

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Clarify Landowners' Liability Regarding Public Access**

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

**Sec. 1. 14 MRSA §159-A, sub-§4, ¶B**, as amended by PL 1995, c. 566, §1, is further amended to read:

B. For an injury suffered in any case where permission to pursue any recreational or harvesting activities was granted for a consideration other than the consideration, if any, paid to the following:

(1) The landowner or the landowner's agent by the State; or

(2) The landowner or, the landowner's agent, lessee or sublessee or the holder of an easement from the landowner for use of the premises on which the injury was suffered, as long as the premises are not used primarily for commercial recreational purposes and as long as the user has not been granted the exclusive right to make use of the premises for recreational activities; or

### **SUMMARY**

Under current law, liability for recreational or harvesting activities is not limited for an injury suffered in any case where permission to pursue any recreational or harvesting activities was granted for a consideration other than consideration paid to the landowner or the landowner's agent for use of the premises on which the injury was suffered, as long as certain conditions exist. This bill provides that liability is not limited where permission was granted for a consideration other than consideration paid to the landowner, the landowner's agent, lessee or sublessee or the holder of an easement from the landowner, as long as certain conditions exist.