

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 79

H. P. 68

House of Representatives, January 13, 1965

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

JEROME G. PLANTE, Clerk

Presented by Mrs. Carswell of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

**AN ACT Relating to Hospitalization for Mental Illness of Convicts in County
Jails.**

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

Sec. 1. R. S., T. 15, § 2211-A, additional. Title 15 of the Revised Statutes is amended by adding a new section 2211-A, to read as follows:

‘Sec. 2211-A. Hospitalization for mental illness of convicts. When, in the opinion of the sheriff or the keeper of a county jail, any convict confined in his custody has become mentally ill, he shall apply in writing giving reasons therefor to the Commissioner of Mental Health and Corrections for the transfer of said convict to either hospital for the mentally ill for observation, or care and treatment, and shall accompany said application with the certification of a licensed physician that he has examined said convict and that in his opinion such person is mentally ill and is in need of observation, or care and treatment in a mental hospital.

Pursuant to said application the commissioner may order the transfer of said convict from the jail to either hospital for the mentally ill for observation, or care and treatment. The order of said commissioner, together with a copy of the original mittimus attested by the sheriff or jail keeper and the certificate of said licensed physician, shall authorize the superintendent of the hospital to which the convict is ordered transferred to receive and detain said convict.

Any convict so transferred shall be held in custody in the same manner as if he had been committed under section 103.

The transfer authorized in this section shall have no effect on the original sentence, which shall continue to run, and if the original sentence has not expired

when such patient is determined by the superintendent to be ready for discharge, such patient shall be returned to the jail from which he was transferred.

If prior to the expiration of the original sentence it is the opinion of the superintendent that such patient should remain hospitalized after expiration of sentence, the said patient may be readmitted to said hospital, as a voluntary patient under Title 34, section 2291, or upon application of the superintendent under Title 34, section 2332 or section 2334.

All expenses incident to such transfer or return, except expenses for support, shall be paid from the treasury of the county wherein said convict was originally tried and convicted.'

Sec. 2. R. S., T. 15, §§ 2211-2214 and 2216, repealed. Sections 2211 to 2214 and section 2216 of Title 15 of the Revised Statutes are repealed.