

# MAINE STATE LEGISLATURE

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L.D. 641  
(Filing No. S- 172)

STATE OF MAINE  
SENATE  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 251, L.D. 641, Bill, "An Act to Implement Civil Penalties for Passing Worthless Instruments"

Amend the bill in that part designated "§6071." in subsection 1 in the 7th and 8th lines (page 1, lines 17 and 18 in L.D.) by striking out the following: "costs and collection costs" and inserting in its place the following: 'costs, collection costs and processing charges'

Further amend the bill in that part designated "§6071." in subsection 1 in paragraph B in the last line (page 1, line 27 in L.D.) by striking out the following: "6072." and inserting in its place the following: '6073.'

Further amend the bill in that part designated "§6071." by inserting after subsection 2 the following:

'3. Written agreement. Nothing in this chapter may be construed to limit the rights of parties to a written agreement.'

Further amend the bill in that part designated "§6072" in subsection 1 in the 5th line (page 1, line 45 in L.D.) by inserting before the underlined word "collection" the following: 'processing charges;'

Further amend the bill in that part designated "§6073" in the 12th line (page 2, line 20 in L.D.) by striking out the following: "3. Interest." and inserting in its place the following:

- '3. Processing charges; and
- 4. Interest.'

Further amend the bill by inserting before the statement of fact the following:

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**FISCAL NOTE**

Enactment of this bill may result in an increased number of small claims filed throughout the State's court system. The Judicial Department has indicated that it can absorb the costs within its resources.'

**STATEMENT OF FACT**

This amendment alters the original bill in 2 respects. First, it specifies that the drawer of a worthless instrument is liable for all processing charges related to the worthless instrument, including those charges which, under current law, may be imposed upon the payee. Second, the amendment clarifies that the specifically enumerated penalties are in addition to, rather than in lieu of, other remedies which may be available to the payee under law, specifically under a written agreement of the parties.

The amendment also includes a fiscal note.

Reported by Senator Hobbins for the Committee on Judiciary.  
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