

MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 906

S. P. 330

In Senate, February 25, 1959

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Lord of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to the Pineland Hospital and Training Center
and the Commitment of the Insane.

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

Sec. 1. R. S., c. 27, § 102-A, repealed. Section 102-A of chapter 27 of the Revised Statutes, as enacted by chapter 207 of the public laws of 1957, is repealed.

Sec. 2. R. S., c. 27, § 103, repealed. Section 103 of chapter 27 of the Revised Statutes is repealed.

Sec. 3. R. S., c. 27, § 104, amended. The first sentence of section 104 of chapter 27 of the Revised Statutes is repealed and the following sentence enacted in place thereof:

'Insane persons, over 16 years of age, may be admitted to state institutions for the insane but shall be subject to examination.'

Sec. 4. R. S., c. 27, § 143, repealed and replaced. Section 143 of chapter 27 of the Revised Statutes, as amended by section 1 of chapter 21 of the public laws of 1957, is repealed and the following enacted in place thereof:

'Sec. 143. Management; ages of inmates. The Pineland Hospital and Training Center, heretofore established at New Gloucester in the County of Cumberland, shall be maintained for the care and education of persons of both sexes between the ages of 5 years and 55 years who are mentally retarded.'

Sec. 5. R. S., c. 27, §§ 143-A - 143-C, additional. Chapter 27 of the Revised Statutes is amended by adding 3 new sections to be numbered 143-A to 143-C, to read as follows:

Sec. 143-A. Further purposes of Pineland Hospital and Training Center. Said hospital and training center shall further be maintained for the care and education of such children between the ages of 6 years and 16 years as are deemed by the Superintendent of said Pineland Hospital and Training Center to be suffering from psychoses, neuroses, psychoneuroses, behavior disorders or other mental disabilities.

Sec. 143-B. Admittance of children between the ages of 6 years and 16 years with mental disabilities. Any child falling within the description mentioned in section 143-A may be admitted to the Pineland Hospital and Training Center upon written application made therefor by the parent, guardian, natural guardian, or person or institution having custody of such child. Such application shall be sworn to by the applicant before any person qualified to take oaths in the State of Maine and shall be accompanied by the certificate of a reputable physician licensed to practice medicine and surgery in the State of Maine that such child is suffering from mental disability and, in the opinion of the physician, is a fit subject for said hospital and training center, which said certificate shall be sworn to by such physician in the manner provided in the case of such application. The physician who makes such certificate shall have examined such child within 5 days of signing and making oath to such certificate, and admission to said hospital and training center shall be completed within 15 days thereafter or said application and certificate shall be invalidated.

Sec. 143-C. Discharge of patients. If any child is received for care under section 143-B and is deemed by the Superintendent of the Pineland Hospital and Training Center not to be a proper person for further care in said institution, he shall be discharged forthwith and the person or institution executing the original application in such case shall immediately remove such child from such institution and, if not so removed, such person or institution shall be liable to the State of Maine for all reasonable expenses incurred on account of such child thereafter and until such discharge is effected.

No child received under section 143-B shall be detained more than 10 days after the parent, guardian or natural guardian of such child, or the persons or institution having the right to custody of such child, has filed with the said superintendent written notice of his or its intention or desire to have such child released from said institution. No child received under section 143-B shall be detained beyond his 18th birthday unless the condition of such patient at that time is deemed by the superintendent of said institution to be such that further hospital care is necessary because such child is mentally ill and could not be discharged with safety to himself and others; in which event said superintendent shall forthwith cause application to be made for the commitment of such child as mentally ill under sections 104, 105, 106 and 110 and during the pendency of such application, said superintendent may detain him at said institution but in no event for a period longer than 60 days.

Sec. 6. Effective date. This act shall take effect on September 1, 1960.