

MAINE STATE LEGISLATURE

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A PROPOSAL FOR REVISION

of the

REVISED STATUTES OF MAINE

ALONG THE LINES OF THE

MODEL PENAL CODE

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February 20, 1961

IV. A TABULAR COMPARISON OF THE PENALTIES
 IMPOSED BY THE REVISED STATUTES OF MAINE,
 THE MODEL PENAL CODE, AND THE CRIMINAL CODES
 OF NEW HAMPSHIRE, VERMONT AND WISCONSIN

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EXPLANATION

This tabular comparison is organized by the chapters and sections imposing criminal penalties under the RMS. The several statutes are current through their 1959 supplements. The recommendations in the right-hand column are MPC type categorizations applied to the present RMS substantive provisions. The parentheses indicate those recommendations which are inconsistent with those proposed by the MPC because of the difference in the substantive provisions. F2 Ext. indicated an extended term in accord with the discussion in Section III, page 40. The comment on penalty, where present, amplifies the recommendation or its comparison with the MPC categorization. The comment on redrafting provides a guide for substantive revision. The symbols for the MPC categories are used. They are as follows: three degrees of felonies, F1, F2, and F3; misdemeanors, M; petty misdemeanors, PM; violations, V.

Ch. 130. Crimes against the Person.

<u>Sec. 1. Murder.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Life	F1 comment favors life. Dr. 9:201.2	(F1)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
1st. degree, death or life; 2d. degree, life or any term of years. C. 585:1	1st. degree, death or life; 2d. degree, life or any term of years. T.13:2301	1st. degree, life; 2d. degree, 5-25 yrs. c. 940.01, 940.02

Comment: On penalty, although MPC does not commit itself, comment favors life as opposed to death penalty. On redrafting, cf. MPC Dr. 9:201.2, 201.4. Wisconsin distinction reduces flexibility.

<u>Sec. 2. Unlawful acts to railroad property causing death.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Life	Cf. Dr. 9:201.2 F1	(F1)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Cf. C. 585:1	Cf. T.13:3101 Max. \$1,000 or 1-15 yrs.	Cf. C. 941.03 Max. \$2,000 or max. 10 yrs. or both

Comment: On penalty, accord to extent of murder. On redrafting, cover with MPC general sequence of homicides. Dr. 9:201.2, 201.3, 201.4.

<u>Sec. 2. Unlawful acts to railroad property causing danger to life or injuring property.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Min. 10 yrs.	Cf. Dr. 10:5.05, Attempts F2	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. 20 yrs. C. 572:1	Max. 10 yrs. T. 13:3102	Max. \$2000 or max. 10 yrs. or both C. 941.03

Comment: On redrafting, should distinguish attempts, bodily injury, property injury, reckless conduct. MPC Dr. 10:5.05, Dr. 11:211.1, 220.3, 211.2.

<u>Sec. 6.</u> Assault with intent to murder or kill, armed with dangerous weapon.	<u>Me. Stat.</u> 1 - 20 yrs.	<u>MPC</u> Cf. F2 Dr. 9:201.2, 201.10. Comment 3. p.82, Dr. 10:5.05	<u>Rec.</u> (F2) Ext.
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<u>N.H.</u> Cf. C. 585.23 Max. 20 yrs.	<u>Vt.</u> Cf. T. 13:601 Max. \$1000 and max. 10 yrs.	<u>Wisc.</u> Cf. C. 939.32, attempt to murder Max. 30 yrs.
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Comment: On penalty, F2 extended used to maintain distinction if so armed, but MPC contra. On redrafting, MPC treats as attempt to murder and does not distinguish when so armed.

<u>Sec. 6.</u> Assault with intent to murder or kill, not armed with dangerous weapon.	<u>Me. Stat.</u> Max. \$1000 or max. 10 yrs.	<u>MPC</u> F2 Dr. 9:201.2, Dr. 10:5.05	<u>Rec.</u> F2
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<u>N.H.</u> Cf. C. 585.23 Max. 20 yrs.	<u>Vt.</u> Cf. T. 13:601 Max. \$1000 and max. 10 yrs.	<u>Wisc.</u> Cf. C. 939.32, attempt to murder Max. 30 yrs.
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Comment: On redrafting, within attempt to murder by MPC as Sec. 6 supra.

<u>Sec. 7.</u> Attempt to murder, without assault.	<u>Me. Stat.</u> 1 - 20 yrs.	<u>MPC</u> F2 Dr. 9:201.2 Dr. 10:5.05	<u>Rec.</u> F2
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<u>N.H.</u> Max. 10 yrs. C. 590.5	<u>Vt.</u> Max. 10 yrs. T. 13:9	<u>Wisc.</u> Max. 30 yrs. C. 939.32
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Comment: On redrafting, attempt to murder by MPC.

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<u>Sec. 8. Manslaughter.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 20 yrs.	F2 Dr. 9:201.3	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
1st. deg.-max. 30 yrs.	Max. \$1000 or	Max. 10 yrs.	
2d. deg.-max. \$1000 or max. 10 yrs. or both. C.585:8,9	1 - 15 yrs. T. 13:2304	C. 940.05	

Comment: On penalty, inconsistent to extent it includes negligent homicide.
On redrafting, see MPC sequence, Dr. 9:201.3, manslaughter, and 201.4,
negligent homicide.

<u>Sec. 9. Misconduct or gross neglect respecting steam in steamboats and boilers; interference with safety valve; if causes death.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 20 yrs.	Cf. Dr. 9: 201.3 F2	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$1000 or max. 10 yrs. or both Cf. C.585:8,9	Cf. T. 13:2304 Max. \$1000 or 1 - 15 yrs.	Cf. C. 940.05 Max. 10 yrs.	

Comment: On penalty, inconsistent to extent it includes negligent homicide.
On redrafting, see general MPC sequence Dr. 9:201.3, 201.4.

<u>Sec. 9. Misconduct or gross neglect respecting steam in steamboats and boilers; interference with safety valve; if endangers human life.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 5 yrs.	Cf. Dr. 11:211.1 F2 Cf. Dr. 11:211.2 M	(F3)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 572:1 Max. 20 yrs.	Cf. T. 13:3102 Max. 20 yrs. if injured, otherwise max. 10 yrs.	Cf. C. 941.03 Max. \$2000 or Max. 10 yrs. or both	

Comment: On redrafting, see general MPC provisions distinguishing between
bodily injury and reckless conduct.

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<u>Sec. 10. Rape</u>	<u>Me. Stat.</u> Imprison for any term.	<u>MPC</u> F1 Dr. 4:207.4	<u>Rec.</u> (F1)
<u>N.H.</u> Max. 30 yrs. C. 585:16	<u>Vt.</u> Max. \$2000 or max. 20 yrs. or both T. 13:3201	<u>Wisc.</u> Max. 30 yrs. C. 944.01	

Comment: On redrafting, MPC distinctions are extremely helpful and distinguish markedly different situations.

<u>Sec. 11. Carnal knowledge of girls between 14 and 16 years.</u>	<u>Me. Stat.</u> Max. \$500. or max. 2 yrs.	<u>MPC</u> Cf. Dr. 4: 207.4 F3	<u>Rec.</u> (F3)
<u>N.H.</u> Max. 30 yrs. Treats as rape C. 585:16	<u>Vt.</u> Max. \$2000 or max. 20 yrs. or both. Treats as rape. T.13:3201	<u>Wisc.</u> Max. 15 yrs. C. 944.10	

Comment: On redrafting, cf. MPC scheme for rape and lesser offenses.

<u>Sec. 12. Assault with intent to commit rape; female 14 or over.</u>	<u>Me. Stat.</u> Max. \$500. or max. 10 yrs.	<u>MPC</u> F2 Dr. 4:207.4 Dr. 9:201.10 Comment 3, p. 82. Dr. 10:5.05	<u>Rec.</u> (F2)
<u>N.H.</u> Max. 20 yrs. C. 585:23	<u>Vt.</u> Max. \$1000 or max. 10 yrs. or both. T. 13:607	<u>Wisc.</u> Max. 15 yrs. as attempt. C. 939.32, 944.01	

Comment: On redrafting, cf. MPC general scheme for rape and attempts.

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<u>Sec. 12. Assault with intent to commit rape; female under 14 years.</u>	<u>Me. Stat.</u> 1-20 years	<u>MPC</u> F2 Dr. 4:207.4 Dr. 9:201.10 Comment 3, p. 82 Dr. 10:5.05	<u>Rec.</u> (F2) Ext.
<u>N.H.</u> Max. 20 yrs. C. 585:23	<u>Vt.</u> Max. \$1000 or max. 10 yrs. or both T. 13:607	<u>Wisc.</u> Max. 15 yrs. as attempt. C. 939.32, 944.01	

Comment: On penalty, F2 extended is necessary to maintain Maine statutory distinction, but MPC contra. On redrafting, cf. MPC general scheme for rape and attempts.

<u>Sec. 13. Abduction of women; compels to marry or be defiled.</u>	<u>Me. Stat.</u> Any term of years	<u>MPC</u> Cf. Dr. 4: 207.4 F2	<u>Rec.</u> (F2)
<u>N.H.</u> Cf. C. 585:19 Kidnapping	<u>Vt.</u> Cf. T.13:3201, rape; T13:2401, 2403, kidnapping	<u>Wisc.</u> Cf. C. 940.32 Max. 15 yrs.	

Comment: On redrafting, cf. MPC scheme for rape and kidnapping, Dr. 11:212.1, and omit this provision.

<u>Sec. 13. Abduction of women; with intent to compel to marry or be defiled.</u>	<u>Me. Stat.</u> 1-10 yrs.	<u>MPC</u> Cf. Dr. 4: 207.4. Dr. 10:5.05 F2	<u>Rec.</u> (F2)
<u>N.H.</u> Cf. C. 585:19 Kidnapping	<u>Vt.</u> Cf. T.13:3201, rape; T. 13:2401, 2403, kidnapping	<u>Wisc.</u> Cf. C. 940.32 Max. 15 yrs.	

Comment: On redrafting, cf. MPC scheme for rape, kidnapping, Dr. 11:212.1, and attempts and omit this provision.

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<u>Sec. 14.</u> Kidnapping.	<u>Me. Stat.</u> Life	<u>MPC</u> Cf. Dr. 11: 212.1, 212.3 F1	<u>Rec.</u> (F1)
<u>N.H.</u> Max. 25 yrs. If minor victim, 15 - 40 yrs. C. 585:19	<u>Vt.</u> Cf. T. 13:2401 - 2403. 3 degrees Death or life	<u>Wisc.</u> Cf. C. 940.31 3 degrees Life	

Comment: On redrafting, cf. MPC scheme on kidnapping.

<u>Sec. 14.</u> Kidnapping; conspiracy.	<u>Me. Stat.</u> Any term of years.	<u>MPC</u> Cf. Dr. 11:212.1, 212.3. Dr. 10:5.05, attempts. F2	<u>Rec.</u> (F2)
<u>N.H.</u> Max. 40 yrs. C. 585:19, 590:1	<u>Vt.</u> Max. \$10,000 or max. 20 yrs. T. 13:2401-2403 T. 13:1401	<u>Wisc.</u> Max. 30 yrs. C. 940.31, 939.31	

Comment: On redrafting, omit since covered by general conspiracy provision,
Dr. 10:5.05.

<u>Sec. 15.</u> Shipmasters, carrying apprentices and minors out of state.	<u>Me. Stat.</u> Max. \$200.	<u>MPC</u> Cf. Dr. 11:212.4, 212.3, 212.2 F3	<u>Rec.</u> (V)
<u>N.H.</u> Cf. C. 585:20 15 - 40 yrs.	<u>Vt.</u> Cf. T.13:2402 Max. \$10,000 or max. 30 yrs. or both	<u>Wisc.</u> Cf. C. 940.32 Max. 15 yrs., abduction	

Comment: On redrafting, other codes have no such provision, but it is within
terms of kidnapping provisions at least for minors. Needs reconsideration and
consolidation with general provision.

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<u>Sec. 16. Robbery.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Any term of years	Cf. Dr. 11: 222.1 F2	(F2)
<u>N.H.</u> Max. 30 yrs. C. 585:18	<u>Vt.</u> Armed - Max. \$1000 or max. 20 yrs. Unarmed - 3-10 yrs. T. 13:603, 604	<u>Wisc.</u> Max. 10 yrs.; if armed, max. 30 yrs. C. 943.32	

Comment: On redrafting, cf. MPC provision for robbery.

<u>Sec. 17. Assault with intent to rob or steal; with dangerous weapon.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1-20 yrs.	F2 Dr. 9:201:10 Comment 3, p. 82 Dr. 10:5.05 Dr. 11:222.1	(F2) Ext.
<u>N.H.</u> Max. 20 yrs. C. 585:25	<u>Vt.</u> 3 - 10 yrs. T. 13:605	<u>Wisc.</u> Max. 15 yrs. Cf. 939.32, 943.32	

Comment: On penalty, F2 extended is needed to maintain present Maine statute distinction, but MPC contra. On redrafting, cf. MPC coverage on attempt to rob.

<u>Sec. 17. Assault with intent to rob or steal; without dangerous weapon.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000, or max. 10 yrs.	F2 Dr. 9:201.10 Comment 3, p. 82 Dr. 10:5.05 Dr. 11:222.1	(F2)
<u>N.H.</u> Max. 20 yrs. C. 585:25	<u>Vt.</u> 2 - 7 yrs. T. 13:605	<u>Wisc.</u> Max. 5 yrs. Cf. C939.32, 943.32	

Comment: On redrafting, cf. MPC coverage on attempt to rob.

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<u>Sec. 18. Mayhem.</u>	<u>Me. Stat.</u> 1-20 yrs.	<u>MPC</u> Cf. Dr. 11:211.1, Intentional bodily injury F2	<u>Rec.</u> (F2)
<u>N.H.</u> Max. 20 yrs. C. 585:17	<u>Vt.</u> 7 yrs. - life T. 13:2701	<u>Wisc.</u> Max. \$5000 or max. 15 yrs. or both C. 940.21	

Comment: On redrafting, compare MPC general scheme for bodily injury,
Dr. 11:211.1.

<u>Sec. 19. Assault with intent to maim; if armed with dangerous weapon.</u>	<u>Me. Stat.</u> 1-20 yrs.	<u>MPC</u> Cf. Dr. 11:211.1, Dr. 9:201.10, Comment 3, p. 82 Dr. 10:5.05; F2	<u>Rec.</u> (F2) Ext.
<u>N.H.</u> Max. 20 yrs. C. 585:23	<u>Vt.</u> Max. \$1000 or max. 10 yrs. T. 13:602	<u>Wisc.</u> Max. 7½ yrs. C. 940.21, 939.32	

Comment: On penalty, F2 extended needed to maintain Maine statute distinction,
but MPC contra. On redrafting, cf. MPC coverage as attempt to do bodily harm.

<u>Sec. 19. Assault with intent to maim; of not armed with dangerous weapon.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 10 yrs.	<u>MPC</u> Cf. Dr. 11:211.1 Dr. 9:201;10 Comment 3, p. 82 Dr. 10:5.05 F2	<u>Rec.</u> (F2)
<u>N.H.</u> Max. 20 yrs. C. 585:23	<u>Vt.</u> Max. \$1000 or max. 10 yrs. T. 13:602	<u>Wisc.</u> Max. 7½ yrs. C. 940.21, 939.32	

Comment: On redrafting, cf. MPC coverage as attempt to do bodily harm.

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<u>Sec. 20. Assault with intent to commit other felony.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 5 yrs.	<u>MPC</u> Cf. Dr. 9:201.10, Comment 3, pg. 82, Dr. 10:5.05	<u>Rec.</u> F3
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<u>N.H.</u> Max. 20 yrs. C. 585:23	<u>Vt.</u> None	<u>Wisc.</u> C. 939.32 Treats as attempt
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Comment: On Redrafting, unnecessary under MPC scheme. Attempt of the several felonies covered therein.

<u>Sec. 21. Assault, and assault and battery; not of aggravated nature.</u>	<u>Me. Stat.</u> Max. \$100. or max. 6 mo. or both.	<u>MPC</u> Cf. Dr. 11:211.1, Dr. 9:201.10, Comment 3, pg. 82, Dr. 10:5.05; F2 to M	<u>Rec.</u> (M)
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<u>N.H.</u> Max. \$100 or max. 6 mos. C. 585:21	<u>Vt.</u> Cf. T. 13:1021 Breach of peace incl. assaults Max. \$1000 or max. 5 yrs. or both	<u>Wisc.</u> Max. \$200 or max. 6 mos. or both C. 940.20, battery
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Comment: On redrafting, Cf. MPC scheme for bodily injury and attempts thereto and the coverage discussed in Dr. 9:201.10, Comment 3, p. 82.

<u>Sec. 21. Assault, and assault and battery; if of aggravated nature.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 5 yrs.	<u>MPC</u> Cf. Dr. 11:211.1, Dr. 9:201.10, Comment 3, p. 82, Dr. 10:5.05; F2 to M	<u>Rec.</u> (F3)
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<u>N.H.</u> Max. \$500 or max. 3 yrs. or both C. 585:22	<u>Vt.</u> Cf. T. 13:1021 Breach of peace incl. assaults Max. \$1000 or max. 5 yrs. or both	<u>Wisc.</u> Max. \$2500 or max. 5 yrs. or both C. 940.22, aggravated battery
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Comment: On redrafting, cf. MPC scheme for bodily injury and attempts thereto and the coverage discussed in Dr. 9:210.10, Comment 3, p. 82.

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<u>Sec. 22. Sending or causing to be sent any bomb or infernal machine; if any person injured.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Any term of years	Cf. Dr. 11:211.2 F2	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
None	None	Max. 10 yrs. C. 940.23	

Comment: On redrafting, cf. MPC and Wisc. provisions. MPC scheme for attempts, bodily injury, and causing or risking catastrophe cover the area.

<u>Sec. 22. Sending or causing to be sent any bomb or infernal machine; if explosion but no person injured.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. 20 yrs.	Cf. Dr. 11:220.2 or attempt in Sec. 22 above	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 572:1	None	Cf. attempt 5 yrs., etc.	

Comment: On redrafting, cf. MPC and Wisc. provisions. MPC scheme for attempts, bodily injury, and causing or risking catastrophe cover the area.

<u>Sec. 22-A. False report as to bomb.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 5 yrs. or both	Cf. Dr. 11:211.3, max. F3 Cf. Dr. 6:208.23	F3
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 572:49 Max. \$100 or max. 6 mos.	Cf. T. 13:3001 Max. \$500 or max. 3 yrs.	Cf. C. 946.41 Max. \$500 or max. 1 yr.	

Comment: On redrafting, cf. MPC scheme.

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<u>Sec. 23. Possession of bomb or infernal machine.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 15 yrs. or both.	<u>MPC</u> None	<u>Rec.</u> (F2)
<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, cf. attempt of Sec. 22 of this chapter.

<u>Sec. 24. Conspiracies to prosecute an innocent person.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 5 yrs.	<u>MPC</u> Cf. Dr. 6: 208.24, Dr. 10:5.05 M	<u>Rec.</u> F3
<u>N.H.</u> Max. \$5000 or max. 10 yrs. or both C. 572:46, threat to prosecute; blackmail	<u>Vt.</u> Max. \$500 or max. 2 yrs. T. 13:1701, threat to accuse or extort	<u>Wisc.</u> Cf. C. 943.30, threats to accuse of crime Max. \$2000 or max. 5 yrs. or both	

Comment: On redrafting, cf. MPC analagous provisions.

<u>Sec. 25. Conspiracies in other cases</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 10 yrs.	<u>MPC</u> Dr. 10:5.05	<u>Rec.</u> (F2)
<u>N.H.</u> C. 590:1, as principal	<u>Vt.</u> Cf. T. 13:1401, certain violent crimes, Max. \$10,000 or max. 20 yrs.	<u>Wisc.</u> As principal, but if life, then max. 30 yrs. C. 939.32	

Comment: On redrafting, MPC covers within provision for inchoate crimes.

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<u>Sec. 26. Preventing, by threats, any person from entering or leaving employment; maintaining of blacklist.</u>	<u>Me. Stat.</u> Max. \$500. or max. 2 yrs.	<u>MPC</u> Cf. Dr. 11: 211.3	<u>Rec.</u> M
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N.H.
Cf. C. 572:35
Max. \$500 or
max. 1 yr.

Vt.
Cf. T. 13:931, 932.
Max. \$500 or max. 1
year.

Wisc.
Cf. unfair labor
practices, C. 111.06,
111.14. Max. \$500 or
max. 1 yr. or both

Comment: On redrafting, cf. Wisc. regulatory chapter provision on labor relations and MPC general criminal threat provision.

<u>Sec. 27. Threatening communication; written or oral.</u>	<u>Me. Stat.</u> Max. \$500. or max. 5 yrs. or both	<u>MPC</u> Cf. Dr. 11: 211.3 M	<u>Rec.</u> (M)
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N.H.
Cf. C. 572:46,
blackmail
Max. \$5000 or max.
10 yrs. or both

Vt.
Cf. T. 13:1701,
extortion.
Max. \$500 or max.
2 yrs.

Wisc.
Cf. C. 943.30
Max. \$2000 or max.
5 yrs. or both
Cf. C. 943.31, max.\$1000
or max. 1 yr. or both

Comment: On redrafting, cf. MPC scheme and consolidate with Sec. 28 of this chapter.

