

MAINE STATE LEGISLATURE

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... of State

EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 42

House of Representatives, Feb. 2, 1923.

Referred to Committee on Legal Affairs and five hundred copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Hale of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND TWENTY-THREE

AN ACT to Provide for the Licensing, Inspection and Regulation of Hotels and Private Lodging Houses.

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

Section 1. No person shall conduct a "lodging house,"
2 except as hereinafter provided, unless such person has se-
3 cured a license issued under the provisions of this act. The
4 term "lodging house" shall not be deemed to include a
5 house where lodgings are let to less than five lodgers, nor
6 to the dormitories of charitable, educational or philanthropic
7 institutions, nor is the emergency use of private dwelling
8 houses at the time of conventions or similar public gather-

9 ings. The term "lodger" shall not be deemed to include
10 persons within the second degree of kindred to the person
11 conducting a lodging house.

Sect. 2. Licenses under this act may be issued by the
2 same persons issuing innkeepers' and common victuallers'
3 licenses, as provided in section one of chapter thirty-one
4 of the revised statutes and shall be for the same period as
5 provided in said section. All innkeepers' licenses issued
6 after the passage of this act shall be expressed to be sub-
7 ject to the provisions of this act. No license fee shall be
8 collected for a lodging house license.

Sect. 3. Premises occupied, used or controlled by a
2 licensee under this act or under an innkeeper's license shall
3 be subject to inspection by the licensing authority and its
4 authorized agents, and by any sheriff, deputy sheriff, police
5 officer or constable on request from the licensing authority.

Sect. 4. No person licensed as lodging house keeper under
2 this act or as innkeeper, and no person in actual charge,
3 management or control of the premises for which the license
4 is issued, shall knowingly permit the premises under his
5 control to be used for the purpose of immoral solicitation,
6 immoral bargaining, or immoral conduct. Evidence that a
7 room in a hotel or lodging house was not actually used for
8 immoral conduct shall not prevent a conviction under this
9 section of a person in actual charge, control or manage-
10 ment of the premises who permits the occupation of such
11 a room knowing or having good reason to know that the

12 parties occupying such a room intended to use it for im-
13 moral solicitation, immoral bargaining or immoral conduct.
14 Where it is required that registers be kept, as hereinafter
15 provided in this act, evidence that the person in actual
16 charge, control or management of the premises has know-
17 ingly permitted the occupation of a private room of less
18 than four hundred square feet floor area containing a bed
19 or couch by the same woman on different occasions within
20 a period of thirty days with different men, or by the same
21 man on different occasions within a period of thirty days
22 with different women, shall be prima facie evidence of a
23 violation of this section.

Sect. 5. Every person conducting any hotel or lodging-
2 house as defined and designated in this act shall at all times
3 keep and maintain, or cause to be kept and maintained
4 therein a register in which shall be inscribed the true name
5 and residence of each and every guest or person renting
6 or occupying a room or rooms therein. Such register shall
7 be signed by the person renting such room or rooms, or
8 by some one under his or her direction; and the proprietor
9 of such hotel or lodging-house, or his, her or their agent,
10 shall thereupon write opposite such name or names so reg-
11 istered the number of each room assigned to and occupied
12 by each such guest, together with the time such room is
13 rented, and until all of the aforesaid entries have been duly
14 made in such register no guest shall be suffered or per-
15 mitted to occupy privately any room in such hotel or house.

16 When the occupant or occupants of each room so rented
17 shall quit and surrender the same, it shall be the further
18 duty of the proprietor of such hotel, or house, or his, her
19 or their agent, to enter the time thereof in such register
20 opposite the name of such occupant, or occupants. Such
21 register shall be kept open at all times to the inspection of
22 the guests of such hotel or house, and to the inspection of
23 any sheriff, deputy sheriff, police officer or constable.

Sect. 6. No person shall write, or cause to be written,
2 or if in charge of a register knowingly permit to be writ-
3 ten, in any register in any lodging-house or hotel any other
4 or different name or designation than the true name or
5 names in ordinary use of the person registering or causing
6 himself to be registered therein. Nor shall any person oc-
7 cupying such room or rooms fail to register or fail to cause
8 himself to be registered. Any person violating any pro-
9 vision of this section shall be punished by a fine of not less
10 than ten dollars nor more than twenty-five dollars for each
11 offence.

Sect. 7. Any person who violates any provision of this
2 act except sections four and six, shall, upon conviction
3 thereof, be punished by a fine of not less than one hun-
4 dred dollars nor more than five hundred dollars, or by im-
5 prisonment for not more than ninety days, for each offence,
6 or by both such fines and imprisonment. Violation of sec-
7 tion four shall be punished by a fine of not less than five
8 hundred dollars nor more than one thousand dollars, or by
9 imprisonment for not less than six months nor more than

10 one year, for each offence, or by both such fine and im-
11 prisonment.

Sect. 8. A license issued under the provisions of this act
2 or an innkeeper's license, shall be revoked if at any time
3 the licensing authority shall be satisfied that the licensee is
4 unfit to hold the license. It shall also have the right to
5 suspend and make imperative for such period of time as
6 it may deem proper all the aforesaid licenses mentioned
7 herein for any cause deemed satisfactory to it. The revo-
8 cation and suspension shall not be made until after inves-
9 tigation and a hearing, or after giving the licensee an oppor-
10 tunity to be heard, notice of which shall be left at the
11 premises of the licensee not less than three days before the
12 time set for the hearing. The licensing authority, as desig-
13 nated in this act, is hereby specifically charged with the
14 duty of enforcing its provisions and of prosecuting all of-
15 fenders against the same.

Sect. 9. All licensed innholders and all licensees under
2 this act shall post in a conspicuous place near the register
3 if required a notice to be furnished by the licensing author-
4 ity containing the provisions of this act relating to the entry
5 of names and residences in the register, together with the
6 penalties herein provided for their violation.

Sect. 10. The clerk of a court in which any person is
2 convicted of a violation of any provision hereof shall forth-
3 with send a copy of the record of the conviction to the
4 licensing authority in the city or town where the offence
5 occurred.