

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 940

H. P. 702

House of Representatives, February 3, 1965

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Lund of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Appeals by State on Questions of Law in Criminal Cases.

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

R. S., T. 15, § 2115-A, additional. Section 15 of the Revised Statutes is amended by adding a new section 2115-A to read as follows:

§ 2115-A. Appeals by State on questions of law

The State shall have the same right of appeal on questions of law in criminal cases in District Court and Superior Court as a person charged with an offense. In the event the person charged is without funds with which to pay counsel for representing him on the appeal, then the court shall in its discretion appoint the same counsel or new counsel in connection with the appeal, compensation to be paid as in other cases of appointment of counsel.

In the event it shall appear that the person charged with an offense is unable to obtain bail for his release pending the appeal, the court may in its discretion release him upon his personal recognizance or on such other conditions as it deems appropriate to avoid unnecessary confinement.'