

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 520, L.D. 748, Bill, "An Act Related to Theft of Services for Rental Property"

Amend the bill in subsection 3 in the 5th and 6th lines (page 1, lines 10 and 11 in L.D.) by striking out the following: "the accommodations retained by a tenant holding possession after the expiration or termination of a tenancy," and inserting in its place the following: 'the value of accommodations vacated by a tenant prior to the expiration of a leasehold interest, except when the tenant gives proper notice in accordance with the terms of the lease.'

Further amend the bill by inserting before the statement of fact the following:

FISCAL NOTE

The additional work load and administrative costs associated with a minimal number of additional cases filed as a result of the requirements will be absorbed within the budgeted resources of the Judicial Department.

The appointment of court-appointed counsel for indigent defendants who are charged with this crime will result in costs to the Judicial Department. A General Fund appropriation to the Judicial Department may be necessary for the indigent defense program once the cumulative effect of all legislation for which court-appointed counsel for indigent defendants must be provided is known.

The Governor's proposed adjusted current services budget affects the indigent defense program by discontinuing appointment of counsel for certain crimes.'

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STATEMENT OF FACT

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6 This amendment amends the bill to provide that the crime of  
8 theft of services is committed by a person renting property who  
10 has a lease and vacates property prior to the expiration of the  
12 lease, when that person has not given proper notice. Under this  
amendment, if the person vacates without notice by a means  
designed to avoid due payment for the remaining term of the  
lease, the person has committed the crime of theft of services.  
The amendment also adds a fiscal note to the bill.

Reported by the Minority of the Committee on Legal Affairs  
Reproduced and distributed under the direction of the Clerk of the  
House  
(5/1/91) (Filing No. H-212)