

132nd Legislature
Senate of
Maine
Senate District 2

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LD 1137, "An Act to Expand Landowner Liability Protections
to Include Sport Shooting Ranges"

Joint Standing Committee on Judiciary
March 31, 2025

Senator Carney, Representative Kuhn and Distinguished Members of the Joint Standing Committee on Judiciary:

I am Trey Stewart; and I proudly represent Senate District 2, which includes several municipalities in Penobscot and Aroostook Counties. I am here today to present LD 1137, "An Act to Expand Landowner Liability Protections to Include Sport Shooting Ranges."

LD 1137 aims to address concerns brought to me by a constituent, who is a member of a local fish and game association facing difficult and expensive processes for insuring their properties. These organizations provide valuable opportunities for safety and education programs; and while they may accept fees, they do not operate on a commercial basis. The bill would treat "sport shooting" in a similar way to other recreational activities under Title 14, subsection 159-A. This section of law establishes limited liability for certain recreational or harvesting activities to protect landowners who allow public access without fear of litigation from accidents or injuries.

The existing statute details a long list of recreational (and harvesting) activities for which protection from liability is established. It makes clear that a landowner that allows others to engage in the listed activities does not imply any assurance of safety, make the permitted person an "invitee or licensee" (to whom a duty of care may be owed), or assume responsibility or liability for the actions of a person to whom permission is granted. It further clarifies that an individual or entity exercising legal control or oversight over the property does not have a duty of care to keep the premises safe for entry or use by others. These protections are not unlimited and do not protect against any willful or malicious failure to warn against a known dangerous condition.

The activities covered by the landowner protections of this law have been expanded four times in the last 30 years. They include inherently dangerous activities such as rock and ice climbing, bouldering, rappelling, recreational caving, dogsledding and noncommercial aviation activities. Adding "sport shooting" to this list, and defining the activities it entails, is a logical step to help provide additional recreational opportunities to Mainers while ensuring legal protections for landowners.

I thank you for your time and consideration.