



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2162

H.P. 1514

House of Representatives, April 7, 1999

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Persons with Mental Illness to Vote.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative BRENNAN of Portland. Cosponsored by Senator DAGGETT of Kennebec and Representatives: BRUNO of Raymond, KANE of Saco, MURPHY of Kennebunk, ROWE of Portland, SAVAGE of Buxton, SHIAH of Bowdoinham, TESSIER of Fairfield, Senator: PINGREE of Knox. Constitutional amendment. Resolved: Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

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Constitution, Art. II, §1 is amended to read:

Section 1. Qualifications of electors; written ballot; military service members; students. Every citizen of the United 8 States of the age of 18 years and upwards, excepting-persons under-quardianship-for-reasons-of-montal-illness, having his or 10 her residence established in this State, shall be an elector for Governor, Senators and Representatives, in the city, town or 12 plantation where his or her residence has been established, if he or she continues to reside in this State; and the elections shall 14 be by written ballot. But persons in the military, naval or marine service of the United States, or this State, shall not be 16 considered as having obtained such established residence by being stationed in any garrison, barrack or military place, in any 18 city, town or plantation; nor shall the residence of a student at any seminary of learning entitle the student to the right of 20 suffrage in the city, town or plantation where such seminary is 22 established. No person, however, shall be deemed to have lost residence by reason of the person's absence from the state in the military service of the United States, or of this State. 24

26 Indians. Every Indian, residing on tribal reservations and otherwise qualified, shall be an elector in all county, state and 28 national elections.

; and be it further

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34 **Constitutional referendum procedure; form of question; effective** date. Resolved: That the municipal officers of this State shall 36 notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding 38 a statewide election, at a statewide election, on the Tuesday 50 following the first Monday of November following the passage of 40 this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question: 42

"Do you favor amending the Constitution of Maine to remove the language that prohibits persons under guardianship for reasons of mental illness from voting?"

The legal voters of each city, town and plantation shall 48 vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted,
counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as
votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes
are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the
Constitution on the date of the proclamation; and be it further

 Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town
 and plantation all ballots, returns and copies of this resolution necessary to carry out the purpose of this referendum.

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SUMMARY

18 This Constitutional Resolution proposes, upon approval at referendum, to remove the current restriction that prohibits 20 persons with a mental illness from voting.