first procuring a warrant, any person detected by him in the act of committing an offense against any of the laws now enacted or hereafter to be enacted for the protection of forests, wood-lots, timber, or wild lands, or when he shall have a reasonable suspicion that any person is committing or is about to commit some such offense. The warden shall have further power to take the offender before a justice of the peace, or other magistrate having jurisdiction, for hearing, trial, or other due process of law. The further conduct of any such case shall be

entrusted to, and be undertaken by, the Attorney General. (1915, P.L.797, No.353, § 604)

Section 605. [Liability] A fire-warden shall not be personally liable for any act required or permitted to be done under the provisions of [the Forest Fire Protection Law], while acting within the scope of his duties as a fire-warden.
(1915, P.L.797, No.353, § 605)

Section 701. Forest Fire-fighters.-Persons who extinguish or help to extinguish forest fires, except as otherwise provided, shall be paid at a rate per hour to be determined for each forest fire district by the chief forest fire-warden, with the approval of the Commissioner of Forestry [now the Secretary of Conservation and Natural Resources], and based upon the rates of wages received for day labor within the respective forest fire districts; provided the rate does not exceed forty cents per hour.
(1915, P.L.797, No.353, § 701)

Section 702. Appeal to the Commissioner of Forestry.-If any person shall feel aggrieved by the act of any fire-warden, such person may appeal to the Commissioner of Forestry [now the Secretary of Conservation and Natural Resources], who will examine into the complaint. After hearing the parties he shall decide as to him shall seem just and right. (1915, P.L.797, No.353, § 702)

Section 703. Land Owners.-Nothing in [the Forest Fire Protection Law] shall be so construed as to relieve the owner or lessee of lands, upon which fires may burn or be started, from the duty of extinguishing such fire so far as may lie within his power. No owner or lessee of land upon which fire may burn or be started, nor any person during employment with such owner or lessee, nor any other person with a present vested interest in such land, shall receive compensation under [the Forest Fire Protection Law] for extinguishing fire upon his land or the land to which his interest is attached: Provided, however, That this provision shall not apply to the extinguishing of fires on lands which are listed with the Department of Forestry [now the Department of Conservation and Natural Resources] under agreement for the better protection, management, and development of such land for the present and future timber supply, and where the expenditure on the part of the landowner for such purpose shall be not less than ten cents per acre per year, of which assessments paid to any protection association, cooperating with the Department of Forestry, may be a part. No person who is responsible for the spreading of a fire to a woodlot forest, or wild land, nor any person in his employ, may receive compensation from a fire warden for helping to extinguish such fire. (1915, P.L.797, No.353, § 703)

Section 901. [Expenses] Expenses incurred under [the Forest Fire Protection Law] shall be paid from the general forest protection appropriation.
(1915, P.L.797, No.353, § 901)

Section 902. [Billing] No bills of expense relating to the protection of forests from fire, incurred under [the Forest Fire Protection Law], shall be honored by the chief forest fire-warden unless presented to him within sixty days after the expense has been incurred.
(1915, P.L.797, No.353, § 902)

Section 903. [Duties of Auditor General] The Auditor General shall satisfy himself as to the correctness of all bills transmitted to him by the Commissioner of Forestry [now the

Secretary of Conservation and Natural Resources] for expense incurred under [the Forest Fire Protection Law], and shall then draw his warrants against the general forest protection appropriation in favor of the persons and for the amounts shown by the approved bills. (1915, P.L.797, No.353, § 903)

Section 1. [Rewards] Be it enacted, &c., That the Department of Forestry [now the Department of Conservation and Natural Resources] is authorized to offer and to pay rewards for evidence leading to the arrest and conviction of any person who maliciously sets fire to any woodlot, forest, or wild land. When such evidence is obtained by any local forest fire warden during time for which said warden shall not have been otherwise paid, the Department of Forestry is authorized to pay, from its appropriation, the amount of said reward to said fire warden.
(1923, P.L.761, No.300, § 1)