<u>Sec. 27. Threatening communication; written and anonymous.</u>	<u>Me. Stat.</u> Max. \$1500. or max. 10 yrs. or both.	<u>MPC</u> Cf. Dr. 11: 211.3 Max. F3	<u>Rec.</u> (F3)
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N.H.
Cf. C. 572:46,
blackmail
Max. \$5000 or max.
10 yrs. or both

Vt.
Cf. T. 13:1701,
extortion
Max. \$500 or max.
2 yrs.

Wisc.
Cf. C. 943.30 Max.
\$2000 or max. 5 yrs.
or both. Cf. C. 943.31,
max. \$1000 or max. 1 yr.
or both.

Comment: On redrafting, cf. MPC scheme and consolidate with Sec. 28 of this chapter.

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<u>Sec. 27. Threatening communication; if against person or property or family of public official</u>	<u>Me. Stat.</u> Max. 15 yrs.	<u>MPC</u> Dr. 8: 208.11 F3	<u>Rec.</u> (F3)
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<u>N.H.</u> Cf. C. 572:46 blackmail Max. \$5000 or max. 10 yrs. or both	<u>Vt.</u> Cf. T.13:3001, impeding public officer; max. \$500 or max. 3 yrs.	<u>Wisc.</u> Cf. C. 943.30 Max. \$2000 or max. 5 yrs. or both. Cf. C.943.31, max. \$1000 or max. 1 yr. or both
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Comment: On redrafting, cf, MPC scheme and consolidate with Sec. 28 of this chapter.

<u>Sec. 28. Threats to accuse or injure, with intent to extort or compel; if aggravated nature.</u>	<u>Me. Stat.</u> Max. \$500. or max. 2 yrs.	<u>MPC</u> Cf. Dr. 11: 211.3 Max. F3	<u>Rec.</u> (F3)
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<u>N.H.</u> Max. \$5000 or max. 10 yrs. or both C. 572:46, blackmail	<u>Vt.</u> Max. \$500 or max. 2 yrs. T. 13:1701, extortion	<u>Wisc.</u> Cf. C. 943.30, max. \$2000 or max. 5 yrs. or both. C. 943.31, max. \$1000 or max. 1 yr. or both
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Comment: On redrafting, cf. Wisc. scheme and consolidate with Sec. 27. of this chapter.

<u>Sec. 28. Threats to accuse or injure, with intent to extort or compel; if not of aggravated nature.</u>	<u>Me. Stat.</u> Max. \$100. or max. 11 mos.	<u>MPC</u> Cf. Dr. 11: 211.3 Max. F3	<u>Rec.</u> (M)
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<u>N.H.</u> Max. \$5000 or max. 10 yrs. or both. C. 572:46, blackmail	<u>Vt.</u> Max. \$500 or max. 2 yrs. T. 13:1701, extortion	<u>Wisc.</u> Cf. C. 943.30, max. \$2000 or max. 5 yrs. or both. C. 943.31, max. \$1000 or max. 1 yr. or both
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Comment: On redrafting, cf. Wisc. scheme and consolidate with Sec. 27 of this chapter.

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<u>Sec. 29.</u> Maliciously vexing or tormenting another by a person more than 16 years of age; if aggravated nature.	<u>Me. Stat.</u> Max. \$500 or max. 2 yrs.	<u>MPC</u> None	<u>Rec.</u> (M)
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N.H.
Cf. C. 570:2
Max. \$25 or max.
6 mos. or both

Vt.
Cf. T. 13:1306,
\$5-\$100 or max. 1 yr.
or both. Cf. T. 13:1305,
Max. \$200 or max. 1 yr.
or both

Wisc.
Cf. C. 947.01
Max. \$100 or
max. 30 days

Comment: On redrafting, consolidate into one misdemeanor.

<u>Sec. 29.</u> Maliciously vexing or tormenting another by a person more than 16 years of age; if not aggravated nature.	<u>Me. Stat.</u> Max. \$100 or max. 11 mos.	<u>MPC</u> None	<u>Rec.</u> (PM)
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N.H.
Cf. C. 570:2
Max. \$25 or max.
6 mos. or both

Vt.
Cf. T. 3:1306,
\$5-\$100 or max. 1 yr.
or both. Cf. T.13:1305,
Max. \$200 or max. 1 yr.
or both

Wisc.
Cf. C. 947.01
Max. \$100 or
max. 30 days

Comment: On penalty, to maintain statutory distinction, but unnecessary.
On redrafting, consolidate.

<u>Sec. 30.</u> Libel.	<u>Me. Stat.</u> Max. \$1000 and max. 1 yr.	<u>MPC</u> None	<u>Rec.</u> M
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N.H.
None

Vt.
Cf. T. 13:802,
defaming court
judge.
Max. \$200

Wisc.
Max. \$1000 or max.
1 yr. or both
C. 942.01

Comment: On redrafting, cf. Wisc. provision.

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<u>Sec. 33. Publication of any false or libelous statement.</u>	<u>Me. Stat.</u> Max. \$500. or max. 11 mos. or both.	<u>MPC</u> None	<u>Rec.</u> (M)
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<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 942.01 Max. \$1000 or max. 1 yr. or both
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Comment: On redrafting, consolidate with Sec. 30 of this chapter as does Wisc. provision.

<u>Sec. 35. Publishing lists of debtors.</u>	<u>Me. Stat.</u> Civil liability to victim of \$25 - \$100.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N. H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None
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Comment: None

<u>Sec. 36. False reports concerning banks, loan and building associations and insurance companies.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 11 mos. or both.	<u>MPC</u> None	<u>Rec.</u> M
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<u>N.H.</u> \$200 - \$1000 or max. 1 yr. or both C. 572:47	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 942.01 Max. \$1000 or max. 1 yr. or both
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Comment: On redrafting, cf. scope of Wisc. provision.

Ch. 131. Crimes against Habitations, Buildings and Property.

<u>Sec. 1.</u> Burning of dwelling houses; to own or other with intent to burn.	<u>Me. Stat.</u> 1 - 20 yrs.	<u>MPC</u> Dr. 11: 220.1 F2	<u>Rec.</u> (F2)
<u>N.H.</u> Max. 30 yrs. C. 584.1	<u>Vt.</u> Max. \$2000 or 2 - 10 yrs. T. 13:502	<u>Wisc.</u> Max. 15 yrs. C. 943.02	

Comment: On penalty, MPC provision for extended term, Dr. 4:6.07 raises it to 20 yrs. for those of dangerous mental abnormality. On redrafting, Cf. MPC scheme.

<u>Sec. 1.</u> Burning of dwelling houses; to own and thereby endangering other.	<u>Me. Stat.</u> 1 - 20 yrs.	<u>MPC</u> Cf. Dr. 11: 220.1 F2	<u>Rec.</u> (F2)
<u>N.H.</u> None	<u>Vt.</u> Max. \$1000 or 1 - 5 yrs. Tr. 13:503	<u>Wisc.</u> None	

Comment: On redrafting, cf. MPC scheme and consolidate.

<u>Sec. 1.</u> Burning of dwelling house; if results in death.	<u>Me. Stat.</u> Life	<u>MPC</u> Cf. Dr. 9: 201.2 F1	<u>Rec.</u> (F1)
<u>N.H.</u> Life or death C. 585:1, 1st deg. murder	<u>Vt.</u> Death or life T. 13:501 1st deg. murder	<u>Wisc.</u> 5 - 25 yrs. C. 940.02 2nd deg. murder	

Comment: On redrafting, cf. MPC coverage within section on homicides.

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<u>Sec. 2. Burning of public and private buildings; at night.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Any term of years.	Dr. 11:220.1 F2	(F2)

N.H.

Max. 20 yrs.
C. 584:2

Vt.

Max. \$1000 or
1 - 5 yrs.
T. 13:503

Wisc.

Max. 15 yrs.
C. 943.02

Comment: On redrafting, cf. MPC scheme and consolidate.

<u>Sec. 2. Burning of public and private buildings; in daytime or without curtilage of and without endangering dwelling.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1-10 yrs.	Dr. 11:220.1 F2	(F2)

N.H.

Max. 20 yrs.
C. 584:2

Vt.

Max. \$1000 or
1 - 5 yrs.
T. 13:503

Wisc.

Max. 15 yrs.
C. 943.02

Comment: On redrafting, cf. MPC scheme and consolidate.

<u>Sec. 3. Burning of other buildings, vessels, bridges, etc.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 10 yrs.	Dr. 11:220.1 F2	(F2)

N.H.

Max. 20 yrs.
C. 584:2, other
buildings

Vt.

Max. \$1000 or
1 - 5 yrs.
T. 13:503
Buildings

Wisc.

Max. 15 yrs, buildings
Max. 3 yrs. or \$1000 or
both, other property
C. 943.03

Comment: On redrafting, cf. MPC scheme and consolidate.

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<u>Sec. 4. Assault with intent to commit arson; with dangerous weapon.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 20 yrs.	Cf. Dr. 11: 220.1 F2	(F2) Ext.

N.H.
Max. 20 yrs.
C. 585:23

Vt.
Cf. via attempt
analysis
Max. 5 yrs.

Wisc.
Cf. via attempt
analysis
Max. 7½ yrs.

Comment: On penalty, F2 extended to maintain Maine statutory distinction, but MPC contra. On redrafting, cf. MPC approach via attempt. See Dr. 9:201.10, Comment 3, p. 82, for explanation.

<u>Sec. 4. Assault with intent to commit arson; if not armed with dangerous weapon.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1000 or max. 10 yrs.	Cf. Dr. 11: 220.1 F2	(F2)

N.H.
Max. 20 yrs.
C. 585:23

Vt.
Cf. via attempt
analysis
Max. 5 yrs.

Wisc.
Cf. via attempt
analysis
Max. 7½ yrs.

Comment: On redrafting, cf. MPC attempt approach. See Dr. 9:201.10, Comment 3, p. 82, for explanation.

<u>Sec. 5. Burning of produce, trees, etc.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 3 yrs.	Cf. Dr. 11: 220.3, criminal mischief Max. F3	(F3)

N.H.
Max. 3 yrs.
C. 584:3

Vt.
Max. \$500 or
1-3 yrs.
T. 13:504

Wisc.
Max. \$1000 or max.
3 yrs. or both
C. 943.03

Comment: On redrafting, cf. MPC scheme and consolidate.

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<u>Sec. 7. Burning property for insurance.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 20 yrs.	Dr. 11:220.1 F2	F2

<u>N.H.</u> Max. 5 yrs. C. 584:4	<u>Vt.</u> Max. \$500 or 1 - 5 yrs. T. 13:506	<u>Wisc.</u> Max. \$1000 or max. 5 yrs. or both C. 943.04
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Comment: On redrafting, cf. MPC scheme and consolidate.

<u>Sec. 8. Burglary.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Any term of years.	Dr. 11:221.1 F2	(F2)

<u>N.H.</u> Max. 25 yrs. C. 583:1	<u>Vt.</u> Max. \$1000 or max. 15 yrs. or both T 13:1201	<u>Wisc.</u> Max. 10 yrs. C. 943.10
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Comment: On redrafting, cf. MPC provision.

<u>Sec. 9. Burglary with explosives.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	20 - 40 yrs.	Dr. 11:221.1 F2	(F2) Ext.

<u>N.H.</u> Ranging from 5-30 yrs. to 20-30 yrs. C. 583:8	<u>Vt.</u> Cf. T. 13:1601 Max. \$1000 or max. 20 yrs.	<u>Wisc.</u> Max. 20 yrs. C. 943.10
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Comment: On penalty, F2 extended is necessary to maintain distinction drawn in statute, but MPC contra. On redrafting, cf. MPC provision.

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<u>Sec. 10. Assault with intent to commit burglary; if armed with dangerous weapon.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 20 yrs.	Dr. 11:221.1 Dr. 10:5.05 F2	(F2) Ext.
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. 20 yrs. C. 585:23	3 - 10 yrs. T. 13:605	Max. 10 yrs. via attempt analysis C. 943.10	

Comment: On penalty, F2 extended necessary to maintain Maine statutory distinction, but MPC contra. On redrafting, cf. MPC provision and approach via attempt. See Dr. 9:201.10, Comment 3, p. 82, for explanation.

<u>Sec. 10. Assault with intent to commit burglary; if not armed with dangerous weapon.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 10 yrs.	Dr. 11:221.1 Dr. 10:5.05 F2	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. 20 yrs. C. 585:23	2 - 7 yrs. T. 13:607	Max. 10 yrs. via attempt analysis C. 943.10	

Comment: On redrafting, cf. MPC provision and approach via attempt. See Dr. 9:201.10, Comment 3, p. 82, for explanation.

<u>Sec. 11. Breaking and entering with intent to commit a felony or any larceny; person put in fear.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 10 yrs.	Cf. Dr. 11: 221.1	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 583:4 Max. 5 yrs.	Max. \$1000 or max. 10 yrs. T. 13:1202	Cf. C. 943.10 Max. 10 yrs.	

Comment: On penalty, to maintain Maine statutory distinction need F2. On redrafting, cf. MPC provision for burglary, attempt, etc.

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<u>Sec. 11.</u> Breaking and entering with intent to commit a felony or any larceny; if no person put in fear.	<u>Me. Stat.</u> Max. \$500. or max. 5 yrs.	<u>MPC</u> Cf. Dr. 11:221.1, F3; Dr. 10:5.05 F2	<u>Rec.</u> (F3)
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N.H.
Max. 5 yrs.
C. 583:4

Vt.
Max. \$1000 or
max. 10 yrs.
T. 13:1202

Wisc.
Cf. C. 943.10
Max. 10 yrs.

Comment: On redrafting, cf. MPC provision for burglary, attempt, etc.

<u>Sec. 13.</u> Willful injuries to public and utility properties in general.	<u>Me. Stat.</u> Max. \$1,000. or max. 3 yrs.	<u>MPC</u> Dr. 11:220.3 F3	<u>Rec.</u> (F3)
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N.H.
Max. \$5000 or
max. 10 yrs. or
both C. 572:3

Vt.
None

Wisc.
Max. \$1000 or max. 3
yrs. or both. If value
more than \$1000, then
max. \$1000 or max. 5
yrs. or both
C. 943.01

Comment: On redrafting, cf. MPC general provision.

<u>Sec. 14.</u> Tapping or interfering with apparatus used in furnishing gas, electricity or water.	<u>Me. Stat.</u> Max. \$100. or max. 11 mos. or both	<u>MPC</u> Dr. 11:220.3 If damage \$100- \$5000 M	<u>Rec.</u> (M)
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N.H.
Cf. C. 572:3,
general prov.
Max. \$5000 or max.
10 yrs. or both

Vt.
Max. \$20 or max.
90 da. or both
T 13:3730

Wisc.
Cf. C. 943.01
Max. \$1000 or max.
3 yrs. or both

Comment: On redrafting, cf. MPC provision and coverage up to F3 and consolidate Secs. 13 - 18 of this chapter.

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<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
15. Injury to, or interference with apparatus used in furnishing gas, electricity or water.	Max. \$100. or max. 11 mos. or both.	Dr. 11:220.3 If less than \$5000, M	(M)

N.H.

Cf. C. 572:3, general prov. Max. \$5000 or max. 10 yrs. or both

Vt.

Cf. T.13:3781, gas pipes, max. \$100 or 1 yr. or both.
Cf. T. 13:3782, Max. \$300 or 2 yrs. or both

Wisc.

Cf. C. 943.01
Max. \$1000 or max. 3 yrs. or both

Comment: On redrafting, cf. MPC provision and coverage up to F3 and consolidate Secs. 13 - 18 of this chapter.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
16. Injuring or interfering with telegraph or telephone lines.	Max. \$100. or 11 mos. or both.	Dr. 11:220.3 If less than \$5000, M	(M)

N.H.

Cf. C. 572:3, general prov. Max. \$5000 or max. 10 yrs. or both

Vt.

Max. \$500 or max. 5 yrs.
T. 30:258

Wisc.

Max. \$1000 or max. 3 yrs. if damage less than \$1000
C. 943.01

Comment: On redrafting, cf. MPC provision and coverage up to F3 and consolidate Secs. 13 - 18 of this chapter.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
17. Malicious injury; tampering with; setting in motion any railroad car.	Max. \$500. or max. 2 yrs.	Cf. Dr. 11:220.3. If damage \$100 - \$5000, M	(M)

N.H.

Cf. C. 572:3, general prov. Max. \$5000 or max. 10 yrs. or both

Vt.

None

Wisc.

Cf. C. 943.01, general prov. Max. \$1000 or max. 3 yrs. or both. If value more than \$1000, max. \$1000 or max. 5 yrs. or both

Comment: On redrafting, cf. MPC provision and coverage up to F3 and consolidate Secs. 13 - 18 of this chapter.

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<u>Sec. 18.</u> Willful removal of waste from journal boxes of railroad vehicles ,	<u>Me. Stat.</u> Max. \$500 or max. 3 yrs.	<u>MPC</u> Cf. Dr. 11: 220.3	<u>Rec.</u> (M)
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<u>N.H.</u> Cf. C. 572:3 Max. \$5000 or max. 10 yrs. or both	<u>Vt.</u> Max. \$500 or max. 3 yrs. T. 13:3104	<u>Wisc.</u> None
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Comment: On redrafting, cf. MPC provisions and coverage up to F3 and consolidate Secs. 13 - 18 of this chapter.

<u>Sec. 19.</u> Willful destruction of, or injury to baggage .	<u>Me. Stat.</u> Max. \$100 or max. 1 yr.	<u>MPC</u> Dr. 11:220.3 Damage \$100 - \$5000 M	<u>Rec.</u> (M)
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<u>N.H.</u> Cf. C. 377:17, reckless handling Max. \$20 or max. 6 mos. or both	<u>Vt.</u> Cf. T.13:3721, injury to chattels. Done openly - Max. \$200 or 6 mos. Done secretly- Max. \$300 or 3 yrs. or both	<u>Wisc.</u> Cf. C. 943.01 Max. \$200 or max. 6 mos. or both
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Comment: On redrafting, cover with general MPC provision for criminal mischief and consolidate.

<u>Sec. 20.</u> Interference, removal or destruction of transit points .	<u>Me. Stat.</u> Max. \$25. or max. 30 days.	<u>MPC</u> Cf. Dr.11:220.3 Value \$25-\$100 PM	<u>Rec.</u> (PM)
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<u>N.H.</u> Cf. C. 572:25 Max. \$20 or max. 6 mos.	<u>Vt.</u> Cf. T. 13:3730 Max. \$20 or 90 days or both	<u>Wisc.</u> Cf. C. 943.01 Max. \$200 or max. 6 mos. or both
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Comment: On redrafting, cover with general provision of MPC for criminal mischief and consolidate.

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<u>Sec. 21. Malicious injuries to monuments, landmarks, guideboards, lamps.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. and max. 1 yr.	Cf. Dr. 11:220.3 Damage \$100-\$5000 M	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 572:25 Max. \$20 or max. 6 mos. or both	Cf. T.13:3730 Max. \$20 or max. 90 days or both	Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cover with general MPC provision for criminal mischief and consolidate.

<u>Sec. 23. Wanton injury to books, pictures, statues, etc.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$50. or max. 3 mos.	Cf. Dr. 11:220.3 Damage \$25 - \$100 PM	(PM)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$300 C. 572:42	\$5 - \$1000 T. 13:3731	Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cf. with general MPC provision for criminal mischief and consolidate.

<u>Sec. 24. Mooring vessels or rafts to buoys or beacons and for destroying them; mooring.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$50.	Cf. Dr. 11:220.3 Damage under \$25 V	(V)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$1000 or max. 1 yr. or both C. 270:26	None	Cf. C. 30.065 Max. \$50 or max. 90 days	

Comment: On redrafting, cf. MPC provision for criminal mischief.

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<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
24. Mooring vessels or rafts to buoys or beacons and for destroying them; destroying.	\$100. and 3 mos.	Cf. Dr. 11:220.3 Damage \$25-\$100 PM	(PM)
<u>N.H.</u> Max. \$1000 or max. 1 yr. or both C. 270:26	<u>Vt.</u> Cf. T.13:3721 Openly - Max. \$200 or max. 6 mos. Secretly - Max. \$300 or max. 3 yrs. or both	<u>Wisc.</u> Cf. C. 30.065 Max. \$50 or max. 90 days	

Comment: On redrafting, cf. MPC provision for criminal mischief or cf. Wisc. consolidation in a separate section.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
25. Unlawful taking and use of boats, vehicles, aircraft or draft animals.	Max. \$300. or max. 11 mos.	Cf. Dr. 4:206.6 Theft scheme PM	(M)
<u>N.H.</u> Max. \$100 or max. 1 yr. or both C. 572:45	<u>Vt.</u> Max. \$500 or max. 1 yr. or both T. 13:2505	<u>Wisc.</u> Max. \$1000 or max. 5 yrs. or both C. 942.23	

Comment: On redrafting, cf. MPC coverage within theft scheme. Treats as PM, but if a serious deprivation, then as theft.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
26. Unlawful injuring of or tampering with vehicles.	Max. \$200. or max. 3 mos. or both.	Cf. Dr. 11:220.3 Damage \$25-\$100 PM	(PM)
<u>N.H.</u> None	<u>Vt.</u> Openly-Max. \$200 or 6 mos. T 13:3721 Secretly-Max. \$300 or 3 yrs. or both	<u>Wisc.</u> Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cf. MPC provision of criminal mischief and consolidate.

