

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1149

H.P. 821

House of Representatives, April 12, 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

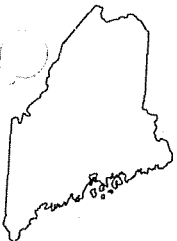
Presented by Representative GURNEY of Portland.

Cosponsored by Representative ERWIN of Rumford and Representative SWAZEY of Bucksport.

STATE OF MAINE

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

An Act to Increase the Penalties for Forgery.



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

3 **Sec. 1. 17-A MRSA §702, sub-§1, ¶E,** as enacted by PL 1975, c.
499, §1, is repealed.

5 **Sec. 2. 17-A MRSA §703, sub-§2,** as repealed and replaced by PL
7 1981, c. 317, §21, is repealed and the following enacted in its
place:

9 **2. Violation of this section is:**

11 **A. A Class B crime if the face value of the written**
13 **instrument or the aggregate value of instruments exceeds**
\$5,000;

15 **B. A Class C crime if:**

17 **(1) The face value of the written instrument or the**
19 **aggregate value of instruments exceeds \$1,000 but does**
not exceed \$5,000; or

21 **(2) The actor has 2 prior convictions for any**
23 **combination of theft, violation or attempted violation**
25 **of this section, violation or attempted violation of**
27 **section 702 or 708 or any violation or attempted**
violation of section 401 if the intended crime within
the structure is theft, or any violation or attempted
29 **violation of section 651. Determination of whether a**
conviction constitutes a prior conviction for purposes
31 **of this subsection shall be pursuant to section 362,**
subsection 3-A; or

33 **C. Except as provided in paragraphs A and B, forgery is a**
Class D crime.

35 **Sec. 3. 17-A MRSA §703, sub-§3** is enacted to read:

37 **3. Amounts of value involved in forgeries may be aggregated**
39 **in the same manner as provided in section 352, subsection 5,**
paragraph E. Prosecution of an aggregated forgery may be brought
41 **in any venue in which one of the aggregated forgeries was**
committed.

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47 STATEMENT OF FACT

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49 This bill amends the current forgery law to conform to the
recently amended provisions governing negotiation of worthless
instruments. The penalty provided depends upon the value of the
51 instruments or checks forged and whether or not the actor has
previously been convicted of forgery or related offenses. When

1 the actor forges multiple written instruments, generally checks,
their value may be aggregated and the actor may be charged with
3 all of them in any county in which one of the aggregated offenses
occurred.