

MAINE STATE LEGISLATURE

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NINETY - SECOND L E G I S L A T U R E

Legislative Document

No. 833

S. P. 318

In Senate, February 14, 1945.

Referred to Committee on Judiciary in concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Bishop of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to the Determination of Mentally Defective Children.

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

R. S., c. 133, § 6, amended. Section 6 of chapter 133 of the revised statutes is hereby amended to read as follows:

'Sec. 6. Powers of the court in juvenile cases. A municipal court may place children under the age of 17 years under the supervision, care, and control of a probation officer or an agent of the department of health and welfare or may order the child to be placed in a suitable family home subject to the supervision of a probation officer or the department of health and welfare or may commit such child to the department of health and welfare or make such other disposition as may seem best for the interests of the child and for the protection of the community including holding such child for the grand jury or commitment of such child to the Pownal State School upon certification of 2 physicians who are graduates of some legally organized medical college and have practiced 3 years in this state, that such child is mentally defective and that his or her mental age is ~~12 years or~~ **under not greater than $\frac{3}{4}$ of subject's life age nor under 3 years**, or to the state school for boys or state school for girls; but no boy shall be committed to the state school for boys who is under the age of 11 years and no girl shall be committed to the state school for girls who is under the age of 9 years, and no municipal court shall sentence a child under the age of 17

years to jail, reformatory, or prison; any child or his next friend or guardian may appeal to the superior court in the same county in the same manner as in criminal appeals, and the court may accept the personal recognizance of such child, next friend, or guardian, and said superior court may either affirm such sentence or order of commitment or make such other disposition of the case as may be for the best interests of such child and for the peace and welfare of the community.'