

1 the Commiteee was suggesting is that the precise limits
2 of this and the determination of what is or is not
3 mental incompetency would be determined by law. I
4 am not so sure in my own mind that that is clear under
5 the next section but that is their intention, as I
6 understand it.

7 MR. MILLER: I think that is fine but if
8 you start defining it, don't you leave it up to change
9 in procedure? Maybe we should say -- well, is there
10 any better way of doing it than the way the law does?
11 You can get a deed from anybody that isn't adjudicated
12 mentally incompetent but if they are, you can't. What
13 is the distinction here? Wouldn't it be safe to leave
14 the other language in?

15 THE CHAIRMAN: I think the only point the
16 Committee was making is that the details for the
17 determination in any given case as to whether a person
18 is or is not mentally incompetent would be determined
19 by statute rather than being spelled out in the
20 Constitution.

21 MR. CASE: It doesn't say that.