

MAINE STATE LEGISLATURE

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Date: 3/28/14

L.D. 1730
(Filing No. H-763)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1238, L.D. 1730, Bill, "An Act To Assist Victims of Human Trafficking"

Amend the bill by striking out everything after the title and before the summary and inserting the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, human trafficking is occurring in Maine; and

Whereas, victims of human trafficking need assistance as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §3360, sub-§3, ¶G, as amended by PL 2009, c. 336, §1, is further amended to read:

G. Leaving the scene of a motor vehicle accident involving personal injury or death, in violation of Title 29-A, section 2252; ~~or~~

Sec. 2. 5 MRSA §3360, sub-§3, ¶H, as amended by PL 2009, c. 336, §2, is further amended to read:

H. Sexual exploitation of a minor as described in Title 17-A, chapter 12-; or

Sec. 3. 5 MRSA §3360, sub-§3, ¶J is enacted to read:

J. Aggravated sex trafficking or sex trafficking as described in Title 17-A, sections 852 and 853, respectively.

1 compensation, as well as providing additional funding sources. It allows a victim of
2 aggravated sex trafficking or sex trafficking to seek compensation from the Victims'
3 Compensation Fund for medical and other costs. It also assesses \$1,000 on any person
4 convicted of aggravated sex trafficking, \$500 on any person convicted of sex trafficking,
5 \$500 on any person for the first conviction and \$1,000 for each subsequent conviction of
6 engaging in prostitution and \$500 on a person for the first conviction and \$1,000 for each
7 subsequent conviction of patronizing prostitution of a minor or patronizing prostitution of
8 a mentally disabled person.

9 This amendment establishes an affirmative defense to the crime of engaging in
10 prostitution. The person charged with engaging in prostitution may raise the affirmative
11 defense that the person engaged in prostitution because the person was compelled to do
12 so as described in the provisions regarding the crime of aggravated sex trafficking.

13 It also adds an emergency preamble and emergency clause to the bill.

14 **FISCAL NOTE REQUIRED**

15 **(See attached)**



126th MAINE LEGISLATURE

LD 1730

LR 2514(02)

An Act To Assist Victims of Human Trafficking

Fiscal Note for Bill as Amended by Committee Amendment "A" (CH-763)

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$8,500	\$8,500	\$8,500
Revenue				
Other Special Revenue Funds	\$0	\$8,500	\$8,500	\$8,500

Fiscal Detail and Notes

This bill increases revenue accruing to the Department of the Attorney General, Victim's Compensation Board, Other Special Revenue Funds account by placing an assessment on individuals convicted of certain sex trafficking and prostitution crimes as part of the sentence imposed by the court. It is estimated to generate \$8,500 annually beginning in fiscal year 2014-15. It also provides an allocation equal to the new revenue.