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<u>Sec. 26.</u> Unlawful injuring of or tampering with vehicles; second conviction.	<u>Me. Stat.</u> \$200. - \$500. or max. 11 mos. or both.	<u>MPC</u> Cf. Dr. 11:220.3 Damage \$25-\$100 PM	<u>Rec.</u> (M)
<u>N.H.</u> None	<u>Vt.</u> Openly - Max. \$200 or max. 6 mos. Secretly - Max. \$300 or max. 3 yrs. or both T. 13:3721	<u>Wisc.</u> Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On penalty, to maintain Maine statutory distinction, but MPC scheme provides this anyway via extended term, Dr. 4:6.09. On redrafting, consolidate within MPC criminal mischief.

<u>Sec. 27.</u> Unlawful taking of saddled or harnessed horse .	<u>Me. Stat.</u> Max. \$100. or max. 3 mos.	<u>MPC</u> Cf. Dr. 4:206.6 If not great deprivation PM	<u>Rec.</u> (PM)
<u>N.H.</u> Max. \$100 or max. 1 yr. C. 572:45	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, cf. and consolidate within MPC theft scheme.

<u>Sec. 28.</u> Driving nails, spikes, etc., in logs intended for manufacture.	<u>Me. Stat.</u> \$100. - \$500. and 1 - 5 yrs.	<u>MPC</u> Cf. Dr. 11:220.3 Damage less than \$5000 F3	<u>Rec.</u> (F3)
<u>N.H.</u> Max. \$500 or max. 1 yr. C. 572:35	<u>Vt.</u> Max. \$300 or max. 1 yr. or both T. 13:3608	<u>Wisc.</u> Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cf. MPC scheme for criminal mischief and consolidate.

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<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
29. Injuring or cutting loose booms, rafts, vessels or boats.	Max. \$500. and max. 1 yr.	Cf. Dr. 11:220.3 Damage \$100 - \$5000 M	(M)
<u>N.H.</u> None	<u>Vt.</u> Cf. T. 13:3721 Openly - Max. \$200 or Max. 6 mos. Secretly - Max. \$300 or max. 3 yrs. or both	<u>Wisc.</u> Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cf. MPC scheme for criminal mischief and consolidate.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
30. Damages to fruit gardens.	\$20. and not less than 30 days; in default of payment 2 days per dollar	Cf. Dr. 11:220.3 Damage \$25 - \$100 PM	(PM)
<u>N.H.</u> Max. \$100 or max. 6 mos. or both C. 572:7	<u>Vt.</u> Max. \$100 or max. 1 yr. T. 13:3604	<u>Wisc.</u> Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cf. MPC scheme for criminal mischief and consolidate.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
31. Protection of rhododendron maximum linnaeus and kalmia latifolia linnaeus .	Max. \$100.	Cf. Dr. 11:220.3 Damage less than \$25 - V	(V)
<u>N.H.</u> Cf. C. 572:7 Max. \$100 or max. 6 mos. or both	<u>Vt.</u> \$10 each cutting T. 13:3614	<u>Wisc.</u> Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cf. MPC scheme for criminal mischief and consolidate.

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<u>Sec. 32. Malicious damage to ice upon any waters by self or another.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 11 mos.	Cf. Dr. 11:220.3 Damage \$100 - \$5000 M	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$100 C. 572:26	None	None	

Comment: On redrafting, cf. MPC scheme for criminal mischief and consolidate.

<u>Sec. 33. Malicious damage to trees, fences, gates, signs or produce.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. and max. less than 1 yr.	Cf. Dr. 11:220.3 Damage \$100-\$5000 M	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$100 or max. 1 yr. or both C. 572:14 Also cf. C.572:12	Signs-Max. \$20 or 90 da. or both T.13:3730 Fruit trees-Max. \$100 or 1 yr. T. 13:3603	Max. \$200 or max. 6 mos. or both if damage below \$1000 C. 943.01	

Comment: On redrafting, cf. MPC scheme for criminal mischief and consolidate.

<u>Sec. 34. Advertising on fences, rocks, etc.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$5. - \$20. per offense	Cf. Dr. 11:220.3 Damage under \$25 V	V
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$25 C. 57:43	\$10 T. 13:303	None	

Comment: On redrafting, cf. general MPC provision on criminal mischief.

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<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
35. Wearing of spiked boots and shoes in public places.	\$1 - \$10	Cf. Dr. 11:220.3 Damage under \$25 V	V
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
None	Cf. T. 13:3703 Min. fine \$2	Cf. C. 943.01 Max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cf. MPC scheme for criminal mischief and consolidate.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
37. Trespass upon lands appurtenant to certain state institutions.	Max. \$50. or max. 3 mos.	Cf. Dr. 11:221.2, criminal trespass	PM
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 539:5 Max. \$100 or max. 3 mos.	Cf. T. 13:3702 \$5 - \$50	None	

Comment: On redrafting, cf. MPC scheme for criminal trespass and include this element of aggravation to achieve PM. Consolidate.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

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<u>Sec. 38. Trespasses on improved lands.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. and max. 90 days	Cf. Dr. 11:220.3, Dr. 10:5.05 Dr. 11:221.2	(PM)
<u>N.H.</u> Max. \$100 or max. 6 mos. or both C. 572:7	<u>Vt.</u> Cf. T. 13:3721 Max. \$200 or max. 6 mos. Attempt - \$100 or 3 mos.	<u>Wisc.</u> Max. \$200 or max. 6 mos. or both, criminal damage to property. attempt - \$100 or 3 mos. or both. C. 943.01	

Comment: On redrafting, cf. coverage of MPC provisions on criminal mischief and attempt thereto and also criminal trespass.

<u>Sec. 39. Trespass on com- mercial or residential property.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
39-A. Adds dwelling, camp, cottage, or locked building.	Max. \$100. or max. 90 days or both.	Cf. Dr. 11:221.2 If breaks in PM	(PM)
<u>N.H.</u> Cf. C. 572:19 Obstructing private ways Max. \$50	<u>Vt.</u> None	<u>Wisc.</u> \$200 or 6 mos. or both Criminal trespass to dwellings C. 943.14	

Comment: On redrafting, cf. MPC provision and consolidate.

<u>Sec. 40. Trespass by entering or passing over enclosed or cultivated land after being for- bidden .</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$20.	Cf. Dr. 11:221.2 V	V
<u>N.H.</u> Max. \$50 or max. 6 mos. C. 572:15	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 943.13 Max. \$50 or max. 30 days	

Comment: On redrafting, cf. MPC provision and consolidate.

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<u>Sec. 41.</u> Trespass on timber or wood standing.	<u>Me. Stat.</u> Max. \$100. and max. 2 mos.	<u>MPC</u> Cf. Dr. 11:220.3 Damage \$25-\$100 PM	<u>Rec.</u> (PM)
<u>N.H.</u> Cf. C. 539:1 civil remedy 5 times value	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 26.04, 25.15 \$10-\$50 or 10-30 days	

Comment: On redrafting, cf. MPC provision, and Wisc. includes this within woodlands regulatory chapter.

<u>Sec. 43</u> Wild bees protected.	<u>Me. Stat.</u> \$10. - \$50.	<u>MPC</u> None	<u>Rec.</u> V
<u>N.H.</u> Cf. C. 440:10 \$50 each offense	<u>Vt.</u> Cf. T.10:3641 3642 \$25	<u>Wisc.</u> None	

Comment: None

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>VT.</u>	<u>Wisc.</u>	

Comment:

Ch. 132. Larceny, Embezzlement and Receiving Stolen Goods.

<u>Sec. 1. Larceny;</u> <u>value more than</u> <u>\$100.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 5 years	Dr. 4:206.15 \$50 - \$500 M \$500 or over -F3	(F3)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. 5 yrs. C. 582:3	Max. \$500 or max. 10 yrs. or both T. 13:2501	Value \$100 - \$2500 Max. \$5000 or 5 yrs. or both. Value over \$2500, max. \$10,000 or 15 yrs. or both.	

Comment: On redrafting, cf. MPC gradations.

<u>Sec. 1. Larceny;</u> <u>value less than</u> <u>\$100.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. or max. 6 mos. or both.	Dr. 4:206.15 \$50 - \$500 - M Under \$50 - PM	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Value \$50 - \$100 Max. \$500 or max. 1 yr. C. 582:3 Value under \$50. max. \$200 or 6 mos. C.582:5	Max. \$300 or max. 6 mos. or both. T. 13:2502	Max. \$200 or 6 mos. or both C. 943.20	

Comment: On redrafting, cf. MPC gradations.

<u>Sec. 2. Larceny from</u> <u>the person.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 6 yrs.	Cf. Dr. 4:206.3 205.15	(F3)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. 7 yrs. C. 582:1	Max. \$500 or max. 10 yrs. or both T. 13:2503	Value less than \$2500, max. \$5000 or 5 yrs. or both. Value more than \$2500, max. 15 yrs. C. 943.20	

Comment: On redrafting, cf. MPC and Wisc. provisions.

<u>Sec. 3. Larceny by night in a dwelling house, or at any time breaking and entering certain other buildings, vessel or railroad car; at night</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1-15 yrs.	Cf. Dr. 11:221.1 F2	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 583:2 Max. 5 yrs.	Cf. T. 13:1202 Max. \$1000 or max. 10 yrs. or both	Cf. C. 943.0 Max. 10 yrs.	

Comment: On redrafting, cf. MPC burglary sequence Dr. 11:221.1. Variations in schemes make comparison to other states of little assistance.

<u>Sec. 3. Larceny in a dwelling house, etc. In day.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000 or max. 6 yrs.	Dr. 11:221.1 F3	(F3)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 583:3,4 Max. 5 yrs.	Cf. T. 13:2501 Max. \$500 or max. 10 yrs. or both	Cf. C. 943.0 Max. 10 yrs.	

Comment: See above comment.

<u>Sec. 4. Larceny at a fire.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 5 yrs.	Cf. Dr. 4: 206.15	(F3)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. general theft provision	Cf. general theft provision	Value over \$2500, max. 15 yrs. Value under \$2500, Max. \$5000 or 5 yrs. or both. C. 943.20	

Comment: On redrafting, compare MPC and Wisc. alternatives.

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<u>Sec. 10. Common thief.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 15 yrs.	Cf. Dr. 4:206.15, 6.07	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
None	None	None	

Comment: On redrafting, unnecessary with MPC scheme since accomplished by extended term provisions for those showing extensive criminality, etc.

<u>Sec. 10-A. Willful concealment of merchandise.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. or max. 6 mos. or both.	Cf. Dr. 4: 206.1, 206.15	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$100 or max. 6 mos. or both. C. 582:15	Cf. T. 13:2508	Cf. C. 943.20 General theft provision	

Comment: On redrafting, consider desirability of inclusion within theft provision and gradation of penalties.

<u>Sec. 11. Buying, receiving or aiding to conceal stolen property; if value does not exceed \$100.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. or max. 6 mos.	Cf. Dr. 4:206.8 206.15, 6.08	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
C. 582:10 General theft prov.	T. 13:2561 General theft prov.	C. 943.34	

Comment: On redrafting, draft within general theft provision as MPC and other states.

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<u>Sec. 11. Buying, receiving or aiding to conceal stolen property; if value exceeds \$100.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 5 yrs.	Cf. Dr. 4:206.8 206.15, 6.08	(F3)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
C. 582:10 General theft provision	T. 13:2561 General theft provision	C. 943.34	

Comment: On redrafting, draft within general theft provision as MPC and other states.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

Ch. 133. Forgery, Counterfeiting, False Pretenses and Frauds.

<u>Sec. 1. Forgery.</u>	<u>Me. Stat.</u>	<u>MPC.</u>	<u>Rec.</u>
	Max. 10 yrs.	F2 Dr. 11-223.1	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. 7 yrs. C. 581.1	\$1,000. or 10 yrs. T. 13-1801	\$500 or 10 yrs. C. 943.38

Comment: On drafting, cf. MPC categorization.

<u>Sec. 4. Making or issuing false certificates of stock, or pledging genu- ine, without authority.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1000. and max. 10 yrs.	F2 Dr. 11:223.1	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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See Sec. 1 supra.

Comment: On drafting, cf. MPC categorization and consolidate with Sec. 1.

<u>Sec. 5. Counterfeiting or forgery of public secur- ities, bank bills or coin, etc.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Life or any term of years.	F2 Dr. 11-223.1	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Bank notes 20 yrs. Coins 10 yrs. C. 581.4, 581.8	14 yrs. and \$1,000. T. 13-1804	10 yrs. or \$5,000. or both C. 943.38

Comment: On drafting, cf. MPC categorization, and consolidate with Sec. 1.

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<u>Sec. 6. Illegal possession of counterfeits, uttering.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 3 yrs.	Cf. Dr. 11:223.1 F2	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. 5 yrs. C. 581:5	Max. \$1000 and max. 10 yrs. T. 13:1802	Max. \$5000 or max. 10 yrs. or both C. 943.38

Comment: On redrafting, cf. MPC scheme which grades by seriousness of subject, rather than role. Also consolidate.

<u>Sec. 6. Illegal possession of counterfeits, uttering; second offense or three offenses in one term of court.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	3 - 10 yrs.	Cf. Dr. 11:223.1 F2	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. 5 yrs. C. 581:5	Max. \$1000 and max. 10 yrs. T. 13:1802	Max. \$5000 or max. 10 yrs. or both C. 943.38

Comment: On redrafting, cf. MPC scheme which grades by seriousness of subject, rather than role. Also consolidate.

<u>Sec. 7. Counterfeiting foreign coin for exportation.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1-10 yrs.	Dr. 11:223.1 F2	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. 20 yrs. C. 581:4	Max. \$1000 and max. 14 yrs. T. 13:804	Max. \$5000 or max. 10 yrs. or both C. 943.38

Comment: On redrafting, cf. MPC scheme and consolidate.

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<u>Sec. 8. Manufacture or possession of implements and materials for counterfeiting.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 3 yrs.	<u>MPC</u> Dr. 11:223.1 and inchoate crimes, Dr. 10:5.05	<u>Rec.</u> (F3)
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N.H.
Max. 5 yrs.
C. 581:6

Vt.
Max. \$1000 and max. 14 yrs.
T. 13:1807

Wisc.
Max. 5 yrs.
C. 943.38 and attempt provision

Comment: On redrafting, cf. MPC and Wisc. principal offense plus provision for inchoate crimes, discussed in Sect. II, 8, of this paper.

<u>Sec. 11. Cheating by false pretenses.</u>	<u>Me. Stat.</u> Max. \$500. or max. 7 yrs.	<u>MPC</u> Cf. Dr. 4:206.2 Treats as theft Max. F3	<u>Rec.</u> (F3)
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N.H.
Max. \$500 or max. 7 yrs. C.580:1. Value less than \$100 max. double value and 6 mos. C. 580:4

Vt.
Max. \$1000 or max. 10 yrs. if value more than \$25.
T. 13:2002

Wisc.
Max. 15 yrs.
C. 943.20
Treats as theft

Comment: On redrafting, cf. MPC and Wisc. and include within theft provision.

<u>Sec. 12. Uttering fraudulent receipts of delivery or deposit of goods, bonds or securities.</u>	<u>Me. Stat.</u> 1 - 10 yrs.	<u>MPC</u> Dr. 11:223.1 F2	<u>Rec.</u> (F2)
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N.H.
Max. 7 yrs.
C. 581:1
General prov.

Vt.
Max. \$1000 and max. 10 yrs.
T. 13:1801
General provision

Wisc.
Max. \$5000 or max. 10 yrs. or both
C. 943.38
General provision

Comment: On redrafting, cf. MPC scheme and consolidate.

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<u>Sec. 13.</u> False statements in writing for purpose of obtaining credit	<u>Me. Stat.</u> Max. \$1,000. or max. 11 mos.	<u>MPC</u> Dr. 2:206.24 M	<u>Rec.</u> (M)
<u>N.H.</u> Max. \$500 or max. 1 yr. or both C. 580:23,24,25,26	<u>Vt.</u> Max. \$1000 or 1 yr. or both. T. 13:2006, 2007, 2008, 2009	<u>Wisc.</u> Max. \$2500 or max. 3 yrs. or both C. 943.39, fraudulent writings generally	

Comment: On redrafting, cf. coverage of MPC and Wisc. provisions.

<u>Sec. 14.</u> Issuing a fraudulent check.	<u>Me. Stat.</u> Max. \$1,000 or max. 11 mos.	<u>MPC</u> Cf. Dr. 2:206.22 PM	<u>Rec.</u> (M)
<u>N.H.</u> C. 582:12 Treats as larceny or attempted larceny	<u>Vt.</u> Cf. T.13:2006 - 2009. False statement of fin- ancial ability. Max. \$1000 or 1 yr. or both	<u>Wisc.</u> Max. \$1000 or max. 1 yr. C. 943.24	

Comment: On penalty, switch to MPC scheme requires redrafting. On redrafting, cf. MPC process in Dr. 2:206.22 and comments thereto and related coverage of Dr. 4:206.2. Assuming this related coverage and since knowledge is presumed, PM is adequate.

<u>Sec. 17.</u> Procuring of money under false pretenses of physical defects.	<u>Me. Stat.</u> Max. 90 days	<u>MPC</u> Cf. Dr. 4:206.2 206.15, theft	<u>Rec.</u> PM
<u>N.H.</u> Cf. C. 580:1, false pretenses	<u>Vt.</u> None	<u>Wisc.</u> Cf. C.943.30; theft; cf. C. 49.12, public assistance range. 6 mos.- 5 yrs.	

Comment: On redrafting, cf. coverage with MPC theft provision.

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<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
18. False representations of standard for sale of sterling and coin silver articles.	Max. \$100. for each offense	Cf. Dr. 2:206.24 M	(M)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
None	None	None

Comment: On redrafting, cf. MPC provision's broad coverage.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
19. Securing false registration, etc., of domestic animals.	Max. \$300. or max. 90 days or both.	Cf. Dr. 6:206.22 PM	PM

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. \$200 C. 580:8	Max. \$300 T. 13:2012	1st.off.-Max. \$200 or 6 mos. or both subs.off.-\$200-\$500 or 30 days-6 mos. or both C. 95.12, 95.69

Comment: On redrafting, cf. MPC general provision.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
20. Entering for premiums any horse that has been disguised, etc.	Max. \$500. or max. 6 mos.	Cf. Dr. 11:223.9 M	(M)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
\$100 - \$1000 or max. 3 yrs. C. 284:37	Max. \$500 or max. 6 mos. T. 13:2013	Max. \$1000 or 1-3 yrs. C. 94.12, 94.77

Comment: On redrafting, cf. MPC general provision.

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<u>Sec. 21. Gross fraud at common law.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000 or max. 7 yrs.	Cf. Dr. 4:206.2, 15 Max. F3	(F3)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C.580:1, false pretenses Max. \$500 or max. 7 yrs.	Cf. C.13:2002 False pretenses Max. \$1000 or max. 10 yrs.	Cf. C.943.20, theft Max. 15 yrs.	

Comment: On redrafting, note coverage within MPC theft provision.

<u>Sec. 22. Fraudulent conveyances or assignments.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. and max. 1 yr.	Cf. Dr. 11:223.7 M	M
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. 1 yr. and double value fine or both C. 580:2	Cf. T. 13:2014 Max. \$200 or 1 yr.	Max. \$1000 or max. 2 yrs. or both C. 943.25	

Comment: On redrafting, cf. MPC provision.

<u>Sec. 23. Removal or concealment of mort- gaged personal property, aiding or abetting.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 11 mos.	Cf. Dr. 11:223.7 M	M
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. 1 yr. and double value fine or both C. 580:2	Cf. T.13:2014 Max. \$200 or 1 yr.	Max. \$1000 or max. 2 yrs. or both C. 943.25	

Comment: On redrafting, cf. MPC provision.

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<u>Sec. 24.</u> Defrauding owner of garage.	<u>Me. Stat.</u> Max. \$100. or max. 3 mos.	<u>MPC</u> Cf. Dr. 1:206.1, 15 Theft	<u>Rec.</u> (PM)
<u>N.H.</u> Cf. C. 580:7, obtain- ing transportation, \$20 or 3 mos.	<u>Vt.</u> Cf. T. 13:2010, food or lodging by fraud. Max. \$50 or 3 mos.	<u>Wisc.</u> Cf. C. 943.21, fraud on hotel or restaurant Max. \$500 or max. 1 yr. or both.	

Comment: On redrafting, MPC covers this within general theft scheme.

<u>Sec. 25.</u> Fraudulent issue of transfer tickets.	<u>Me. Stat.</u> Max. \$50. or max. 30 days or both	<u>MPC</u> Cf. Dr. 2:206.5, 15 PM	<u>Rec.</u> (PM)
<u>N.H.</u> Max. 6 mos. or double value fine or both. C. 580:4	<u>Vt.</u> Cf. T. 13:2019 Max. \$500 or max. 1 yr. or both	<u>Wisc.</u> Cf. C. 943.22, use of cheating tokens Max. \$500 or 60 days Or both.	

Comment: On redrafting, cf. MPC coverage within general theft provision.
Cf. also Vt. coverage of manufacture and sale.

<u>Sec. 26.</u> Tampering with fare box or fare-register of street railway company or depositing mutilated coins therein with intent to defraud.	<u>Me. Stat.</u> \$25 - \$100 and max. 60 days	<u>MPC</u> Cf. Dr. 4:206.5 PM	<u>Rec.</u> (PM)
<u>N.H.</u> Max. \$500 or max. 1 yr. or both C. 581:11, 12	<u>Vt.</u> Cf. T. 13:2018 Fraud. use of slugs and tokens. Max. \$100 or 30 days or both.	<u>Wisc.</u> Cf. C. 943.22, use of cheating tokens. Max. \$500 or 60 days or both	

Comment: On redrafting, cf. MPC coverage within general theft section.

