

# 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)



# 117th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1996

---

Legislative Document

No. 1682

---

H.P. 1229

House of Representatives, January 11, 1996

**An Act to Transfer the Responsibility for Air Search and Rescue from  
the Commissioner of Transportation to the Chief of the State Police.**

---

Submitted by the Department of Public Safety pursuant to Joint Rule 24.  
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, reading "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative STROUT of Corinth.  
Cosponsored by Representatives: BOUFFARD of Lewiston, DRISCOLL of Calais,  
FARNUM of South Berwick, HEINO of Boothbay, LINDAHL of Northport, RICKER of  
Lewiston, Senators: CASSIDY of Washington, PARADIS of Aroostook.

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

Sec. 1. 6 MRSA §303, as amended by PL 1989, c. 489, §§1 and 2, is further amended to read:

**§303. Air search procedures**

1. **Agreements.** The ~~commissioner~~ Chief of the State Police may establish agreements with public or private agencies or organizations to assist in air search operations.

2. **Situations covered.** The ~~commissioner~~ Chief of the State Police 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.

For purposes of this section, the phrases "within the State" and "in the State" include the coastal waters of the State as defined in Title 12, section 6001.

3. **Plan of action.** The state air search and rescue plan shall must provide a plan of action for search and rescue which ~~that~~ will mobilize all state agencies which ~~that~~ can contribute in those emergencies and inform all State ~~state~~ agencies which ~~that~~ request to be informed of any air search operation, in accordance with agreements reached in advance ~~and--which, that~~ relies upon the Maine Wing Civil Air Patrol to coordinate and control specific air search operations. The plan shall must provide that its first objective shall-be is saving human life and rendering prompt aid to survivors.

4. **Authority.** The ~~commissioner~~ Chief of the State Police is responsible for the execution and overall coordination of air search and rescue efforts initiated in support of the air search and rescue plan by those state agencies which ~~that~~ are designated in the plan to play an assisting role in emergencies.

A. The ~~commissioner--shall~~ Chief of the State Police may delegate his authority for overall coordination of air search and rescue efforts to the ~~Director of the Division of Aeronautics~~ a commissioned officer within the ~~Department of Transportation~~ Bureau of State Police.

2 B. ~~The Direeter-of-the-Division-of-Aeronautics~~ Bureau of  
3 State Police shall communicate and coordinate directly with  
4 the Air Search Mission Coordinator, an official of the Maine  
5 Wing Civil Air Patrol, who is involved in coordinating and  
6 controlling the specific air search operations conducted  
7 under the air search and rescue plan.

8 C. ~~The Direeter-of-the-Division-of-Aeronautics~~ Bureau of  
9 State Police shall communicate and coordinate with state  
10 agencies who have agreed to offer mutual support in  
11 implementing the cooperative action plan for air search and  
12 rescue, when the assistance is needed in searching for  
13 missing persons. The ~~direeter~~ Bureau of State Police shall  
14 immediately inform the Bureau of Marine Patrol of any  
15 aircraft that is believed lost over coastal waters of the  
16 State and keep the bureau ~~appraised~~ apprised of the progress  
17 of the search for that aircraft.

## 20 STATEMENT OF FACT

22 This bill transfers responsibility for air search and rescue  
23 from the Commissioner of Transportation to the Chief of the State  
24 Police.