



February 4th, 2025

Senator Craig Hickman
Representative Laura Supica
Joint Standing Committee on Veterans and Legal Affairs
State House, Room 437
Augusta, ME 04330

Re: LD 175, *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure that Only Citizens of the United States May Participate in Elections*

Dear Senator Hickman, Representative Supica, and Honorable Members of the Committee;

On behalf of Disability Rights Maine (DRM), I thank you for the opportunity to submit testimony regarding LD 175, *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure that Only Citizens of the United States May Participate in Elections*.

DRM offers this testimony neither for nor against this resolution as a whole. However, we wish to express concerns about the provision that reads, “*except for persons under guardianship for reasons of mental illness.*” Although this language remains in Maine’s Constitution (Article 2, Section 1), it is important to note that this restriction has been litigated and found unconstitutional. In the case *Doe vs. Rowe*, 156 F. Supp. 2d 35 (D. Me.

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2001), the U.S. District Court found that this restriction violated the Equal Protection Clause of the Fourteenth Amendment.

While the harmful language remains in Maine's Constitution, it is important to acknowledge that individuals under guardianship have a legally protected right to participate in the electoral process. Given the court's ruling, removing this language from the bill will have no direct effect on voting rights. However, it will signal Maine's commitment to upholding the rights of all voters with disabilities.

For the foregoing reasons, DRM requests the unconstitutional provision be removed from LD 175.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Molly Thompson".

Molly Thompson /s/
Voting Access Advocate
Disability Rights Maine