



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 260

H.P. 163

House of Representatives, January 28, 2025

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish That All Maine Residents Have Equal Rights Under the Law

Received by the Clerk of the House on January 23, 2025. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed.

ROBERT B. HUNT
Clerk

Presented by Representative SARGENT of York.

Cosponsored by Senator TALBOT ROSS of Cumberland and

Representatives: ABDI of Lewiston, ANKELES of Brunswick, ARCHER of Saco, ARFORD of Brunswick, BECK of South Portland, BELL of Yarmouth, BOYER of Cape Elizabeth, BRENNAN of Portland, BRIDGEO of Augusta, BUNKER of Farmington, CLOUTIER of Lewiston, CLUCHEY of Bowdoinham, COPELAND of Saco, CRAFTS of Newcastle, CROCKETT of Portland, DANA of the Passamaquoddy Tribe, DEBRITO of Waterville, DHALAC of South Portland, DILL of Old Town, DODGE of Belfast, DOUDERA of Camden, EATON of Deer Isle, FARRIN of Jefferson, Speaker FECTION of Biddeford, FRIEDMANN of Bar Harbor, FROST of Belgrade, GATTINE of Westbrook, GEIGER of Rockland, GERE of Kennebunkport, GOLEK of Harpswell, GRAHAM of North Yarmouth, GRAMLICH of Old Orchard Beach, HASENFUS of Readfield, HEPLER of Woolwich, JULIA of Waterville, KESSLER of South Portland, KUHN of Falmouth, LAJOIE of Lewiston, LEE of Auburn, LOOKNER of Portland, MACIAS of Topsham, MALON of Biddeford, MASTRACCIO of Sanford, MATHIESON of Kittery, MATLACK of St. George, MCCABE of Lewiston, MEYER of Eliot, MILLIKEN of Blue Hill, MITCHELL of Cumberland, MONTELL of Gardiner, MOONEN of Portland, MURPHY of Scarborough, O'HALLORAN of Brewer, OSHER of Orono, PLUECKER of Warren, PUGH of Portland, RANA of Bangor, RAY of Lincolnville, RIELLY of Westbrook, ROBERTS of South Berwick, ROEDER of Bangor, ROLLINS of Augusta, RUNTE of York, SACHS of Freeport, SALISBURY of Westbrook, SATO of Gorham, SAYRE of Kennebunk, SHAGOURY of Hallowell, SINCLAIR of Bath, SKOLD of Portland, STOVER of Boothbay, SUPICA of Bangor, TERRY of Gorham, WARREN of Scarborough, WEBB of Durham, YUSUF of Portland, ZAGER of Portland, Senators: BAILEY of York, BALDACCI of Penobscot, BEEBE-CENTER of Knox, BRENNER of Cumberland, CARNEY of Cumberland, CURRY of Waldo, President DAUGHTRY of Cumberland, DUSON of Cumberland, GROHOSKI of Hancock, HICKMAN of Kennebec, INGWERSEN of York, LAWRENCE of York, NANGLE of Cumberland, PIERCE of Cumberland, RAFFERTY of York, RENEY of Lincoln, ROTUNDO of Androscoggin, TEPLER of Sagadahoc, TIPPING of Penobscot.

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. Equality of rights.** Equality of rights under the law may not be denied
6 or abridged by the State or any political subdivision of the State based on the actual or
7 perceived race, color, religion, sex, sexual orientation, gender identity, gender expression,
8 age, physical or mental disability, ancestry or national origin of an individual. The
9 Legislature has the power to enforce this section by appropriate legislation.

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

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

16 "Do you favor amending the Constitution of Maine to prohibit the denial
17 or abridgment by the State or any political subdivision of the State of equal
18 rights based on the actual or perceived race, color, religion, sex, sexual
19 orientation, gender identity, gender expression, age, physical or mental
20 disability, ancestry or national origin of an individual?"

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

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

32 **SUMMARY**

33 This resolution proposes to amend the Constitution of Maine to prohibit the denial or
34 abridgment by the State or any political subdivision of the State of equal rights based on
35 the actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender
36 expression, age, physical or mental disability, ancestry or national origin of an individual.