

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

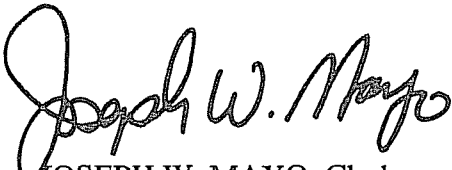
Legislative Document

No. 64

H.P. 48

House of Representatives, January 19, 1993

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative OTT of York.

Cosponsored by Representative MARSHALL of Eliot and Senator LAWRENCE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-THREE

**An Act to Establish Consecutive Sentencing and Mandatory Minimum
Sentences for Certain Persons Convicted of Gross Sexual Assault.**

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

4 Sec. 1. 17-A MRSA §1252, sub-§5-B is enacted to read:

6 5-B. Notwithstanding any other provision of this Code, for
8 a person who has previously been convicted of violating section
10 253, who is convicted of a subsequent violation of section 253,
12 the minimum sentence of imprisonment, which may not be suspended,
14 is as follows: When the sentencing class is Class A, the minimum
term of imprisonment is 10 years; when the sentencing class is
Class B, the minimum term of imprisonment is 7 years; and when
the sentencing class is Class C, the minimum term of imprisonment
is 5 years.

16 Sec. 2. 17-A MRSA §1256, sub-§1-B is enacted to read:

18 1-B. Other provisions of this section notwithstanding, when
20 a person subject to an undischarged term of imprisonment for a
22 violation of section 253 is convicted of a subsequent violation
of section 253, the sentence runs consecutively to the
undischarged term of imprisonment. No portion of this sentence
may be suspended.

24 STATEMENT OF FACT

26 This bill establishes mandatory minimum sentences for repeat
28 offenders convicted of gross sexual assault. The bill also
30 specifies that when a person subject to a term of imprisonment
for a violation of gross sexual assault is convicted of another
violation of that crime, the sentences run consecutively.