

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

---

Legislative Document

No. 1296

H.P. 893

House of Representatives, March 15, 2005

### An Act To Provide for Victims of Trafficking

---

Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MARRACHÉ of Waterville.  
Cosponsored by Representatives: BOWLES of Sanford, CANAVAN of Waterville, CARR of Lincoln, CRAVEN of Lewiston, CUMMINGS of Portland, HUTTON of Bowdoinham, PERCY of Phippsburg, Senator: WESTON of Waldo.

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

4 **CONCEPT DRAFT**  
6 **SUMMARY**

8 This bill is a concept draft pursuant to Joint Rule 208.

10 This bill proposes to enact 2 types of legislative  
12 initiatives to combat the trafficking of human beings across  
14 borders and into the State for sexual and labor exploitation.

16 1. This bill would amend the criminal laws to enact a  
18 comprehensive antitrafficking law that would:

20 A. Make trafficking of women, men and children into the  
22 State from other countries a Class B crime;

24 B. Enact protections from prosecution for the women, men  
26 and children who have been trafficked into our State;

28 C. Prohibit a trafficker's assertion of the victim's  
30 alleged consent to be used as a defense; and

32 D. Hold responsible a landowner or employer who knew or  
34 should have known that trafficking was occurring on premises  
36 over which the landowner or employer exerted control.

38 2. This bill would establish a task force of experts to  
40 determine the nature and extent of trafficking in the State and  
42 make recommendations for legislative, policy and programmatic  
44 initiatives.

46 The task force would be composed of Legislators appointed by the  
48 President of the Senate and the Speaker of the House of  
Representatives; the Attorney General; the Commissioner of Health  
and Human Services; the Commissioner of Public Safety; the  
Commissioner of Labor; local law enforcement officials; health  
care providers; social service agency representatives; advocates  
for refugee and immigrant women, men and children; and providers  
of services and support for survivors of domestic violence and  
sexual assault.

Specifically, the task force would:

A. Identify available federal, state and local programs  
that provide services to victims of trafficking that  
include, but are not limited to, health care, human  
services, housing, education assistance, job training or

- 2 preparation, interpreting services, English as a second  
language classes and immigration services;
- 4 B. Collect research and information on trafficking victims  
and evaluate state and local government approaches to  
6 increasing public awareness of the trafficking in persons;
- 8 C. Review antitrafficking legislation considered and  
enacted in other states such as Hawaii, Washington and  
10 Texas, including legislation designed to regulate "bride  
trafficking" and "international matchmaking organizations";  
12
- 14 D. Work with prosecutors and law enforcement officials to  
develop methodologies for data collection and strategies to  
reduce barriers faced by victims of trafficking who might  
16 seek assistance; and
- 18 E. Make recommendations on methods to provide a coordinated  
system of support to persons who are victims of trafficking.