Section 1. [Commonwealth reimbursement] Be it enacted, &c., That the sum of six thousand dollars (\$6,000) is hereby specifically appropriated to the Department of Forests and Waters [now the Department of Conservation and Natural Resources] for the purposes of reimbursing parents or dependent relatives of persons killed or persons themselves seriously injured while in the service of the Commonwealth in fighting forest fires under orders from any forest fire warden or other agent of the Department of Forests and Waters, and who are unable to secure, or barred by operation of law from securing, compensation under the workmen's compensation laws.
(1925, P.L.232, No.153, § 1)

Section 2. [Claims against Commonwealth] Any such parent or dependent relative of any person heretofore, or hereafter killed, or any such person heretofore or hereafter seriously injured while fighting fires, as provided in section one of [the act of April 11, 1925 (P.L.232, No.153)], may present a claim therefor to the Board of Finance and Revenue, and for the purpose of hearing and adjusting such claims the Secretary of Forests and Waters [now the Secretary of Conservation and Natural Resources] shall become a member of said Board with full powers of a member thereof.
(1925, P.L.232, No.153, § 2)

Section 3. [Findings; compensation] The said Board [of Finance and Revenue] shall hear and determine all such claims, and if in any case the Board is of the opinion that a moral claim exists against the Commonwealth for any such injury or death, and that such claim is not properly adjustable or cannot then be adjusted under the workmen's compensation laws, it shall make a finding to that effect, and shall fix the sum which in its opinion will compensate the parent, parents, or dependent relative or relatives of the person killed or the person seriously injured. Any amount so fixed by the Board shall be payable from the appropriation hereinbefore made by warrant of the Auditor General, after requisition by the Secretary of Forests and Waters [now the Secretary of Conservation and Natural Resources], and to each such requisition shall be attached the findings of the Board. The action of the Board in allowing or disapproving a claim shall be final and there shall be no appeal therefrom, but the Board in its discretion may grant rehearing on any claim and make any new findings, in accordance with [the act of April 1, 1925 (P.L.232, No.153)].
(1925, P.L.232, No.153, § 3)

Section 1. [Liability for expenses of forest fire] Be it enacted, &c., That from and after the passage of [the act of April 3, 1929 (P .L.135, No.137)], every person causing a forest fire within this Commonwealth, directly or by the act of an agent or employee, shall be liable to the Commonwealth for all expenses incurred by the Department of Forests and Waters [now the Department of Conservation and Natural Resources] on account of such fire.
(1929, P.L.135, No.137, § 1)

Section 2. [Legal action] The Department of Justice, acting for and on behalf of the Department of Forests and Waters [now the Department of Conservation and Natural Resources], may recover the expenses incurred by the latter department on account of any forest fire, from the person liable for payment of such expenses, by instituting, in the name of the Commonwealth, an action of assumpsit in any county in which the defendant can be served with process, but no such action shall be brought unless the person liable for the payment of such expenses has failed to pay the same within thirty days after receiving a bill therefor from the Department of Forests and Waters.

All moneys recovered by the Department of Justice in such action shall be paid into the General Fund of the State Treasury. (1929, P.L.135, No.137, § 2)

Section 3. ["Forest fire"] The term "forest fire," as used in [the act of April 3,1929, P.L.135, No.137)], is intended to include fires which burn in woods, farmers' woodlots, marshes, brush barrens, brush lands, and wild, unseated, uncultivated land.
(1929, P.L.135, No.137, § 3)

Section 1. [Lease or sale of telephone lines] The Department of Forests and Waters [now the Department of Conservation and Natural Resources], when it is recommended by the Chief Forest Fire Warden and approved by the Secretary of Forests and Waters [now the Secretary of Conservation and Natural Resources], is authorized to lease or sell its telephone lines, or any part thereof, whenever it can increase the efficiency of its communication facilities or reduce its expenses by so doing. All moneys received from such lease or sale shall be paid into the General Fund of the State Treasury.
(1945, P.L.15, No.7, § 1)

