

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 398

House of Representatives, March 12, 1919.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Holley of North Anson.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT to Amend Chapter 145 of the Revised Statutes as
Amended, Relative to Commitment of the Insane.

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

Section seventeen of chapter one hundred forty-five of
2 the revised statutes as amended by chapter one hundred
3 twenty of the public laws of nineteen hundred seventeen
4 is hereby amended by inserting after the word "insanity"
5 in the sixteenth line thereof the words, 'what part, if any,
6 of his support he or his relatives liable are able to pay,' so
7 that said section as amended shall read as follows:

'Sect. 17. Insane persons, not thus sent to any hospital,
2 shall be subject to examination as hereinafter provided.

3 The municipal officers of towns shall constitute a board of
4 examiners, and on complaint in writing of any blood-rela-
5 tive, husband or wife of said alleged insane person, or of
6 any justice of the peace, they shall immediately inquire
7 into the condition of any person in said town alleged to
8 be insane; shall appoint a time and place for a hearing
9 by them of the allegations of said complaint, and shall
10 cause to be given in hand to the person so alleged to be
11 insane, at least twenty-four hours prior to the time of
12 said hearing, a true copy of said complaint, together with
13 a notice of the time and place of said hearing and that
14 he has the right and will be given opportunity then and
15 there to be heard in the matter; shall call before them all
16 testimony necessary for a full understanding of the case;
17 and if they think such person insane, and that his com-
18 fort and safety, or that of others interested, will thereby
19 be promoted, they shall forthwith send him to one of the
20 insane hospitals, with a certificate stating the fact of his
21 insanity, what part, if any, of his support he or his rela-
22 tives liable are able to pay, and the town in which he re-
23 sided or was found at the time of examination, and direct-
24 ing the superintendent to receive and detain him until he
25 is restored or discharged by law, or by the superintendent
26 or trustees. They shall keep a record of their doings, and
27 furnish a copy to any interested person requesting and pay-
28 ing for it.'

Section twenty-one of said chapter is hereby amended by

2 striking out all of said section and substituting in place
3 thereof the following:

‘Sect. 21. The trustees may in their discretion investi-
2 gate or cause to be investigated the allegations contained
3 in any certificate provided for in the preceding section
4 and if such investigation discloses the fact that any per-
5 son was or may be lawfully liable for all or any part of
6 the support of the insane person mentioned in any such
7 certificate, the trustees shall collect by action in the name
8 of the state, if necessary, all sums which have been paid
9 by the state to the hospital for board of such insane per-
10 son from the person lawfully liable as aforesaid, or such
11 part thereof as such person liable is able to pay, and there-
12 after so long as the liability of any such person to support
13 partially or wholly any insane person may lawfully exist,
14 the state shall only be required to pay to said hospital such
15 part of the reasonable expenses of the support of such
16 insane person as such person liable therefor is unable to
17 pay. In making such collection, the trustees may in their
18 discretion make any discount which they deem proper for
19 the purpose of effecting a settlement. All moneys collect-
20 ed under the provisions of this section shall be forthwith
21 turned over to the treasurer of state, who shall receipt for
22 the same; and the expenses of the collection of said moneys
23 shall be charged against and paid out of any sums so col-
24 lected and turned over; all bills for such expenses shall

25 be audited by the state auditor and paid out of the state
26 treasury upon the certificate of the state auditor.'

Section thirty of said chapter is hereby amended by strik-
2 ing out after the word "insane" in the second line thereof
3 the words "if able" and adding at the end of said section
4 the words 'or such part thereof as he or they may be able
5 to pay.' So that said section as amended shall read:

'Sect. 30. The state may recover from the insane, or
2 from persons legally liable for his support, the reasonable
3 expenses of his support in either insane hospital, or such
4 part thereof as he or they may be able to pay.'