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**Testimony in Support of LD 1953, An Act to Ensure Public Access to Conservation Land by  
Providing Protections from Liability to Landowners**

**Before the Committee on Agriculture, Conservation and Forestry**

**Luke Frankel, Woods, Waters, & Wildlife Director**

**May 13, 2025**

Senator Talbot Ross, Representative Pluecker, and distinguished members of the Agriculture, Conservation and Forestry Committee, my name is Luke Frankel, and I am the Woods, Waters, & Wildlife Director at the Natural Resources Council of Maine (NRCM). I appreciate the opportunity to testify in support of LD 1953, An Act to Ensure Public Access to Conservation Land by Providing Protections from Liability to Landowners.

Maine has a unique tradition of private landowners allowing public access to their properties for hunting, fishing, and recreation. Since most of Maine's land is private, this tradition is critical to our outdoor recreation economy, which supported nearly 30,000 jobs and contributed \$3.6 billion to our economy in 2023.<sup>1</sup>

This tradition, however, is currently under threat across our state. Since the pandemic, Maine has experienced changes in landownership and increased development pressure statewide. There are countless stories of areas that have supported traditional recreation for generations being cut off, and many snowmobile and ATV clubs have struggled in recent years to maintain connectivity along their trail networks that often cross a patchwork of landowners' properties.

For many property owners, restricting access to their land is justified, as they for years have had to deal with issues of trespassing, land misuse, littering, and property damage. Public access after all is a privilege not a right, as it is landowners that ultimately have the right to restrict access if they are not legally bound to provide it.

LD 1953 represents a commonsense solution to alleviate one of the many challenges facing landowners who allow public access to their properties. By guaranteeing protection from liability for property owners and the grantors or grantees of conservation easements that allow access in perpetuity, this bill will further encourage the inclusion of public access rights within easements, which are key instruments in preserving this tradition that we have here in Maine in addition to land acquisition.

Although to my knowledge there have not been any successful lawsuits here in Maine where a landowner was required to pay for the damages sustained by a land user accessing their property for recreational purposes, it is critical that we have forward-thinking laws on the books. In our

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<sup>1</sup> <https://maineoutdoorbrands.com/maines-outdoor-recreation-economy-surges-with-9-growth-contributing-3-4-billion-to-states-gdp-u-s-bureau-of-economic-analysis-reports/>

ever-increasing litigious society, removing the fear of future lawsuits could go a long way in encouraging landowners to allow public access in perpetuity through easements.

To address the growing concern of a loss in public access to private land here in Maine, it is critical that we continue to tackle the many challenges that landowners face. LD 1953 would address one of those challenges, and for this reason, we encourage the Committee to vote Ought to Pass.

Thank you for your time and consideration.