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<u>Sec. 26.</u> Tampering with Fare-box or fare-register of street railway company or depositing mutilated coins therein with intent to defraud; possession of such coin with intent to so use.	<u>Me. Stat.</u> \$25 - \$100. and max. 60 days.	<u>MPC</u> Cf. Dr. 4:206.5 PM	<u>Rec.</u> (PM)
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N.H.
Max. \$5000 or max.
1 yr. or both
C. 581:11, 12

Vt.
Cf. T. 13:2018
Fraud. use of slugs,
tokens. Max. \$100 or
max. 30 da. or both.

Wisc.
Cf. C. 943.22
Use of cheating tokens
Max. \$50 or max. 60
days or both.

Comment: On redrafting, cf. MPC coverage within general theft section.

<u>Sec. 27.</u> Acting for corporation after forfeiture of charter.	<u>Me. Stat.</u> \$300.	<u>MPC</u> None	<u>Rec.</u> V
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N.H.
Cf. C. 580:11,
using name of corp.
to deceive \$10 or 30
da. or both.

Vt.
None, just
civil remedy

Wisc.
None

Comment: On redrafting, put in regulatory chapter.

<u>Sec. 28.</u> Circulating advertisements in the similitude of bank bills	<u>Me. Stat.</u> \$50. each offense	<u>MPC</u> None	<u>Rec.</u> V
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N.H.
Cf. C. 580:9,
false advertising
Max. \$300 or max.
90 days or both

Vt.
Cf. T. 13:2005,
false advertising
Max. \$1000

Wisc.
Cf. C. 100.26, deceptive
advertising
Max. \$200 or max.
6 mos. or both

Comment: On redrafting, cf. Wisc. general provision.

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<u>Sec. 29. Fraudulent advertising constitutes misdemeanor.</u>	<u>Me. Stat.</u> Max. 1 yr.	<u>MPC</u> Dr. 2:206.24 M	<u>Rec.</u> M
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<u>N.H.</u> Max. \$300 or max. 90 days or both C. 580:9	<u>Vt.</u> Max. \$1000 T. 13:2005	<u>Wisc.</u> Max. \$200 or max. 6 mos. or both C. 100.26
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Comment: On redrafting, cf. MPC provision.

<u>Sec. 30. Suppressing, secreting or destroying last will.</u>	<u>Me. Stat.</u> Max. \$1,000. and max. 1 yr.	<u>MPC</u> Dr. 11:223.2 F3	<u>Rec.</u> F3
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<u>N.H.</u> Cf. C. 582:6, theft of will Max. 5 yrs.	<u>Vt.</u> \$10 per month T. 14:105	<u>Wisc.</u> Max. \$2500 or max. 3 yrs. or both C. 943.40
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Comment: On penalty, follow MPC, Wisc. and N.H. On redrafting, cf. MPC provision.

<u>Sec. 31. Fraudulent destruction of vessels and fitting them out for that purpose; destroying.</u>	<u>Me. Stat.</u> Max. 5 yrs.	<u>MPC</u> Cf. Dr. 11:220.1 Arson to collect insurance - F2	<u>Rec.</u> (F2)
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<u>N.H.</u> Max. 5 yrs. Arson on insured property C. 584:4	<u>Vt.</u> Max. \$500 or max. 5 yrs. T. 13:3737	<u>Wisc.</u> Max. \$1000 or max. 5 yrs. or both C. 943.04
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Comment: On redrafting, cf. MPC general provision.

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<u>Sec. 31. Fraudulent destruction of vessels and fitting them out for that purpose; fitting out, intent.</u>	<u>Me. Stat.</u> Max. \$5,000 or max. 20 yrs.	<u>MPC</u> Cf. Dr. 11:220.1, Arson to collect insurance - F2	<u>Rec.</u> (F2)
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<u>N.H.</u> Max. 5 yrs. Arson on insured property C. 584:4	<u>Vt.</u> Max. \$500 or max. 5 yrs. T. 13:3737	<u>Wisc.</u> Max. \$1000 or max. 5 yrs. or both C. 943.04
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Comment: On redrafting, cf. MPC provision.

<u>Sec. 32. Making false invoices, bills of lading or false estimates of property shipped.</u>	<u>Me. Stat.</u> Max. \$5,000. or max. 10 yrs.	<u>MPC</u> Cf. Dr. 11:223.1 F2	<u>Rec.</u> (F2)
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<u>N.H.</u> Cf. C. 581:1, forgery Max. \$500 or max. 7 yrs.	<u>Vt.</u> Cf. T. 13:1801 Max. \$1000 and max. 10 yrs.	<u>Wisc.</u> Cf. C. 943.38 Max. \$5000 or max. 10 yrs. or both
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Comment: On redrafting, cf. MPC general provision and consolidate.

<u>Sec. 33. False affidavits and protests by master, officer, mariner or owner of vessel or cargo.</u>	<u>Me. Stat.</u> Max. \$5000. or max. 10 yrs.	<u>MPC</u> Cf. Dr. 2:223.1 F2	<u>Rec.</u> (F2)
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<u>N.H.</u> Cf. C. 581:1 Max. \$500 or max. 7 yrs.	<u>Vt.</u> Cf. T. 13:1801 max. \$1000 and max. 10 yrs.	<u>Wisc.</u> Cf. C. 943.38 Max. \$5000 or max. 10 yrs. or both
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Comment: On redrafting, cf. MPC general provision and consolidate.

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<u>Sec. 34.</u> Aiding sailors to desert.	<u>Me. Stat.</u> Max. \$100. and 30 days - 6 mos.	<u>MPC</u> None	<u>Rec.</u> (PM)
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<u>N.H.</u> Cf. C. 572:35, Interference with busi- ness or occupation. Max. \$500 or max. 1 yr.	<u>Vt.</u> None	<u>Wisc.</u> None
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Comment: On redrafting, desertion by the sailor is not in RMS. Is criminal provision necessary? Cf. civil action for inciting breach of contract, etc.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N. H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

Ch. 134. Crimes against Chastity, Morality and Decency.
Sunday Activities.

<u>Sec. 1. Adultery;</u> <u>cohabitation after</u> <u>divorce.</u>	<u>Me. Stat.</u> Max. \$1000 or max. 5 yrs.	<u>MPC</u> None	<u>Rec.</u> (F3)
<u>N.H.</u> Max. \$500 or max. 3 yrs. C. 579:1	<u>Vt.</u> Max. \$1000 or max. 5 yrs. or both T. 13:201	<u>Wisc.</u> Max. \$1000 or max. 3 yrs. or both C. 944.16	

Comment: On penalty, MPC in comment to Dr. 4:207.1, pg. 204, gives analysis of why adultery should not be a crime.

<u>Sec. 2. Incest.</u>	<u>Me. Stat.</u> 1 - 10 yrs.	<u>MPC</u> Dr. 4:207.3 F3	<u>Rec.</u> F3
<u>N.H.</u> Max. \$1000 or max. 20 yrs. or both C. 579:7	<u>Vt.</u> Max. \$1000 or max. 5 yrs. or both. T. 13:205, as adultery	<u>Wisc.</u> Max. 10 yrs. C. 944.06	

Comment: On penalty, MPC Dr. 4:6.07 will provide a max. of 10 years for those who are dangerously abnormal.

<u>Sec. 3. Crime against</u> <u>nature.</u>	<u>Me. Stat.</u> 1-10 yrs.	<u>MPC</u> Cf. Dr. 4:207.5	<u>Rec.</u> (F3)
<u>N.H.</u> Max. \$1000 or max. 5 yrs. or both C. 579:9	<u>Vt.</u> Cf. T. 13:2605 1 - 5 yrs.	<u>Wisc.</u> Max. \$5000 or max. 5 yrs. or both C. 944.7	

Comment: On penalty, accord with other states and in view of extended term for the mentally dangerous, Dr. 4:6.07. On redrafting, cf. MPC scheme which leaves consensual acts between adults outside of the criminal law.

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<u>Sec. 4. Polygamy.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$5,000. or max. 5 yrs.	Dr. 4:207.2 F3	F3
<u>N.H.</u> Cf. C. 579:5,6, bigamy, treats as adultery, 579:1 Max. \$500 or 3 yrs.	<u>Vt.</u> Cf. T. 13:206, bigamy Max. 5 yrs.	<u>Wisc.</u> Cf. C. 944.05, bigamy Max. \$1000 or max. 5 yrs. or both	

Comment: On redrafting, cf. MPC provision.

<u>Sec. 5. Lascivious cohabitation; lewdness.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$300. or max. 5 yrs.	Dr. 4:207.1 M	M
<u>N.H.</u> Cf. C. 579:3 Max. \$200 or max. 6 mos. or both	<u>Vt.</u> Max. \$300 or Max. 5 yrs. T. 13:2601	<u>Wisc.</u> Max. \$500 or max. 1 yr. or both C. 944.20	

Comment: On penalty, follow MPC, Wisc. and N.H. Extended term Dr. 4:5.09 will provide max. of 3 yrs. for the mentally dangerous. On redrafting, cf. MPC scheme.

<u>Sec. 6. Indecent liberties.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 10 yrs.	Cf. Dr. 4:207.6 F3	(F3)
<u>N.H.</u> None	<u>Vt.</u> 1 - 5 yrs. T. 13:2602	<u>Wisc.</u> Max. \$500 or max. 5 yrs. or both. C. 944.11	

Comment: On redrafting, cf. MPC scheme.

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<u>Sec. 7. Indecent exposure.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$25. and max. 6 mos.	None	M

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Cf. C. 579:3 Max. \$200 or max. 6 mos. or both	Max. \$300 or max. 5 yrs. T. 13:2601	Max. \$500 or max. 1 yr. or both C. 944.20

Comment: On redrafting, cf. MPC final draft and Wisc.

<u>Sec. 8. Fornication.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100 and max. 60 days.	None	(PM)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. \$50 or max. 6 mos. C. 579:4	Cf. T. 13:2631	Max. \$200 or max. 6 mos. or both C. 944.15

Comment: On redrafting, MPC in comments to Dr. 4:207.1, p. 204, gives analysis of why fornication should not be a crime.

<u>Sec. 9. Abortion or attempt to procure; miscarriage; with intent to destroy child.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. and max. 5 yrs.	Dr. 9:207.11 F2 or F3	(F3)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. \$1000 or max. 10 yrs. C. 585:13	5-20 yrs. if woman dies; 3-10 yrs. if not T. 13:101	Max. \$5000 or 3 yrs. or both. If quick, max. 15 yrs. Mother - max. \$200 or 6 mos. or both. If quick, 2 yr. max. C.940.04

Comment: On redrafting, cf. MPC provision. MPC treats attempt as principal offense, Dr. 10:5.05.

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<u>Sec. 9. Abortion or attempt to procure; miscarriage; done with intent to procure.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. and max 1 yr.	Dr. 9:207.11 F2 or F3	(M)

N.H.

Max. \$1000 or max.
1 yr. or both
C. 585:2

Vt.

3 - 10 yrs.
T. 13:101

Wisc.

Max. \$5000 or max. 3
yrs. or both.
Mother - max. \$200 or
6 mos. or both
C. 940.04

Comment: On redrafting, cf. MPC provision. MPC treats attempt as principal offense, Dr. 10:5.05.

<u>Sec. 10. Concealment by mother of death of illegitimate issue.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. or max. 3 yrs.	None	M

N.H.

Max. \$2000 or
max. 2 yrs.
C. 585:15

Vt.

None

Wisc.

Max. \$500 or max.
1 yr. or both
C.

Comment: On penalty, follow Wisc. and N.H.

<u>Sec. 11. Publication, sale or distribution of information tending to produce miscarriage.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$50. - \$100. or max. 3 mos.	None	PM

N.H.

None

Vt.

\$200 - \$500
T. 13:104

Wisc.

\$25 - \$100
C. 143.175

Comment: On redrafting, cf. coverage of Wisc. provision.

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<u>Sec. 12. Prostitution, lewdness and assignation.</u>	<u>Me. Stat.</u> Max. 3 yrs.	<u>MPC</u> Cf. Dr. 9:207.12	<u>Rec.</u> (F3)
<u>N.H.</u> 1st. off. - Max. \$200 or 1 yr. 2nd off. - Max. \$500 or 3 yrs. or both C. 579:17	<u>Vt.</u> Max. \$300 or 4 yrs. T. 13:2604, keeping house. Max. \$100 or 1 yr. T. 13:2631, 2632, prostitution.	<u>Wisc.</u> C. 944.32, soliciting, \$1000 or 5 yrs. or both. C. 944.30, the female, \$500 or 1 yr. or both C. 944.31, the male, \$100 or 3 mos.	

Comment: On redrafting, cf. MPC scheme.

<u>Sec. 15. Enticing unmarried females for purposes of prostitution.</u>	<u>Me. Stat.</u> 1 - 10 yrs.	<u>MPC</u> Dr. 9:207.12 F3	<u>Rec.</u> (F2)
<u>N.H.</u> \$300-\$1000 or 1-10 yrs. or both C. 579:10	<u>Vt.</u> \$200-\$2000 or 1-10 yrs. or both T. 13:2635, 2636, 2637	<u>Wisc.</u> Max. \$1000 or 5 yrs. or both. If under 18, max. \$2000 or 10 yrs. or both. C. 944.32	

Comment: On penalty, kept on basis of statutory distinction, but MPC contra. On redrafting, cf. MPC general provision which combines the several offenses.

<u>Sec. 16. Procurement for prostitution.</u>	<u>Me. Stat.</u> 2 - 20 yrs.	<u>MPC</u> Dr. 9:207.12 F3 at max.	<u>Rec.</u> (F2)
<u>N.H.</u> \$300 - \$1000 or 1-10 yrs. or both C. 579:10	<u>Vt.</u> \$200-\$2000 or 1-10 yrs. or both T. 13:2635, 2636	<u>Wisc.</u> Max. \$200 or max. 6 mos. or both. If compensated from her earnings, max. \$5000 or 10 yrs. or both. C. 944.33	

Comment: On penalty, kept on basis of statutory distinction, but MPC contra. On redrafting, cf. MPC general provision which combines the several offenses.

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<u>Sec. 17. Placing of a wife in house of prostitution.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	2 - 20 yrs.	Dr. 9:207.12 F3	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
\$300-\$1000 or 1-10 yrs. or both C. 579:10	\$200-\$2000 or 1-10 yrs. or both T. 13:2635, 2636,2637	Max. \$1000 or max. 5 yrs. or both C. 944.32

Comment: On penalty, kept on basis of statutory distinction, but MPC contra. On redrafting, cf. MPC general provision which combines the several offenses.

<u>Sec. 18. Acceptance of money from woman engaged in prostitution.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	2 - 20 yrs.	Dr. 9:207.12 F3	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
\$300 - \$1000 or 1-10 yrs. or both C. 579:10	\$200-\$2000 or 1-10 yrs. or both T. 13:2637, 2638	Max. \$5000 or max. 10 yrs. or both C. 944.33

Comment: On penalty, kept on basis of statutory distinction, but MPC contra. On redrafting, cf. MPC general provision which combines the several offenses.

<u>Sec. 19. Detention of female in house of prostitution on account of debt.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	2 - 20 yrs.	Cf. Dr. 9:207.12 F3	(F2)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
\$300 - \$1000 or 1-10 yrs. or both C. 579:10	\$200-\$2000 or 1-10 yrs. or both T. 13:2635-2637	Max. \$5000 or max. 10 yrs. or both C. 944.33

Comment: On penalty, kept on basis of statutory distinction, but MPC contra. On redrafting, cf. MPC general provision which combines the several offenses.

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<u>Sec. 20.</u> Transportation of female persons for purpose of prostitution.	<u>Me. Stat.</u> 2 - 20 yrs.	<u>MPC</u> Cf. Dr. 9:207.12 F3	<u>Rec.</u> (F2)
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N.H.

Cf. C. 579:10
\$300-\$1000 or 1-10
yrs. or both

Vt.

\$200-\$2000 or 1-10
yrs. or both
T. 13:2635

Wisc.

Cf. C. 944.32, max. \$1000
or 5 yrs. If female
under 18, max. \$2000
or 10 yrs. or both

Comment: On penalty, kept on basis of statutory distinction, but MPC contra.
On redrafting, cf. MPC general provision which combines the several offenses.

<u>Sec. 24.</u> Distribution and sale of publications depicting crime and torture.	<u>Me. Stat.</u> Max. \$50. or max. 30 days.	<u>MPC</u> Cf. Dr. 6:207.1 M	<u>Rec.</u> (M)
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N.H.

Cf. C. 571:14,17,
Obscenity.
Max. \$500 or max.
6 mos. or both

Vt.

Max. \$200 or max.
1 yr. or both
T. 13:2804

Wisc.

Max. \$2000 or max.
2 yrs. or both
C. 947.08

Comment: On penalty, cf. MPC and this chapter sections 27 - 29. On redrafting, cf. MPC provision and consolidate with Section 27 of this chapter.

<u>Sec. 26.</u> Publication, distribution or display of notices or advertisements for cure of venereal diseases.	<u>Me. Stat.</u> Max. \$100 or max. 3 mos. or both	<u>MPC</u> None	<u>Rec.</u> PM
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N.H.

None

Vt.

Max. \$100 or max.
1 yr. or both
T. 13:305

Wisc.

\$25 - \$100
C. 143.075

Comment: On redrafting, cf. Wisc. provision.

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<u>Sec. 27. Circulation or posting of obscene pictures, handbills, etc.; distribution of certain publications by minors.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$50. - \$100. or Max. 11 mos. or both	Dr. 6:207.16 M	M

N.H.

Cf. C. 571:14, 17
Max. \$500 or max.
6 mos. or both

Vt.

Cf. T. 13:2804
Max. \$200 or max.
1 yr. or both

Wisc.

Cf. C. 944.21
Max. \$5000 or max.
5 yrs. or both

Comment: On redrafting, cf. MPC provision and consolidate with Sec. 24, 28, 29 of this chapter.

<u>Sec. 28. Use of phonograph which utters profane or obscene language.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 11 mos. or both.	Dr. 6:207.10 M	(M)

N.H.

Cf. C. 57 1:14
Max. \$500 or max.
6 mos. or both

Vt.

Cf. T. 13:2804
Max. \$200 or max.
1 yr. or both

Wisc.

Cf. C. 944.21
Max. \$5000 or max.
5 yrs. or both

Comment: On redrafting, cf. MPC provision and consolidate with Secs. 24, 27, 29 of this chapter.

<u>Sec. 29. Giving any obscene or impure show.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 11 mos. or both.	Cf. Dr. 6:207.10 M	(M)

N.H.

Cf. C. 571:14,17
Max. \$500 or max.
6 mos. or both

Vt.

Cf. T. 13:2804
Max. \$200 or max.
1 yr. or both

Wisc.

Cf. C. 944.21
Max. \$5000 or max.
5 yrs. or both

Comment: On redrafting, cf. MPC provision and consolidate with Secs. 24, 27, 28 of this chapter.

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<u>Sec. 30.</u> Disinterment, concealment, exposure or abandonment of dead bodies.	<u>Me. Stat.</u> Max. \$3,000. or 1 - 10 yrs.	<u>MPC</u> None	<u>Rec.</u> F3
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<u>N.H.</u> Max. \$2000 or max. 1 yr. or both C. 572:20	<u>Vt.</u> \$100-\$2000 or 1-15 yrs. or both T. 13:3761	<u>Wisc.</u> Max. \$500 or 1-3 yrs. C. 155.10
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Comment: None.

<u>Sec. 31.</u> Injury to monuments and places of burial.	<u>Me. Stat.</u> Max. \$500. or max. 1 yr.	<u>MPC</u> Cf. Dr. 11:220.3 Damage over \$100 M	<u>Rec.</u> M
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<u>N.H.</u> Max. \$500 or max. 6 mos. or both C. 572:21	<u>Vt.</u> \$10-\$200 or max. 5 yrs. T. 13:3767	<u>Wisc.</u> Max. \$200 or max. 6 mos. Crim. damage to property C. 943.01
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Comment: On redrafting, cover within MPC general scheme for criminal mischief.

<u>Sec. 32.</u> Arrest of dead body.	<u>Me. Stat.</u> Max. \$500. and max. 6 mos.	<u>MPC</u> None	<u>Rec.</u> (PM)
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<u>N. H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None
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Comment: On redrafting, seems unnecessary.

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<u>Sec. 33. Blasphemy.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$200. or max. 2 yrs.	None	(PM)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$200	Max. \$200 T. 13:801	Cf. C. 947.01, disorderly conduct Max. \$100 or max. 30 days	

Comment: On redrafting, include to extent within general provision on Disorderly Conduct. Cf. RMS C. 136:4A.

<u>Sec. 34. Profanity.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$2.	None	(V)
Second offense	Max. \$5.		
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
1st. off. - \$1. Subs. off. - \$2. C. 578:2	Max. \$25 or 30 days or both, cf. breach of peace generally T. 13:1021	Cf. C. 947.01, disorderly conduct Max. \$100 or max. 30 days.	

Comment: On penalty, to follow present statutory scheme. On redrafting, include to extent within general provision on Disorderly Conduct. Cf. RMS C. 136:4A.

