

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1390

S. P. 430

In Senate, February 8, 1961

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Edgar of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Control of Missiles and Rockets.

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

R. S., c. 24-A, additional. The Revised Statutes are amended by adding a new chapter 24-A, to read as follows :

'Chapter 24-A.

Control of Missiles and Rockets.

Sec. 1. Definitions. Each word or term defined in this section has the meaning indicated in this section for the purposes of this chapter, unless a different meaning is plainly required by the context:

I. Airport. "Airport" means any area of land or water which is used, or intended for use, for the landing and take-off of aircraft, any appurtenant areas which are used or intended for use, for airport buildings, other airport facilities, rights of way, together with all airport buildings, wharfs and facilities thereon.

II. Commission. "Commission" means the Maine Aeronautics Commission.

III. Explosive or propellant. "Explosive" or "propellant" means any solid, liquid or gaseous substance capable of any chemical reaction releasing energy or pressure.

IV. Missile or rocket. "Missile" or "rocket" means any thing or object capable of being thrown, hurled or projected into the air above the ground.

V. Operational range. "Operational range" means any area of land and air space on, over and in which any missile, rocket or similar device is to be launched and operated.

VI. Person. "Person" means any individual, firm, copartnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.

VII. Ramp. "Ramp" means any structure, platform, base or device to be used for the positioning, location or aiming of any missile, rocket or similar device to be launched, fired or otherwise projected into the air above the ground.

VIII. Site or launching site. "Site" or "launching site" means any place in this State to be used for the launching or operation of a missile, rocket or similar device.

IX. State or this State. "State" or "this State" means the State of Maine.

Sec. 2. Approval of ramp. Any person who intends to launch, fire or operate any missile, rocket or similar device in this State using any explosive, fire, heat or other propellant whatsoever shall, prior to such launching or operation of such missile, rocket or similar device, make application to the commission for approval of the ramp, launching site or sites and operational range to be used for the launching or operation of any such missile, rocket or similar device.

Sec. 3. Approval to fire. Any person who intends to arm, load, fire or to launch or operate any missile, rocket or similar device using any explosive, fire, heat, chemical or other propellant whatsoever shall make application to the commission for approval to arm, load, fire or to launch or operate any such missile, rocket or similar device, prior thereto and no person shall launch or operate any such missile, rocket or device unless or until the commission has approved such application.

Sec. 4. Form of application. Application for approval of any ramp, launching site or sites and approval of the launching, operation and the operational range pursuant to sections 2 and 3 shall be made upon such forms as may be provided by the commission from time to time.

Sec. 5. Protection of public. The commission, prior to approval or disapproval of any application submitted in accordance with section 4 shall give due consideration to and require the reasonable protection of the public and general safety of aeronautics in this State.

Sec. 6. Exemptions. This chapter shall not apply to any appropriately authorized fireworks display conducted by professional or otherwise appropriately qualified persons or personnel and approved by the Insurance Commissioner nor shall this chapter apply to the launching or operation of any missile, rocket or similar device by the United States Government, or its appropriately authorized designee. The exemptions authorized do not include contractors or subcontractors of the United States Government.

Sec. 7. Toys or amusement devices. This chapter shall not apply to any missile, rocket or similar device commercially manufactured for retail sale as a toy, recreational or amusement device, provided that such toy, recreational or amusement device be incapable of operating at an altitude in excess of 300 feet above the ground and provided that any such missile, rocket or similar device exempted under this chapter shall not be operated within 3 miles of the boundary of any public use airport.

Sec. 8. Rules and regulations. The commission may adopt and promulgate rules and regulations and issue orders in the manner prescribed under chapter 24 as necessary in order for it to carry out this chapter.

Sec. 9. Penalty. Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$250 or by imprisonment for not more than 6 months, or by both.'