

# MAINE STATE LEGISLATURE

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Date: 8/2/2017

(Filing No. S-341)

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STATE OF MAINE  
SENATE  
128TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 525,  
L.D. 745, Bill, "An Act To Prohibit Female Genital Mutilation"

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

'Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 17-A MRSA §214 is enacted to read:

**§214. Female genital mutilation of a minor**

1. A person is guilty of female genital mutilation of a minor if:

A. The person for nonmedical purposes circumcises, excises, mutilates or infibulates, in whole or in part, the labia majora, labia minora or clitoris of a female person under 18 years of age. A violation of this paragraph is a Class A crime.

2. For the purposes of this section, "nonmedical purposes" includes, but is not limited to, purposes of religion, custom or ritual.

3. It is not a defense to a violation of subsection 1 that the female person under 18 years of age or the parent, guardian or person who has immediate custody of the female person under 18 years of age consented to the circumcision, excision, mutilation or infibulation.

4. It is a defense to a violation of subsection 1 that:

A. The circumcision, excision, mutilation or infibulation was done for purposes related to the health of a female person under 18 years of age as determined to be necessary by a physician licensed pursuant to Title 32, chapter 36 or 48.

**Sec. 2. Department of Health and Human Services; community-based education and outreach relating to female genital mutilation.** The Department of Health and Human Services, within its existing resources, shall provide community-based education and outreach that is culturally specific for communities in the State in which female genital mutilation of minors might be practiced. Services to be provided include, but are not limited to:

**SENATE AMENDMENT**

FOFS

- 1           1. Distribution of educational materials regarding the health risks and emotional
- 2           trauma inflicted by and relating to the practice of female genital mutilation;
- 3           2. Distribution of educational materials relating to the federal prohibition on and
- 4           penalties for female genital mutilation of a minor under 18 United States Code, Section
- 5           116, penalties for female genital mutilation of a minor that may be assessed in the State
- 6           under the Maine Criminal Code and mandatory reporting requirements relating to female
- 7           genital mutilation of a minor pursuant to the Maine Revised Statutes, Title 22, section
- 8           4011-A, subsection 1; and
- 9           3. Outreach and provision of culturally specific support services to victims of female
- 10          genital mutilation in the State.'

**SUMMARY**

12           This amendment amends the bill, as amended by Committee Amendment "A," to

13           remove language that makes it a crime for a parent, guardian or person who has

14           immediate custody of a female person under 18 years of age to consent to or permit

15           female genital mutilation of that female person for nonmedical purposes or for a person to

16           remove the female person from the State for such a procedure. This amendment also

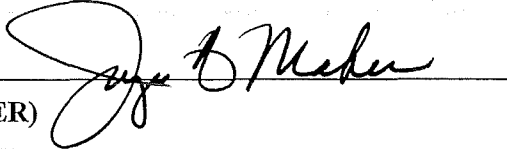
17           incorporates language from Senate Amendment "C" to Committee Amendment "A,"

18           which directs the Department of Health and Human Services, within its existing

19           resources, to administer education and outreach to communities in the State in which the

20           procedure might be practiced.

21          SPONSORED BY:



22           (Senator MAKER)

23           COUNTY: Washington