

# MAINE STATE LEGISLATURE

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September 4, 1936

Sumner P. Mills, Esquire  
Attorney at Law  
Farmington, Maine

Dear Brother Mills:

In answer to the question raised in your letter of August 28, concerning the status of a voter after the first three months removal from one town to another and until the six months period has elapsed, I can only say that our Court has never passed upon it; of which fact you are undoubtedly aware. However this office has advised on several occasions that apparently the legislature through inadvertence in preparing the amendment to the Constitution, failed to amend that section relating to voting after removal from a town, and of course the situation is now that a person must have established his residence for six months but may return and vote in the town from which he removed only during the period of the first three after removing, and there remains a hiatus of three months during which time he is disqualified to vote.

As you say in your letter, it does not seem very sensible that a voter should thus be disfranchised for the three months period, but if you will recall, precisely the same situation obtained before the adoption of the XLIV Amendment to the Constitution which was proclaimed by the Governor on September 24, 1919, to become effective upon the first Wednesday of January, 1920. At the time of the adoption of that amendment, as you will recall, and up until the adoption of the amendment in question, but three months residence was required to establish a voting residence, and during that three months the voter was without the right to vote.

In view of the plain wording of the Constitution I can see no other construction to give it since the language is not at all ambiguous.

Most cordially yours,

Attorney General

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