

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 178**

H. P. 154

House of Representatives, January 8, 1981

Submitted by the Department of Transportation pursuant to Joint Rule 24.

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. McKean of Limestone.

Cosponsor: Mr. Strout of Corinth.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT to Coordinate and Assign the Responsibility for Conducting Air Search and Rescue Operations in the State Arising from Aeronautical Activities.**

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

6 MRSA § 303, as enacted by PL 1977, c. 678, § 48, is repealed and the following enacted in its place:

**§ 303. Air search procedures**

1. **Agreements.** The commissioner may establish agreements with public or private agencies or organizations to assist in air search operations.

2. **Situations covered.** The commissioner shall establish and maintain a state air search and rescue plan for the immediate handling of the following emergency situations arising from aeronautical activities:

A. Locating aircraft believed lost and down within the State; and

B. Locating persons who are believed lost and down in the State as a result of accidents involving aircraft overflying the State or parachute jumps.

3. **Plan of action.** The state air search and rescue plan shall provide a plan of action for search and rescue which relies upon the Maine Wing Civil Air Patrol to

**coordinate and control specific air search operations and which will mobilize all state agencies which can contribute in such emergencies, in accordance with agreements reached in advance. The plan shall provide that its first objective shall be saving human life and rendering prompt aid to survivors.**

#### STATEMENT OF FACT

The State of Maine has a civic and humanitarian obligation to respond to persons in peril within its borders so that to the extent possible personal injury might be minimized and life preserved.

Included in this obligation is the immediate handling of such emergency situations arising from aeronautical activities as locating aircraft believed lost and down within Maine and locating persons who are believed to be lost and down in Maine as a result of accidents involving aircraft overflying Maine or parachute jumps.

The purpose of this legislation is to provide for the coordinated implementation of air, search and rescue operations during such emergency situations in order that the State may adequately fulfill its civic and humanitarian obligation.

Maine law does not now give any one agency the sole authority to execute all search and rescue operations. Numerous agencies within our State have jurisdictional authority to conduct search and rescue activities under certain circumstances. This legislation will not interfere with these agency rights and responsibilities. It is intended to provide the framework for support agreements among agencies mutually concerned with assisting in combined air, search and rescue operations.

Under this bill the Commissioner of Transportation retains authority to establish interagency agreements concerning air search operations. The objectives of this legislation are to provide that the commissioner will also provide the overall coordination of air search and rescue efforts contributed in support of a state air search and rescue plan and to recognize the exceptional capabilities and outstanding record of contribution made by the Maine Wing Civil Air Patrol in air search and rescue.