

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1097

H.P. 785

House of Representatives, April 11, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative GOULD of Greenville.

Cosponsored by Representative SIMPSON of Casco, Representative TRACY of Rome and Senator ESTES of York.

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STATE OF MAINE

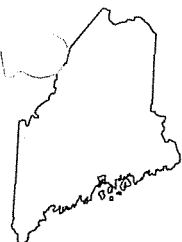
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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**An Act to Conform the Scope of Prior Convictions When Used to  
Enhance the Penalty for Negotiating a Worthless Instrument.**

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

3               **17-A MRSA §708, sub-§4, ¶B,** as repealed and replaced by PL  
5       1983, c. 198, §2, is amended to read:

7               B. A Class C crime, if:

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

13                       (2) The actor has 2 prior convictions for any  
15                       combination of theft, a violation of section 702, 703  
17                       or this section, a violation of section 401 in which  
19                       the crime intended to be committed inside the structure  
21                       is theft, a violation of section 651 or attempts  
23                       thereat at these violations. Determination of whether a  
25                       conviction constitutes a prior conviction for purposes  
27                       of this subsection shall be pursuant to section 362,  
29                       subsection 3 ~~3-A~~-paragraph-C;

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#### STATEMENT OF FACT

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Under current law, negotiating a worthless instrument is a Class C crime if the actor has 2 prior convictions for any combination of theft, aggravated forgery, forgery, negotiating a worthless instrument or attempts to commit these crimes.

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This bill adds prior burglary convictions where the intended offense was theft and prior robbery convictions to those which enhance the penalty for repeat offenders.