<u>Sec. 36. Rude behavior in a house of worship or religious assembly.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$10. and max. 30 days	None	PM
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
\$10 or 30 days or both. C. 576:6, 10	\$5 - \$40 T. 13:971 Cf. T. 13:1021, breach of peace generally.	Cf. C. 947.01, Disorderly conduct. Max. \$100 or max. 30 da.	

Comment: On redrafting, include within general provision on disorderly conduct.

Ch. 134.

<u>Sec. 38.</u> Business, traveling and recreation on the Lord's Day.	<u>Me. Stat.</u> Max. \$10.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N. H.</u> \$10 or 30 da. C. 578:3,4,10	<u>Vt.</u> Max. \$200 T. 13:3301	<u>Wisc.</u> None
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Comment: On redrafting, area needs reconsideration and consolidation.

<u>Sec. 39.</u> Sunday sports legalized.	<u>Me. Stat.</u> \$5.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> \$10 or 30 da. C. 578:3,4,10	<u>Vt.</u> Cf. T. 13:3301, 3302 Max. \$200	<u>Wisc.</u> None
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Comment: On redrafting, area needs reconsideration and consolidation.

<u>Sec. 42.</u> Public outdoor sports where admission charged on Memorial Day.	<u>Me. Stat.</u> Max. \$25. or max. 10 days or both	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Cf. C.578:3,4,10 \$10 or 30 da.	<u>Vt.</u> Cf. T.13:3301,3302 Max. \$200	<u>Wisc.</u> None
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Comment: On redrafting, area needs reconsideration and consolidation.

Ch. 134.

<u>Sec. 43.</u> Innholders and victualers not to allow gambling, diversion or business on Lord's Day.	<u>Me. Stat.</u> Max. \$4. each person.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N. H.</u> Cf. C. 578:3,4,10 \$10 or 30 da.	<u>Vt.</u> Cf. T.13:3301 Max. \$200	<u>Wisc.</u> None
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Comment: On redrafting, gambling is covered elsewhere. Remainder should be reconsidered.

<u>Sec. 38-a.</u> Sunday sales of motor vehicles and mobile homes prohibited.	<u>Me. Stat.</u> 1st. off.-Max. \$100 or 10 da. or both 2nd off.-Max. \$500 or 30 da. or both Subs.-Max. \$750 or 6 mos. or both	<u>MPC</u> None	<u>Rec.</u> PM
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<u>N.H.</u> \$10 or 30 da. C. 578:3,4,10	<u>Vt.</u> Max. \$200 T. 13:3301	<u>Wisc.</u> None
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Comment: None

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

Ch. 135. Crimes against Public Justice and Official Duty.

<u>Sec. 1. Perjury; subornation of perjury; in case involving life penalty.</u>	<u>Me. Stat.</u> 10 yrs. - any term.	<u>MPC</u> Dr. 6:208.20 F3	<u>Rec.</u> (F2)
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N.H.

Max. 5 yrs.
C. 587:1,3

Vt.

Max. \$1000 and
max. 15 yrs.
T. 13:2901, perjury

Wisc.

Max. \$5000 or max.
5 yrs. or both
C. 946.31

Comment: On penalty, F2 to accomplish the Maine statutory distinction. Other states and MPC do not have this distinction. On redrafting, consolidate as MPC provision and classify F3. MPC treats subornation within general provision for accomplices.

<u>Sec. 1. Perjury; subornation of perjury; in case not involving life penalty.</u>	<u>Me. Stat.</u> Max. 10 yrs.	<u>MPC</u> Dr. 6:208.20 F3	<u>Rec.</u> F3
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N.H.

Max. 5 yrs.
C. 587:1,3

Vt.

Max. \$1000 and
max. 15 yrs.
T. 13:2901, perjury

Wisc.

Max. \$5000 or max.
5 yrs. or both
C. 946.31

Comment: On redrafting, consolidate as MPC provision and classify F3. MPC treats subornation within general provision for accomplices.

<u>Sec. 2. Attempted subornation of perjury.</u>	<u>Me. Stat.</u> Max. 5 yrs.	<u>MPC</u> Cf. Dr. 6:208.24	<u>Rec.</u> F3
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N.H.

Max. 5 yrs.
C. 587:3, as
perjury

Vt.

Max. \$500 or
max. 5 yrs.
T.13:2903

Wisc.

None

Comment: On redrafting, MPC finds this superfluous. It is covered by general provision for inchoate crimes, Dr. 10:5.05.

Ch. 135.

<u>Sec. 5. Bribery and acceptance of bribes by public officers; he who offers.</u>	<u>Me. Stat.</u> Max. \$3000. or max. 5 yrs.	<u>MPC</u> Dr. 8:208.10 F3	<u>Rec.</u> F3
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<u>N.H.</u> Max. \$3000 or max. 5 yrs. or both C. 587:26	<u>Vt.</u> Max. \$300 or max. 5 yrs. T. 13:1101	<u>Wisc.</u> Max. \$1000 or max. 5 yrs. or both C. 946.10
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Comment: On redrafting, cf. MPC provision.

<u>Sec. 5. Bribery and acceptance of bribes by public officers; he who accepts.</u>	<u>Me. Stat.</u> Max. \$5,000. or max. 10 yrs.	<u>MPC</u> Dr. 8:208.10 F3	<u>Rec.</u> F3
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<u>N.H.</u> Cf. C. 587:27,28 C. 587:27, max. \$5000 or max. 10 yrs. or both	<u>Vt.</u> Max. \$1000 or max. 10 yrs. T. 13:1102	<u>Wisc.</u> Max. \$1000 or max. 5 yrs. or both C. 946.10
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Comment: On penalty, MPC and Wisc. reject higher penalty for officeholder.
On redrafting, cf. MPC provision.

<u>Sec. 6. Corrupt solicitation of influence to procure places of trust; acceptance.</u>	<u>Me. Stat.</u> Max. \$300. and max. 1 yr.	<u>MPC</u> Cf. Dr. 8:208.14 M	<u>Rec.</u> M
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<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 946.10
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Comment: On redrafting, cf. MPC general provision for corrupt influence of official proceedings.

Ch. 135.

<u>Sec. 7. Bribery of jurors, referees, masters in chancery, appraisers or auditors, and acceptance.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 5 yrs.	C. Dr. 8:208.10 F3	F3

<u>N.H.</u> Cf. C. 587:26 and 27. Bribery generally. Offeror, \$3000 or 5 yrs. Receiver, \$5000 or 10 yrs.	<u>Vt.</u> Max. \$1000 or max. 5 yrs. T. 13:1103	<u>Wisc.</u> Cf. C.946.10, bribery generally. Max. \$1000 or max. 5 yrs. or both.
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Comment: On redrafting, consolidate with general provision as MPC.

<u>Sec. 9. Bribes received by sheriff and other officers.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 2 yrs.	Cf. Dr.8:208.10 F3	F3

<u>N.H.</u> Sheriff-\$300 or 3 mos. Exec.Off. or Judge-\$5000 or 10 yrs. Purchaser-\$3000 or 2 yrs. C. 587:25,27,28	<u>Vt.</u> Offeror-\$300 or 5 yrs.; Taker-\$1000 or 10 yrs. T. 13:1101	<u>Wisc.</u> Cf. C.946.10, bribery generally. Max. \$1000 or max. 5 yrs. or both
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Comment: On penalty, to remain consistent with other bribery provisions.
On redrafting, cover by general provision as MPC and Wisc.

<u>Sec. 10. Attempts to corrupt jurors or referees.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$200 and max. 3 mos.	Dr. 8:208.14 M	M

<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> Max. \$200 or max. 6 mos. or both C. 946.64
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Comment: On penalty, follows MPC and is consistent with other sections, e.g., Sec. 6. On redrafting, cf. broader MPC provision.

Ch. 135.

<u>Sec. 11.</u> Taking gratuity to compound, conceal, not prosecute or give evidence in felonies; if penalty life or unlimited.	<u>Me. Stat.</u> Max. \$500. or max. 5 yrs.	<u>MPC</u> Cf. Dr. 9:208.32A M	<u>Rec.</u> (F3)
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<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> Max. \$1000 or max. 6 mos. or both C. 946.67
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Comment: On penalty, to maintain distinction drawn by Maine statute. MPC and Wisc. do not draw this distinction. On redrafting, consolidate as MPC provision as a M.

<u>Sec. 11.</u> Taking gratuity to compound, conceal, not prosecute or give evidence in felonies; if penalty for limited term.	<u>Me. Stat.</u> Max. \$500. and max. 1 yr.	<u>MPC</u> Cf. Dr. 9:208.32A	<u>Rec.</u> M
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<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> Max. \$1000 or max. 6 mos. or both C. 946.67
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Comment: On redrafting, cf. MPC provision as a M.

<u>Sec. 12.</u> Concealment or neglect to disclose commission of felony.	<u>Me. Stat.</u> Max. \$500 or max. 3 yrs. or both.	<u>MPC</u> None	<u>Rec.</u> (F3)
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<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 946.67 Max. \$1000 or max. 6 mos. or both
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Comment: On redrafting, MPC, Wisc., N.H. and Vt. do not make this a crime, but cf. 180 U.S.C. (1952) § 4 which provides \$500 or 3 yrs. or both.

Ch. 135.

<u>Sec. 13. Harboring person to prevent discovery and arrest for felony.</u>	<u>Me. Stat.</u> Max. \$500. or max. 3 yrs. or both.	<u>MPC</u> Cf. Dr. 9:208.32 F3 or M	<u>Rec.</u> F3
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N.H.

Cf. C. 590.2,
accessory after
fact. Max. 3 yrs.

Vt.

Cf. T. 13:15,
accessory after
fact. Max. \$100
or max. 7 yrs.

Wisc.

Max. \$5000 or max. 1
yr. or both
C. 946.47

Comment: On redrafting, cf. general provision with broader coverage.

<u>Sec. 14. Malfeasance in office.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 2 yrs.	<u>MPC</u> Cf. Dr. 9:208.40 M	<u>Rec.</u> M
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N.H.

None

Vt.

None

Wisc.

Max. \$500 or max.
1 yr. or both
C. 946.12

Comment: On redrafting, cf. MPC coverage of general provisions on corrupt influence of official proceedings and official oppression. Also cf. Dr. 8:208.10, bribery.

<u>Sec. 15. Extorting illegal fees in performance of official duty.</u>	<u>Me. Stat.</u> Min. \$30. per offense	<u>MPC</u> Cf. Dr. 9:208.16, 40 M	<u>Rec.</u> M
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N.H.

\$50 each offense
C. 587:29

Vt.

Max. \$100
T. 13:3010

Wisc.

Max. \$500 or max.
1 yr. or both
C. 946.12

Comment: On redrafting, cf. MPC general provisions for paying public servant for services and official oppression.

Ch. 135.

<u>Sec. 16.</u> Refusal by former public officer to deliver moneys and other public property to successor.	<u>Me. Stat.</u> Max. \$5,000. and max. 5 yrs.	<u>MPC</u> Cf. Dr. 2:206.40 M	<u>Rec.</u> M
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N.H.

Cf. C. 587:31,
Willful neglect
\$50

Vt.

Cf. T.13:3006,
neglect of duty
Max. \$1000 or max.
1 yr. or both

Wisc.

Cf. C. 946.12, mis-
conduct in public
office. Max. \$500 or
max. 1 yr. or both

Comment: On penalty, cf. MPC provisions and coverage of larceny section, etc. On redrafting, cf. MPC provision for misapplication of entrusted property and obstructing administration of law or governmental function. Also cf. coverage of theft section.

<u>Sec. 17.</u> Public officers forbidden to have pecuniary interest in public contracts.	<u>Me. Stat.</u> Max. \$500. or max. 11 mos.	<u>MPC</u> Cf. Dr. 8:208.18 M	<u>Rec.</u> M
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N.H.

Cf. C. 587:28
Max. \$3000 or max.
2 yrs. or both

Vt.

None

Wisc.

Max. \$500 or max.
1 yr. or both
C. 946.13

Comment: On redrafting, cf. MPC and Wisc. general provisions.

<u>Sec. 18.</u> Corrupt agreements by attorneys and others.	<u>Me. Stat.</u> \$20 - \$1,000. or max. 11 mos.	<u>MPC</u> None	<u>Rec.</u> M
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N.H.

None

Vt.

Cf. T.13:701,
barratry
\$50 and surety
for one year

Wisc.

Cf. C. 256.295, barratry
Max. \$500 or max.
6 mos.

Comment: None

<u>Sec. 19. Refusing to aid officers.</u>	<u>Me. Stat.</u> Max. \$50. or max. 30 days.	<u>MPC</u> Cf. Dr. 8:208.30	<u>Rec.</u> PM
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<u>N.H.</u> Max. \$50 or max. 3 mos. C. 609:7	<u>Vt.</u> Cf. T. 13:902, Refusing to disperse or assist officer. Max. \$100 or max. 6 mos. or both	<u>Wisc.</u> \$100 fine C. 946.40
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Comment: On redrafting, cf. MPC provision which seems to exclude this.
Also cf. Vt. provision.

<u>Sec. 20. Obstructing officer in service of civil process.</u>	<u>Me. Stat.</u> Max. \$300. and max. 11 mos.	<u>MPC</u> Dr. 8:208.30 M	<u>Rec.</u> M
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<u>N.H.</u> Max. \$300 or max. 1 yr. C. 587:5	<u>Vt.</u> Cf. T. 13:3001, General prov. on impeding public officer. \$500 or 3 yrs.	<u>Wisc.</u> Max. \$500 or max. 1 yr. or both C. 946.41
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Comment: On redrafting, cf. MPC general provision on obstructing governmental function and administration of law.

<u>Sec. 21. Assaults upon or interference with officers.</u>	<u>Me. Stat.</u> Max. \$500. or max. 11 mos.	<u>MPC</u> Cf. Dr.8:208.30 31 M	<u>Rec.</u> M
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<u>N.H.</u> Ranging from \$300 and 1 yr. to \$500 and 10 yrs. C. 587:5 - 8	<u>Vt.</u> Max. \$500 or 3 yrs. T. 13:3001	<u>Wisc.</u> Max. \$500 or max. 1 yr. C. 946.41
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Comment: On redrafting, cf. MPC general provisions for obstructing administration of law or governmental function and resisting arrest.

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<u>Sec. 22. Obstructing officer serving criminal process.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500 or max. 2 yrs.	Dr. 8:208.30 M	M

N.H.

Ranges from \$300 or 1 yr. to \$500 or 10 yrs.
C. 587:5 - 7

Vt.

Cf. T. 13:3001, impeding public officers.
Max. \$500 or max. 3 yrs.

Wisc.

Max. \$500 or max. 1 yr. or both, obstructing officer generally.
C. 946.41

Comment: On redrafting, cf. MPC provision for obstructing administration of law or governmental function.

<u>Sec. 23. Refusing to obey justices of the peace, when required to aid; if prisoner for felony.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1 - 7 yrs.	Cf. Dr.8:208.30 M	(F3)

N.H.

Cf. obstructing officers

Vt.

Cf. T. 13:3001, Impeding officers.
Max. \$500 or max. 3 yrs.

Wisc.

Cf. C. 946.41, generally obstructing law officer
Max. \$500 or max. 1 yr. or both.

Comment: On penalty, necessary to maintain statutory distinction. Analogous provisions contra. On redrafting, cf. MPC provision for obstructing administration of law or other governmental function.

<u>Sec. 23. Refusing to obey justices of the peace, when required to aid; if prisoner for less than felony.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500 and max. 1 yr.	Cf. Dr. 8:208.30 M	M

N.H.

Cf. obstructing officers

Vt.

Cf. T.13:3001, impeding officers.
Max. \$500 or max. 3 yrs.

Wisc.

Cf. C. 946.41, generally obstructing law officer.
Max. \$500 or max. 1 yr. or both.

Comment: On redrafting, cf. MPC provision for obstructing administration of law or other governmental function.

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<u>Sec. 24.</u>	<u>Aiding person</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	<u>arrested for a felony to</u>			
	<u>escape custody of officer.</u>	Max. \$500 or max. 3 yrs. or both.	Dr. 9:208.33 F3	F3

N.H.
Ranging from
\$2000 and 1 yr.
to life
C. 587:12

Vt.
Max. \$500 or
max. 5 yrs.
T. 13:1502

Wisc.
Cf. C. 946.44
Max. \$500 or max.
5 yrs. or both

Comment: On redrafting, cf. general MPC provision.

<u>Sec. 25.</u>	<u>Voluntarily</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	<u>suffering criminals to</u>			
	<u>escape; if prisoner a</u>	Max. \$1000 and	Dr. 8:208.33	(F2)
	<u>convicted felon for life.</u>	life.	F3	

N.H.
Life or any term
C. 587:12, 15

Vt.
Max. 20 yrs. if charged
w. guarding; max. \$1000
or max. 5 yrs., other
officers
T. 13:1506

Wisc.
Max. \$500 or max.
5 yrs. or both
C. 946.44,
general prov.

Comment: On penalty, to maintain statutory distinction, MPC and Wisc. contra.
On redrafting, cf. MPC general provision.

<u>Sec. 25.</u>	<u>Voluntarily</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	<u>suffering criminals to</u>			
	<u>escape; if prisoner charged</u>	5-15 yrs.	Dr. 8:208.33	(F3)
	<u>with felony punishable by</u>		F3	
	<u>life.</u>			

N.H.
Escapee's
Punishment
C. 587:13,15

Vt.
Max. 20 yrs. if
charged w. guarding;
max. \$1000 or max. 5
yrs., other officers
T. 13:1506

Wisc.
Max. \$500 or max. 5
yrs. or both
C. 946.44, general
prov.

Comment: On redrafting, cf. MPC general provision.

<u>Sec. 25. Voluntarily suffering criminals to escape; prisoner charged or convicted of other offense.</u>	<u>Me. Stat.</u> Prisoner's potential sentence.	<u>MPC</u> Dr. 8:208.33 F3	<u>Rec.</u> (M)
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N.H.
Max. \$2000 and max. 1 yr.
C. 587:14,15

Vt.
Max. 20 yr. if charged w. guarding; max.\$1000 or max. 5 yrs., other officers.
T. 13:1506

Wisc.
Max. \$500 or max. 5 yrs. or both.
C. 946.44

Comment: On penalty, to maintain statutory distinction; MPC and Wisc. contra. On redrafting, cf. MPC general provision.

<u>Sec. 26. Negligent escapes, and refusal to receive prisoners.</u>	<u>Me. Stat.</u> Max. \$500. and max. 2 yrs.	<u>MPC</u> Cf. Dr. 8:208.33,30	<u>Rec.</u> (M)
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N.H.
Max. \$500
C. 587:16

Vt.
Max. \$500
T. 13:1507

Wisc.
Max. \$200 or max. 6 mos. or both
C. 946.45

Comment: On redrafting, cf. MPC general provisions. MPC includes reckless conduct but specifically rejects negligence.

<u>Sec. 27. Forcibly rescuing, furnishing means or otherwise aiding an escape; if prisoner for felony.</u>	<u>Me. Stat.</u> 1 - 7 yrs.	<u>MPC</u> Dr.8:208.33 F3	<u>Rec.</u> F3
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N.H.
If cop-life or any term of years. if not cop, escapee's sent. or \$2000 and 1 yr.
C. 587:13,14

Vt.
Max. \$500 or max. 5 yrs.
T. 13:1502, 1503

Wisc.
Max. \$500 or max. 5 yrs. or both
C. 946.44

Comment: On redrafting, cf. MPC general provision and consolidate with Sec. 28 of this chapter. On penalty, to maintain statutory gradation, MPC and Wisc. contra.

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<u>Sec. 27.</u> Forcibly rescuing, furnishing means or otherwise aiding an escape; if prisoner for other than felony.	<u>Me. Stat.</u> Max. \$500. and max. 1 yr.	<u>MPC</u> Dr. 8:208.33 F3	<u>Rec.</u> M
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<u>N.H.</u> If cap.-life or any term of years. If not cap., escapee's sent. or \$2000 or 1 yr. C. 587:13, 14.	<u>Vt.</u> Max. \$500 or max. 5 yrs. T 13:1502, 1503	<u>Wisc.</u> Max. \$500 or max. 5 yrs. or both C. 946.44
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Comment: On penalty, to maintain statutory gradation; MPC and Wisc. contra. On redrafting, cf MPC general provision and consolidate with Sec. 28 of this chapter.

<u>Sec. 28.</u> Escapes from jail.	<u>Me. Stat.</u> Max. 7 yrs.	<u>MPC</u> Cf. Dr.8:208.33 F3	<u>Rec.</u> (F3)
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<u>N.H.</u> Max. 3 yrs. C. 587.9	<u>Vt.</u> Max. \$500 or max. 5 yrs. T. 13:1501	<u>Wisc.</u> Felons - max. 5 yrs. Misd.- max. \$200 or 6 mos. or both C. 946.42
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Comment: On redrafting, cf. MPC general provision and gradation and consolidate with Sec. 27 of this chapter.

<u>Sec. 29.</u> Officers, refusing or omitting to execute processes.	<u>Me. Stat.</u> Max. \$500. and max. 1 yr.	<u>MPC</u> Cf. Dr. 8:208.30 M	<u>Rec.</u> M
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<u>N.H.</u> Cf. C. 587:31, willful neglect Max. \$50	<u>Vt.</u> Max. \$500 T. 13:3009	<u>Wisc.</u> Cf. C. 946.12, general provision Max. \$500 or max. 1 yr. or both
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Comment: On redrafting, cf. coverage of MPC and Wisc. general provisions.

