

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 590

S.P. 258

In Senate, February 14, 2023

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**RESOLUTION, Proposing an Amendment to the Constitution of  
Maine to Establish a Right to Health Care**

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Reference to the Committee on Health Coverage, Insurance and Financial Services  
suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator HICKMAN of Kennebec.  
Cosponsored by Speaker TALBOT ROSS of Portland and  
Senators: BAILEY of York, INGWERSEN of York, President JACKSON of Aroostook,  
TIPPING of Penobscot, Representatives: ARFORD of Brunswick, COLLINGS of Portland,  
PLUECKER of Warren, SUPICA of Bangor.

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

4           **Constitution, Art. I, §26** is enacted to read:

5           **Section 26. Right to health care.** Health care, including care to prevent and treat  
6 physical and mental illness, is the right of the people and necessary to ensure the strength  
7 of the State. The Legislature shall provide by law the implementation and enforcement of  
8 this right, which may not be infringed upon.

9           **Constitutional referendum procedure; form of question; effective date.**

10       **Resolved:** That the municipal officers of this State shall notify the inhabitants of their  
11 respective cities, towns and plantations to meet, in the manner prescribed by law for holding  
12 a statewide election, at a statewide election held in the month of November following the  
13 passage of this resolution, to vote upon the ratification of the amendment proposed in this  
14 resolution by voting upon the following question:

15           "Do you favor amending the Constitution of Maine to establish that health  
16 care, including care to prevent and treat physical and mental illness, is the  
17 right of the people and necessary to ensure the strength of the State and to  
18 require the Legislature to provide by law the implementation and  
19 enforcement of this right?"

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

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

### 31           SUMMARY

32           This resolution proposes a constitutional amendment to establish that health care,  
33 including care to prevent and treat physical and mental illness, is the right of the people  
34 and necessary to ensure the strength of the State and requires the Legislature to provide by  
35 law the implementation and enforcement of this right.