MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 435

H.P. 313

House of Representatives, January 23, 1997

An Act to Amend the Entry and Detainer Law as It Relates to Occupancy Incidental to Short-term Employment.

Reference to the Committee on Judiciary suggested and ordered printed.

Presented by Representative LAYTON of Cherryfield. Cosponsored by Representatives: KNEELAND of Easton, WHEELER of Bridgewater, Senators: BENOIT of Franklin, CASSIDY of Washington.

Be it	enacted	by	the	People	of the	State	of Maine	as follows:
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2	Sec. 1. 14 MRSA §6001, sub-§5 is enacted to read:
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6	5. Exception. Notwithstanding the provisions of this chapter, an employer may, without resort to the provisions of this chapter or to other judicial process, remove a former
8	employee or deny a former employee access to and possession of premises occupied pursuant to employment, as long as the
10	following conditions are met:
12	A. The occupation of the premises is incidental to employment;
14	P. The employer door not share rent other than to sever
16	B. The employer does not charge rent, other than to cover the cost of utilities, or reduce the compensation of the employee as a consequence of the employee occupying the
1-8	premises;
20	C. Employment and occupancy is at the start of employment limited to a period of 60 days or less during any 12-month
22	period;
24	D. The employee is no longer employed by the employer; and
26	E. The employer delivers written notice to the premises informing the employee that access to the premises may be
28	denied in 24 hours or at the time the employer makes available to the employee the employee's final paycheck,
30	whichever is later.
32	Upon expiration of the period defined in paragraph E, the employer may deny the former employee access to and possession of
34	the premises, and seek the assistance of law enforcement authorities to remove the former employee in the same manner as
36	any other trespasser. This subsection does not limit any other rights or remedies an employer may have conferred by law.
38	
40	SUMMARY
42	This bill creates an exception to the law that requires landlords to go through judicial process to remove a tenant. The
44	exception is limited to situations where occupancy is incidental to short-term or seasonal employment and the employment
46	relationship has ended. The purpose of the bill is to provide

employers who have short-term or seasonal employees with a meaningful avenue of relief when a former employee refuses to

vacate the premises incidental to employment.

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