



129th MAINE LEGISLATURE

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Legislative Document

No. 1246

H.P. 907

House of Representatives, March 14, 2019

An Act To Protect the Health and Safety of Maine State Park Visitors and Staff

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CAIAZZO of Scarborough.
Cosponsored by Representatives: BERRY of Bowdoinham, DOUDERA of Camden,
HIGGINS of Dover-Foxcroft, SKOLFIELD of Weld, Senators: BLACK of Franklin,
CARPENTER of Aroostook, FARRIN of Somerset.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §1804, sub-§5**, as amended by PL 2001, c. 604, §4; PL 2011,
3 c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §24, is further amended to read:

4 **5. Bureau budget.** Prepare and submit to the commissioner the budget for the
5 bureau; ~~and~~

6 **Sec. 2. 12 MRSA §1804, sub-§6**, as enacted by PL 2001, c. 604, §5 and amended
7 by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

8 **6. Restrictions on public access.** Post notice of any restrictions to public access at
9 points commonly used to access the land or at a facility or structure where such rules and
10 notices are regularly posted. The director may restrict public access to any portion of the
11 land or waters within the bureau's jurisdiction when the restrictions reasonably relate to
12 protecting public health, safety or welfare or the economic interests or natural resources
13 of the State; and

14 **Sec. 3. 12 MRSA §1804, sub-§7** is enacted to read:

15 **7. Minimum staffing levels.** Determine minimum levels of staffing for all state
16 parks, except Baxter State Park, and historic sites and national parks that are controlled
17 and managed by the State. When making a determination of staffing levels under this
18 subsection, the director shall consider for each park and historic site the following:

19 A. Visitor capacity limits;

20 B. Historical data regarding visitor use;

21 C. Availability of local emergency response services;

22 D. If local emergency response services are used, response time of emergency
23 response;

24 E. Distance to medical services;

25 F. Communication capacity of staff to summon emergency response services or
26 assistance;

27 G. Relative to emergency response, training and authority levels of staff;

28 H. Emergency planning issues specific to a park or historic site;

29 I. Historical record of emergency response incidents and near misses; and

30 J. Historical record of severe weather emergencies.

31 For purposes of this subsection, historical data must include 10 years of data at a
32 minimum.

33 **SUMMARY**

34 This bill requires the Director of the Bureau of Parks and Lands within the
35 Department of Agriculture, Conservation and Forestry to determine minimum levels of

1 staffing for all state parks, except Baxter State Park, and historic sites and national parks
2 that are controlled and managed by the State. The bill also requires the director to
3 consider a list of factors, including, but not limited to, visitor capacity limits, availability
4 of emergency response services and emergency planning issues specific to a park or
5 historic site, when making a determination of staffing levels for each park or historic site.