MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

17-A MRSA §708, sub-§4, ¶B, as repealed and replaced by PL 1983, c. 198, §2, is amended to read:

B. A Class C crime, if:

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

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

See title page for effective date.

CHAPTER 187

H.P. 821 - L.D. 1149

An Act to Increase the Penalties for Forgery

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

Sec. 1. 17-A MRSA §702, sub-§1, ¶E, as enacted by PL 1975, c. 499, §1, is repealed.

Sec. 2. 17-A MRSA §703, sub-§2, as repealed and replaced by PL 1981, c. 317, §21, is repealed and the following enacted in its place:

2. Violation of this section is:

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

B. A Class C crime if:

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

(2) The actor has 2 prior convictions for any combination of theft, violation or attempted violation of this section, violation or attempted violation of 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 violation of section 651. Determination of whether a conviction constitutes a prior conviction for purposes of this subsection shall be pursuant to section 362, subsection 3-A; or

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

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

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

See title page for effective date.

CHAPTER 188

S.P. 298 - L.D. 796

An Act to Remove the Present Dollar Limit on Funeral, Cremation and Burial Expenses Relative to Restitution by Criminal Offenders

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

17-A MRSA §1322, sub-§3, ¶A, as enacted by PL 1977, c. 455, §3, is amended to read:

A. Allowable expense. "Allowable expense" means reasonable charges incurred for reasonably needed products, services and accommodations, including those for medical care, rehabilitation, rehabilitative occupational training and other remedial treatment and care, and nonmedical remedial care and treatment rendered in accordance with a recognized religious method of healing. The term includes ~~a total charge not in excess of $500~~ reasonable and customary charges incurred for expenses in any way related to funeral, cremation and burial. It does not include that portion of a charge for a room in a hospital, clinic, convalescent or nursing home, or any other institution engaged in providing nursing care and related services, in excess of a reasonable and customary charge for semiprivate accommodations, unless other accommodations are medically required.

See title page for effective date.

CHAPTER 189

H.P. 721 - L.D. 990

An Act to Ensure Representation on the Committee to Advise the Department of Human Services on AIDS