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JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS

Testimony of Shenna Bellows, Secretary of State
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Testifying in favor

L.D. 1653, “RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow Persons Under Guardianship for Mental Illness to Be Electors and to Protect All Electors from Harassment and Intimidation”

Senator Hickman, Representative Supica and Members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Shenna Bellows and I am the Secretary of State and the chief elections officer. I am speaking today in support of L.D. 1653.

This bill does two things. First, section one of this bill aligns the Maine Constitution with the U.S. District Court’s decision,¹ which found that "Article II, Section I of the Maine Constitution, along with its implementing statute found in 21-A M.R.S.A. § 115(1), violate both the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment. Thus, the State's disenfranchisement of those persons under guardianship by reason of mental illness is unconstitutional.”² The Court also found that “in implementing its voting restriction, [the State] violated Title II of the ADA and Section 504 of the Rehabilitation Act.”³

Additionally, section two of the bill adds that electors will be exempt from harassment or intimidation on election days. This committee has heard our office discuss several times the importance of voters not being subjected to uncomfortable situations when exercising their constitutional right to vote so we wholeheartedly support adding this provision into the Maine Constitution.

This concludes my testimony. Thank you and I would be happy to answer any questions that the committee may have.

¹ *Doe v. Rowe*, 156 F. Supp.2d 35 (D. Me. 2001).

² *Id.*

³ *Id.*