MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 780

S.P. 339

In Senate, February 21, 2023

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect Personal Reproductive Autonomy

Reference to the Committee on Judiciary suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator VITELLI of Sagadahoc.
Cosponsored by Representative WARREN of Scarborough and
Senators: BAILEY of York, BRENNER of Cumberland, CARNEY of Cumberland,
DAUGHTRY of Cumberland, Representatives: MOONEN of Portland, MORIARTY of
Cumberland, RECKITT of South Portland, RIELLY of Westbrook.

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, §26 is enacted to read:

Section 26. Personal reproductive autonomy. Every person has a right to personal reproductive autonomy, which is central to dignity and the liberty to determine one's own life course. The State may not deny or infringe on the right to personal reproductive autonomy unless the denial or infringement is justified by a compelling state interest and is accomplished using the means that least denies or infringes on the right.

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 declare that every person has a right to personal reproductive autonomy?"

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 by declaring that every person has a right to personal reproductive autonomy.