

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2004

PUBLIC LAWS OF THE STATE OF MAINE
AS PASSED AT
THE SECOND REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-FIRST
LEGISLATURE
2003

CHAPTER 509

S.P. 266 - L.D. 787

**An Act To Clarify the Landowner
Liability Law with Regard to
Construction and Maintenance of
Snowmobile and Other Trails for
Recreational Use**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the landowner liability law does not specifically refer to the construction and maintenance of trails used for recreation by the public; and

Whereas, the availability and affordability of liability insurance for snowmobile trail-grooming activities have significantly declined, creating an immediate potential for major disruption in the infrastructure supporting the multimillion dollar snowmobiling industry; and

Whereas, immediate clarification of the landowner liability law will reduce the potential exposure to liability for snowmobile trail-grooming activities in the ongoing season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 14 MRSA §159-A, sub-§1, ¶C is enacted to read:

C. "Occupant" includes, but is not limited to, an individual, corporation, partnership, association or other legal entity that constructs or maintains trails or other improvements for public recreational use.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective January 9, 2004.

CHAPTER 510

H.P. 217 - L.D. 274

**An Act to Correct Errors and
Inconsistencies in the Laws of Maine**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

Whereas, these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. 2 MRSA §6, sub-§7, as amended by PL 1991, c. 885, Pt. A, §1 and affected by §§9 to 11, is repealed.

Sec. A-2. 5 MRSA §299, first ¶, as amended by PL 1989, c. 410, §15, is further amended to read:

The commission shall establish and maintain a master plan for the orderly development of future state buildings and grounds in the Capitol Area of the City