MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 433

H.P. 342

House of Representatives, January 29, 2019

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Prohibit Discrimination Based on the Sex of an Individual

Reference to the Committee on Judiciary suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative RECKITT of South Portland.

Cosponsored by Representative GROHOSKI of Ellsworth, Senators: MIRAMANT of Knox, VITELLI of Sagadahoc, Senator MILLETT of Cumberland and Representatives: ACKLEY of Monmouth, ALLEY of Beals, AUSTIN of Skowhegan, BABBIDGE of Kennebunk, BABINE of Scarborough, BAILEY of Saco, BEEBE-CENTER of Rockland, BERRY of Bowdoinham, BLUME of York, BRENNAN of Portland, BROOKS of Lewiston, BRYANT of Windham, CAIAZZO of Scarborough, CARDONE of Bangor, CARNEY of Cape Elizabeth, CLOUTIER of Lewiston, COLLINGS of Portland, COOPER of Yarmouth, COREY of Windham, CRAVEN of Lewiston, CROCKETT of Portland, CUDDY of Winterport, DAUGHTRY of Brunswick, DeCHANT of Bath, DENK of Kennebunk, DENNO of Cumberland, DEVIN of Newcastle, DODGE of Belfast, DOORE of Augusta, DOUDERA of Camden, DUNPHY of Old Town, EVANGELOS of Friendship, FARNSWORTH of Portland, FAY of Raymond, FECTEAU of Biddeford, FOLEY of Biddeford, GATTINE of Westbrook, Speaker GIDEON of Freeport, GRAMLICH of Old Orchard Beach, HANDY of Lewiston, HARNETT of Gardiner, HEPLER of Woolwich, HICKMAN of Winthrop, HOBBS of Wells, HYMANSON of York, INGWERSEN of Arundel, JORGENSEN of Portland, KESSLER of South Portland, KORNFIELD of Bangor, LANDRY of Farmington, MADIGAN of Waterville, MARTIN of Eagle Lake, MARTIN of Sinclair, MASTRACCIO of Sanford, MATLACK of St. George, MAXMIN of Nobleboro, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McDONALD of Stonington, McLEAN of Gorham, MELARAGNO of Auburn, MEYER of Eliot, MOONEN of Portland, MORALES of South Portland, NADEAU of Winslow, O'NEIL of Saco, PEBWORTH of Blue Hill, PEOPLES of Westbrook, PERRY of Calais, PIERCE of Falmouth, PLUECKER of Warren, RILEY of Jay, RISEMAN of Harrison, RYKERSON of Kittery, SCHNECK of Bangor, SHARPE of Durham, SHEATS of Auburn, SKOLFIELD of Weld, STANLEY of Medway, STOVER of Boothbay, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, TIPPING of Orono, TUCKER of Brunswick, VEROW of Brewer, WARREN of Hallowell, WHITE of Waterville, ZEIGLER of Montville, Senators: BELLOWS of Kennebec, BREEN of Cumberland, CARPENTER of Aroostook, CARSON of Cumberland, CHENETTE of York, CHIPMAN of Cumberland, CLAXTON of Androscoggin, DESCHAMBAULT of York, DIAMOND of Cumberland, DOW of Lincoln, FOLEY of York, GRATWICK of Penobscot, HERBIG of Waldo, President JACKSON of Aroostook, LAWRENCE of York, LIBBY of Androscoggin, LUCHINI of Hancock, MOORE of Washington, SANBORN, H. of Cumberland, SANBORN, L. of Cumberland.

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. I, §25 is enacted to read:

Section 25. Equality of rights. Equality of rights under the law may not be denied or abridged by the State or any political subdivision of the State based on the sex of an individual. The Legislature has the power to enforce this section by appropriate legislation.

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 held in the month 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 prohibit the denial or abridgment by the State or any political subdivision of the State of equal rights based on the sex of an individual?"

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. 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.

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.

29 SUMMARY

This resolution proposes to amend the Constitution of Maine to prohibit the denial or abridgment by the State or any political subdivision of the State of equal rights based on the sex of an individual.