

# MAINE STATE LEGISLATURE

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September 1, 1959

To: Perry D. Hayden, Commissioner of Institutional Service

Re: Disposal of Insane Criminals—Sections 118 to 130, C. 27

We have your memo of August 13, 1959, in which you ask for an opinion relating to Chapter 242 of the Public Laws of 1959, the last section of which Act provides that "wherever in the Revised Statutes of Public Laws or Private and Special Laws, the words 'insane' or 'insanity' appear, they shall be amended to the words 'mentally ill' and 'mental illness' except in all instances where the word 'insane' is in reference to the word criminal."

You ask if the sections of law under the heading "Disposal of Insane Criminals", being sections 118 to 130 of Chapter 27, should remain as written or should the words "insane" and "insanity" be changed to read "mentally ill" and "mental illness".

It is our opinion that the words "insane" and "insanity" relate to the word "criminal" in the above-mentioned sections and should remain as written and not changed to "mentally ill" or "mental illness".

James Glynn Frost  
Deputy Attorney General

jgf/cbh