
BALLOT INITIATIVE - MAINE

Friends of Congress Square Park v. City of Portland

Supreme Judicial Court of Maine - May 6, 2014 - A.3d - 2014 ME 63

Nonprofit organized to oppose planned sale of city park brought action seeking judicial review of city's refusal to issue citizens' initiative petition forms, a declaration that the petition was a proper subject of a citizens' initiative, and claiming city's refusal to issue the forms violated petitioners' free speech rights. The Superior Court entered judgment ordering city to issue petition forms for a citizen's initiative, and to amend the city's land bank ordinance. City appealed.

The Supreme Judicial Court of Maine held that:

- The scope of initiative power, pursuant to city code, was limited to those initiatives that affected legislative matters, as opposed to administrative matters, and
- In an apparent matter of first impression, proposed amendments to city's land bank ordinance were not exempt from the scope of the citizens' initiative power pursuant to the city code.

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