

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1406

H. P. 1115

House of Representatives, March 24, 1975

On motion of Mr. Faucher of Solon, referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. MacLeod of Bar Harbor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Innkeepers, Victualers and Lodging Houses.

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

Sec. 1. 30 MRSA § 2701 is amended to read:

§ 2701. Fraud by guest or customer

Whoever obtains food, lodging or other accommodations at any hotel, inn, boardinghouse or eating house, with intent to defraud the owner or keeper thereof, shall be punished by a fine of not more than ~~\$100~~ \$3,000 or by imprisonment for not more than 3 ~~months~~ years.

Sec. 2. 30 MRSA § 2703 is amended to read:

§ 2703. Copies of law posted

Every ~~hotel keeper~~ hotelkeeper, innkeeper or boardinghouse keeper within this State shall keep a copy of sections 2701 to 2703, printed in distinct type, posted in not less than 10 conspicuous places in his hotel, inn, boardinghouse or eating house, and he shall post a copy in one conspicuous place in the restaurant or other eating establishment.

Sec. 3. 30 MRSA § 2703-A is enacted to read:

§ 2703-A. Posting of rates; liability for overcharge

Every hotelkeeper, innkeeper, boardinghouse keeper or lodging house keeper within this State shall post in every bedroom a schedule of the minimum and maximum daily rates for that room for occupancy by one or more persons, and any requirement for minimum number of days for which that room

may be rented. No such keeper shall charge or collect a sum greater than the posted rate schedule. Any such keeper who charges or collects more than the posted rate schedule shall be liable in an action at law to the person so charged or paying in an amount equal to 3 times the sum so charged or collected in excess of the posted rate schedule.

Sec. 4. 30 MRSA § 2753, as last amended by PL 1965, c. 243, § 7, is repealed.

Sec. 5. 30 MRSA § 2854 is repealed and the following enacted in place thereof:

§ 2854. Disorderly conduct prohibited

No innkeeper, hotelkeeper, boardinghouse keeper, lodging house keeper or victualer shall suffer any reveling, riotous or disorderly conduct in his inn, hotel, boardinghouse, lodging house, restaurant, shop or other premises, nor any drunkenness or excess therein.

Whoever refuses or fails to leave any such place when requested to do so by the owner, manager, clerk, agent or servant thereof shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 11 months, or by both.

Sec. 6. 30 MRSA §§ 2854-A and 2854-B are enacted to read:

§ 2854-A. Removal of hotel property

Any person who shall remove or attempt to remove from any hotel, inn, boardinghouse, lodging house or restaurant any article of property belonging to or in use in such establishment shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

§ 2854-B. Damage to hotel property

Any guest, boarder, occupant or other person in a hotel, inn, boardinghouse, lodging house or restaurant who intentionally destroys or damages any property belonging to or in use in such establishment is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

STATEMENT OF FACT

The purpose of this bill is to provide greater deterrence to improper conduct by guests as well as by operators of hotels, inns, boardinghouses and lodging houses in this State in connection with nonpayment of charges, damages and removal of property, boisterous conduct and excessive charges.