

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 616

S.P. 197

In Senate, February 17, 2011

### **An Act To Clarify Landowner Liability for Environmental Damage Caused by Others**

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Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.  
Cosponsored by Senators: PLOWMAN of Penobscot, THIBODEAU of Waldo,  
Representatives: CLARK of Millinocket, CRAY of Palmyra.

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

2 **Sec. 1. 14 MRSA §159-A, sub-§3, ¶B**, as enacted by PL 1979, c. 253, §2, is  
3 amended to read:

4 B. Make the person to whom permission is granted an invitee or licensee to whom a  
5 duty of care is owed; ~~or~~

6 **Sec. 2. 14 MRSA §159-A, sub-§3, ¶C**, as amended by PL 2007, c. 260, §1, is  
7 further amended to read:

8 C. Assume responsibility or incur liability for any injury to person or property  
9 caused by any act of persons to whom the permission is granted even if that injury  
10 occurs on property of another person; ~~or~~

11 **Sec. 3. 14 MRSA §159-A, sub-§3, ¶D** is enacted to read:

12 D. Assume responsibility or liability for any penalties for violations of laws  
13 administered by the Department of Environmental Protection or the Maine Land Use  
14 Regulation Commission caused by acts of others involved in recreational or  
15 harvesting activities.

16 **SUMMARY**

17 This bill limits the responsibility for landowners for environmental violations caused  
18 by recreational or harvesting activities.