MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2128

H.P. 1516

House of Representatives, January 9, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on Legal Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative FARREN of Cherryfield.
Cosponsored by Representative LOOK of Jonesboro, Representative BAILEY of Township 27 and Senator VOSE of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-TWO

An Act to Allow for the Eviction of Migrant Farm Workers.



•	Be it enacted by the People of the State of Maine as follows:
	Sec. 1. 7 MRSA c. 4 is enacted to read:
	CHAPTER 4
	SEASONAL AGRICULTURAL HOUSING AND CAMPS
4	\$101. Definitions
	As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
1	1. Seasonal agricultural camp. "Seasonal agricultural camp" means a camper, tent or campsite that is occupied by an agricultural worker for less than 90 days if the camp is provided without charge or as part of the person's compensation for seasonal agricultural work.
]	2. Seasonal agricultural housing. "Seasonal agricultural nousing" means a housing unit that is occupied by an agricultural worker for less than 90 days if the housing unit is provided
	vithout charge or as part of the person's compensation for seasonal agricultural work.
4	102. Ejection of certain persons; damage to property
	The owner or manager of a seasonal agricultural camp or a unit of seasonal agricultural housing may request that any person
	on the premises who has been terminated or discharged from seasonal agricultural employment or who is causing unnecessary disturbance to other persons or who is damaging or destroying
]	property belonging to or in use by the owner, manager or another occupant leave the premises immediately. If any person who is
]	requested to leave the housing unit or camp under this section tails or refuses to do so, the owner or manager may use a
	reasonable degree of force against that person to remove that person the housing unit or camp.
	Any person who is requested to leave the premises of a
5	nousing unit or camp or is ejected from the premises under this section, in addition to any other liability or penalty, is liable
(or the value of any property belonging to or in use by the owner, manager or another occupant that is damaged or destroyed
	as a result of conduct while on the premises or that is damaged or destroyed during ejection from the premises under this section.
	Sec. 2. 14 MRSA 86001. sub-85 is enacted to read:

	5. Exclusions. Process of forcible entry and detainer need
2	not be maintained against:
4	A. Persons who occupy seasonal agricultural housing, as
	defined in Title 7, section 101, for less than 90 days if
6	that housing is provided without charge or provided as part
	of the person's compensation for seasonal agricultural work;
8	<u>and</u>
10	B. Persons who occupy a seasonal agricultural camp, as
	defined in Title 7, section 101, for less than 90 days if
12	that camp is provided without charge or provided as part of
	the person's compensation for seasonal agricultural work.
14	
	Process of forcible entry and detainer may be used if the owner
16	or manager elects to do so and, in that case, the provisions of
	this chapter apply. If the owner or manager elects not to do so,
18	the owner or manager may proceed under Title 7, chapter 4.
20	
	STATEMENT OF FACT
22	
	This bill clarifies that an owner or manager of housing
24	units or camp for seasonal agricultural workers may elect to
2.6	utilize the eviction process under general landlord-tenant law or
26	may, in certain circumstances, utilize self-help to remove an
20	occupant of the housing. The bill also establishes a procedure
28	for utilization of self-help, similar to the procedure now

available for innkeepers.