

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1169

S. P. 383

In Senate, March 3, 1971

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Shute of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Mental Examination of Persons Accused of Crime.

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

R. S., T. 15, § 101, amended. The first sentence of section 101 of Title 15 of the Revised Statutes, as repealed and replaced by chapter 279 of the public laws of 1969, is amended to read as follows:

When a finding of probable cause has been made or an indictment has been returned against a person or a person has taken an appeal to the Superior Court, a Justice of the Superior Court, if requested by the attorney for the respondent, or ~~provided that the respondent consents in all cases~~ if requested by the prosecuting attorney where a respondent raises the issue of criminal responsibility or indicates to the Court he is going to raise the issue of criminal responsibility, or by the court on its own motion, may order the respondent examined to determine his mental condition with reference to the issues of criminal responsibility and competence to stand trial.

STATEMENT OF FACT

The purpose of this bill is to allow the State to request the court to order psychiatric examination of defendants formally charged with criminal violations.