Section 3. Wardens to report to quarter sessions; penalty for failure to report

The fire wardens of each township throughout the Commonwealth shall, in the first week of each term of the court of quarter sessions of their respective counties, make returns to said court, under oath or affirmation, of all violations occurring within their respective townships which may come or be brought to their notice of any of the provisions of any law now enacted, or hereafter to be enacted for the purpose of protecting forests from fire, and it shall be the special duty of the judge of said court to see these returns are faithfully made; and on failure of any fire warden to comply with this provision, or if it be found upon examination or inquiry by said court that any fire warden has either willfully or negligently omitted to report all such violation occurring within his township, or having failed to perform his duty as set forth in section one of [the act of March 30, 1897 (P.L.9, No.7)], such fire warden or constable shall be deemed guilty of willfully or negligently making a false return, or neglect of duty, and the court shall suspend him from office and direct the district attorney to indict and try him, and, if found guilty, he shall be fined in a sum not exceeding fifty dollars, and undergo an imprisonment not exceeding three months, both or either, at the discretion of the court. (1897, P.L.9, No.7, § 3)

Section 20. [Failure or refusal of fire warden to perform duty] If any fire-warden shall fail, or willfully or negligently refuse, to perform his duty, or shall render a false or fraudulent statement of services alleged to have been performed; or shall fail or refuse to pay promptly the respective amounts due those who have assisted in the extinguishing of said fires, after said amounts have been transmitted to him by the Commissioner of Forestry; such fire-warden shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding one hundred dollars, or undergo imprisonment not exceeding three months, either or both, at the discretion of the court. (1909, P.L.781, No.601, § 20)

Section 21. [Refusal to aid fire wardens] If any fire-warden, being in need of assistance in the suppression of fire, shall call upon any person to render such assistance, and such person shall refuse to render assistance, without a just, fair, and legal excuse, and one which is satisfactory to the fire-warden, he is hereby declared to be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding fifty dollars, or imprisonment

Section 1. [Penalties and liabilities relating to arson] Be it enacted, &c., That where a fire originates on the premises, in cities of the second class, cities of the third class, and boroughs, occupied by any person, firm, or corporation, as a result of his or its criminal intent, design, or willful negligence, or where said person, firm, or corporation has failed to comply with any law or ordinance of said cities or boroughs, or any lawful regulation or requirement of any State or municipal authority, enacted or made for the prevention of fire or the spreading thereof, such person, firm, or corporation shall, in addition to the present penalties for the punishment of persons convicted of arson, or the payment of any fine or penalty for the violation of any law, ordinance, or lawful regulation or requirement of any State or municipal authority enacted or made for the prevention of fire or the spreading thereof, be liable in a civil action to said cities and boroughs for the payment of all costs and expenses of the fire departments of said cities and boroughs, incurred in and about the use of employees receiving compensation for services, apparatus, and material in the extinguishment of, or any attempt to extinguish, any fire originating as aforesaid. The amount of such costs and expenses shall be determined by the directors of the department of public safety in cities of the second and third class, and by the burgess in all boroughs. The amount of such costs and expenses shall be determined by the directors of public safety and the burgess, based upon the wages of paid firemen and other officials for the time they were engaged in the extinguishment or the attempt to extinguish such fire, a reasonable amount as rental for the use of the apparatus, and the cost of water or other material used in the extinguishment or the attempt to extinguish such fire, with an additional amount of ten per centum on the total amount, as aforesaid, as supervisory or overhead charges; and the said amounts collected shall be paid into the city or borough treasury for the use and maintenance of the fire departments.
(1915, P.L.262, No.155, § 1)

Section 1001. Penalty for Neglect of Duty [by Fire Warden].-If a fire warden shall fail to perform his duty, or shall render a false or fraudulent statement of service alleged to have been performed, or shall fail to pay promptly the respective amounts due those who have rendered service, after said amounts have been transmitted to him, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding five hundred dollars, or undergo imprisonment not exceeding six months, or both, in the discretion of the court. (1915, P.L.797, No.353, § 1001)

They shall make their reports to the district fire-warden, and be under his immediate supervision and control, subject to the supervision of the Commissioner of Forestry. (1909, P.L.781, No.601, § 8)

Section 1002. Penalty for Refusing to Aid a Fire-Warden.-If any fire warden, being in need of assistance in the suppression of fire, shall call upon any person to render assistance, and such person shall refuse without a just and fair excuse he shall, upon conviction in a summary proceeding before any magistrate, alderman, or justice of the peace, be sentenced to pay a fine not exceeding one hundred dollars, and, in default of the payment of such fine and costs, be imprisoned in the county jail one day for each dollar of fine and costs unpaid, not, however, exceeding thirty days. (1915, P.I.797, No.353, § 1002)

