

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 577

H. P. 428

House of Representatives, February 1, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Whitzell of Gardiner.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Penalty for Breaking and Entering in the Daytime.

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~~ any term of years; but if no person was lawfully therein and put in fear, by imprisonment for not more than 5 10 years or by a fine of not more than ~~\$500~~ \$1,000.

STATEMENT OF FACT

Since in most cases it is almost impossible to establish whether or not the break occurred in the daytime or in the nighttime, and since the loss of property is as serious, regardless of the time of day, and since many citizens now fear loss of valuables may occur at any time, this legislation is now necessary to bring peace of mind to the general public.