

MAINE STATE LEGISLATURE

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Rds

L.D. 802

DATE: 5/4/95

(Filing No. H-204)

CRIMINAL JUSTICE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "*A*" to H.P. 592, L.D. 802, Bill, "An Act to Enhance Criminal Penalties for Hate Crimes"

Amend the bill by striking out the title and substituting the following:

'An Act to Amend the General Sentencing Provisions'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 17-A MRSA §1151, sub-§8, as repealed and replaced by PL 1983, c. 480, Pt. B, §24, is amended to read:

8. To permit sentences which that do not diminish the gravity of offenses, with reference to the ~~factor~~ factors, among others, of ~~the-age-of-the-victim~~;

A. The age of the victim; and

B. The selection by the defendant of the person against whom the crime was committed or of the property that was damaged or otherwise affected by the crime because of the race, color, religion, sex, ancestry, national origin, physical or mental disability or sexual orientation of that person or of the owner or occupant of that property.'

STATEMENT OF FACT

This amendment replaces the original bill. The amendment emphasizes that courts may take into consideration, as a factor

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COMMITTEE AMENDMENT "A" to H.P. 592, L.D. 802

2 leading to enhancement of sentences, that a crime was motivated
by the minority status of the victim. This amendment does not
4 affect the authority of courts to rely on other factors in
deciding upon appropriate sentences. Instead, this amendment
6 only emphasizes the importance of the factor of selecting victims
because of their membership in a minority.

COMMITTEE AMENDMENT