



130th MAINE LEGISLATURE

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Legislative Document

No. 489

S.P. 196

In Senate, February 19, 2021

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Establish a Right to a Healthy Environment**

Received by the Secretary of the Senate on February 17, 2021. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 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 MAXMIN of Lincoln.
Cosponsored by Representative PLUECKER of Warren and
Senators: BENNETT of Oxford, BLACK of Franklin, Representatives: LANDRY of
Farmington, O'NEIL of Saco, OSHER of Orono, TALBOT ROSS of Portland.

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, §25** is enacted to read:

5 **Section 25. Environmental rights.** The people of the State have the right to a
6 clean and healthy environment, including pure water, clean air and healthy ecosystems, and
7 to the preservation of the natural, cultural, recreational, scenic and healthful qualities of the
8 environment. The State may not infringe upon these rights by action or inaction or through
9 the action of others. The State, including each branch, agency and political subdivision,
10 shall serve as trustee of the natural resources of the State, among them its waters, air, flora,
11 fauna, ecosystems and public lands. The State shall conserve, protect and maintain these
12 resources for the benefit of all the people, including generations yet to come. The rights
13 stated in this section are inherent, inalienable and infeasible and are among those rights
14 reserved to all the people and are on par with other protected inalienable rights.

15 **Constitutional referendum procedure; form of question; effective date.**
16 **Resolved:** That the municipal officers of this State shall notify the inhabitants of their
17 respective cities, towns and plantations to meet, in the manner prescribed by law for holding
18 a statewide election, at a statewide election held in the month of November following the
19 passage of this resolution, to vote upon the ratification of the amendment proposed in this
20 resolution by voting upon the following question:

21 "Do you favor amending the Constitution of Maine to grant the people of
22 the State a right to a clean and healthy environment and to the preservation
23 of the natural, cultural, recreational, scenic and healthful qualities of the
24 environment?"

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

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

36 **SUMMARY**

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