## MAINE STATE LEGISLATURE

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## 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

**Legislative Document** 

No. 928

H.P. 575

House of Representatives, March 2, 2023

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative O'NEIL of Saco.

Cosponsored by Representative WARREN of Scarborough, Senator BENNETT of Oxford and Representatives: CRAFTS of Newcastle, JAUCH of Topsham, PLUECKER of Warren, RANA of Bangor, RIELLY of Westbrook, Senator: DAUGHTRY 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, §26 is enacted to read:

Section 26. Environmental rights. The people of the State have the right to a clean and healthy environment and to the preservation of the natural, cultural and healthful qualities of the environment. The State may not infringe upon these rights. The State shall conserve, protect and maintain the State's natural resources, including, but not limited to, its air, water, land and ecosystems for the benefit of all the people, including generations yet to come.

**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 grant the people of the State a right to a clean and healthy environment and to the preservation of the natural, cultural and healthful qualities of the environment?"

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.

31 SUMMARY

This resolution proposes to amend the Constitution of Maine to grant the people of the State a right to a clean and healthy environment and to the preservation of the natural, cultural and healthful qualities of the environment.