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<u>Sec. 30. Falsely assuming to be an officer.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 11 mos. or both	Dr. 8:208.28 M	M
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$300. peace officer. C. 587:22.	Max. \$15 or 30 days T. 13:3002	Max. \$500 or 1 yr. or both, as public officer.	
Max. \$500 or 6 mos. or both, state pol. C. 587:23		Max. \$100 or 30 da. or both, as peace officer. C. 946.69,70	

Comment: On redrafting, cf. MPC provision.

<u>Sec. 31. Disguising to obstruct execution of laws.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. and max. 1 yr.	Dr. 8:208.30 M	M
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Up to max. \$500 and 10 yrs. C. 587:6 - 8	Cf. T. 13:3001, Attempt thereto Max. \$250 or 1½ yrs.	Max. \$500 or max. 1 yr. or both, obstructing generally C. 946.41	

Comment: On redrafting, cf. MPC general provision for obstructing administration of law or governmental function and attempts, Dr. 10:5.05.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

Ch. 136. Crimes against Public Peace and Tranquility.

<u>Sec. 1. Dueling.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 20 yrs.	Cf. Dr. 11:211.1 Dr. 10:5.05 Max. F2	(F2)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 585:24, Fight by agreement Max. \$1000 or 1 yr.	None	Max. 10 yrs. C. 947.07	

Comment: On redrafting, cf. coverage of MPC general provisions.
Is a separate provision needed?

<u>Sec. 2. Accepting challenge or aiding duel.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. and max. 1 yr.	None	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
None	None	None	

Comment: On redrafting, cf. coverage of Dr. 11:211.1, bodily injury, and
Dr. 10:5.05, inchoate crimes.

<u>Sec. 4. Posting for not fighting duel.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. and max. 1 yr.	None	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
None	None	None	

Comment: On redrafting, cf. coverage of Wisc. provision.

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<u>Sec. 4-A Disorderly conduct.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100 or 6 mos. or both	None	PM

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Cf. C. 570:1-22 \$25 or 6 mos. or both	Max. \$25 or 30 days T. 13:1021	Max. \$100 or 30 da. C. 947.01

Comment: On redrafting, cf. coverage of Wisc. provision.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

<u>Sec. 6. Unlawful assembly, Riot.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. and max. 1 yr.	Cf. Dr. 8:208.30, 208.31 M	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$50 or max. 3 mos. C. 609:7	Max. \$100 or max. 6 mos. or both T. 13:92	Max. \$500 or max. 1 yr. or both C. 947.06	

Comment: On redrafting, cf. MPC provisions and Wisc. provision. All state provisions above require command to disperse first. Consolidate with Sec. 9 of this chapter.

<u>Sec. 7. Riotous assemblies destroying certain properties or causing personal injuries.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 5 yrs.	Cf. Dr. 11: Crim. mischief F3	(F3)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
None	Cf. T. 13:905, Injuring bldg. or vessel. Max. \$1000 and 5 yrs.	Cf. C. 943.01 If more than \$1000, max. \$1000 or max. 5 yrs. or both	

Comment: On redrafting, cf. MPC and Wisc. general provisions for property damage.

<u>Sec. 9. Duty of officers to disperse unlawful assembly; refusing to disperse or assist.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. and max. 1 yr.	Dr. 8:208.31 M	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$500 or 1 yr. C. 609:9	Max. \$100 or 6 mos. or both T. 13:902	Max. \$500 or 1 yr. or both. C. 947.06	

Comment: On redrafting, cf. MPC general provision and consolidate with Sec. 6 of this chapter.

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Sec. 9. Duty of officers to disperse unlawful assembly; officer failing in duty.	<u>Me. Stat.</u> Max. \$300.	<u>MPC</u> Cf. Dr. 8:208.30 M	<u>Rec.</u> (M)
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<u>N.H.</u> Max. \$300 C. 609.6	<u>Vt.</u> Max. \$1000 or max. 1 yr. T. 13:3006	<u>Wisc.</u> Max. \$500 or max. 1 yr. or both C. 946.12
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Comment: On redrafting, cf. MPC general provision and comments thereto on this problem.

Sec. 12. Participations in prize fights or pre- meditated fights.	<u>Me. Stat.</u> Max. \$200. or 10 days-6 mos.	<u>MPC</u> Dr. 9:201.10 PM	<u>Rec.</u> (PM)
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<u>N.H.</u> Max. \$1000 or 1 yr. C. 585:94	<u>Vt.</u> Cf. T. 13:1021 breach of peace Max. \$1000 or max. 5 yrs. or both.	<u>Wisc.</u> Cf. C. 940.20, battery Max. \$200 or max. 6 mos. or both
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Comment: On redrafting, cf. general bodily injury provision of MPC and inchoate crimes. Dr. 10:5.05.

Sec. 15. Disturbance of public meetings and lawful assemblies.	<u>Me. Stat.</u> \$5. - \$10. or max. 30 days.	<u>MPC</u> None	<u>Rec.</u> (PM)
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<u>N.H.</u> Cf. C. 578:6,10 Relig. meetings \$10 or 30 da.	<u>Vt.</u> T. 13:972, Relig. meetings, \$5-\$40 T. 13:1021, breach of peace, \$25 or 30 da. or both	<u>Wisc.</u> Max. \$100 or 30 da., Disorderly conduct C. 947.01
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Comment: On redrafting, consolidate with Sec. 4A of this chapter.

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<u>Sec. 16. False alarm to fire, police or other municipal department; if aggravated nature.</u>	<u>Me. Stat.</u> Max. \$500. or max. 2 yrs.	<u>MPC</u> Cf. Dr. 6:208.23, 24 M	<u>Rec.</u> (M)
<u>N.H.</u> Max. \$100 or max. 6 mos. C. 572:49	<u>Vt.</u> Cf. T.13:3001 Max. \$500 or max. 3 yrs.	<u>Wisc.</u> Cf. C. 946.41 Max. \$500 or max. 1 yr.	

Comment: On redrafting, cf. MPC scheme and consolidate.

<u>Sec. 16. False Alarm to fire, police or other municipal department; if not aggravated nature.</u>	<u>Me. Stat.</u> Max. \$100. or 11 mos. max.	<u>MPC</u> Dr. 6:208.23, 24 M	<u>Rec.</u> (PM)
<u>N.H.</u> Max. \$100 or max. 6 mos. C. 572:49	<u>Vt.</u> Cf. T. 13:3001 Max. \$500 or max. 3 yrs.	<u>Wisc.</u> Cf. C. 946.41 Max. \$500 or max. 1 yr.	

Comment: On Penalty, reduced to maintain Maine statutory distinction, but MPC and other states contra. On redrafting, cf. MPC scheme and consolidate.

<u>Sec. 17. Violence or intimidation to promote controversy between public service company and its workmen.</u>	<u>Me. Stat.</u> Max. \$300. or max. 3 mos.	<u>MPC</u> Cf. Dr.11:220.3 M	<u>Rec.</u> (PM)
<u>N.H.</u> Cf. C. 572:35 Interference w. bus. or occup. Max. \$500 or 1 yr.	<u>Vt.</u> Cf. T.13:931 Max. \$100 or 3 mos.	<u>Wisc.</u> Cf. C. 134.03 Preventing pursuit of work. Max. \$100 or 6 mos. or both	

Comment: On redrafting, cf. coverage of general MPC criminal provision and regulatory chapter covering labor relations, e.g., Wisc. scheme.

<u>Sec. 18. Combinations of employees to stop or delay trains, or injure property of railroads.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500. or max. 11 mos.	Cf. Dr. 11:220.3 M	(M)

<u>N.H.</u> C. 572:2, stopping trains. Max. \$1000 or 10 yrs. or both. Cf. C. 572:35, Interference with bus.	<u>Vt.</u> Cf. T. 13:932 Max. \$500 or max. 5 yrs.	<u>Wisc.</u> Max. \$500 or max. 1 yr. or both C. 111.14
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Comment: On redrafting, cf. coverage of general MPC criminal provision and regulatory chapter covering labor relations, e.g., Wisc. scheme.

<u>Sec. 19. Malicious obstruction of any engine or carriage, or abandonment of same.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000. or max. 2 yrs.	Dr. 11:220.3 F3	(F3)

<u>N.H.</u> Max. \$1000 or 10 yrs. or both G. 572:2	<u>Vt.</u> Max. 10 yrs. T. 13:3102	<u>Wisc.</u> Max. \$2000 or 10 yrs. or both C. 941.03, highway obstruction with high risk of great bodily harm.
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Comment: On redrafting, cf. MPC general provisions.

<u>Sec. 20. Gross Carelessness and neglect or malicious delay in the management or control of railroad trains.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1,000 or max. 3 yrs.	Cf. Dr. 11:211.2 M	(M)

<u>N.H.</u> Cf. C. 572 Max. \$1000 or 10 yrs. or both	<u>Vt.</u> Cf. T. 30:1640 If injury done Max. \$1000 or 1 yr.	<u>Wisc.</u> Max. \$100 or 6 mos. C. 192.295
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Comment: On redrafting, cf. general MPC provision and coverage elsewhere on property damage and bodily harm.

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<u>Sec. 21. Unlawful refusal of railroad employees to perform duty.</u>	<u>Me. Stat.</u> Max. \$500. or max. 11 mos.	<u>MPC</u> Cf. Dr. 11:220.2, failure to prevent catastrophe - M	<u>Rec.</u> (M)
<u>N.H.</u> None	<u>Vt.</u> Cf. T. 13:932 Max. \$500 or 5 yrs. for threats, stopping T. 13:933, sit-down strikes, Max. \$1000 or 2 yrs.	<u>Wisc.</u> Cf. C. 111.14, crimes from labor controversy, unfair labor practices Max. \$500 or 1 yr. or both	

Comment: On redrafting, cf. Wisc. regulatory provision and coverage of MPC criminal provision.

<u>Sec. 23. Intentional injury to or interference with property.</u>	<u>Me. Stat.</u> Max. \$10,000 or max. 10 yrs. or both.	<u>MPC</u> Cf. Dr. 11:220.3	<u>Rec.</u> F2
<u>N.H.</u> C. 589.2 Max. \$10,000 or 10 yrs. or both	<u>Vt.</u> T. 13:3432 Max. \$10,000 or 10 yrs. or both	<u>Wisc.</u> C. 946.02, sabotage generally Max. \$10,000 or 10 yrs. or both	

Comment: None

<u>Sec. 24. Intentionally defective workmanship.</u>	<u>Me. Stat.</u> Max. \$10,000 or max. 10 yrs. or both	<u>MPC</u> None	<u>Rec.</u> F2
<u>N.H.</u> C. 589:3 Max. \$10,000 or max. 10 yrs. or both	<u>Vt.</u> T. 13:3433 Max. \$10,000 or 10 yrs. or both.	<u>Wisc.</u> C. 946.02, sabotage generally. Max. \$10,000 or 10 yrs. or both	

Comment: None.

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<u>Sec. 25. Attempts.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	$\frac{1}{2}$ punishment for completed crime.	Cf. Dr. 10:505 As principal	($\frac{1}{2}$ principal offense)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
None	None	None	

Comment: On redrafting, see analysis in Sect. II, 8, Inchoate Crimes of this paper. Cover by the general provision.

<u>Sec. 26. Conspirators.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	As principal offender.	Cf. Dr. 10: 5.05 As principal	(As principal)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
None	None	None	

Comment: On redrafting, see analysis in Sect. II, 8, Inchoate Crimes, of this paper. Cover by the general provision.

<u>Sec. 28. Unlawful entry on property.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$50. or max. 10 days or both.	Cf. Dr.11: 221.2	(PM)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$50 or 10 da. or both C. 589.7	Max. \$50 or 10 da. or both T. 13:3438	None	

Comment: On redrafting, combine secs. 28 and 31 in a broader trespass provision. Cf. MPC provision.

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<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
31. Going upon closed or restricted highway.	Max. \$50. or max. 10 days or both	Cf. Dr. 11: 221.2	(PM)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$50 or 10 da. or both C. 589:9,10	Max. \$50 or 10 da. or both T. 13:3442	None	

Comment: On redrafting, combine Secs. 28 and 31 in a broader trespass provision. Cf. MPC provision.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

Ch. 137. Crimes against Public Health, Safety and Policy.

<u>Sec. 1. Corrupting water used for domestic or other uses.</u>	<u>Me. Stat.</u> Max. \$5,000. or any term of years.	<u>MPC</u> F2 Dr. 11:220.2	<u>Rec.</u> (F2)
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<u>N.H.</u> Max. \$5,000. or max. 10 yrs. or both C. 572:3	<u>Vt.</u> Max. 20 yrs. T. 13:2306	<u>Wisc.</u> Cf. C. 943.01, Criminal damage to property max. 3 or 5 yrs.
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Comment: On redrafting, Cf. MPC Dr. 11:220.2, causing or risking catastrophe and the coverage of other general MPC provisions. Also cf. Wisc. C. 943.01.

<u>Sec. 2. Sale of unwholesome provisions or drinks.</u>	<u>Me. Stat.</u> Max. \$1,000. or max. 5 yrs.	<u>MPC</u> None	<u>Rec.</u> F3
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<u>N.H.</u> 1st off. -\$10.-\$100. 2nd off. -max. 1 yr. or \$50.-\$100. or both C. 146:18	<u>Vt.</u> Max. \$300. or 1 yr. or both - unwholesome meat. Max. \$500. or 1 yr. T. 18:4017	<u>Wisc.</u> Cf. C. 97.55, 97.72 \$500-\$5000 or 5 yrs. or both - meat from diseased animals; other, 6 mos. general penalty
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Comment: On redrafting, cf. Wisc. and N.H. schemes, but it seems a misdemeanor would be adequate. Other states put it in regulatory chapter.

<u>Sec. 3. Sale of impure or adulterated milk or cream.</u>	<u>Me. Stat.</u> 1st. off. max. \$50. 2nd. off. \$50.-\$100. Subs. off. \$100. and 30-60 days	<u>MPC</u> None	<u>Rec.</u> PM or V
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<u>N.H.</u> \$25 - \$200. or 60 days or both C. 184:41	<u>Vt.</u> \$50 - \$300 T. 6:2092	<u>Wisc.</u> 1st. off. \$200. or 6 mos. Subs.off. \$200.-\$500. or 30 da.-6 Mos. or both C. 97.37, 97.72
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Comment: On redrafting, cf. Wisc. and N.H. coverage and consolidation. Other states put it in regulatory chapter.

On penalty, the alternative penalty is based on the strict liability, criminal state of mind distinction discussed in Sect. II (1) of this paper.

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Sec. 4. Possession of diseased meat or milk for human food.	<u>Me. Stat.</u> \$5. - \$50.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Milk-\$25.-\$200. or max. 60 da. or both C. 184:41	<u>Vt.</u> \$50. - \$300. T. 6:2092	<u>Wisc.</u> 1st. off. - Max. \$200. or max. 6 mos. Subs. off.- \$200.-\$500., 30 da. - 6 mos. or both C. 97.36, 97.37, 97.53, 97.72
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Comment: On penalty, since statute treats possession as lesser offense, therefore violation. On redrafting, cf. Wisc. and N.H. coverage and consolidation. Other states place in regulatory chap.

Sec. 5. Imitations of butter or cheese not manufactured or sold.	<u>Me. Stat.</u> 1st off. max. \$100. 2d. off. max. \$200.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> 1st. off.-\$25-\$50. Subs. off.-\$50.-\$100 or 10-90 da. or both C. 184:49, 54	<u>Vt.</u> Cf. T. 9:3523 \$100 - \$200.	<u>Wisc.</u> 1st. off. \$200. or 6 mos. Subs. off.\$200-\$500 or 30 da.-6 mos. C. 97.52, 97.46, 97.72
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Comment: On redrafting, cf. Wisc. and N.H. coverage and consolidation. Other states put it in regulatory chapter.

Sec. 6. Oleomargarine.	<u>Me. Stat.</u> 1st. off.-max. \$100. 2d. off.-max. \$200.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> 1st. off. \$25-\$50. Subs.off. \$50.-\$100. or 10-90 da. or both C. 184:52, 54	<u>Vt.</u> \$100.-\$500. T. 9:3445, 3482, 3483	<u>Wisc.</u> 1st. off. - \$100.-\$500. or max. 3 mos. Subs. off. - \$500-\$1,000. or 6 mos. - 1 yr. C. 97.42, 97.72
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Comment: On redrafting, cf. Wisc. and N.H. coverage and consolidation. Other states put it in regulatory chapter.

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<u>Sec. 7. Imitations not sold.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1st. off. - max. \$100. 2nd. off. - max. \$200.	None	V
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 184:49, 54 1st. off. -\$25-\$50. 2nd., subs. off. -\$50- \$100. or 10-90 da. or both.	Cf. T. 9:3523 \$100 - \$200	1st. off. - max. \$200. or max. 6 mos. Subs. off. - \$200 - \$500 or 30 days - 6 mos.	

Comment: On redrafting, cf. Wisc. and N.H. coverage and consolidation.
Other states put it in regulatory chapter.

<u>Sec. 8. Renovated butter labeled.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1st. off. - max. \$100. 2nd. off. - max. \$200.	None	V
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
1st. off. -\$25-\$50. Subs. off. -\$50-\$100 or 10-90 da. or both C. 184:47, 54	Cf. T. 9:3445 \$100 - \$500.	1st. off. - Max. \$200. or max. 6 mos. Subs. off. - \$200-\$500. or 30 da. - 6 mos. C. 97.45, 97.72	

Comment: On redrafting, cf. Wisc. and N.H. coverage and consolidation.
Other states put it in regulatory chapter.

<u>Sec. 11. Bread offered for sale enclosed in sanitary wrapper.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1st. off. - max. \$100. 2nd. Off. - max. \$200.	None	V
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. C. 349:43, 54 Max. \$20.	\$5. ea. off. T. 18:4023	1st. off. - max. \$200. or max. 6 mos. Subs. off. - \$200-\$500. or 30 da. - 6 mos. or both C. 97.66, 97.72	

Comment: On redrafting, cf. Wisc. coverage and consolidation. Other states
put it in regulatory chapter.

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<u>Sec. 12.</u> Throwing or leaving samples of patent medicines upon doorsteps and streets.	<u>Me. Stat.</u> \$20. - \$1,000 or 30 da. - 6 mos.	<u>MPC</u> None	<u>Rec.</u> M
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<u>N.H.</u> None specific	<u>Vt.</u> \$100 - \$300 T. 18:1504	<u>Wisc.</u> None specific
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Comment: On penalty, seems PM would be adequate with general MPC provisions, e.g. reckless conduct, Dr. 11:211.2, to supplement. On redrafting, put in regulatory chapter.

<u>Sec. 13.</u> Swelling of scallop meats.	<u>Me. Stat.</u> \$5 / gal. so treated	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> None specific. Cf. C. 143.27 \$25 - \$200	<u>Vt.</u> None	<u>Wisc.</u> 1st. off.-max. \$200 or max. 6 mos. Subs. off. \$200 - \$500 or 30 da.-6 mos. or both C. 97.61, 97.72
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Comment: On redrafting, consolidate with scheme of coverage in regulatory chapter.

<u>Sec. 14.</u> Sale of adulterated candy and brandy drops.	<u>Me. Stat.</u> \$50 - \$100	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> 1st. off. \$10-\$100 Subs.off. \$50-\$500 or 1 yr. or both C. 145:3, 18	<u>Vt.</u> \$10 - \$25 T. 7:656	<u>Wisc.</u> 1st. off. - max. \$200 or max. 6 mos. Subs. off. \$200 - \$500 or 30 da.-6mos. or both Cf. C. 97.25, 97.72
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Comment: On redrafting, cf. Wisc. and N.H. coverage and consolidation. Other states put it in regulatory chapter.

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<u>Sec. 15. Offering prize candy for sale.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$20 or max. 30 days.	None	PM

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Cf. C. 146:3, 18 1st. off. \$10-\$100 Subs. off. \$50-\$500 or 1 yr. or both	None	None

Comment: On redrafting, cf. N.H. coverage and consolidation in regulatory chapter.

<u>Sec. 16. Re-use of barrels for food.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1st. off. - max. \$100 2d. off. - max. \$200	None	V

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Cf. C. 146:3, 18 Deleterious containers 1st. off. \$10-\$100 Subs. off. \$50-\$500 or max. 1 yr. or both	None	None

Comment: On redrafting, cf. N.H. coverage and consolidation in regulatory chapter.

<u>Sec. 17. Spitting in public places.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$20.	None	V

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. \$25 C. 147:18 - 22	Cf. breach of peace T. 13:1021 \$25 or 30 da. or both	Max. \$100. or max. 6 mos. or both C. 146.08

Comment: On redrafting, cf. RMS c. 135:4-A, disorderly conduct, include therein with PM classification on the more general provision.

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<u>Sec. 18. Depositing rubbish on another's land.</u>	<u>Me. Stat.</u> Max. \$25	<u>MPC</u> None	<u>Rec.</u> V
<u>N.H.</u> Cf. C. 249:27, in public place Max. \$25	<u>Vt.</u> None	<u>Wisc.</u> Cf. 60.72, dumping in town \$5 - \$100 or max. 6 mos. or both	

Comment: None

<u>Sec. 18-A. Use of electrical fences.</u>	<u>Me. Stat.</u> Max. \$100. or max. 90 da. or both	<u>MPC</u> None	<u>Rec.</u> PM
<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, should this be indexed or included in regulatory chapter?

