

Terri L. Mulks
Director, Camp Susan Curtis

I tried to look at the proposed 208 rules by the numbers:

The current 208 rules are 25 pages long.
The proposed 208 rules are 58 pages long.

Under the current rule, there are 161 possible critical violations:
Of these, 140 are critical violations and 21 are swing violations.
Under the proposed new rule, there are 224 critical violations.
This is a 40% increase in critical rules.

It only takes 4 critical violations for a youth camp to “fail” the inspection; a failure becomes part of the camp’s permanent record.

Camps want to be safe and they never want to fail an inspection.
MYCA records indicate that less than 2% of camps visited annually “fail”.

Site Visits by HIP can take between 4 and 8 hours and are unannounced.
Many camps have not been visited in the past 4 years. It seems impossible that HIP is going to be able to visit more camps, with 40% more criteria, and follow through with the anticipated higher percentage of camp failures resulting from the increased number of critical violations.

MYCA has followed the legal procedures of rulemaking and questioned 52 of the proposed rules:

- 34 rules were questioned because of ambiguity.
- 11 rules were questioned because of subjectivity.
- 6 rules were deemed as “unable to comply” and include: fingerprinting, driving records, driver qualifications, and ropes course accreditation standards (a commonly used national accrediting body for Ropes Courses was left out of the proposed rule).

In addition to over two hundred proposed 208 rules, Maine Camps are governed by an additional 12 sets of Maine rules and regulations: I have included the list in my written testimony.

Finally, in addition to the stringent oversight at the state level, almost all Maine summer camps adhere to the rigorous American Camp Association National Standards. ACA

standards are highly researched industry best practices and there are well over 200 rules to comply with annually. A comprehensive site visit is conducted every 5 years with thorough written documentation required in the non-visit years.

What is being asked of us by DHHS, without any input from MYCA, is unrealistic. We are respectfully asking to be included at the table to come up with a set of rules that are clear and achievable.

Despite numerous requests for updates, we had no indication from DHHS/HIP that the rule making process had changed. The current process of rulemaking has cost MYCA, and our member camps, an immeasurable amount of time, effort, finances, and angst during our most intensive season of planning and preparation for the summer ahead.

MYCA is respectfully requesting a return to the collaborative process that has worked for 40 years: to sit at the same table with HIP and produce rules that will continue to prioritize the highest levels of camp safety.

Additional Maine codes included within Chapter 208 Licensing Rules 10-144 CMR 208

- Rules Relating to the Administration and Enforcement of Establishments Licensed by Eating and Lodging Program, 10-144 CMR 201
- Rules Relating to Drinking Water 10-144CMR Chapter 231 if camp is defined as public water supply (transient non-community water systems)
- Subsurface Wastewater Disposal Rules 10-144CMR Ch 241
- Maine Internal Plumbing Code 10-144 CMR Ch. 238
- Electrical Systems and Equipment in compliance with Title 32 MRSA Chapter 17 and 02-318CMR chapter 120
- Oil burning Equipment, tanks and centralized fuel supply in compliance with Title 32 MRSA Chapter 33 and 02-318 CMR chapters 7 to 11
- "Life Safety Code", National Fire Protection Association
- Application of pesticides in compliance with 22 MRSA Chapter 258-A and Maine Code of Regulations 01-026 Chapters 10 - 90
- Maine Food Code: Department of Agriculture Food and Rural Resources 01-001CMR Ch. 331 and DHHS 10-144 CMR Ch. 201
- DHHS Rules Relating to Public Swimming Pools and Spas 10-144 CMR Ch. 202
- Mandated Reporter MRS Title 22 4011-A
- Rules for Control of Notifiable Conditions 10-144CMR Ch. 258
- DIFW Watercraft Regulations 09-137 CMR
- DIFW Maine Trip Leaders Permit compliance
- Vehicles shall conform to the requirements of the Department of Motor Vehicles