

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 953

H. P. 735

House of Representatives, February 20, 1969

Referred to Committee on Legal Affairs. Sent up for concurrence and 1,000 ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hardy of Hope.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Amending the Liability of Landowners Law.

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

R. S., T. 12, §§ 3002 - 3004, amended. Sections 3002, 3003 and 3004 of Title 12 of the Revised Statutes are amended to read as follows :

§ 3002. No duty to keep premises safe or give warning

An owner, lessee or occupant of premises owes no duty to keep the premises safe for entry or use by others for hunting, fishing, trapping, camping, hiking ~~or~~, sight-seeing **or recreational activities**, or to give warning of any hazardous condition or use of or structure or activity on such premises to persons entering for such purpose, except as provided in section 3004.

§ 3003. Permission as affecting liability

An owner, lessee or occupant of premises who gives permission to another to hunt, fish, trap, camp, hike ~~or~~, sight-see **or participate in recreational activities** upon such premises does not thereby extend any assurance that the premises are safe for such purposes, or constitute the person to whom permission is granted an invitee to whom a duty of care is owed, or assume responsibility for or incur liability for any injury to person or property caused by any act of persons to whom the permission is granted, except as provided in section 3004.

§ 3004. Liability

This chapter does not limit the liability which would otherwise exist for willful or malicious failure to guard, or to warn against, a dangerous condition, use, structure or activity; or for injury suffered in any case where per-

mission to hunt, fish, trap, camp, hike ~~or~~, sight-see **or participate in recreational activities** was granted for a consideration other than the consideration, if any, paid to said landowner by the State; or for injury caused, by acts of persons to whom permission to hunt, fish, trap, camp, hike ~~or~~, sight-see **or participate in recreational activities** was granted, to other persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.