

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 929

H. P. 723 House of Representatives, February 15, 1973
Referred to Committee on Election Laws. Sent up for concurrence and
ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Connolly of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to the Rights of a Person under Guardianship to Vote.

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

R. S., T. 21, § 245, sub-§ 1, repealed and replaced. Subsection 1 of section 245 of Title 21 of the Revised Statutes, as amended by section 37 of chapter 513 of the public laws of 1965, is repealed and the following enacted in place thereof:

1. Certain persons may not vote. A person under guardianship for reasons of mental illness may not vote unless he presents on the day of election, to the warden at the polls of that person, a letter of affirmation signed by the guardian of that person, dated no more than 10 days prior to that election, stating that it is the best belief of that guardian that said ward exhibits sufficient mental comprehension to vote knowledgeably in said election.

STATEMENT OF FACT

The purpose of this bill is to restore to those mentally ill persons the right to vote at those times when those persons exhibit sufficient mental stability to vote knowledgeably. It provides for this restoration through a procedure of minimal expense to the mentally ill person. It provides a process of appropriate review of the restoration immediately prior to each election. It recognizes that reality of the science of psychiatry that asserts that a mentally ill person may frequently have periods of lucidity and stability sufficient to knowledgeably discharge obligations of the intellect such as voting.