

MAINE STATE LEGISLATURE

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NINETY-SEVENTH LEGISLATURE

Legislative Document

No. 720

H. P. 643

House of Representatives, February 15, 1955.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Thomas of Anson.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Age of Commitment to State School for Boys.

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

Sec. 1. R. S., c. 27, § 77, amended. The 1st sentence of section 77 of chapter 27 of the revised statutes is hereby amended to read as follows:

'When a boy between the ages of 9 11 and 17 years is convicted before any court having jurisdiction of an offense punishable by imprisonment in the State Prison, not for life, or in the county jail or in the house of correction, such court may order his commitment to the State School for Boys or sentence him to the punishment provided by law for the same offense.'

Sec. 2. R. S., c. 146, § 6, amended. The 1st paragraph of section 6 of chapter 146 of the revised statutes is hereby amended to read as follows:

'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 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 9 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 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.'