

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1204

H. P. 883

House of Representatives, February 26, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Lincoln of Bethel.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Mental Illness as a Ground for Divorce.

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

R. S., T. 19, § 691, amended. The first sentence of section 691 of Title 19 of the Revised Statutes is amended to read as follows:

A divorce from the bonds of matrimony may be decreed in the county where either party resides at the commencement of proceedings, for causes of adultery, impotence, extreme cruelty, utter desertion continued for 3 consecutive years next prior to the filing of the complaint, gross and confirmed habits of intoxication from the use of intoxicating liquors, opium or other drugs, cruel and abusive treatment, **mental illness requiring confinement in a mental institution for at least 7 consecutive years next prior to the initiation of a divorce complaint** or, on the complaint of the wife, where the husband being of sufficient ability or being able to labor and provide for her, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her, provided the parties were married in this State or cohabited here after marriage, or if the plaintiff resided here when the cause of divorce occurred, or had resided here in good faith for 6 months prior to the commencement of proceedings, or if the defendant is a resident of this State. **When the divorce has been granted on grounds of mental illness, the court shall make such disposition of the property owned by the parties as the interests of justice may require.**

STATEMENT OF FACT

The purpose of this bill is reflected in the title.