

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

'The Chief of the State Police may issue licenses to operate such amusement for a period of 6 days to any fair association or bona fide charitable, educational, fraternal, patriotic, religious or veterans organization which was in existence at least 2 years prior to its application for a license, when sponsored, operated and conducted for the exclusive benefit of such organization by duly authorized members thereof; ~~provided that said~~. Said 2 years years' limitation shall not apply to any chartered posts of veterans organizations, nationally established, even though such posts have not been in existence for 2 years prior to their application for a license; and ~~provided further, that a license may be issued to a fair association to operate such amusement in conjunction with its annual fair when sponsored, operated and conducted for the benefit of such fair association.'~~

Effective August 28, 1957

Chapter 207

AN ACT Relating to Age of Admission to State Hospitals.

Emergency preamble. Whereas, the youngest age at which persons may be admitted to a State Hospital is 12 years; and

Whereas, there are in the State persons under this age who are mentally ill and in great need of treatment in a State Hospital; and

Whereas, such persons cannot now be accepted for treatment in a State Hospital; and

Whereas, such persons are dangerous to the public safety; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now, therefore,

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

R. S., c. 27, § 102-A, additional. Chapter 27 of the Revised Statutes is hereby amended by adding thereto a new section, to be numbered 102-A, to read as follows:

'Sec. 102-A. Admittance of children between 8 and 16 years of age. The Superintendent of the Augusta State Hospital or Bangor State Hospital may, at his discretion, admit to the Hospital any child between the ages of 8 years and 16 years who is deemed by him to be suffering from psychosis, neurosis, psychoneurosis, behavior disorder or other mental disability, upon written application made therefor by the parent, guardian, or natural guardian, or person having custody of such child. Such application, attested and sworn to by the clerk of the municipality where the child is found, shall be accompanied by a certificate of a reputable physician that such person is suffering from mental disability and, in the opinion of the physician, is a fit subject for said Hospital. The physician who makes such certificate shall have examined such child, whose admission is sought, within 5 days of the signing and making oath to this certificate. Admission to the Hospital must be completed within 15 days of the signing of

the certificate or said certificate is invalidated. No child who is feeble-minded and without psychosis shall be eligible for admission to a State Hospital under the provisions of this section. If a child is received for care under this section and is deemed by the Superintendent not to be a proper person for further care in the institution, he shall be discharged forthwith, and the person who signed the original application shall immediately remove such child and, if he is not so removed, such person shall be liable to the State for all reasonable expenses incurred on account of the patient until such discharge is effected.

No person received under this section shall be detained beyond his 16th birthday, unless he shall have been legally committed to such institution, and no such person shall be detained more than 10 days after the applicant for his admission has filed with the said Superintendent written notice of his intention or desire to have the patient released from the institution. If the condition of such patient at the time his release is sought is deemed by the Superintendent to be such that further hospital care is necessary, because the patient is mentally ill and could not be discharged from the institution with safety to himself and others, said Superintendent, after receipt of a request for discharge, shall forthwith cause application to be made for the patient's commitment as mentally ill under the provisions of sections 104, 105, 106 and 110, and during the pendency of such application may detain him under the written application for commitment hereinbefore referred to.

The Superintendent of the Augusta State Hospital or Bangor State Hospital may also, at his discretion, receive and detain for observation, study and treatment, for a period not to exceed 60 days, nor beyond the 16th birthday, any such person between the ages of 8 and 16, from any part of the State, upon written application and as provided for in the first paragraph of this section.

No child under the age of 12 years shall be admitted to the Augusta State Hospital or Bangor State Hospital under the provisions of any statutes other than this section.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective May 2, 1957

Chapter 208

AN ACT Relating to Bail Provisions in Prosecutions Under Liquor Law.

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

R. S., c. 61, § 71, amended. The last 3 sentences of section 71 of chapter 61 of the Revised Statutes are hereby repealed, as follows:

~~'In appeals from any judgment or sentence before such court or magistrate, the penal sum in every recognizance shall be not less than \$500. No recognizance, before such court or magistrate, shall be in a sum less than \$500. In no case shall the penal sum of the recognizance be reduced after being fixed by the court.'~~

Effective August 28, 1957