

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 300

H.P. 222

House of Representatives, January 14, 1999

An Act to Require Life Imprisonment for Habitual Violent Offenders.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WATERHOUSE of Bridgton.
Cosponsored by Senator CAREY of Kennebec and
Representatives: AHEARNE of Madawaska, BUCK of Yarmouth, MACK of Standish,
McALEVEY of Waterboro, SNOWE-MELLO of Poland, WHEELER of Eliot, Senator:
BENOIT of Franklin.

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

4 **Sec. 1. 17-A MRSA §1251-A is enacted to read:**

6 **§1251-A. Imprisonment for habitual violent offenders**

8 **1. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.**

10 **A. "Habitual violent offender" means a person who:**

12 **(1) Is convicted in this State of any violent offense;**
14 **and**

16 **(2) Has 2 prior convictions for violent offenses in**
18 **this State or 2 prior convictions for conduct**
20 **substantially similar to a crime listed in paragraph B**
22 **that is a crime under the laws of the United States or**
24 **any other state. For purposes of this paragraph, the**
26 **dates of both of the prior convictions must precede the**
28 **commission of this offense. The date of the conviction**
is deemed to be the date that the sentence is imposed,
even though an appeal was taken. The date of a
commission of a prior offense is presumed to be that
stated in the complaint, information, indictment or
other formal charging instrument, notwithstanding the
use of the words "on or about" or the equivalent.

30 **B. "Violent offense" means one of the following offenses:**

32 **(1) Murder;**

34 **(2) Felony murder;**

36 **(3) Manslaughter;**

38 **(4) Aggravated assault;**

40 **(5) Elevated aggravated assault;**

42 **(6) Gross sexual assault;**

44 **(7) Sexual abuse of a minor;**

46 **(8) Unlawful sexual contact;**

48 **(9) Sexual exploitation of a minor;**

50 **(10) Kidnapping;**

