

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1783

S.P. 618

In Senate, March 9, 1999

**An Act to Clarify the Limited Liability for Recreational or Harvesting Activities.**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MURRAY of Penobscot.

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

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

6 B. For an injury suffered ~~in any ease where~~ when permission  
8 to pursue any recreational or harvesting activities was  
granted for a consideration other than the consideration, if  
any, paid to the following:

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

14 (2) The landowner or the landowner's agent for use of  
16 the premises on which the injury was suffered, as long  
18 as the premises are not used primarily for commercial  
recreational purposes and as long as the user has not  
been granted the exclusive right to make use of the  
premises for recreational activities; ~~or~~

20 C. For an injury caused, by acts of persons to whom  
22 permission to pursue any recreational or harvesting  
24 activities was granted, to other persons to whom the person  
granting permission, or the owner, lessee, manager, holder  
26 of an easement or occupant of the premises, owed a duty to  
keep the premises safe or to warn of danger, ; ~~or~~

28 **Sec. 2. 14 MRSA §159-A, sub-§4, ¶D** is enacted to read:

30 D. For an injury caused to a person who has been invited  
32 onto the premises by the owner, lessee, manager, holder of  
an easement or occupant.

34  
36 **SUMMARY**

38 This bill clarifies that the limit on liability for  
40 recreational or harvesting activities does not apply to a person  
who has been invited onto the premises.