

# MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

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Legislative Document

No. 1378

H. P. 991

House of Representatives, February 8, 1961

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

HARVEY R. PEASE, Clerk

Presented by Mr. Berman of Houlton.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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AN ACT Relating to Criminal Conduct Because of Mental Disease.

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

**R. S., c. 149, §§ 38-A - 38-B, additional.** Chapter 149 of the Revised Statutes, as amended, is further amended by adding 2 new sections to be numbered 38-A and 38-B, to read as follows:

**'Mental Responsibility for Criminal Conduct.**

**Sec. 38-A. Responsibility.** An accused is not criminally responsible if his unlawful act was the product of mental disease or defect.

**Sec. 38-B. When acquitted.** When the respondent is acquitted on the ground of mental disease or mental defect excluding responsibility, the verdict and the judgment shall so state and the court shall order him to be committed to the custody of the Commissioner of Mental Health and Corrections to be placed in an appropriate institution for custody, care and treatment.'