

**§1804. Powers and duties of the director**

The director shall exercise the powers of the bureau and is responsible for the execution of its duties. The director, when appointed or while in office, may not be directly or indirectly concerned in the acquisition of any interest in land owned by the State or any of its political subdivisions except in an official capacity. In exercising powers and duties, the director shall: [PL 1997, c. 678, §13 (NEW); PL 2011, c. 657, Pt. W, §7 (REV); PL 2013, c. 405, Pt. A, §24 (REV).]

**1. Administration.** Administer all functions of the bureau, including, but not limited to, the management of state parks and historic sites, public reserved lands, nonreserved public lands, submerged lands, intertidal lands and the Allagash Wilderness Waterway, and adopt methods of administration that are determined necessary to render the office efficient; [PL 2015, c. 267, Pt. X, §1 (AMD).]

**2. Classification of lands.** Set apart and classify as parks or historic sites within the meaning of this chapter areas of land in this State including improvements or other structures thereon, title to which has been acquired under lawful authority. The provisions of subchapter II apply specifically to lands classified as state parks or historic sites.

The director shall set apart and classify as public reserved lands or nonreserved public lands within the meaning of this chapter areas of land in this State, including improvements or other structures thereon, title to which has been acquired under lawful authority. The provisions of subchapters III and IV apply specifically to lands classified as public reserved lands or nonreserved public lands; [PL 1997, c. 678, §13 (NEW).]

**3. Acceptance of funds.** Accept donations, gifts, grants and bequests of money or other personal property to be used in advancing recreational, educational, conservation, land acquisition and land management purposes in state parks, historic sites, submerged and intertidal lands, public reserved lands and nonreserved public lands. All money received from donations, gifts, bequests and grants must be deposited in nonlapsing, dedicated accounts according to the specified purposes and intents of the donors or grantors. The funds are subject to allocation by the Legislature; [PL 1997, c. 678, §13 (NEW).]

**4. Surplus property.** Sell storehouses and other structures and fixtures that are surplus to the needs of the bureau; [PL 2001, c. 604, §4 (AMD); PL 2011, c. 657, Pt. W, §7 (REV); PL 2013, c. 405, Pt. A, §24 (REV).]

**5. Bureau budget.** Prepare and submit to the commissioner the budget for the bureau; [PL 2019, c. 110, §1 (AMD).]

**6. Restrictions on public access.** Post notice of any restrictions to public access at points commonly used to access the land or at a facility or structure where such rules and notices are regularly posted. The director may restrict public access to any portion of the land or waters within the bureau's jurisdiction when the restrictions reasonably relate to protecting public health, safety or welfare or the economic interests or natural resources of the State; and [PL 2019, c. 110, §2 (AMD).]

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

- A. Visitor capacity limits; [PL 2019, c. 110, §3 (NEW).]
- B. Historical data regarding visitor use; [PL 2019, c. 110, §3 (NEW).]
- C. Availability of local emergency response services; [PL 2019, c. 110, §3 (NEW).]

- D. If local emergency response services are used, response time of emergency response; [PL 2019, c. 110, §3 (NEW).]
- E. Distance to medical services; [PL 2019, c. 110, §3 (NEW).]
- F. Communication capacity of staff to summon emergency response services or assistance; [PL 2019, c. 110, §3 (NEW).]
- G. Relative to emergency response, training and authority levels of staff; [PL 2019, c. 110, §3 (NEW).]
- H. Emergency planning issues specific to a park or historic site; [PL 2019, c. 110, §3 (NEW).]
- I. Historical record of emergency response incidents and near misses; and [PL 2019, c. 110, §3 (NEW).]
- J. Historical record of severe weather emergencies. [PL 2019, c. 110, §3 (NEW).]

For purposes of this subsection, historical data must include 10 years of data at a minimum. [PL 2019, c. 110, §3 (NEW).]

#### SECTION HISTORY

PL 1997, c. 678, §13 (NEW). PL 2001, c. 604, §§4,5 (AMD). PL 2011, c. 657, Pt. W, §7 (REV). PL 2013, c. 405, Pt. A, §24 (REV). PL 2015, c. 267, Pt. X, §1 (AMD). PL 2019, c. 110, §§1-3 (AMD).

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