

# MAINE STATE LEGISLATURE

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September 12, 1951

To Harold A. Pooler, M. D., Superintendent, Bangor State Hospital  
Re: Commitments under Chapter 374, P. L. 1951

With regard to Chapter 374, Public Laws of 1951, entitled, "An Act Relating to the Commitment to Mental Hospitals," we wish to inform you that a careful consideration of the provisions of that Act shows that there is grave question as to the constitutionality of Sections 104-107, inclusive.

Sections 104 through 107 were apparently intended to be emergency provisions. Because we feel that the constitutional validity of these sections is open to serious question, we therefore advise that in the future you refuse to accept patients whose admission is sought under the procedure set forth therein, until such time as a final determination of the constitutionality of these sections shall have been made by the Law Court.

As to future admissions, we advise you that it is the opinion of this office that you should accept only those patients duly committed to your institution by the proper Probate Court proceedings under Sections 108 et seq.

Alexander A. LaFleur  
Attorney General

jgf/e