

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 876

7 S.P. 288

In Senate, February 24, 1983

8 Referred to the Committee on Judiciary. Sent down for concurrence and  
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

11 Presented by Senator Trafton of Androscoggin.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT Concerning the Penalties for  
18 Vehicular Manslaughter and for Negotiating  
19 a Worthless Instrument.  
20

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

23 Sec. 1. 17-A MRSA §203, sub-§3, as repealed and  
24 replaced by PL 1977, c. 510, §40, is amended to read:

25 3. Manslaughter is a Class E B crime if it  
26 occurs as the result of the reckless or criminally  
27 negligent operation of a motor vehicle; otherwise,  
28 manslaughter is a Class A crime.

29 Sec. 2. 17-A MRSA §708, sub-§4, as repealed and  
30 replaced by PL 1981, c. 317, §22, is repealed and the  
31 following enacted in its place:

32 4. Violation of this section is:

1 A. A Class B crime, if the face value of the  
2 negotiable instrument exceeds \$5,000;

3 B. A Class C crime, if:

4 (1) The face value of the negotiable  
5 instrument exceeds \$1,000 but does not  
6 exceed \$5,000; or

7 (2) The actor has 2 prior convictions for  
8 any combination of theft, a violation of  
9 section 702, 703 or this section, or  
10 attempts thereat. Determination of whether  
11 a conviction constitutes a prior conviction  
12 for purposes of this subsection shall be  
13 pursuant to section 362, subsection 3, para-  
14 graph C;

15 C. A Class D crime, if the face value of the  
16 negotiable instrument exceeds \$500 but does not  
17 exceed \$1,000; or

18 D. A Class E crime, if the face value of the  
19 negotiable instrument does not exceed \$500.

20 STATEMENT OF FACT

21 The purpose of this bill is to change the pen-  
22 alties for 2 crimes.

23 Under the Maine Criminal Code, Title 17-A,  
24 section 203, manslaughter is a Class A crime, unless  
25 the crime is manslaughter committed by the operation  
26 of a motor vehicle, which reduces the crime to a  
27 Class C crime. This bill raises the crime of man-  
28 slaughtering committed by the operation of a motor vehi-  
29 cle to a Class B crime.

30 The bill also alters the penalties for nego-  
31 tiating a worthless instrument to make them conform  
32 to the penalties for theft. Under the Maine Criminal  
33 Code, Title 17-A, section 708, currently makes nego-  
34 tiating a worthless instrument a Class C crime, if  
35 the offender has 2 previous convictions for theft,  
36 forgery or negotiating a worthless instrument. The  
37 crime is otherwise a Class D crime. This bill sets

1 the penalties for negotiating a worthless instrument  
2 so that they are based on the face value of the  
3 instrument involved, just as the theft penalties are  
4 based on the value of the services or property  
5 stolen.

6 The bill retains the Class C designation for an  
7 offender who has prior similar convictions.

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