

1 disqualify those who are mentally incompetent but leave
2 to the Legislature the procedure and the determination
3 of who is a mental incompetent. Is there any discussion
4 further of that question before we move on? Dr. Bard?

5 DR. BARD: I would like to speak briefly
6 to it; some of us who are serving on Mental Health
7 Commissions recognize that there have been some radical
8 changes in respect to the treatment, interpretation,
9 how we feel about mental incompetents, and the whole
10 element of whether one is institutionalized and how
11 long he is institutionalized has changed radically in
12 this regard and therefore I feel that leaving it to the
13 Legislature has some advantage in that they could
14 benefit from new interpretations as they are made. It
15 leaves the situation far more fluid than keeping it in
16 the Constitution.

17 THE CHAIRMAN: Mrs. Bothe?

18 MRS. BOTHE: I am not too sure what you
19 have asked us to vote on, Mr. Chairman, whether it is
20 in accordance with my remark or not, because the way
21 I read the present wording of Section 4, it specifically