

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1568

S. P. 532

In Senate, April 1, 1971

Reported by Senator Harding of Aroostook from Committee on Judiciary and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Criminal Trespass in Buildings and on Premises.

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

R. S., T. 17, § 3854, repealed and replaced. Section 3854 of Title 17 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 3854. Entry of and refusal to vacate certain buildings

1. Definitions. As used in this section:

A. "Building," in addition to its ordinary meaning, includes any structure, vehicle or watercraft used for overnight lodging of persons; or used by persons for carrying on instruction, study, worship, recreation or business therein.

B. "Premises" includes the term "building" as defined in paragraph A.

2. Entry of certain buildings. Whoever willfully enters any dwelling house, camp, cottage or locked building, without the permission of the owner or occupant thereof, shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both.

3. Refusal to vacate. Whoever refuses or fails to leave public premises of a public agency, or premises of an educational institution subject to Title 20, chapters 301 to 307, during those hours of the day or night when the premises are regularly closed, upon being requested to do so by a regularly employed guard, watchman or custodian of said public agency or institution owning or maintaining the premises, if the surrounding circumstances are such as to indicate to a reasonable man that such person has no apparent lawful business to pursue, shall be punished as provided in subsection 2.