

(3) Whether any [mitigating] AGGRAVATING circumstances found under [subsection (g)] SUBSECTION (D) OF THIS SECTION outweigh the [aggravating] MITIGATING circumstances found under [subsection (d)] SUBSECTION (G) OF THIS SECTION;

(4) Whether the aggravating circumstances found under subsection (d) [are not outweighed by] DO NOT OUTWEIGH mitigating circumstances under subsection (g); and

(5) The sentence, determined in accordance with subsection (f) or (h).

414.

(a) Whenever the death penalty is imposed, and the judgment becomes final, the Court of Appeals shall review the sentence on the record.

(e) In addition to the consideration of any errors properly before the Court on appeal, the Court of Appeals shall consider the imposition of the death sentence. With regard to the sentence, the Court shall determine:

(1) Whether the sentence of death was imposed under the influence of passion, prejudice, or any other arbitrary factor;

(2) Whether the evidence supports the jury's or court's finding of a statutory aggravating circumstance under § 413(d);

(3) Whether the evidence supports the jury's or court's finding that the aggravating circumstances [are not outweighed by] OUTWEIGH THE mitigating circumstances; and

(4) Whether the sentence of death is excessive or disproportionate to the penalty imposed in similar cases, considering both the crime and the defendant.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

Approved May 12, 1992.

CHAPTER 245

(Senate Bill 329)

AN ACT concerning

Apprenticeship and Training Council – ~~Duties~~ Reciprocity Agreements

FOR the purpose of ~~altering the duties of~~ authorizing the Apprenticeship and Training Council of the Department of Economic and Employment Development to ~~include formulating and adopting~~ negotiate and adopt certain agreements of reciprocity.

BY repealing and reenacting, ~~with~~ without amendments,