

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1 SECOND REGULAR SESSION  
2

---

3 ONE HUNDRED AND TENTH LEGISLATURE  
4

---

5 **Legislative Document**

**No. 1834**

---

7 H. P. 1837 House of Representatives, January 14, 1982  
8 Submitted by the Department of Inland Fisheries pursuant to Joint  
9 Rule 24.

Referred to the Committee on Fisheries and Wildlife. Sent up for  
concurrence and 1,500 ordered printed.

10 Presented by Representative Jacques of Waterville. EDWIN H. PERT, Clerk

Cosponsors: Representative Clark of Millinocket and Representa-  
tive Conners of Franklin.

---

12 STATE OF MAINE  
13

---

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-TWO  
16

---

17 **AN ACT to Clarify the Statutes Pertaining**  
18 **to Search and Rescue.**  
19

---

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

21 **Sec. 1.** 12 MRSA §7035, sub-§4, as enacted by PL 1979,  
22 c. 420, §1, is repealed and the following enacted in its  
23 place:

24 4. Search and rescue. Whenever the commissioner  
25 receives notification that any person has gone into the  
26 woodlands or onto the inland waters of the State on a hunt-  
27 ing, fishing or other trip and has become lost, stranded or  
28 drowned, the commissioner shall exercise the authority to  
29 take reasonable steps to ensure the safe and timely recovery  
30 of that person.

1 A. The commissioner may summon any person in the State  
2 to assist in those search and rescue attempts. Each  
3 person summoned shall be paid at a rate set by the com-  
4 missioner with the approval of the Governor and shall  
5 be provided with subsistence while engaged in these ac-  
6 tivities.

7 B. The expenses of the department in search and rescue  
8 efforts shall be paid from the General Fund.

9 C. The commissioner may enter into written agreements  
10 with other agencies or corporations, including commer-  
11 cial recreational areas, allowing partial search and  
12 rescue responsibility within specified areas.

13 D. The commissioner may terminate a search and rescue  
14 operation by members of his department when, in his  
15 opinion, all reasonable efforts have been exhausted.

16 Any person who has knowledge that another person is lost,  
17 stranded or drowned in the woodlands or inland waters of the  
18 State shall notify the Warden Service Division of the  
19 Department of Inland Fisheries and Wildlife.

20 **Sec. 2. 12 MRSA §7036, sub-§4 is enacted to read:**

21 4. Failure to notify. Except as otherwise provided  
22 through written agreement, a person is guilty of failure to  
23 report a lost, stranded or drowned person if he has knowl-  
24 edge that a person is lost, stranded or drowned in the  
25 woodlands or inland waters of the State and fails to give  
26 notice of the incident by quickest means to the Warden Ser-  
27 vice Division of the Department of Inland Fisheries and  
28 Wildlife.

## 29 STATEMENT OF FACT

30 The purpose of this bill is to provide the Commissioner  
31 of Inland Fisheries and Wildlife with statutory responsibil-  
32 ity involving search and rescue operations in the woodlands  
33 and on the inland waters of the State.

34 The prohibited act included in the bill helps ensure  
35 that those responsible for search and rescue operations are  
36 given timely notification of incidents requiring immediate  
37 search and rescue attention.

38 4559010482