

SENATOR LINDSAY: That would be accurate.

SENATOR BEUTLER: Okay. And what we are dealing with right now is just that pile of offenses that are violent crime and whether or not you add this motor vehicle homicide provision into the violent crime side of the habitual criminal statute, right?

SENATOR LINDSAY: That would be accurate.

SENATOR BEUTLER: Okay, so, if...the consequence then is if we adopt the amendment, the mandatory minimum sentence that would be applied to this person, assuming that they were convicted, would be 25 years, and a maximum term of not more than 60, right?

SENATOR LINDSAY: Yes.

SENATOR BEUTLER: Okay. If we decline to accept the amendment, and that's why I wasn't sure about, and I am not sure other people were sure about, if we decline to accept the amendment, this person is still prosecutable, can still be a habitual criminal and may be prosecuted as such, but it would be under the other section of the habitual criminal law, and they would then be subject to a mandatory minimum sentence of 10 years as opposed to a mandatory minimum sentence of 25 years, is that correct?

SENATOR LINDSAY: That's correct.

SENATOR BEUTLER: Right, so they are not getting off the hook completely or getting out from under the habitual criminal statute but rather it is a difference as to whether you want a 10 year or a 25 year...

SENATOR LINDSAY: Right.

SENATOR BEUTLER: ...mandatory term to apply. Okay. The second question I have, and I just couldn't remember this, are there any time limits on habitual criminals? If I'm a kid and I am involved in a motor vehicle homicide at the same time I'm involved in something else that's pretty horrible, I live a clean life until I am 50, and then I got another case, the habitual criminal statute would still apply so long as they are the types of offenses described in the statute, is that correct? So I...I mean there is no...