

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 165

S.P. 55

In Senate, January 14, 1997

An Act to Clarify the Right of Campground Owners To Evict or Deny Accommodations to Problem Guests.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.
Cosponsored by Senator PARADIS of Aroostook, Representatives: BUNKER of Kossuth Township, HATCH of Skowhegan, HONEY of Boothbay, JONES of Greenville, PAUL of Sanford, PENDLETON of Scarborough, PIEH of Bremen.

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

Sec. 1. 30-A MRSA §3838, as enacted by PL 1995, c. 88, §3, is amended to read:

§3838. Refusal or denial of accommodations; ejection

An innkeeper or campground owner may refuse or deny any accommodations, facilities or privileges of a hotel or lodging house or campground to or may eject from the hotel or lodging house or campground premises:

1. Person unwilling or unable to pay. Any person who is unwilling or unable to pay for accommodations and services of the hotel or lodging house or campground. The innkeeper or campground owner may require the prospective guest to demonstrate the ability to pay by cash, valid credit card or a validated check;

2. Minor. Any person who has not attained 18 years of age unless that person:

A. Presents a signed notification from a parent that the parent accepts liability of the guest room or campground site costs, taxes, all charges by the minor and any damages to the guest room or its furnishings or to the campground site caused by the minor while a guest at the hotel or lodging house or campground; and b! 1995, c. 88, @3 (new).
?b

B. Provides the innkeeper or campground owner with a valid credit card number or cash deposit to cover the guest room or campground site costs, taxes, charges by the minor and any damages to the guest room or its furnishings or to the campground site caused by the minor. Any cash deposit provided must be refunded to the extent not used to cover any charges or damages as determined by the innkeeper or campground owner following room or campground site inspection at check-out;

3. Property dangerous to others. Any person the innkeeper or campground owner reasonably believes is bringing in property that may be dangerous to other persons, such as firearms or explosives;

4. Limit on occupants exceeded. Any person or persons, if admitting that person or those persons would cause the limit on the number of persons who may occupy any particular guest room in the hotel or lodging house or a site in the campground to be exceeded. For purposes of this subsection, the limit represents

2 the number permitted by local ordinances or reasonable standards
of the hotel ~~ex~~ lodging house or campground relating to health,
4 safety or sanitation; or

6 **5. Violates laws or rules; endangers others.** Any person
who:

8 A. Disturbs, threatens or endangers other guests;

10 B. Is a minor and possesses or uses alcohol;

12 C. Possesses or uses illegal drugs; or

14 D. Violates any rule of the hotel ~~ex~~ lodging house or
16 campground that is posted in a conspicuous place and manner
at the guest registration desk and in each guest room or
18 campground site.

20 Nothing in this section authorizes an innkeeper or campground
owner to violate the Maine Human Rights Act, Title 5, chapter 337.

22 SUMMARY

24 This bill gives the owner of a campground the authority to
26 refuse or deny accommodations or eject guests from a campground
for the following reasons:

28 1. If the person is unwilling or unable to pay;

30 2. If the person is a minor;

32 3. If the person brings in property that is dangerous to
34 others;

36 4. If allowing a person to stay causes the campground owner
to exceed the limit on occupants; or

38 5. If the person violates any rules or endangers others.