Section 1003. Penalty for Hindering an Officer in His Duties.-A person who shall prevent or obstruct, or attempt to prevent or obstruct, a fire warden or ex officio fire warden in the performance of a duty required by [the act of June 3, 1915 (P.I.797, No.353)], or the exercise of the rights of entry, access, or examination by any warden or officer of this bureau, shall, upon conviction in a summary proceeding before any magistrate, alderman, or justice of the peace, be sentenced to pay a fine not exceeding one hundred dollars, and, in default of the payment of such fine and costs, be imprisoned in the county jail one day for each dollar of fine and costs unpaid, not, however, exceeding thirty days. (1915, P.I.797, No.353, § 1003)

Section 1005. Penalty for Causing Fire On or Within Woodlots, Forests, or Wild Lands.-(a) It shall be unlawful for any person to set fire to, or to cause to be set on fire, either accidentally or otherwise, directly or indirectly, in person or by agent, any woodlot, forest, or wild land, or property, material, or vegetation being or growing thereon, without permission of the owner, either by dropping lighted matches, tobacco, or other substances, or in any other manner whatsoever; or to start fires anywhere and permit them to spread to woodlots, forest, or wild land, thereby causing damage to or destruction of such property, as aforesaid.

It shall be unlawful to use fire for the purpose of smoking out birds, bees, animals, or any other creature, from hollow trees, logs, or subterranean holes or caverns, when by so doing the fire may or does spread to adjoining or neighboring woodlots, forest, or wild lands.

Any person violating any of the foregoing provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined for each offense not exceeding five hundred dollars, or undergo imprisonment not exceeding six months, or both, in the discretion of the court.

(b) If any person shall maliciously set fire to, or cause to be set on fire, directly or indirectly, in person or by agent any woodlot, forest, or wild land, or property, material, or vegetation, being or growing thereon, such person shall be guilty of a felony, and, upon conviction, shall be sentenced to pay a fine not exceeding five thousand dollars, and be imprisoned in a penitentiary for a period not exceeding ten years.

(c) This section shall not apply to the setting of a back fire, in good faith, to extinguish a fire then burning. (1915, P.L.797, No.353, § 1005)

Section 1007. Disposition of Fines [under Forest Fire Protection Law].-Moneys received from the payment of fines shall be paid to the treasurer of the county in which suit is brought, for the use of the county, except as otherwise provided in [the Forest Fire Protection Law]. (1915, P.L.797, No.353, § 1007)

Section 1009. Penalty for Mutilating Notices.-Any person who shall, without authority, destroy, deface, or remove any notice, sign, or poster of the Department of Forests and

Waters [now the Department of Conservation and Natural Resources], posted for the better protection of woodlots, forests, or wild lands from fire, shall, upon conviction thereof in a summary proceeding before any magistrate, alderman, or justice of the peace, be sentenced to pay a fine not exceeding ten dollars, and, in default of the payment of such fine and costs, be imprisoned in the county jail one day for each dollar of fine and costs unpaid. (1915, P.L.797, No.353, § 1009)

Section 2003. Discrimination Prohibited.-(a) An insurer may not cancel or refuse to write or renew a policy of automobile insurance for any of the following reasons:

* * *

(13) Any accident which occurred under the following circumstances:

* * *

(viii) Accident occurring when using automobile in response to any emergency if the operator of the automobile at the time of the accident was a paid or volunteer member of any police or fire department, first aid squad or any law enforcement agency. This exception does not include an accident occurring after the automobile ceases to be used in response to such emergency; or (1921, P.L.682, No.284, § 2003)

Section 2. [Violations relating to forest fire prevention] Each and every person violating any provision of such proclamation [of the Governor relating to forest fire prevention] shall, upon conviction in a summary proceeding before any magistrate, alderman, or justice of the peace, be sentenced to pay a fine not exceeding one hundred dollars, and, in default of the payment of such fine and costs, be imprisoned in the county jail one day for each dollar of fine and costs unpaid; not, however, exceeding thirty days. (1925, P.L.590, No.317, § 2)

