

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 2051, L.D. 2226, Bill,
"AN ACT to Clarify the Authority of the National Guard in
Providing Emergency Medical Services."

Amend said Bill by inserting after the enacting clause the
following:

'Sec. 1. 14 MRSA §164, 1st sentence, as repealed and
replaced by PL 1975, c. 452, §1, is amended to read:
Notwithstanding any inconsistent provisions of any public or
private and special law, any person who voluntarily, without
the expectation of monetary or other compensation from the
person aided or treated, renders first aid, emergency treatment
or rescue assistance to a person who is unconscious, ill, injured
or in need of rescue assistance, shall not be liable for damages
for injuries alleged to have been sustained by such person nor
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, emergency treatment or rescue assistance, unless
it is established that such injuries or such death were caused
willfully, wantonly or recklessly or by gross negligence on the
part of such person.'

Further amend said Bill in section 1 by striking out in
the second line after the amending clause (same in L.D.) the
underlined word "annual"

Further amend said ~~Bill~~ in section 2 by striking out all of subsection 3 of that part designated "§207-A." and inserting in place thereof the following:

'3. Accounting of expenses. Whenever personnel or equipment of the National Guard are ordered into ~~state~~ service pursuant to this section, the Adjutant General shall prepare an accounting of all expenses incurred and shall present the accounting to the Commissioner of Human Services for payment pursuant to Title 22, section 3283.'

Further amend said Bill by renumbering sections 1 and 2 to be sections 2 and 3.

Statement of Fact

This amendment:

1. Changes accounting from an annual to a per mission basis as requested by the Department of Human Services; and
2. Clarifies immunity from civil liability under the Good Samaritan Act.

Reported by the Committee on Legal Affairs.

Reproduced and distributed under the direction of the Clerk of the House.
3/10/76

(Filing No. H-962)