



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 780

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S.P. 339

In Senate, February 21, 2023

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

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Reference to the Committee on Judiciary 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 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.

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

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

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

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

29   **SUMMARY**

30          This resolution proposes to amend the Constitution of Maine by declaring that every  
31          person has a right to personal reproductive autonomy.