

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

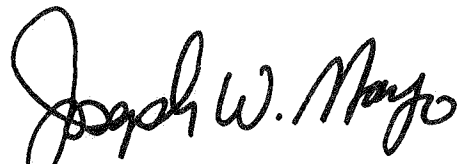
No. 1017

Initiated Bill 1

House of Representatives, February 11, 1997

An Act to Protect Traditional Marriage and Prohibit Same Sex Marriages.

Transmitted to the Clerk of the House of the 118th Maine Legislature by the Secretary of State on February 7, 1997 and ordered printed.


JOSEPH W. MAYO, Clerk

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 19 MRSA §§2-A, 34 and 93 are enacted to read:

6 **§2-A. Findings and purposes**

8 All municipal clerks and courts of this State shall have a
10 duty and shall be legally required to construe the provisions of
12 Maine's marriage laws in accordance with the following findings
14 and purposes:

16 1. Findings. The people of the State of Maine find that:

18 A. The union of one man and one woman joined in traditional
20 monogamous marriage is of inestimable value to society; the
22 State has a compelling interest to nurture and promote the
24 unique institution of traditional monogamous marriage in the
26 support of harmonious families and the physical and mental
28 health of children; and, that the State has the compelling
30 interest in promoting the moral values inherent in
32 traditional monogamous marriage.

34 2. Purposes. The purposes of this chapter are:

36 A. To encourage the traditional monogamous family unit as
38 the basic building block of our society, the foundation of
40 harmonious and enriching family life;

42 B. To nurture, sustain and protect the traditional
44 monogamous family unit in Maine society, its moral
46 imperatives, its economic function, and its unique
48 contribution to the rearing of healthy children; and

50 C. To support and strengthen traditional monogamous Maine
families against improper interference from out-of-state
influences or edicts.

§34. Same sex marriage prohibited

Persons of the same sex may not contract marriage.

§93. Certain marriages performed in another state not
recognized in this State

Any marriage performed in another state that would violate
any provision of section 31 to 34 if performed in this State is
not recognized in this State and is considered void if the
parties take up residence in this State.

Sec. 2. 19-A MRSA §650 is enacted to read:

2 **§650. Findings and purposes**

4 All municipal clerks and courts of this State shall have a
6 duty and shall be legally required to construe the provisions of
8 Maine's marriage laws in accordance with the following findings
10 and purposes:

12 1. Findings. The people of the State of Maine find that:

14 A. The union of one man and one woman joined in traditional
16 monogamous marriage is of inestimable value to society; the
18 State has a compelling interest to nurture and promote the
20 unique institution of traditional monogamous marriage in the
22 support of harmonious families and the physical and mental
24 health of children; and, that the State has the compelling
26 interest in promoting the moral values inherent in
28 traditional monogamous marriage.

30 2. Purposes. The purposes of this chapter are:

32 A. To encourage the traditional monogamous family unit as
34 the basic building block of our society, the foundation of
36 harmonious and enriching family life;

38 B. To nurture, sustain and protect the traditional
40 monogamous family unit in Maine society, its moral
42 imperatives, its economic function and its unique
44 contribution to the rearing of healthy children; and

46 C. To support and strengthen traditional monogamous Maine
48 families against improper interference from out-of-state
influences or edicts.

Sec. 3. 19-A MRSA §701, sub-§§1-A and 5 are enacted to read:

1-A. Certain marriages performed in another state no
recognized in this State. Any marriage performed in another
state that would violate any provisions of subsections 2 to 5 if
performed in this State is not recognized in this State and is
considered void if the parties take up residence in this State.

5. Same sex marriage prohibited. Persons of the same sex
may not contract marriage.

SUMMARY

This initiated bill prohibits persons of the same sex from contracting marriage.