

MAINE STATE LEGISLATURE

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AMS

L.D. 905

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BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT 'A' to S.P. 313, L.D. 905, Bill, "An Act To Modernize the Innkeeping Statutes"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 30-A MRSA §3802, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Overcharge liability. No keeper may charge or collect a sum greater than the rate shown in the posted schedule. Any keeper who charges or collects more than the rate shown in the posted schedule is liable to the person so charged or who paid the bill in an amount equal to 3-times the total amount of the bill collected minus the rate shown in the posted schedule.

Sec. 2. 30-A MRSA §3821, sub-§1, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

1. Register of guests. Every person conducting any a hotel or lodging house shall have a register kept and maintained in the hotel or lodging house at all times. The name of every guest or person renting ~~or occupying~~ a room or rooms in the hotel or lodging house shall must be written in the register. The person renting the room or rooms, or someone under that person's

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direction, shall sign the register. The proprietor of the hotel or lodging house, or the proprietor's agent, shall then write the number of each room assigned to ~~and-occupied-by~~ each guest, together with the date that room is rented, opposite the name or names so registered.

Sec. 3. 30-A MRSA §3822, sub-§1, as amended by PL 1995, c. 88, §2, is further amended to read:

1. **Registration.** All persons ~~occupying~~ renting a room or rooms in a hotel or lodging house must register or have themselves registered in the hotel or lodging house register. The innkeeper may require the registering guest to produce a valid driver's license, or other identification satisfactory to the innkeeper, setting forth the name and residence of the guest. If the guest is a minor, the innkeeper may require a parent of the guest to register and to accept in writing liability for the guest room costs, taxes, all charges incurred by the minor and any damages to the guest room or its furnishings caused by the minor while a guest at the hotel or lodging house.

Sec. 4. 30-A MRSA §3838, sub-§2, as amended by PL 1997, c. 59, §1, is further amended to read:

2. **Minor.** Any person who has not attained 18 years of age ~~unless that person.~~ An innkeeper or campground owner may, at the innkeeper's or campground owner's discretion, grant the accommodations, facilities and privileges of a hotel, lodging house or campground to a minor if that minor:

A. Presents a signed notification from a parent that the parent accepts liability ~~of~~ for 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, lodging house or campground; and

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;'

808

COMMITTEE AMENDMENT "A" to S.P. 313, L.D. 905

SUMMARY

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This amendment replaces the bill. It removes the treble damages provision for overcharges by keepers of hotels, inns and lodging houses and instead requires that a guest who is overcharged be reimbursed the amount charged minus the posted rate for the room. It also requires that a person conducting any hotel or lodging house maintain a register of all persons renting, but not those occupying, the room. This amendment also provides that innkeepers or campground owners have the discretion to deny accommodations to minors.

COMMITTEE AMENDMENT