

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

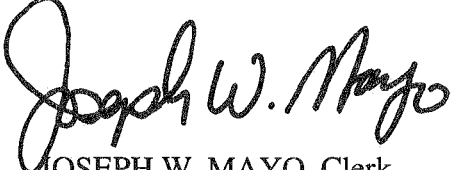
No. 651

H.P. 480

House of Representatives, January 30, 1997

**An Act to Expand the Definition of "Aggravated Criminal Mischief" to
Make It a Class C Crime to Damage Property by Fire or Explosion.**

Reference to the Committee on Criminal Justice suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative POVICH of Ellsworth.

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

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Sec. 1. 17-A MRSA §805, sub-§1, ¶C, as amended by PL 1995, c. 434, §1, is further amended to read:

C. Damages, destroys or tampers with the property of a law enforcement agency, fire department or supplier of gas, electric, steam, water, transportation, sanitation or communication services to the public, having no reasonable ground to believe that the person has a right to do so, and thereby causes a substantial interruption or impairment of service rendered to the public; ~~or~~

Sec. 2. 17-A MRSA §805, sub-§1, ¶D, as enacted by PL 1975, c. 499, §1, is amended to read:

D. Damages, destroys or tampers with property of another and thereby recklessly endangers human life, or

Sec. 3. 17-A MRSA §805, sub-§1, ¶E is enacted to read:

E. Damages or destroys property of another by fire or explosion, having no reasonable ground to believe that the person has a right to do so.

SUMMARY

This bill expands the definition of the crime of aggravated criminal mischief to make it a Class C crime to intentionally, knowingly or recklessly damage or destroy the property of another by fire or explosion, regardless of the value of the property damaged or destroyed. This expanded definition may be used to prosecute offenders for conduct that is more serious than that warranting prosecution for the Class D crime of criminal mischief, but not serious enough to warrant prosecution for the Class A crime of arson. This section may be used to prosecute offenders who set fires to wild land in the sparsely populated sections of the State.