

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 29

H. P. 21

Office of the Clerk of the House

Filed December 10, 1974 under Joint Rule 6 by Mr. McMahon of Kennebunk. To be printed and delivered to the House of Representatives of the 107th Legislature.

E. LOUISE LINCOLN, Clerk

Presented by Mr. McMahon of Kennebunk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Make Legal Confinement for Mental Illness a Ground for Divorce.

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

19 MRSA, § 691, first sentence, as amended by PL 1973, c. 532, is further amended to read:

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, **legal confinement because of mental illness for 3 consecutive years next preceding the filing of the divorce complaint**, or the marital differences are irreconcilable and the marriage has broken down 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 accrued, 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 alleged cause is legal confinement because of mental illness, the court shall appoint a guardian ad litem to represent the interests of the defendant.**

STATEMENT OF FACT

The purpose of this bill is to make legal confinement for mental illness a ground for divorce in Maine.