

Bond Case Briefs

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BALLOT INITIATIVE - MAINE

Jones v. Secretary of State

Supreme Judicial Court of Maine - September 22, 2020 - A.3d - 2020 WL 5640271 - 2020 ME 113

Citizens petitioned for judicial review of Secretary of State determination that insufficient signatures had been collected to place on November ballot a people's veto of an An Act to Implement Ranked-choice Voting for Presidential Primary and General Elections in Maine.

The Superior Court vacated the determination and the Secretary and intervenors moved to stay the judgment pending their appeals, which were dismissed as moot due to automatic stay.

The Supreme Judicial Court held that requirement that a circulator be registered voters in the circulator's municipality of residence while circulating a petition does not violate the First Amendment.

The requirement that a circulator be registered to vote in the circulator's municipality of residence while circulating an initiative petition imposes only reasonable, nondiscriminatory restrictions on the First Amendment rights of petition supporters for the purpose of ensuring compliance with the residency requirement of the Maine Constitution, and thus does not violate petitioners' First Amendment rights; burden of registering to vote in municipality was not severe, and registration was a simple and verifiable way for the Secretary of State to determine a person's residency in Maine at the time of circulation of a petition.