

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 757, L.D. 1061, Bill, "An Act to Increase the Penalties for Repeat Violations of the Prostitution Laws"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 17-A MRSA §852, sub-§3, as enacted by PL 1975, c. 499, §1, is amended to read:

3. Aggravated promotion of prostitution is a Class G B crime.

Sec. 2. 17-A MRSA §853-A, sub-§3 is enacted to read:

3. Engaging in prostitution is a Class D crime if, at the time of the offense, the person has one prior conviction for engaging in prostitution within a 2-year period. For purposes of this subsection, a prior conviction has occurred within the 2-year period if the date of docket entry by the clerk of a judgment of conviction is 2 years or less from the date of the new conduct which is penalized or for which the penalty is or may be enhanced. The date of the new offense shall be presumed to be that stated in the complaint, information or indictment, notwithstanding the use of the words "on or about" or their equivalent.

Sec. 3. 17-A MRSA §853-B, sub-§3 is enacted to read:

3. Engaging a prostitute is a Class D crime if, at the time of the offense, the person has one prior conviction for engaging a prostitute within a 2-year period. For purposes of this subsection, a prior conviction has occurred within the 2-year period if the date of docket entry by the clerk of a judgment of conviction is 2 years or less from the date of the new conduct which is penalized or for which the penalty is or may be

1 enhanced. The date of the new offense shall be presumed to be
3 that stated in the complaint, information or indictment,
5 notwithstanding the use of the words "on or about" or their
7 equivalent.

9
11 **FISCAL NOTE**

13 Enactment of this bill will increase the sentencing class
15 for violations of the prostitution laws and may result in the
increased cost of court-appointed counsel for indigent
defendants, as more serious crimes require more preparation by
counsel. The Judicial Department has indicated that it can
absorb the costs within its resources.'

17
19 **STATEMENT OF FACT**

21 This amendment replaces the bill and increases the sentences
23 for aggravated promotion of prostitution and 2nd offenses of
engaging in prostitution and engaging a prostitute. The
conviction for the prior offense must have been entered within
25 the 2 years preceding the latest offense for the new crime to be
a Class D crime.
27

Reported by the Committee on Judiciary
Reproduced and distributed under the direction of the Clerk of the
House
5/30/89 (Filing No. H-338)