

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1953

S.P. 761

In Senate, May 7, 2025

An Act to Ensure Public Access to Conservation Land by Providing Protections from Liability to Landowners

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BRENNER of Cumberland.

Cosponsored by Representative DUCHARME of Madison and

Senators: BLACK of Franklin, CARNEY of Cumberland, FARRIN of Somerset,

HARRINGTON of York, Representatives: DILL of Old Town, WOODSOME of Waterboro.

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 by amending subparagraph (1) to read:

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

Sec. 2. 14 MRSA §159-A, sub-§4, ¶B, as amended by PL 1995, c. 566, §1, is amended by enacting a new subparagraph (3) to read:

(3) The landowner or grantor who grants, and the holder or grantee who accepts, an easement or other legal instrument that makes an express grant of perpetual public access over premises for the public to pursue recreational or harvesting activities; or

Sec. 3. 14 MRSA §159-A, sub-§7 is enacted to read:

7. Perpetual grant of public access. A landowner or other grantor who grants, and a holder or grantee who accepts, an easement or other legal instrument that includes a perpetual right of public access over premises for the public to pursue any recreational or harvesting activities, in reliance on the protections from liability established by this section as they exist at the time of the grant, as evidenced by an instrument recorded in the registry of deeds for the county in which the premises are located, acquires a permanent vested property right to those protections for any rights so granted, which runs to their heirs, successors and assigns.

SUMMARY

This bill provides additional protection from liability for a landowner or other grantor who grants, and a holder or grantee who accepts, an easement or other legal instrument that includes or makes an express grant of perpetual public access over premises for the public to pursue recreational or harvesting activities.