MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1294

H.P. 891

House of Representatives, March 15, 2005

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Define Marriage

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative DUPREY of Hampden.
Cosponsored by Senator COURTNEY of York, Senator SNOWE-MELLO of Androscoggin and Representatives: CEBRA of Naples, CRESSEY of Cornish, CROSTHWAITE of Ellsworth, JOY of Crystal, THOMAS of Ripley, VAUGHAN of Durham, Senator: PLOWMAN of Penobscot.

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

Constitution, Art. IX, §24 is enacted to read:

Section 24. Marriage. Only a union between one man and one woman may be a marriage valid in or recognized by this State and its political subdivisions. This State and its political subdivisions may not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance or effect of marriage.

; and be it further

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

"Do you favor amending the Constitution of Maine to provide that only a union between one man and one woman may be a marriage valid in or recognized by this State and its political subdivisions and to prohibit the creation or recognition of a legal status similar to marriage?"

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

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

SUMMARY

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This constitutional resolution provides that only a union between one man and one woman may be a marriage valid in or recognized by this State and its political subdivisions. This constitutional resolution also provides that this State and its political subdivisions may not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance or effect of marriage.

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