

# 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. 463

H.P. 341

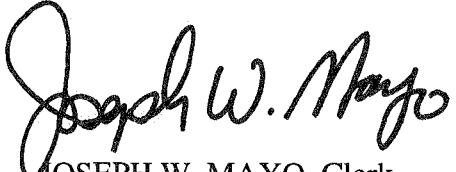
House of Representatives, January 23, 1997

---

**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
to Ensure the Rights of Parents to Direct the Upbringing and Education  
of Their Children.**

---

Reference to the Committee on State and Local Government suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative KASPRZAK of Newport.  
Cosponsored by Senator HALL of Piscataquis and  
Representatives: BRAGDON of Bangor, GERRY of Auburn, JOY of Crystal, LANE of  
Enfield, LAYTON of Cherryfield, MERES of Norridgewock, Senators: BENOIT of Franklin,  
CASSIDY of Washington.

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

4  
6           **Constitution, Art. I, §25** is enacted to read:

8           Section 25. Parental rights. The rights of parents to  
direct the upbringing and education of their children may not be  
10 infringed. The Legislature has the power to enforce the  
provisions of this section by appropriate legislation.

12 ; and be it further

14  
16           **Constitutional referendum procedure; form of question; effective**  
**date. Resolved:** That the municipal officers of this State shall  
18 notify the inhabitants of their respective cities, towns and  
plantations to meet, in the manner prescribed by law for holding  
20 a statewide election, at a statewide election, on the Tuesday  
following the first Monday of November following the passage of  
22 this resolution, to vote upon the ratification of the amendment  
proposed in this resolution by voting upon the following question:

24           "Do you favor amending the Constitution of Maine to provide  
that the rights of parents to direct the upbringing and  
26 education of their children may not be infringed?"

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

40           **Secretary of State shall prepare ballots. Resolved:** That the  
Secretary of State shall prepare and furnish to each city, town  
42 and plantation all ballots, returns and copies of this resolution  
necessary to carry out the purpose of this referendum.  
44

## SUMMARY

2

4

6

8

This bill proposes an amendment to the Constitution of Maine to declare that parental rights to direct the upbringing and education of their children may not be infringed and to authorize the Legislature to make laws to enforce the constitutional provision.