

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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Legislative Document

No. 265

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S. P. 103

In Senate, January 20, 1971

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Mr. Harding of Aroostook.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Relating to Breaking and Entering with Intent to Commit  
a Felony or Larceny.**

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

**R. S., T. 17, § 754, amended.** Section 754 of Title 17 of the Revised Statutes is amended to read as follows:

**§ 754. Breaking and entering with intent to commit felony or larceny**

Whoever, with intent to commit a felony or any larceny, breaks and enters in the daytime or enters without breaking in the nighttime any dwelling house, or breaks and enters any office, bank, shop, store, warehouse, vessel, railroad car of any kind, motor vehicle, aircraft, house trailer, or building in which valuable things are kept, any person being lawfully therein and put in fear, shall be punished by imprisonment for not more than 10 years; but if no person was lawfully therein and put in fear and the sum total of the property taken and the damages to the property shall be \$100 or more, by imprisonment for not more than 5 years or by a fine of not more than \$500; but if no person was lawfully therein and put in fear and the sum total of the property taken and the damages to the property is less than \$100, by a fine of not more than \$500 or imprisonment for not more than 11 months, or by both.

STATEMENT OF FACT

The purpose of this bill is to create a misdemeanor for breaking and entering to commit a felony or larceny if no person has been put in fear and the damages are less than \$100.