

FAIR ELECTIONS PORTLAND

PRESS RELEASE

March 1, 2022

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Portland Clean Elections Advocates Respond To Superior Court Ruling

[PORTLAND, ME] – [Fair Elections Portland](#) (FEP) and its attorneys released the following in response to the Superior Court’s decision on the proposed charter amendment for the City of Portland:

F.E.P. attorney John Brautigam said, “Although we are disappointed in the decision, Justice McKeon makes clear that nothing in the Charter or the Constitution compelled the 2019 City Council to reject the Clean Elections ballot question, nor the 2021 City Council to stand by that decision. It was up to the Council to decide. As the Court noted (p. 14) , ‘The City Council could have found that the proposal was an amendment.’ Fair Elections Portland has consistently argued that the Council should have designated the proposal as a charter amendment.”

F.E.P. attorney Benjamin Gaines said, “The Court also agreed with Fair Election Portland that, contrary to the instructions of corporation counsel last summer and fall, the 2021 Council ‘could have heard more evidence in light of the Law Court’s decision.’ (p. 11.) Fair Elections Portland has consistently argued that the Portland City Council should promptly reconsider its earlier decision and carefully weigh all of the evidence before it.”

F.E.P. President Anna Kellar said, “Over 8,000 Portland voters demanded the chance for a say on this measure. It will take a little longer for the will of the voters to be heard, but we remain confident that multiple options exist for reversing the 2019 City Council’s erroneous decision. While we weigh how vulnerable the court opinion is to appellate review, we will also consider more expeditious options for working with others who share our commitment to a pathway for prompt ballot placement.”

Brautigam added, “Without a response, this decision could be a setback for democracy at a perilous time. Ballot placement should be a decision for the people, not for City officials. Democracy is based on ‘consent of the governed,’ not ‘consent of the government.’”

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Fair Elections Portland is a campaign of the League of Women Voters of Maine and Maine Citizens for Clean Elections. For more about the campaign please email info@fairelections.org