<u>Sec. 19. Threatening display of and carrying concealed firearms or weapons.</u>	<u>Me. Stat.</u> Max. \$100 or max. 90 days	<u>MPC</u> None	<u>Rec.</u> M
<u>N.H.</u> Cf. C. 585:26, 27 Max. \$100 or max. 1 yr. or both	<u>Vt.</u> Max. \$200 or max. 2 yrs. or both T. 13:4003	<u>Wisc.</u> Max. \$500 or max. 1 yr. or both C. 941.23	

Comment: On penalty, by comparison to other states, the M sanction seems better. Cf. the way present provisions recognize this element of aggravation with the major felonies in RMS.

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<u>Sec. 20. Treating of gunshot wounds.</u>	<u>Me. Stat.</u> Max. \$100.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Max. \$100. C. 587:19	<u>Vt.</u> Max. \$100 T. 13:4012	<u>Wisc.</u> Cf. C.966.20, reporting deaths. \$5 - \$200 or 30 da.-3 mos.
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Comment: On penalty, would PM criminal classification aid enforcement?

<u>Sec. 20-A. Dangerous knives.</u>	<u>Me. Stat.</u> \$500. or max. 90 da. or both	<u>MPC</u> None	<u>Rec.</u> PM
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<u>N.H.</u> Cf. C. 585:26 \$100 or 1 yr. or both	<u>Vt.</u> None	<u>Wisc.</u> Max. \$500 or max. 1 yr. or both C. 941.24
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Comment: On redrafting, cf. Wisc. scheme, consolidate with RMS Sec. 19 with M sanction.

<u>Sec. 20-B. X-ray shoe-fitting machines.</u>	<u>Me. Stat.</u> Max. \$100.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N. H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> Max. \$200. or max. 60 da. or both C. 941.34 (1959)
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Comment: On penalty, cf. Wisc. sanction.

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<u>Sec. 21. Sale of fireworks.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100 or max. 1 mo. or both	None	PM

N.H.
Max. \$100. or max.
90 da. or both.
C. 160:5
Also cf. C. 570:26

Vt.
Max. \$100 or max.
30 da. or both
T. 20:3131

Wisc.
\$25 - \$500 or 30 da.-
6 mos. or both
C. 167.10

Comment: On redrafting, consolidate RMS Sec. 21 and 24. Cf. regulatory scheme of other states in regulatory chapters.

<u>Sec. 22-27. Fireworks. Permits, storage, display.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$500 or max. 6 mos. or both	None	PM

N.H.
Max. \$100 or max.
90 da. or both
C. 160:5

Vt.
Max. \$100 or 2
30 da.-6 mos. or
both.
T. 20:3131-3135

Wisc.
\$25 - \$500 or 30
da.-6 mos. or both
C. 167.10

Comment: On redrafting, consolidate RMS Sec. 24 and 21. Cf. regulatory schemes of other states in regulatory chapters.

<u>Sec. 28. Riding with a naked scythe.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$2 / offense	None	V

N. H.
None

Vt.
None

Wisc.
None

Comment: On redrafting, eliminate. Cf. MPC general provision on reckless conduct, bodily injury, etc.

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<u>Sec. 29. Placing obstructions on any traveled road.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$10 / offense	Cf. Dr. 11: 211.2, reckless conduct M	(M)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$25 or max. 6 mos. or both C. 570:7	Max. \$100 or max. 30 da. or both T. 19:43, 44	Max. \$2000 or max. 10 yrs. or both C. 941.03	

Comment: On penalty, cf. other states and dangerousness today of such conduct.
On redrafting, cf. MPC and Wisc. general provisions.

<u>Sec. 30. Dumping of rubbish in highways.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$50.	None	V
<u>N. H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$25 C. 147:21	\$10 - \$50 T. 24:2201	Max. \$50 or max. 30 days C. 60.70	

Comment: On redrafting, cf. Wisc. provision and coverage of RMS Sec. 29.

<u>Sec. 31. Throwing of bottles, etc., on highways.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$10	Cf. Dr. 11:211.2, reckless conduct M	(PM)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$25 or max. 6 mos. or both Cf. C. 570:7, obstructing highway	Cf. T.19:1501, Obstructing travel \$10 - \$100	Cf. C. 941.03 Max. \$2000 or max. 10 yrs. or both	

Comment: On penalty, in view of dangerousness, should be a criminal PM provision. On redrafting, cf. MPC and Wisc. provisions. Need a categorization of these highway obstruction offenses, RMS C. 137:29 - 31.

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<u>Sec. 32. Depositing sawdust within limits of highway.</u>	<u>Me. Stat.</u> \$10 - \$50 each offense	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Cf. C. 147.21, Rubbish Max. \$25	<u>Vt.</u> Cf. T. 24:2201, Rubbish \$10 - \$50	<u>Wisc.</u> Cf. C. 60.70, Rubbish, Max. \$50 or max. 30 days.
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Comment: On redrafting, combine with rubbish provision RMS C. 137:30 in a general scheme.

<u>Sec. 32-A. Abandonment of airtight containers.</u>	<u>Me. Stat.</u> Max. \$50 or max. 30 days or both.	<u>MPC</u> None	<u>Rec.</u> PM
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<u>N.H.</u> Max. \$50 or max. 30 da. or both C. 147:21A	<u>Vt.</u> None	<u>Wisc.</u> Max. \$50 or max. 30 da. or both C. 167.25
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Comment: None

<u>Sec. 33. Begging, etc., evidence of being a tramp; refusing to labor.</u>	<u>Me. Stat.</u> 30 da. - 6 mos.	<u>MPC</u> None	<u>Rec.</u> (M)
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<u>N.H.</u> Max. 15 mos. C. 576:1	<u>Vt.</u> Max. \$100 or max. 6 mos. T. 13:3901, 3902	<u>Wisc.</u> Max. 6 mos. C. 947.02
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Comment: On redrafting, this area needs reconsideration. Hopefully MPC in final form will cover it. Cf. Wisc. provision and application of general provisions addressed to all.

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<u>Sec. 34.</u> Tramps entering dwelling, kindling fire in highway, etc.	<u>Me. Stat.</u> Max. 2 yrs.	<u>MPC</u> Cf. Dr. 11:221.2, 211.3	<u>Rec.</u> (M)
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N.H.

Max. 2 yrs.
C. 576:2

Vt.

6 mos. - 2 yrs.
T. 13:3905

Wisc.

Max. 6 mos.
C. 947.02
Also cf. C. 943.30, 941.30

Comment: On redrafting, cf. Wisc. provision and cf. Wisc. and MPC general provisions concerning the several crimes included. Dr. 11:221.2, 211.3. To the extent these cover, separate provision is undesirable.

<u>Sec. 35.</u> Malicious injury to person or property by tramp.	<u>Me. Stat.</u> Max. 5 yrs.	<u>MPC</u> See comment	<u>Rec.</u> (F3)
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N.H.

Max. 5 yrs.
C. 576:3

Vt.

1 - 5 yrs.
T. 13:3906

Wisc.

Cf. C. 943.01, criminal damage to property
Max. \$200 or max. 6 mos. or both

Comment: On redrafting, cf. MPC general provisions for injury to person or property, Dr. 11:211.1, 220.3. Since these cover it, separate provision is undesirable.

<u>Sec. 36.</u> Nonresident tramps sleeping or lodging in barns without permission.	<u>Me. Stat.</u> \$20. If default, min. 4 mos. 1st. off.; min. 6 mos. 2d off.	<u>MPC</u> See comment	<u>Rec.</u> (PM)
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N.H.

None

Vt.

Max. \$100 or max. 6 mos.
T. 13:3901

Wisc.

Max. 6 mos.
C. 947.02

Comment: On redrafting, cf. Wisc. provision. Discrimination v. nonresident tramps may violate Art. IV, C. 2 of U. S. Constitution or at the least seems unnecessary. Cf. MPC Dr. 11:221.2.

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<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
39. Vagrant, tramp or beggar refusing to leave dwelling house on request.	Max. 30 days and max. \$10. If default, add 30 days.	See comment	(PM)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Cf. 572:50 Max. \$50 and max. 1 yr., general provision	6 mos. - 2 yrs. T. 13:3905	Cf. C. 947.02 Max. 6 mos. and cf. C. 943.14, max. \$200 or max. 6 mos. or both	

Comment: On redrafting, cf. MPC general provision Dr. 11:221.2. Since general provision covers it, separate provision is undesirable.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
41. Rogues, vagabonds, idle persons, etc., commitment.	Max. 90 days	None	(PM)
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$100 or max. 6 mos. or both C. 570:25	None	Max. 6 mos. C. 947.02, vagrancy, etc.	

Comment: On redrafting, cf. Wisc. provision. Consider consolidation with RMS C. 137:33 and cf. MPC final version. To repeat, area needs reconsideration.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
42. Marathon dances; walkathons.	Max. \$500	None	V
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
\$500 C. 570:23	None	To attend - \$5-\$25 or max. 10 da. or both To operate - \$100-\$500 or 10 da. - 1 yr. or both C. 175.15	

Comment: On redrafting, cf. MPC distinction.

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<u>Sec. 43.</u> Contracts in restraint of trade.	<u>Me. Stat.</u> Max. \$1000 or max. 6 mos. or both	<u>MPC</u> None	<u>Rec.</u> (M)
<u>N.H.</u> \$50-\$5000 or 6 mos.- 1 yr. or both C. 356:1,3,4	<u>Vt.</u> None	<u>Wisc.</u> Max. \$5000 or max. 5 yrs. or both C. 133.01	

Comment: On redrafting, need reconsideration as to scope, etc. Cf. Wisc. provision and consolidate following sections.

<u>Sec. 44.</u> Conspiring to monopolize trade.	<u>Me. Stat.</u> Max. \$1000 or max. 6 mos. or both	<u>MPC</u> None	<u>Rec.</u> (M)
<u>N.H.</u> \$50 - \$5000 or 6 mos.- 1 yr. or both C. 356:4	<u>Vt.</u> None	<u>Wisc.</u> Max. \$5000 or max. 5 yrs. or both C. 133.01	

Comment: On redrafting, cf. Wisc. provision and consolidate.

<u>Sec. 45.</u> Profiteering in necessities of life.	<u>Me. Stat.</u> Max. \$1000 or max. 3 yrs. or both.	<u>MPC</u> None	<u>Rec.</u> (M)
<u>N.H.</u> \$500-\$5000 and 1-5 yrs. C. 856:4	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, needs reconsideration. Cf. preceding sections and the question of vagueness and due process. Cf. U.S. v. Cohen Grocery Co., 255 U.S. 81, etc.

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<u>Sec. 47. Profiteering in rents.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1000 or max. 11 mos. or both	None	(M)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Cf. C. 356:1, 4 \$50 - \$5000 or 6 mos.-1 yr. or both	None	None

Comment: On redrafting, needs reconsideration and raises due process question of vagueness.

<u>Sec. 49. Regulation of radio waves; disturbing reception.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$10 - \$50	None	V

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
None	Max. \$50 T. 24:2091-2093	None

Comment: None

<u>Sec. 50. Discrimination by reason of race, color, religious creed, ancestry or national origin at places of public accommodation.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	1st. off.-max. \$100 or 30 da. or both. Subs. off.-max. \$500 or 30 da. or both.	None	PM

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
\$10 - \$100 or 30 - 90 days C. 354:1,2,4	Max. \$500 or max. 30 da. or both T. 13:1451, 1452	Max. \$200 or max. 6 mos. or both plus civil action for damages C. 942.04

Comment: None.

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<u>Sec. 51.</u> Budget planning business prohibited.	<u>Me. Stat.</u> Max. \$500 or max. 6 mos. or both	<u>MPC</u> None	<u>Rec.</u> PM
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<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None
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Comment: None.

<u>Sec. 54.</u> Blind persons with guide dogs.	<u>Me. Stat.</u> \$100 - \$300	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None
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Comment: None.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

Ch. 138. Crimes against Marital or Family Status and Children.

<u>Sec. 1. Desertion of wife or children in destitute circumstances or willful non-support, when a felony.</u>	<u>Me. Stat.</u> Max. \$500 or max. 2 yrs. or both.	<u>MPC</u> M Dr. 9:207.14	<u>Rec.</u> (F3)
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<u>N.H.</u> Cf. C. 571:2 Max. \$300 or max. 15 mo. or both	<u>Vt.</u> Max. \$300 or max. 2 yrs. or both T. 15:202	<u>Wisc.</u> Max. \$500 or max. 2 yrs. or both C. 52.05
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Comment: On penalty, to preserve distinction between Sec. 1 and 2 this must be F3. On basis of MPC and comparison to other statutes, should be M. On redrafting, combine Sec. 1 and 2 this chapter as MPC, persistent non-support.

<u>Sec. 2. Desertion of wife with minor children in destitute circumstances and willful non-support, when a misdemeanor.</u>	<u>Me. Stat.</u> Max. \$300 or max. 11 mos. or both.	<u>MPC</u> M Dr. 9:207.14	<u>Rec.</u> M
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<u>N.H.</u> Cf. C. 571:2 Max. \$300 or max. 15 mo. or both	<u>Vt.</u> Max. \$300 or max. 2 yrs. or both T. 15:202	<u>Wisc.</u> Max. \$500 or max. 2 yrs. or both C. 52.05
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Comment: On redrafting, consolidate with Sec. 1 of this chapter.

<u>Sec. 5. Abandonment of child under 6 years.</u>	<u>Me. Stat.</u> Max. \$500 or max. 5 yrs.	<u>MPC</u> Cf. Dr. 9: 201.11, 207.13 M	<u>Rec.</u> (F3)
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<u>N.H.</u> Max. 2 yrs. C. 571:3	<u>Vt.</u> Max. \$1000 or max. 10 yrs. or both T. 13:1303	<u>Wisc.</u> Max. 3 yrs. C. 940.28
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Comment: On penalty, necessitated by present statutory coverage. On redrafting, MPC Dr. 11:211.1 provides F3 for such if bodily harm done. Assuming this, present section could be reduced to M consistent with MPC Dr. 9:201.11, 201.13, and RMS C. 138:6.

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<u>Sec. 6. Cruelty to children.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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Max. \$100 or max. 11 mos.

Cf. Dr. 9:
207.13
M

M

N.H.

Max. \$100 or max. 1 yr. or both
C. 571:1

Vt.

Max. \$500 or max. 2 yrs. or both
T. 13:1304

Wisc.

Cf. C. 947.15
Max. \$500 or max. 1 yr. or both

Comment: None.

<u>Sec. 7. Permitting children in disorderly house.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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Max. \$100 or max. 60 days

None

PM

N.H.

Max. \$20
C. 571:5

Vt.

Cf. T. 13:1301, contributing to juvenile delinquency
Max. \$100 or max. 1 yr. or both.

Wisc.

\$10 - \$50 or 10 - 60 da.
C. 176.32

Comment: None.

<u>Sec. 8. Exhibiting children under 16 years of age or permitting begging.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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Max. \$100 or Max. 60 days

Cf. Dr. 9:
207.13
M

(PM)

N.H.

Cf. C. 571:6, employment in public place, under 16; max. \$100

Vt.

Cf. T. 13:1301, contributing to juvenile delinquency. Max. \$100 or max. 1 yr. or both.

Wisc.

Cf. C. 947.15, contributing to delinquency
Max. \$500 or max. 1 yr. or both.

Comment: On redrafting, cf. MPC and Wisc. general provisions.

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<u>Sec. 9. Selling firearms or ammunition or dangerous weapons to children.</u>	<u>Me. Stat.</u> Max. \$100 or max. 60 days.	<u>MPC</u> None	<u>Rec.</u> PM
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N.H.
Cf. C. 571:23,
ammunition
Max. \$100 or max.
3 mos. or both

Vt.
\$10 - \$50
T. 13:4007

Wisc.
Cf. C. 941.22,
pistols only
Max. \$500 or max.
1 yr. or both.

Comment: On redrafting, consider consolidation with Sec. 10 to cover all aspects of this subject.

<u>Sec. 10. Selling or giving air rifles to children under 14 years.</u>	<u>Me. Stat.</u> \$5 - \$20	<u>MPC</u> None	<u>Rec.</u> V
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N.H.
Cf. C. 571:20
Max. \$50

Vt.
\$10 - \$50
T. 13:4007

Wisc.

None

Comment: On redrafting, consolidate with Sec. 9 of this chapter.

<u>Sec. 11. Sale of cigarettes to persons under 16 years.</u>	<u>Me. Stat.</u> Max. \$50 or max. 30 days.	<u>MPC</u> None	<u>Rec.</u> PM
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N.H.
Max. \$50
C. 571:21,22

Vt.
Max. \$20
T. 13:1308

Wisc.

None

Comment: None.

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<u>Sec. 12. Selling or giving intoxicating liquor to any child under 16 years.</u>	<u>Me. Stat.</u> Max. \$100 or max. 60 days.	<u>MPC</u> None	<u>Rec.</u> PM
<u>N.H.</u> Max. \$500 or max. 6 mos. or both C. 175:6, 182:1	<u>Vt.</u> Max. \$200 or max. 1 yr. T. 7:658	<u>Wisc.</u> Over 17 - \$100-\$500 or max. 60 da. Under 17 - \$200-\$500 or 30 da.-8 mos. C. 176.30	

Comment: On penalty, MPC provision for persistent offenders is comparable to Wisc. and Vt. maximums. On redrafting, combine with Sec. 12-A of this chapter.

<u>Sec. 12-a. Sale of near beer to minors prohibited.</u>	<u>Me. Stat.</u> Max. \$100 or max. 60 days	<u>MPC</u> None	<u>Rec.</u> PM
<u>N.H.</u> Max. \$500 or max. 6 mos. or both C. 175:6, 182:1	<u>Vt.</u> Cf. T. 7:658 Max. \$200 or max. 1 yr.	<u>Wisc.</u> Over 17 - \$100-\$500 or max. 60 da. Under 17 - \$200-\$500 or 30 da. - 8 mos. C. 176.30	

Comment: On penalty, MPC provision for persistent offenders is comparable to Wisc. and Vt. maximums. On redrafting, combine with Sec. 12 of this chapter.

<u>Sec. 13. Selling narcotic drugs to children.</u>	<u>Me. Stat.</u> Max. \$1000 and max. 20 yrs.	<u>MPC</u> Cf. Dr. 11:211.2 F2	<u>Rec.</u> F2
<u>N.H.</u> Cf. C. 318.49, 49A 1st off. - 3-10 yrs.	<u>Vt.</u> None	<u>Wisc.</u> Narcotics generally \$250 - \$5000 or 1-10 yrs. or both C. 161.01 - 161.275	

Comment: On penalty, MPC Dr. 4:6.07 will provide a maximum of 20 years for the more dangerous offenders.

Ch. 138.

<u>Sec. 13-A. Aiding in delinquency of child under 17 years.</u>	<u>Me. Stat.</u> Max. \$500 or max. 11 mos. or both.	<u>MPC</u> None	<u>Rec.</u> (M)
<u>N.H.</u> None	<u>Vt.</u> Max. \$100 or max. 1 yr. or both T. 13:1301	<u>Wisc.</u> Max. \$500 or max. 1 yr. or both C. 947.15	

Comment: On redrafting, MPC specifically rejects; instead, looks to specific offenses. But cf. Wisc. C. 947.15.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

Ch. 139. Gambling. Bucket Shops. Lotteries. Beano.

<u>Sec. 1. Pool selling, bookmaking and numbers game.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$2,000. and max. 2 yrs.	None	(M)
<u>N.H.</u> Max. \$500. or max. 1 yr. or both C. 577:1,14	<u>Vt.</u> Max. \$2,000. or max. 1 yr. or both T. 13:2102	<u>Wisc.</u> Max. \$5,000. or max. 1 yr. or both - commercial gambling C. 945.03	

Comment: On redrafting, consider Wisc. consolidation and classification distinguishing on basis of commercial or not. Cf. C.945.02, 945.03.

<u>Sec. 2. Keeping a gambling house or permitting gambling in house or shop.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100. or max. 4 mos.	None	(PM)
<u>N.H.</u> Max. \$500. or max. 1 yr. or both C. 577:6,14	<u>Vt.</u> Max. \$200. T. 13:2101	<u>Wisc.</u> Max. \$200. or max. 6 mos. or both If share earnings, \$5000 or 1 yr. or both. C. 945.03	

Comment: On redrafting, cf. Wisc. scheme.

<u>Sec. 3. Gambling.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$1. - \$20.	None	(PM)
<u>N.H.</u> Max. \$500. or max. 1 yr. or both C. 577:7, 14	<u>Vt.</u> Max. \$5. T. 13:2132 If at gambling house, \$200. or 60 da. or both. T. 13:2133.	<u>Wisc.</u> Max. \$500. or max. 6 mos. or both C. 945.02	

Comment: On penalty, other states treat participant more severely, and seems reasonable. On redrafting, cf. Wisc. scheme.

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<u>Sec. 4. Winning more than \$3 at one time by gambling.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Twice winnings to town where offense.	None	(V)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
None	\$10. - \$200 Winning or losing T. 13	None

Comment: On penalty, maintain present scheme. On redrafting, cf. Wisc. scheme.

<u>Sec. 5. Gambling on railroads or steamboats.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Min. \$100. or min. 3 mos.	None	(PM)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. \$500. or max. 1 yr. or both. C. 577:14	Max. \$200. or max. 1 yr. or both. T. 13:2102	Cf. C. 945.02 - \$500 or 6 mos. or both with C. 945.03, commercial, \$5,000. or 1 yr.

Comment: On redrafting, cf. Wisc. scheme.