Section 1. [Duty of chief forest fire warden relating to public nuisance] Be it enacted. &c., That the chief forest fire warden shall, subject to the approval of the Secretary of Forests and Waters [now the Department of Conservation and Natural Resources], have the power, and it shall be his duty, to declare a public nuisance any property which, by reason of its condition or operation, is a special forest fire hazard, and, as such, endangers other property or human life. He shall notify the owner of such property, or the person responsible for the condition or operation thereof, that it has been declared a public nuisance and order him to abate it. In the case of a railroad, such notice and order shall be served upon the superintendent of the division upon which the nuisance exists. (1929, P.L.515, No.219, § 1)

Section 2. [Abatement of public nuisance; notice and order of chief forest fire warden] If any owner of such property, or the person responsible for its condition or operation, shall fail, neglect or refuse to comply with the notice and order of the chief forest fire warden requiring the abatement of such nuisance, the chief forest fire warden, or his duly authorized agent, may enter upon the property to which such notice and order relate and abate such public nuisance. The expense of such abatement shall be paid by the owner of the property, or the person responsible for the condition or operation thereof, and, if such owner or person shall fail, neglect or refuse to pay the same, it may be collected by the chief forest fire warden, in the name of the Commonwealth, in an action of assumpsit brought against such owner or person in the court of common pleas of the county in which the nuisance was located. All moneys recovered in such action shall be paid into the General Fund of the State Treasury through the Department of Revenue. (1929, P.L.515, No.219, § 2)

Section 3. [Noncompliance with order of chief forest fire warden] Every owner or person refusing to comply with an order of the chief forest fire warden requiring the abatement of a nuisance under [the act of April 11, 1929 (P.L.515, No.219)], shall, upon conviction in a summary proceeding before any magistrate, alderman, or justice of the peace, be sentenced to pay a fine not exceeding one hundred dollars, and, in default of the payment of such fine and costs, be imprisoned in the county jail one day for each dollar of fine and costs unpaid. The neglect or refusal of any officer, agent, or other person acting for or employed by a corporation, and having within the scope of his employment supervision over the property declared to be a public nuisance, to comply with an order of the chief forest fire warden, issued under [the act of April 11, 1929 (P.L.515, No.219)], shall be deemed to be the neglect or refusal of the corporation itself.

Every day's continuance in the non-abatement of a nuisance, after an order by the chief forest fire warden to abate the same, shall be a separate and distinct offense.
(1929. P.L.515. No.219. ~ 3)

Section 1. [Interstate forest fire protection compact] The Governor of the Commonwealth of Pennsylvania is hereby authorized and directed to execute a compact on behalf of the Commonwealth of Pennsylvania with anyone or more of the States of Delaware, Maryland, New Jersey, Virginia and West Virginia, and with such other states as may enter into the compact legally joining therein, who may, by their legislative bodies, so authorize a compact, in form substantially as follows:

**Middle Atlantic Interstate
Forest Fire Protection Compact**

Article I

The purpose of this compact is to promote effective prevention and control of forest fires in the Middle Atlantic region of the United States by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member States, and by providing for mutual aid in fighting forest fires among the compacting States of the region and with States which are party to other regional forest fire protection compacts or agreements.

Article II

This compact shall become operative immediately as to those States ratifying it whenever any two or more of the States of Delaware, Maryland, New Jersey, Pennsylvania, Virginia and West Virginia which are contiguous have ratified it and Congress has given consent thereto.

Article III

In each state the State forester or officer holding the equivalent position who is responsible for forest fire control shall act as compact administrator for that State and shall consult with like officials of the other member States and shall implement cooperation between such States in forest fire prevention and control.

The compact administrators of the member States shall organize to coordinate the services of the member States and provide administrative integration in carrying out the purposes of this compact.

The compact administrators shall formulate and, in accordance with need, from time to time revise a regional forest fire plan for the member States.

It shall be the duty of each member State to formulate and put in effect a forest fire plan for that State and take such measures as may be necessary to integrate such forest fire plan with the regional forest fire plan formulated by the compact administrators.

Article IV

Whenever the State forest fire control agency of a member State requests aid from the State forest fire control agency of any other member State in combating, controlling or preventing forest fires, it shall be the duty of the State forest fire control agency of that State to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home.

