

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 550

S. P. 167

In Senate, February 6, 1975

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Amending the Definition of Mental Disease and Mental Defect for the Purpose of Criminal Responsibility.

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

15 MRSA, § 102, last sentence is amended to read:

The terms "mental disease" or "mental defect" do not include a personality disorder as clinically defined as distinguished from major organic or functional psychoses, or an abnormality manifested only by repeated criminal conduct or excessive use of drugs or alcohol.

STATEMENT OF FACT

This bill excludes from the definition of "mental disease" or "mental defect" psychiatric disorder generally known as personality disorder. Such disorders are characterized by maladaptive behavior which is generally of long standing and which is not amenable to treatment. A person who has committed a criminal offense and who has a personality disorder as distinguished from a major psychiatric disorder is more appropriately dealt with through the correctional system. The inability to treat a personality disorder within the mental hospital setting renders such hospitalization nothing more than incarceration.