

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 675**

H. P. 598

House of Representatives, February 5, 1981

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Leighton of Harrison.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT Relating to Theft of Services under the Maine Criminal Code.**

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

17-A MRSA § 357, sub-§ 4, as amended by PL 1977, c. 183, § 2, is further amended to read:

4. Where compensation for service is ordinarily paid immediately upon the rendering of ~~such the~~ service, as in the case of **apartments**, hotels, restaurants, ski lifts or sporting events and garages, nonpayment prior to use or enjoyment, refusal to pay or absconding without payment or offer to pay gives rise to a presumption that the service was obtained by deception.

STATEMENT OF FACT

The purpose of this bill is to amend the theft of services' law primarily to include theft of services from an apartment and the landlord the same as is in the case of garages, gas stations and hotels. It is common to have a tenant disappear from an apartment without giving notice, usually between the hours of 9:30 p.m. and 2:30 a.m., commonly called a "midnight disappearance." It is common for a tenant to disappear owing from 3 to 9 weeks' worth of rent and simply laugh at a landlord who desires back rent, causing the landlord to spend much money in a futile effort to secure rental arrearages.