

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 535

6
7 S.P. 204

In Senate, February 13, 1985

8 Reference to the Committee on Legal Affairs suggested and ordered
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Maybury of Penobscot.

11 Cosponsored by Representative Handy of Lewiston, Senator Berube of
Androscoggin and Representative Murphy of Berwick.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Add Real Property or Rent to the
18 Definition of Theft of Services.
19

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

22 Sec. 1. 17-A MRSA §357, sub-§3, as amended by PL
23 1977, c. 183, §1, is further amended to read:

24 3. As used in this section, "services" includes,
25 but is not necessarily limited to, labor, profession-
26 al service, public utility and transportation ser-
27 vice, ski lift service, restaurant, hotel, motel,
28 tourist cabin, rooming house, apartment and like ac-
29 commodations, the supplying of equipment, tools, ve-
30 hicles or trailers for temporary use, telephone, tel-
31 egraph or computer service, gas, electricity, water
32 or steam, real property or rent, admission to enter-
33 tainment, exhibitions, sporting events or other
34 events or services for which a charge is made.

35 Sec. 2. 17-A MRSA §357, sub-§4, as amended by PL
36 1977, c. 183, §2, is further amended to read:

1 4. Where compensation for service is ordinarily
2 paid immediately upon or in advance of the rendering
3 of such service, as in the case of hotels, restau-
4 rants, ski lifts or sporting events and, garages, and
5 rental space for housing, commercial or industrial
6 purposes, nonpayment prior to use or enjoyment, re-
7 fusals to pay or absconding without payment or offer
8 to pay gives rise to a presumption that the service
9 was obtained by deception.

10

STATEMENT OF FACT

11 This bill addresses the problem of someone
12 renting an apartment or commercial, industrial space
13 and willfully defrauding the owner. Currently this
14 law already applies to professional service, public
15 utilities, transportation service, ski lift service,
16 restaurant, hotel, tourist cabin, rooming house and
17 like accommodations.

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