

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

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Legislative Document

No. 211

S.P. 116

In Senate, January 30, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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An Act to Ban Tree Spiking.



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

2  
4 17-A MRSA §806, sub-§1, as amended by PL 1979, c. 289, is further amended to read:

6 1. A person is guilty of criminal mischief if, intentionally or knowingly, he the person:

8 A. Damages or destroys the property of another, having no  
10 reasonable ground to believe that he the person has a right  
12 to do so; damages or destroys property to enable any person  
14 to collect insurance proceeds for the loss caused; or  
tampers with the property of another, having no reasonable  
grounds to believe that he the person has the right to do  
so, and thereby impairs the use of that property; or

16 B. Damages, destroys or tampers with property of a law  
18 enforcement agency, fire department, or supplier of gas,  
electric, steam, water, transportation, sanitation or  
20 communication services to the public, having no reasonable  
ground to believe that he the person has a right to do so,  
22 and by such conduct recklessly creates a risk of  
interruption or impairment of services rendered to the  
24 public; or

26 C. Drives or places in any tree or saw log, without the  
28 prior consent of the owner, any iron, steel or other  
substance sufficiently hard to damage saws or wood  
30 manufacturing or processing equipment with intent to cause  
inconvenience, annoyance or alarm to any other person.

32 STATEMENT OF FACT

34 This bill places tree spiking under the criminal mischief  
36 laws of the Maine Criminal Code. Criminal mischief is a Class D  
crime.