

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 68

H. P. 34

Office of the Clerk of the House

Filed December 21, 1960 under Joint Rule 19A by Mr. Berman of Houlton.
To be printed and delivered to the House of Representatives of the 100th Legislature.

HARVEY R. PEASE, Clerk

Presented by Mr. Berman of Houlton.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Mental Responsibility for Criminal Conduct.

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 Revised Statutes is amended by adding 2 new sections, 38-A and 38-B, to read as follows:

'Mental Responsibility for Criminal Conduct.

Sec. 38-A. Responsibility. A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or mental defect he lacks substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of law. The terms "mental disease" or "mental defect" do not include an abnormality manifested only by repeated criminal or otherwise anti-social conduct.

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.'