<u>Sec. 7. Copy of §§ 5 and 6 posted in cars and on steamboats; refusal or neglect.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$100. each offense	None	V

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
None	None	None

Comment: On redrafting, put in regulatory chapter.

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<u>Sec. 11.</u> Sale of, offering for sale or soliciting orders for punch boards, seal cards, slot gambling machines, etc.	<u>Me. Stat.</u> Max. \$100. or max. 4 mos.	<u>MPC</u> None	<u>Rec.</u> M
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<u>N.H.</u> Max. \$500. or max. 1 yr. or both. C. 577:5, 14	<u>Vt.</u> Max. \$100. or max. 6 mo. or both. T. 13:2135	<u>Wisc.</u> Max. \$5,000. or max. 1 yr. or both. C. 945.05
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Comment: On penalty, to square with Sec. 1 and to recognize gambling as a business, should be M. On redrafting, cf. Wisc. provision.

<u>Sec. 15.</u> Keeping a bucket shop.	<u>Me. Stat.</u> Max. \$3,000. or max. 11 mos.	<u>MPC</u> None	<u>Rec.</u> M
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2d offense 2 - 5 yrs.

<u>N.H.</u> 1st. off. \$200-\$1000. 2nd. off. 6 Mos. C. 577:22	<u>Vt.</u> 1st. off. \$200-\$1000. 2d. off. Max. 6 mos. T. 13:2173	<u>Wisc.</u> Cf. C. 945.03 \$5,000. or 1 yr. or both.
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Comment: On redrafting, eliminate provision for 2d. offense since extended term Dr. 4:6.09 will cover it.

<u>Sec. 18.</u> Lotteries and schemes of chance; printing of tickets prima facie evidence.	<u>Me. Stat.</u> 1st. off. \$10-\$1,000. and max. 30 da.; 2d. off. 60 da.; 3d. off. 90 da.	<u>MPC</u> None	<u>Rec.</u> (PM)
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<u>N.H.</u> Max. \$500. or max. 1 yr. C. 577:1	<u>Vt.</u> Max. \$200. or max. 1 yr. or both. T. 13:2102	<u>Wisc.</u> Max. \$500. or max. 6 mos. or both. C. 945.02 Commercial - Max. \$5,000. or max. 1 yr. or both. C. 945.03
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Comment: On redrafting, cf. Wisc. scheme.

Ch. 139.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
21. Beano. 27. Penalty for conducting without license.	Max. \$1,000.	None	(PM)

<u>N.H.</u> Max. \$500. or max. 1 yr. or both C. 577:1,14	<u>Vt.</u> Max. \$2,000. or max. 1 yr. or both T. 13:2102	<u>Wisc.</u> Max. \$500. or max. 6 mos. or both. C. 945.02
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Comment: On penalty, to be consistent with Sec. 18, this should be PM.
On redrafting, cf. Wisc. scheme.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

Ch. 140. Cruelty to Animals.

<u>Sec. 1. Maliciously killing or injuring domestic animals; stealing.</u>	<u>Me. Stat.</u> \$20 - \$500 or max. 4 yrs.	<u>MPC</u> None	<u>Rec.</u> (F3)
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<u>N.H.</u> Max. \$200 or max. 1 yr. or both C. 575:1	<u>Vt.</u> Max. \$200 or max. 1 yr. or both T. 13:403	<u>Wisc.</u> Max. \$500 or max. 1 yr. C. 947:10
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Comment: On penalty, to maintain distinction with Sec. 2 must be F3, but is out of line with other states. Cf. RMS C. 138:6, Cruelty to children, which is M. On redrafting, consolidate as Wisc. provision as a M.

<u>Sec. 2. Cruelty to animals.</u>	<u>Me. Stat.</u> \$5 - \$200 or max. 11 mos.	<u>MPC</u> None	<u>Rec.</u> M
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<u>N.H.</u> Max. \$200 or max. 1 yr. or both C. 575:1	<u>Vt.</u> Max. \$200 or max. 1 yr. or both T. 13:403	<u>Wisc.</u> Max. \$500 or max. 1 yr. C. 747.10
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Comment: On redrafting, consolidate with Sec. 1 of this chapter. Cf. Wisc. provision.

<u>Sec. 3. Shooting of pigeons and other birds for amusement; not applicable to wild game.</u>	<u>Me. Stat.</u> Max. \$50 or max. 30 days.	<u>MPC</u> None	<u>Rec.</u> (PM)
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<u>N.H.</u> Max. \$50 or max. 30 da. or both C. 575:7	<u>Vt.</u> Max. \$50 or max. 30 da. or both T. 9:406	<u>Wisc.</u> Cf. C. 947.10 Max. \$500 or max. 1 yr.
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Comment: On redrafting, cf. Wisc. consolidation within general provision.

Ch. 140.

<u>Sec. 4. Premeditated fights between animals.</u>	<u>Me. Stat.</u> Max. \$200 or 10 da.-6 mos.	<u>MPC</u> None	<u>Rec.</u> (M)
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<u>N.H.</u> Max. \$200 or max. 1 yr. or both C. 577:17	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 947.10 Max. \$500 or max. 1 yr.
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Comment: On redrafting, cf. Wisc. consolidation within general provision.

<u>Sec. 6. Keeping places for fighting or baiting dogs, cocks or other creatures.</u>	<u>Me. Stat.</u> Max. \$50 or max. 2 mos.	<u>MPC</u> None	<u>Rec.</u> (PM)
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<u>N.H.</u> Cf. C. 577:17, Promotion Max. \$200 or max. 1 yr. or both	<u>Vt.</u> None	<u>Wisc.</u> Max. \$500 or max. 1 yr. C. 947.10
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Comment: On redrafting, cf. Wisc. consolidation within general provision.

<u>Sec. 7. Owning or training any bird or animal to fight</u>	<u>Me. Stat.</u> Max. \$50 or max. 30 days.	<u>MPC</u> None	<u>Rec.</u> (PM)
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<u>N.H.</u> Max. \$200 or max. 1 yr. or both C. 577.17	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 947.10 Max. \$500 or max. 1 yr.
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Comment: On redrafting, cf. Wisc. consolidation within general provisions.

Ch. 140.

<u>Sec. 8.</u> Officers may enter buildings where birds or animals kept for unlawful training; resistance to.	<u>Me. Stat.</u> Max. \$100 or max. 11 mos.	<u>MPC</u> M Cf. Dr. 8:208.30	<u>Rec.</u> M
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<u>N.H.</u> Cf. C. 587:5, Obstructing officer Max. \$300 or max. 1 yr.	<u>Vt.</u> Max. \$500 or max. 3 yrs. T. 13:3001	<u>Wisc.</u> Max. \$500 or max. 1 yr. C. 946.41
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Comment: On redrafting, consolidate within MPC general provision for Obstructing Administration of Law or Other Governmental Function. Cf. RMS C. 135:22 and 31, obstructing officer. 2 yrs. and 1 yr. respectively.

<u>Sec. 9.</u> Exhibition of bears; menageries excepted.	<u>Me. Stat.</u> Max. \$20 or max. 30 days	<u>MPC</u> None	<u>Rec.</u> PM
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<u>N.H.</u> 1st off. - \$25 2d. off. - \$50 Subs.off.-max. \$500 C. 469:1, 5	<u>Vt.</u> None	<u>Wisc.</u> General provision - Wildlife Exhibition \$50 - \$100 or 30 da. - 6 mos. or both C. 29.585, 29.63, 29.635
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Comment: On redrafting, cf. Wisc. provision, part of broader regulatory licensing system.

<u>Sec. 10.</u> Railroads to give cars containing animals continuous passage and preference to other freight.	<u>Me. Stat.</u> \$50 - \$500 each offense	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Max. \$500 C. 575:11	<u>Vt.</u> Cf. T. 13:461 \$50 - \$200	<u>Wisc.</u> Cf. C. 192.21, detention in terminal C. 192.54 \$10 - \$1000
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Comment: On redrafting, consolidate Sections 10, 11, 12.

Ch. 140.

<u>Sec. 11. Animals brought into state allowed rest, shelter, food and water.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$50 - \$500 each offense	None	V

N.H.

Cf. C. 575:8, 11
Max. \$500

Vt.

\$50 - \$200
T. 13:461

Wisc.

Cf. C. 192.54
\$10 - \$1000

Comment: On redrafting, consolidate with sections 10 and 12.

<u>Sec. 12. Time of confinement extended upon request; sheep.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$50 - \$500 each offense	None	V

N.H.

Cf. C. 575:8, 11
Max. \$500

Vt.

\$50 - \$200
T. 13:461

Wisc.

Cf. C. 192.54
Max. \$10 - \$1000

Comment: On redrafting, consolidate with Sections 10 and 11.

<u>Sec. 19. Officers may interfere to prevent cruelty; interference with officer, misdemeanor.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100 or max. 11 mos.	M Cf. Dr. 8:208.30	M

N.H.

Cf. C. 587:5
Obstructing officer
Max. \$300 or max.
1 yr.

Vt.

Max. \$500 or
max. 3 yrs.
T. 13:3001

Wisc.

Max. \$500 or
max. 1 yr.
C. 946.41

Comment: On redrafting, consolidate within MPC general provision for obstructing administration or law or other governmental function. Cf. RMS C. 135:22 and 31, obstructing officer. 2 yrs. and 1 yr. respectively.

Ch. 140.

<u>Sec. 21. Docking horses' tails.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100.	None	V

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Max. \$300 or max. 1 yr. or both C. 575:5	Cf. T. 13:403 Max. \$200 or max. 1 yr. or both	Cf. C. 947.10 Max. \$500 or max. 1 yr.

Comment: On redrafting, cf. Wisc. general provision and consolidate.

<u>Sec. 27. Vivisection in schools supported wholly or in part by public money.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$10 - \$25	None	V

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
None	None	Cf. C. 947.10 which allows bona fide experiments Max. \$500 or max. 1 yr.

Comment: On redrafting, cf. Wisc. general provision.

<u>Sec. 28. Sale of diseased horses.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$5 - \$100 or max. 6 mos.	None	(PM)

<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
Cf. C. 575:1 Max. \$200 or max. 1 yr. or both	None	None

Comment: On redrafting, cf. State v. Prince (1915), 77 N.H. 581, 94A.966. Says basis of statute is that such sales tend to increase cruelty to animals. If no misrepresentation, why is this so? Seems unnecessary, esp. since absolute liability basis. V would suffice.

Ch. 140.

<u>Sec. 29.</u> Moving picture Films not to involve in preparation deliberate cruelty to animals.	<u>Me. Stat.</u> Max. \$100 or max. 3 mos. or both.	<u>MPC</u> None	<u>Rec.</u> (PM)
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
None	None	None

Comment: On redrafting, is this provision needed? If so, would not violation category suffice?

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

Ch. 141. Nuisances.

<u>Sec. 1, 2. Common nuisances</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$200 - \$1000 and 60 da.-11 mos. If default, add 60 da. - 11 mos.	None	(M)
<u>N.H.</u> Cf. C. 544:1-41 Injunction and contempt	<u>Vt.</u> Cf. T. 24:2121 Abatement in equity	<u>Wisc.</u> Cf. prov. for injunction Abatement generally C. 146.14, 280.20	

Comment: On redrafting, other states give nuisance generally civil consequences and cover criminal aspect in specific sections. This seems a better solution.

<u>Sec. 4. Liability of owner, common nuisance.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	\$200 - \$1000 and 60 da.-11 mos. If default, add 60 da.-11 mos.	None	(M)
<u>N.H.</u> Cf. C. 544:1 - 41 Injunction and contempt	<u>Vt.</u> Cf. T. 24:2121 Abatement in equity	<u>Wisc.</u> Cf. prov. for injunction Abatement generally C. 146.14, 280.20	

Comment: On redrafting, consolidate with Sec. 1, this chapter. Consider comment thereto.

<u>Sec. 8. When places assigned for unwholesome employment become offensive.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$100/mo. plus abatement	None	(V)
<u>N.H.</u> Cf. C. 147:15 \$10 / mo.	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 66.052	

Comment: On redrafting, cf. adequacy of general contempt powers of court.

Ch. 141.

<u>Sec. 9.</u> Buildings for manufacture of powder.	<u>Me. Stat.</u> Max. \$100. plus abatement	<u>MPC</u> None	<u>Rec.</u> V
<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, put in regulatory chapter.

<u>Sec. 10.</u> Burning of bricks.	<u>Me. Stat.</u> Max. \$200	<u>MPC</u> None	<u>Rec.</u> V
<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, put in regulatory chapter.

<u>Sec. 11.</u> Dumping of domestic waste.	<u>Me. Stat.</u> \$25 - \$100 each offense	<u>MPC</u> None	<u>Rec.</u> V
<u>N.H.</u> Cf. C. 249:27 Upon public places Max. \$25 - \$100	<u>Vt.</u> Cf. T. 13:302 Advertising littering streets \$5 - \$50	<u>Wisc.</u> Cf. C. 346.94-along highway 1st. off. - \$10-\$20 2nd. off. - \$25-\$50 C. 80.65-on highway \$10.	

Comment: On redrafting, put in regulatory chapter dealing with conservation
of waterways.

Ch. 141.

<u>Sec. 12. Possession of poisonous snakes.</u>	<u>Me. Stat.</u> Max. \$100. plus abatement	<u>MPC</u> None	<u>Rec.</u> V
<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, put in regulatory chapter.

<u>Sec. 14. Bulldozing of rivers, streams and brooks.</u>	<u>Me. Stat.</u> \$100 - \$500	<u>MPC</u> None	<u>Rec.</u> V
<u>N. H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, put in regulatory chapter dealing with conservation of waterways. Cf. regulatory schemes of other states.

<u>Sec. 15. Penalty and abatement of nuisance; no other specific provision.</u>	<u>Me. Stat.</u> Max. \$100 plus abatement	<u>MPC</u> None	<u>Rec.</u> (V)
<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, other states give nuisances generally civil consequences and cover criminal aspect in specific sections. This seems a better solution.

Ch. 141.

<u>Sec. 16.</u> Bushes, trees and stumps removed from area flowed by dam erected on public water.	<u>Me. Stat.</u> Max. \$100.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Cf. C. 482:21,32	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 31.34, flow of water regulated \$50 - \$1000
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Comment: On redrafting, put in regulatory chapter dealing with conservation of waterways. Cf. regulatory schemes of other states.

<u>Sec. 17.</u> Motorboats equipped with suitable mufflers.	<u>Me. Stat.</u> \$5 - \$25 At night, max. \$50.	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Cf. C. 270:18, 25 broader provision Max. \$100 or max. 1 yr. or both	<u>Vt.</u> Cf. T. 25:45 broader provision 1st. off.-\$300 or 3 mos. Subs.off.-\$500 or 6 mos. or both	<u>Wisc.</u> \$10 - \$50 or max. 30 da. or both C. 30.60
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Comment: On redrafting, cf. regulatory schemes of other states in regulatory chapters.

<u>Sec. 17-A.</u> Certain lights prohibited along highways.	<u>Me. Stat.</u> Max. \$100	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Max. \$100 C. 249:50	<u>Vt.</u> None	<u>Wisc.</u> None
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Comment: On redrafting, put in chapter covering regulation of highways.

Ch. 141.

<u>Sec. 23.</u> Stationary, internal combustion or steam engine not used without license from town officers.	<u>Me. Stat.</u> Max. \$100. plus abatement	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
None	None	None

Comment: On redrafting, put in regulatory chapter.

<u>Sec. 24.</u> Blasting rocks, notice given.	<u>Me. Stat.</u> \$5 / offense	<u>MPC</u> None	<u>Rec.</u> V
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<u>N.H.</u> Cf. general provisions re. explosives C. 158	<u>Vt.</u> Cf. broad regulation of explosives T. 20:3065	<u>Wisc.</u> Cf. regulatory chapters.
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Comment: On redrafting, put in regulatory chapter.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>
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Comment:

Ch. 142. Timber upon Rivers, Streams and Adjacent Lands.

<u>Sec. 1. Unlawful conversion of timber.</u>	<u>Me. Stat.</u> \$20 per log	<u>MPC</u> None	<u>Rec.</u> (V)
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<u>N.H.</u> Cf. C. 489:1-12	<u>Vt.</u> Cf. T. 25:207 Triple dam.	<u>Wisc.</u> Cf. C. 30.083 Double dam.
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Comment: On redrafting, this chapter needs reconsideration and redrafting. The civil content of RMS Sec. 1 and 4 belong in regulatory section as civil remedies.

<u>Sec. 2. Such unlawful conversion declared larceny.</u>	<u>Me. Stat.</u> See. C. 132:1	<u>MPC</u> Cf. Dr. 4:206.15	<u>Rec.</u> See C.132:1
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<u>N.H.</u> C. 489:12 Accord	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 943.37 Max. \$200 or max. 6 mos. or both
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Comment: On redrafting, if desire a separate section from general larceny, it belongs in regulatory chapter. If so, draft more broadly, i.e., don't limit purpose and include content of C. 142:9.

<u>Sec. 4. Right of owner to search mill, boom or raft for lost logs, obstruction of.</u>	<u>Me. Stat.</u> \$20 - \$50	<u>MPC</u> None	<u>Rec.</u> (V)
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<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> Cf. C. 30.083 double damages
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Comment: On redrafting, this needs reconsideration and redrafting. The civil content of RMS Sec. 4 belongs in regulatory section as civil remedies.

Ch. 142.

<u>Sec. 9.</u> Unlawful conversion of railroad sleepers, ship knees or cedar lumber on ponds and streams.	<u>Me. Stat.</u> \$10 each offense	<u>MPC</u> None	<u>Rec.</u> (V)
<u>N.H.</u> None	<u>Vt.</u> None	<u>Wisc.</u> None	

Comment: On redrafting, combine larceny content with Sec. 2 of this chapter.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	

Comment:

Ch. 143. Crimes against the Sovereignty of the State.

<u>Sec. 1. Treason.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Life	None	F1
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. 25 yrs. C. 586:1	Death T. 13:3401	Life C. 946.01	

Comment: None.

<u>Sec. 2. Misprison of treason.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$1000 or max. 5 yrs.	None	F3
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$2000 or max. 7 yrs.	Max. \$2000 or 5 - 10 yrs. or both	None	

Comment: None.

<u>Sec. 4. Advocating or aiding in overthrow of government by force or violence.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$5000 or max. 5 yrs. or both	None	F3
<u>N.H.</u>	<u>Vt.</u>	<u>Wisc.</u>	
Max. \$5000 or max. 10 yrs. or both C. 587:36	Max. \$1000 or max. 3 yrs. or both T. 13:3405	Max. \$5000 or max. 10 yrs. or both C. 946.03	

Comment: None.

Ch. 143.

<u>Sec. 6.</u> State seal, removal of, injury to and neglect or refusal to deliver up.	<u>Me. Stat.</u> Max. \$5000 and 1 - 5 yrs.	<u>MPC</u> Cf. Dr. 8:208.30	<u>Rec.</u> (M)
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N.H.
None

Vt.
Cf. T. 13:3006
Neglect of duty
Max. \$1000 or
max. 1 yr.

Wisc.
Cf. C. 946.72
Tampering with public records;
Max. \$1,000 or max. 2 yrs.
or both.
Cf. C. 946.12, max. \$500
or max. 1 yr.

Comment: On penalty, assuming general provision concerning theft, property damage, etc., M is comparable to MPC provision of obstructing governmental function. On redrafting, cf. obstruction gov. function.

<u>Sec. 7.</u> Use of great seal in any place but office of secretary of state.	<u>Me. Stat.</u> Max. \$3000 and max. 3 yrs.	<u>MPC</u> Cf. Dr. 8:208.30	<u>Rec.</u> (M)
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N.H.
None

Vt.
None

Wisc.
None

Comment: On redrafting, cf. MPC provision for obstructing governmental function.

<u>Sec. 8.</u> Use of state seal for commercial purposes.	<u>Me. Stat.</u> Max. \$300 or max. 30 days.	<u>MPC</u> Cf. M Dr. 2:206.24	<u>Rec.</u> (PM)
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N.H.
Max. \$100 or
max. 6 mos.
C. 574:1,2

Vt.
None

Wisc.
None

Comment: On redrafting, consider inclusion within MPC general provision on deceptive business practice.

Ch. 143.

<u>Sec. 9. Books and papers, removal from state offices, secretion, mutilation or refusal to return.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$5000 and 1 - 3 yrs.	Cf. Dr. 8:208.30	M

N.H.

None

Vt.

Cf. T. 13:3001
Max. \$500 or
max. 3 yrs.
Impeding public
officers.

Wisc.

Cf. C. 946.72
Max. \$1,000 or
max. 2 yrs.
Tampering with
public records.

Comment: On redrafting, cf. MPC general provisions for theft, property damage, obstructing governmental function.

<u>Sec. 10. Falsely assuming to be or act as state official.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
	Max. \$5000 and 1 - 5 yrs.	Cf. M Dr. 8: 208.28, 208.30	M

N.H.

Cf. C. 587:22
police officer or
sheriff - \$300;
state police-\$500 or
6 mos. or both.

Vt.

\$15 or 30 da.
T. 13:3002

Wisc.

Cf. C. 946.69 - public
officer or employee
Max. \$500 or max. 1 yr.
946.70 - peace officer
Max. \$100 or max. 30 da.

Comment: On penalty, MPC general provision makes this M.
On redrafting, cf. MPC general provisions.

<u>Sec.</u>	<u>Me. Stat.</u>	<u>MPC</u>	<u>Rec.</u>
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N.H.

Vt.

Wisc.

Comment: