

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 769

H.P. 578

House of Representatives, February 4, 1997

An Act to Limit Landowner Liability for Injuries to Independent Contractors Engaged in Harvesting Activities.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Senator CAREY of Kennebec and
Representatives: CAMERON of Rumford, MARVIN of Cape Elizabeth.

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

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

6 C. For an injury caused, by acts of persons to whom
7 permission to pursue any recreational or harvesting
8 activities was granted, to other persons to whom the person
9 granting permission, or the owner, lessee, manager, holder
10 of an easement or occupant of the premises, owed a duty to
11 keep the premises safe or to warn of danger. This paragraph
12 does not apply to independent contractors hired for timber
13 harvesting activities.

14
16 **SUMMARY**

18
19 Current law limits the liability of landowners upon whose
20 land recreational or harvesting activities are performed. The
21 landowner is still responsible for harm to a person caused by
22 another person to whom the landowner granted permission to pursue
23 recreational or harvesting activities.

24
25 This bill extends the limitation of liability to landowners
26 who hire independent contractors to perform timber harvesting
27 activities on the landowner's property, regardless of who causes
28 the injury.