

MAINE STATE LEGISLATURE

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(Governor's Bill)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 59

S.P. 028

In Senate, January 5, 1983

Reference to the Committee on State Government suggested and 2,500 ordered printed.

JOY J. O'BRIEN, Secretary to the Senate

Presented by Senator Clark of Cumberland.

Cosponsors: Representative Mitchell of Vassalboro, Representative Murphy of Kennebunk and Senator Conley of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

RESOLUTION, Proposing an Amendment to
the Constitution of Maine to Provide Equality
of Rights under the Law.

Constitutional amendment. RESOLVED: Two-thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Article I, §25 is enacted to read:

Section 25. Equality of rights. Equality of rights under the law shall not be denied or abridged in this State because of the sex of the individual.

Constitutional referendum procedure; form of question; effective date. Resolved: That the city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their

1 respective cities, towns and plantations to meet, in
2 the manner prescribed by law for holding a statewide
3 election, at a statewide election, on the Tuesday
4 following the first Monday of November following the
5 passage of this resolution, to vote upon the ratifi-
6 cation of the amendment proposed in this resolution
7 by voting upon the following question:

8 Shall the Constitution of Maine be amended
9 by a resolution of the Legislature to provide
10 for an equal rights amendment?

11 The legal voters of each city, town and
12 plantation shall vote by ballot on this question, and
13 shall designate their choice by a cross or check mark
14 placed within the corresponding square below the word
15 "Yes" or "No." The ballots shall be received,
16 sorted, counted and declared in open ward, town and
17 plantation meetings and returns made to the Secretary
18 of State in the same manner as votes for members of
19 the Legislature. The Governor shall review the
20 returns and, if it appears that a majority of the
21 legal votes are in favor of the amendment, the Gover-
22 nor shall proclaim that fact without delay and the
23 amendment shall become part of the Constitution on
24 the date of the proclamation.

25 Secretary of State shall prepare ballots.
26 **Resolved:** That the Secretary of State shall prepare
27 and furnish to each city, town and plantation all
28 ballots, returns and copies of this resolution neces-
29 sary to carry out the purposes of this referendum.

30 STATEMENT OF FACT

31 This resolution proposes an equal rights
32 amendment to the Constitution of Maine. The
33 amendment's wording is derived from both the proposed
34 amendment to the United States Constitution, which
35 failed to gather sufficient state support by the June
36 30, 1982 ratification deadline and the various ERA
37 amendments added to 16 state constitutions. The
38 Pennsylvania Constitution's equal rights amendment,
39 which was adopted in 1972, has provided the closest
40 model for this proposal.

1 A state equal rights amendment will insure that
2 our laws and court decisions will prevent discrimina-
3 tory treatment based on sex.

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