

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 470

H.P. 340

House of Representatives, February 8, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative JOSEPH of Waterville.

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STATE OF MAINE

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

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An Act to Protect Volunteers from Liability.

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

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4 Sec. 1. 14 MRSA §158-A, sub-§1, ¶E is enacted to read:

6 E. "Youth sports program" includes any program organized  
8 for recreational athletic competition or instruction and  
10 whose participants are 19 years of age or younger or  
12 physically or mentally handicapped regardless of age.

14 Sec. 2. 14 MRSA §158-A, sub-§2, as enacted by PL 1987, c. 646,  
16 §2, is amended to read:

18 2. **Immunity.** A director, officer or volunteer is immune  
20 from civil liability for personal injury, death or property  
22 damage, including any monetary loss:

24 A. When the cause of action sounds in negligence and arises  
26 from an act or omission by the director, officer or  
28 volunteer which occurs within the course and scope of the  
30 activities of the charitable organization in which the  
32 director, officer or volunteer serves; or

34 B. Arising from any act or omission, not personal to the  
36 director, officer or volunteer, which occurs within the  
38 course and scope of the activities of the charitable  
40 organization in which the director, officer or volunteer  
42 serves; or

44 C. When the cause of action sounds in negligence and arises  
from an act or omission by the director, officer or  
volunteer in the scope of rendering services as a manager,  
coach, instructor, umpire, referee or official, or in the  
scope of assisting any manager, coach, instructor, umpire,  
referee or official for a youth sports program organized and  
conducted by or under the auspices of the charitable  
organization.

### STATEMENT OF FACT

This bill ensures that the individuals helping youth sports programs sponsored by charitable organizations will not be held liable for injuries unless the individuals are reckless. Similar provisions are found in Rhode Island law.