



TESTIMONY OF ALICIA REA, ESQ.
LD 260 – Ought to Pass

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

Joint Standing Committee on Judiciary
March 4, 2025

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Senator Carney, Representative Kuhn and distinguished members of the Joint Standing Committee on Judiciary, greetings. My name is Alicia Rea and I am a policy fellow at the ACLU of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, I urge you to support LD 260.

For more than 100 years, the ACLU has been at the forefront of the struggle to win full legal equality for all. Since its founding, the ACLU has argued more women's rights cases before the United States Supreme Court than any other organization. In 1970, we endorsed the federal Equal Rights Amendment, and established our Women's Rights Project soon after, directed by then-Professor Ruth Bader Ginsburg. In the context of that legacy, we are proud to support an amendment to the Maine constitution that will guarantee equal rights to people in Maine regardless of their actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, age, physical or mental disability, ancestry, or national origin.

The central concept of civil liberties is that all individuals have the fundamental right to be judged on the basis of their individual characteristics and capabilities, not the characteristics and capabilities that are supposedly shared by any group or class to which they might belong. This fundamental right is the premise of the Fourteenth Amendment to the United States Constitution, which guarantees the equal protection of the laws to all individuals.¹

Though the Fourteenth Amendment covers all "persons," it is worth noting that when it was adopted in 1868, women were not "persons" in the legal

¹ U.S. Const. amend. XIV, § 1.



sense. Despite the guarantees of equal protection in the federal and Maine constitutions, inequities in our legal system remain.

LD 260 would enshrine full legal equality for protected classes in the Maine Constitution. This amendment is necessary to provide enhanced legal protections beyond the current protections delineated in statute—as a constitutional amendment, LD 260 would provide more robust rights for protected classes since it would require a two-thirds majority to rollback these protections. Under this inclusive Equal Rights Amendment, these benefits can be extended equally to all rather than taken away from protected classes.

While Maine has a robust Maine Human Rights Act, thanks to the work of the Legislature, enshrining equal rights in the Maine Constitution is the next step to address systemic discrimination. It is time for Maine to recognize the full legal equality of all Mainers.

We urge you to vote ought to pass.