Article V

Whenever the forces of any member State are rendering outside aid pursuant to the request of another member State under this compact, the employees of such State shall, under the direction of the officers of the State to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges and immunities as comparable employees of the State to which they are rendering aid.

No member State or its officers or employees rendering outside aid pursuant to this

compact shall be liable on account of any act or omission on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith.

All liability, except as otherwise provided hereinafter, that may arise either under the laws of the requesting State or under the laws of the aiding State or under the laws of a third State on account of or in connection with a request for aid shall be assumed and borne by the requesting State.

Any member State rendering outside aid pursuant to this compact shall be reimbursed by the member State receiving such aid for any loss or damage to or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries and maintenance of employees and equipment incurred in connection with such request: Provided, That nothing herein contained shall prevent any assisting member State from assuming such loss, damage, expense or other cost, or from loaning such equipment, or from donating such services to the receiving member State without charge or cost.

Each member State shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such State.

For the purposes of this compact, the term employee shall include any volunteer or auxiliary legally included within the forest fire fighting forces of the aiding State under the laws thereof.

The compact administrators shall formulate procedure for claims and reimbursement under the provisions of this article in accordance with the laws of the member States .

Article VI

Nothing in this compact shall be construed to authorize or permit any member State to curtail or diminish its forest fire fighting forces, equipment, services or facilities, and it shall be the duty and responsibility of each member State to maintain adequate forest fire fighting forces and equipment to meet demands for forest fire protection within its borders in the same manner and to the same extent as if this compact were not operative.

Nothing in this compact shall be construed to limit or restrict the powers of any State ratifying the same to provide for the prevention, control and extinguishment of forest fires, or to prohibit the enactment or enforcement of State laws, rules or regulations intended to aid in such prevention, control and extinguishment in such State.

Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member State or States.

Article VII

The compact administrators may request the United States Forest Service to act as the primary research and coordinating agency of the Middle Atlantic Interstate Forest Fire Protection Compact in cooperation with the appropriate agencies in each State, and the United States

Forest Service may accept the initial responsibility in preparing and presenting to the compact administrators its recommendations with respect to the regional fire plan. Representatives of the United States Forest Service may attend meetings of the compact administrators.

Article VIII

The provisions of Articles IV and V of this compact which relate to mutual aid in combating, controlling or preventing forest fires shall be operative as between any State party to this compact and any other State which is party to a regional forest fire protection compact in another region: Provided, That the Legislature of such other State shall have given its assent to such mutual aid provisions of this compact.

Article IX

This compact shall continue in force and remain binding on each State ratifying it until the Legislature or the Governor of such State takes action to withdraw therefrom. Such action shall not be effective until six (6) months after notice thereof has been sent by the chief executive of the State desiring to withdraw to the chief *executives* of all States then parties to the compact. (1953, P.L.970, No.235, § 1)

Section 2. [Effect] When the Governor shall have executed said compact on behalf of this Commonwealth and shall have caused a verified copy thereof to be filed with the Secretary of the Commonwealth, and when said compact shall *have* been authorized by the Legislature and executed by the *Governor* of one or more of the States named in section one of [the Middle Atlantic Interstate Forest Fire Protection Compact Act], then said compact shall become operative and effective as between this Commonwealth and such other State or States. The *Governor* is hereby authorized and directed to take such action as may be necessary to complete the exchange of official documents as between this Commonwealth and any other State authorizing said compact.

(1953, P.L.970, No.235, § 2)

Section 3. [Administration] The Secretary of Conservation and Natural Resources, or someone designated by him, shall act as compact administrator for the Commonwealth and represent the Commonwealth in the Middle Atlantic Interstate Forest Fire Protection Compact. (1953, P.L.970, No.235, § 3)

Section 1. [Interstate cooperation in forest fire protection] The preservation of the part of the earth's surface occupied by this Commonwealth is of vital concern to the people of Pennsylvania. Similar concerns are held by the citizens of other states.

