

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 865

H. P. 683

House of Representatives, March 9, 1977

On motion of Ms. Clark of Freeport, referred to Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Greenlaw of Stonington.

Cosponsor: Mr. Norris of Brewer.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Relating to Partnerships Between Husbands and Wives.

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

Sec. 1. 19 MRSA § 164 is amended by adding at the end a new sentence to read:

This section shall not be construed to mean that a wife is not liable for the debts, contracted in the name of the partnership, of a partnership between husband and herself; nor shall it be construed to prohibit or limit the formation of a partnership between a husband and a wife.

Sec. 2. 31 MRSA § 286, 1st sentence, as enacted by PL 1973, c. 377, § 1, is amended to read:

A partnership shall mean an association of 2 or more persons, **including an association of a husband and wife**, to carry on as co-owners of a business for profit.

STATEMENT OF FACT

A Maine statute, Title 19, section 164, enacted during the 19th Century to protect the property of married women, has been construed by the Maine courts to, in effect, prohibit partnerships between husbands and wives. The purpose of this bill is expressly to allow such partnerships.