

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1220

H.P. 854

House of Representatives, March 21, 1991

Submitted by the Department of the Attorney General pursuant to Joint Rule 24.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative COTE of Auburn.

Cosponsored by Representative PARADIS of Augusta, Senator GAUVREAU of
Androscoggin and Representative MAYO of Thomaston.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Broaden the Crimes of Criminal Mischief and Aggravated
Criminal Mischief.**

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

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

1. A person is guilty of aggravated criminal mischief if he that person intentionally ~~ex~~, knowingly or recklessly:

A. Damages or destroys property of another in an amount exceeding \$1,000 in value, having no reasonable ground to believe that he the person has a right to do so; ~~ex~~

B. Damages or destroys property in an amount exceeding \$1,000 in value, to enable any person to collect insurance proceeds for the loss caused; ~~ex~~

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 he the person has a right to do so, and thereby causes a substantial interruption or impairment of service rendered to the public; or

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

Sec. 2. 17-A MRSA §806, sub-§1, as amended by PL 1979, c. 289, is further amended to read:

1. A person is guilty of criminal mischief if, that person intentionally ~~ex~~, knowingly, ~~he~~ or recklessly:

A. Damages or destroys the property of another, having no reasonable ground to believe that he the person has a right to do so; damages or destroys property to enable any person to collect insurance proceeds for the loss caused; or tampers with the property of another, having no reasonable grounds to believe that he the person has the right to do so, and thereby impairs the use of that property; or

B. Damages, destroys or tampers with 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 he the person has a right to do so, and by such conduct recklessly creates a risk of interruption or impairment of services rendered to the public.

STATEMENT OF FACT

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This bill broadens the mental state element of aggravated criminal mischief and criminal mischief by adding the word "recklessly." As amended by the bill, each crime parallels the crime of assault.