

§183. Human health emergencies

Personnel and equipment of the Maine National Guard may be employed in the case of human health emergencies. [PL 1995, c. 600, §4 (AMD).]

1. Activation of Maine National Guard. In the event of illness, injury, missing persons or loss of life, creating an emergency that requires specialized personnel or equipment of the Maine National Guard to prevent human suffering, increased health risk or loss of life, the Governor or the Governor's designee may order into active state service the necessary personnel and equipment of the Maine National Guard. Human health emergencies may include medical evacuation and search and rescue under Title 6, section 303 and Title 12, section 10105, which may include providing emergency helicopter airlift service. Any person ordered into active state service, for the purposes of this subsection, is considered a state employee for purposes of the Maine Tort Claims Act and that person's liability is limited by that Act.

[PL 2003, c. 414, Pt. B, §69 (AMD); PL 2003, c. 614, §9 (AFF).]

2. Immunity from civil liability. In addition to all existing tort immunities enumerated in the Maine Tort Claims Act any person ordered into active state service, for the purposes of this section, is immune from civil liability for damages to the same extent as any person who renders assistance pursuant to Title 14, section 164.

[PL 1995, c. 600, §4 (AMD).]

3. Accounting. At least 30 days before the end of each fiscal year, the Adjutant General shall prepare an accounting of all expenses incurred pursuant to this section since any prior accounting and shall present this accounting to the Commissioner of Health and Human Services for payment.

[PL 1995, c. 600, §4 (AMD); PL 2003, c. 689, Pt. B, §7 (REV).]

4. Reimbursement.

[PL 1995, c. 600, §4 (RP).]

SECTION HISTORY

PL 1983, c. 460, §3 (NEW). PL 1983, c. 594, §8 (AMD). PL 1987, c. 334 (AMD). PL 1995, c. 600, §4 (AMD). PL 2003, c. 414, §B69 (AMD). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 689, §B7 (REV).

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