

# MAINE STATE LEGISLATURE

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New Draft of: H. P. 991, L. D. 1378  
(New Title)

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O N E - H U N D R E D T H   L E G I S L A T U R E

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**Legislative Document**

**No. 1576**

H. P. 1144

House of Representatives, April 28, 1961

Reported by a Majority of the Committee on Judiciary. Printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk

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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 Acts Due to 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 is 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 mental defect. The terms "mental disease" or "mental defect" do not include an abnormality manifested only by repeated criminal conduct or excessive use of drugs or alcohol.

**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 the mentally ill for custody, care and treatment.'