

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 531, L.D. 684)
2 (New Title)

3 FIRST REGULAR SESSION
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE
6

7 Legislative Document

No. 1603

9 H.P. 1209

House of Representatives, May 13, 1983

10 Reported by Representative Michael from the Committee on Agriculture
11 and printed under Joint Rule 2.

Original bill presented by Representative Drinkwater of Belfast.

12 EDWIN H. PERT, Clerk

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-THREE
18

19 AN ACT Related to Unauthorized Taking
20 of Agricultural Products.
21

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

24 Sec. 1. 14 MRSA §7551-A is enacted to read:

25 §7551-A. Definitions

26 As used in this section, unless the context
27 otherwise indicates, the following terms have the
28 following meanings.

29 1. Agricultural product. "Agricultural product"
30 means crops produced and livestock raised as a result
31 of cultivating the soil and harvesting. Agricultural
32 products include, but are not limited to, vegetables,

1 fruit, forages, grain, nuts, berries, flowers, orna-
2 mental plants, nursery crops, milk, dairy products,
3 eggs, domestic livestock and other products in vary-
4 ing degrees of preparation. Agricultural products
5 also include the soil amendments and by-products
6 which are used in cultivation.

7 Sec. 2. 14 MRSA §7552, as amended by PL 1977, c.
8 313, §1, is further amended to read:

9 §7552. Injury to lands or property

10 Whoever cuts down, destroys, injures or carries
11 away any ornamental or fruit tree, Christmas tree,
12 evergreen boughs, agricultural product, timber, wood,
13 underwood, stones, gravel, ore, goods or property of
14 any kind from land not his own, without license of
15 the owner, or injures or throws down any fences, bars
16 or gates, or leaves such gates open, or breaks glass
17 in any building is liable in damages to the owner in
18 a civil action. If such an act or such acts are
19 ~~committeed~~ committed willfully or knowingly, the
20 defendant is liable to the owner in treble damages
21 and, in addition, for the cost of any professional
22 services necessary for the determination of damages,
23 for attorney's fees, and for court costs. For pur-
24 poses of this section, Christmas trees and evergreen
25 boughs are defined in Title 12, section 8841, and
26 agricultural product is defined in section 7551-A.

27 STATEMENT OF FACT

28 This new draft makes clear that trespass, injury
29 to land and theft of agricultural products are pun-
30 ishable offenses and that restitution to the victim
31 may be ordered.

32 3791051083