The quality of the environment of each is directly dependent upon the maintenance of the quality of the environment of the others. In furtherance of its cooperation with other states and the Federal Government in this respect it is hereby declared to be the policy of this Commonwealth, under certain circumstances, to aid other states, groups of states and Federal agencies and to accept aid therefrom in the protection of forests from the ravages of fire. (1974, P.L.524, No.178, § 1)

Section 2. [Duties relating to interstate fire protection] The Department of Environmental Resources [now the Department of Conservation and Natural Resources] may upon request of any other state or the United States, forward to or receive therefrom, for use under the supervision of such department, except as otherwise provided herein, such of its employees and equipment as it deems necessary to assist in the protection of forests from the ravages of fire.

(1974, P.L.524, No.178, §2)

Section 3. [Supervision of Commonwealth employees] Employees of the Department of Environmental Resources [now the Department of Conservation and Natural Resources], during their detail to another state or Federal agency to fight forest fires, shall be considered, for all purposes, to be working in the Commonwealth for that department. The supervision of their duties during such detail may, however, be governed by agreement between the department and the state, group of states, or Federal agency to which they are detailed.

(1974, P.L.524, No.178, § 3)

Section 4. [Travel expenses of Commonwealth employees] The Department of Environmental Resources [now the Department of Conservation and Natural Resources] may, in accordance with the travel regulations of such agency, pay the travel expenses of the employees detailed to another state or Federal agency [to fight forest fires], and may pay travel or living expenses of such employees incurred in connection with their work assignments in the receiving state or area of Federal responsibility. The department may request reimbursement from any state, groups of states or Federal agency requesting assistance for any loss or damage or expense incurred in the operations of any equipment, and for the cost of all materials, transportation wages, salaries and maintenance of employees and equipment incurred in connection with such a request.

(1974, P.L.524, No.178, § 4)

Section 5. [Reimbursing employees of other jurisdictions] The Department of Environmental Resources [now the Department of Conservation and Natural Resources] shall, in accordance with its regulations, pay those travel and other expenses of employees or equipment of other states or Federal agencies detailed to assist it in forest fire protection in Pennsylvania incurred in the performance of their work assignments while in this Commonwealth provided such payment is requested by the assisting states, groups of states or Federal agency. (1974, P.L.524, No.178, § 5)

Section 302. Forests.

(a) Acquisition, establishment and disposition.- The department [of Conservation and Natural Resources] has the following powers and duties with respect to the acquisition, establishment and disposition of State forest lands and certain other Commonwealth-owned resources:

* * *

(7) To appoint and, with the approval of the Governor, fix the compensation of a Chief Forest Fire Warden and such district forest fire wardens, and to appoint and fix the compensation of such local forest fire wardens and other assistants as shall be required for the prevention, control, and extinction of forest fires.

* * *

(b) Utilization and protection.- The department has the following powers and duties with respect to the utilization and protection of State forest lands:

* * *

(7) To enter into cooperative agreements with county, township, municipal and private agencies for the prevention and suppression of forest fires as provided by law.

* * *

(d) Chief Forest Fire Warden.- The Chief Forest Fire Warden, subject to the approval of the secretary [of Conservation and Natural Resources], shall have the following powers and duties-

(1) Take such measures for the prevention, control and extinction of forest fires as will assure a reasonable protection from fire to woodlots, forest and wild land within this Commonwealth.

(2) Supervise and manage the forest fire wardens throughout this Commonwealth and, when necessary, to appoint persons who shall serve without compensation as special or as ex officio fire wardens. Such special or ex officio fire wardens shall have the same powers as local forest fire wardens, but their duties may be changed or extended by the chief forest fire warden. Any special or ex officio forest fire warden, appointed as herein provided, shall be entitled to receive the necessary expenses incurred by him in the performance of his duties as fire warden.

(3) Report to the secretary, at such times as the secretary shall require, covering all phases of the work done under his direction.

(4) Collect, with the assistance of the fire wardens under his supervision, data as to location and fire hazards of woodlots, forests and wild lands within this Commonwealth, as to forest fires and losses resulting therefrom, and such other data as he may desire to present to the department or the public.

(5) Plan and to put into operation and maintain a system of fire towers and observation stations, which shall cover the regions subject to forest fires and to purchase the necessary materials and equipment and hire the necessary labor.

(6) Appoint certain forest fire wardens as patrolmen for regions subject to great fire risk during dry seasons, whenever necessary.

