

# MAINE STATE LEGISLATURE

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February 15, 1937

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Marie J. Provost, Chairman  
Board of Registration  
Lewiston, Maine

Re: Application of Armand Dufresne to be  
admitted as a voter at the March  
municipal election in Lewiston.

Dear Madam:

While I cannot give you an official opinion relative to your inquiry, owing to the fact that the Attorney General can act officially only for the state and state departments in state matters, I am pleased, informally and unofficially, to suggest that from all the information I can get from certain members of the Legislature that enacted Chapter 81 of the Resolves of 1935, it is apparent that it was their intention to make the "six" months apply to persons coming from without the state, and not to persons moving from one city to another.

This may be the reason why no attempt has been made to change and clarify the provisions of section 2 of Chapter 6 of the Revised Statutes of 1930 relative to "qualification of voters", which provides for a residence of "three months".

It appears that at the time of your election Dufresne will have been a resident of your city more than three months. Whether or not, under all the circumstances, he has a legal right to be registered and vote is not wholly free from doubt in the absence of a decision of our courts relative thereto.

In other states there are some decisions which seem to indicate that he is entitled to vote at your city election even though he might not be an "elector for governor, senator and representatives".

In most cases, where there is a reasonable doubt as to the right of a person to vote, the tendency is to grant him that right as under our form of Government the right of suffrage is an inalienable right not to be denied without just cause.

It seems to me that your Board may properly grant Dufresne's request.

Very truly yours,

Sanford L. Fogg  
Deputy Attorney General

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