



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1412

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H.P. 908

House of Representatives, March 30, 2023

**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine Establishing That All Maine Residents Have Equal Rights  
Under the Law**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative RECKITT of South Portland.  
Cosponsored by Senator VITELLI of Sagadahoc and  
Representatives: COPELAND of Saco, DHALAC of South Portland, GRAMLICH of Old  
Orchard Beach, PERRY of Calais, SALISBURY of Westbrook, SARGENT of York, SUPICA  
of Bangor, Speaker TALBOT ROSS of Portland.

1 **Constitutional amendment. Resolved:** Two thirds of each branch of the  
 2 Legislature concurring, that the following amendment to the Constitution of Maine be  
 3 proposed:

4 **Constitution, Art. I, §26** is enacted to read:

5 **Section 26. Equality of rights.** Equality of rights under the law may not be denied  
 6 or abridged by the State or any political subdivision of the State based on the actual or  
 7 perceived race, color, religion, sex, sexual orientation, gender identity, gender expression,  
 8 age, physical or mental disability, ancestry or national origin of an individual. The  
 9 Legislature has the power to enforce this section by appropriate legislation.

10 **Constitutional referendum procedure; form of question; effective date.**  
 11 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their  
 12 respective cities, towns and plantations to meet, in the manner prescribed by law for holding  
 13 a statewide election, at a statewide election held in the month of November following the  
 14 passage of this resolution, to vote upon the ratification of the amendment proposed in this  
 15 resolution by voting upon the following question:

16 "Do you favor amending the Constitution of Maine to prohibit the denial  
 17 or abridgment by the State or any political subdivision of the State of equal  
 18 rights based on the actual or perceived race, color, religion, sex, sexual  
 19 orientation, gender identity, gender expression, age, physical or mental  
 20 disability, ancestry or national origin of an individual?"

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

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

32 **SUMMARY**

33 This resolution proposes to amend the Constitution of Maine to prohibit the denial or  
 34 abridgment by the State or any political subdivision of the State of equal rights based on  
 35 the actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender  
 36 expression, age, physical or mental disability, ancestry or national origin of an individual.