

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1710

S. P. 583

In Senate, January 6, 1970

Committee on Judiciary suggested.

HARRY N. STARBRANCH, Secretary

Presented by Senator Holman of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

**AN ACT Providing for Immunity to Members of Ski Patrols
in Emergency Cases.**

Emergency preamble. Whereas, each year, thousands of people are finding that Maine ski slopes are among the finest in the East; and

Whereas, it is imperative that adequate ski patrols be maintained in these remote areas for the safety of such persons; and

Whereas, in the absence of statutory protection from liability when rendering emergency first aid, it is impossible to obtain ski patrolmen in sufficient numbers for the forthcoming season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 14, § 164, additional. Title 14 of the Revised Statutes is amended by adding a new section 164, to read as follows:

§ 164. Immunity for ski patrols

Notwithstanding any inconsistent provision of any general, special or local law, any person who is registered as a member of the ski patrol with the National Ski Patrol System and who voluntarily and without the expectation of monetary compensation renders first aid, initial emergency medical aid

procedures or emergency treatment at a ski area to a person who is unconscious, ill or injured shall not be liable for damages for injuries alleged to have been sustained by such person or for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid, initial emergency medical aid procedures or emergency treatment, unless it is established that such injuries were or such death was caused by gross negligence on the part of such person.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.