(7) Enter into agreements with persons, associations or corporations, upon satisfactory terms, for forest fire prevention or control.

(8) Conduct educational work in relation to the protection of forests from fire.

(9) Approve and transmit to the secretary all correct bills for expenses incurred by him or under his supervision.

(10) Declare a public nuisance any property which by reason of its condition or operation is a special forest fire hazard and, as such, endangers other property or human life. He shall notify the owner of the property or the person responsible for the condition declared a public nuisance and advise him of the abatement of such public nuisance. In case of a railroad, such notice shall be served upon the superintendent of the division where the nuisance exists.

(11) Collect and arrange information concerning violation of laws relating to the protection of forests from fire and present the same to the secretary, who shall file it with the Office of Attorney General for legal action.

(12) Issue, to persons appointed forest fire wardens, certificates of appointment and, when deemed advisable, to issue badges to such persons.

(e) District fire warden.-Each district fire warden shall have the power and his duty shall be to:

(1) Establish headquarters at some advantageous place within his district.

(2) Act as the field representative of the Chief Forest Fire Warden.

(3) Collect and forward to the Chief Forest Fire Warden such data within his district as may be required by the Chief Forest Fire Warden.

(4) Make recommendations to the Chief Forest Fire Warden for the appointment of local fire wardens, the location of towers, the employment of patrolmen, the region to be patrolled and such other matters as may come to his attention which would tend to improve the protective system.

(5) Arrange for annual meetings of fire wardens within his district for instruction in forest fire matters.

(6) Report to the Chief Forest Fire Warden conditions existing within his district, which are or may become forest fire hazards, and to serve notices for the correction or removal of such conditions, after and when issued by the Chief Forest Fire Warden.

(7) Receive, audit and, if correct, approve the reports and accounts of the local fire wardens before submitting them to the Chief Forest Fire Warden.

(8) Act as an inspector of the work of the local fire wardens and render assistance to them.

(9) Conduct educational work and develop cooperation between local agencies and the department for the prevention and suppression of forest fires.

(10) Perform such other duties as may be assigned to him by the secretary and the Chief Forest Fire Warden.

(f) Local forest fire wardens.-It shall be the duty of each local forest fire warden:

(1) Whenever fire is discovered in or approaching woodlots, forests or wild lands, whether the same be owned by individuals, corporations or by the Commonwealth, immediately to take such measures as are necessary to extinguish the fire.

(2) Whenever fires have been combated or extinguished, to prepare a correct statement of expenses, upon forms to be furnished by the department, which must be filed with the district forest fire warden and forwarded to the Chief Forest Fire Warden within 60 days of the date of the fire.

(3) Promptly to investigate the cause of each fire which comes to his knowledge, collect such evidence as may be discovered relating thereto, and such other facts as he may be directed to investigate, and report the same to the Chief Forest Fire Warden.

(4) To attend an annual meeting of forest fire wardens in his district when notified or present a reasonable excuse.

(5) When designated as a patrolman or watchman, to perform such duties as may be assigned him by the Chief Forest Fire Warden or by the district forest fire warden.

(g) Powers of wardens generally.-Every forest fire warden, appointed as provided in [the Conservation and Natural Resources Act], shall have the power to:

(1) Employ such other persons, as in his judgment may be necessary, to render assistance in extinguishing forest fires and to compel the attendance of persons and to require their assistance in the extinguishing of forest fires.

(2) Administer an oath or affirmation in order to examine any person who he believes knows facts relating to any forest fire or who claims compensation for services rendered.

(3) Enter upon any land at any time for the purpose of performing duties in accordance with [the Conservation and Natural Resources Act].

(4) Arrest on view, without first procuring a warrant, any person detected by him in the act of committing an offense against any of the laws for the protection of forests, woodlots or wild lands or when he shall have a reasonable suspicion that any person is committing or about to commit some such offense. Such forest warden shall have further power to take the offender before a justice of the peace, magistrate or other officer having jurisdiction for hearing, trial or other due process of law.

(5) Exercise the foregoing powers, not only in the jurisdiction for or within which he may have been appointed but also in adjacent or other boroughs, townships or counties.

* * *

(1995, P.L.89, No.18, § 302)