

STATE OF MAINE
KENNEBEC, ss

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. AUGSC-CV-2020-50

CLARE HUDSON PAYNE, PHILIP)
STEELE, FRANCES M. BABB, and THE)
COMMITTEE FOR RANKED CHOICE)
VOTING,)

Plaintiffs)

v.)

MATTHEW DUNLAP, as MAINE)
SECRETARY OF STATE,)

Defendant)

and)

DEMITROULA KOUZOUNAS,)

Intervenor.)

**REPORT OF THE KENNEBEC
COUNTY SUPERIOR COURT TO THE
LAW COURT PURSUANT TO RULE
24(A) OF THE MAINE RULES OF
APPELLATE PROCEDURE**

The Joint Motion to Report to the Law Court filed in the above-captioned matter is hereby GRANTED.

The Kennebec County Superior Court is of the opinion that this case presents constitutional questions related to the people’s veto process that are of sufficient importance or doubt to justify a report to the Law Court for determination pursuant to Rule 24(a) of the Maine Rules of Appellate Procedure. A decision by the Law Court would, in at least one alternative, finally dispose of the above-captioned action. The Court further finds that the Parties agree to a report to the Law Court pursuant to M.R. App. P. 24(a); and the Parties agree upon all of the material facts pertinent to the report, as stated in the Agreed Upon Statement of Facts appended to the Joint Motion to Report, which shall be a part of the appellate record.

The Court finds that the matter presents a ripe case in controversy with the filing on June 15, 2020, of a people’s veto petition containing, on its face, more than 63,067 signatures. This

filing with the office of the Secretary of State, by operation of Me. Const. art. IV, part 3, § 17(2), suspends P.L. 2019, ch. 539 unless that law is not properly subject to a people's veto referendum – the question of law this report presents.

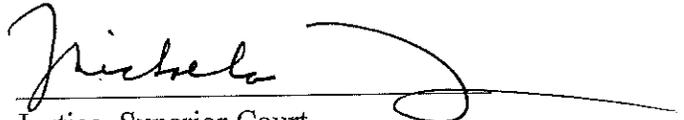
Accordingly, pursuant to M.R. Civ. P. 24(a), this Court reports this matter to the Law Court for resolution of the following questions of law:

- I. Which session of the 129th Legislature was the session at which L.D. 1083, An Act to Implement Ranked-choice Voting for Presidential Primary and General Elections in Maine, was passed for purposes of Me. Const. art. IV, pt. 3, §§ 16 and 17?
- II. Was P.L. 2019, ch. 539 effective January 12, 2020?
- III. Does 21-A M.R.S.A. § 901(1) permit filing of a people's veto application with the Department of the Secretary of State prior to adjournment of the legislative session at which the Act in question was passed?

The Clerk is directed to make the following entry in the civil docket pursuant to M.R. Civ. P. 79(a): “This Order is incorporated into the docket by reference at the specific direction of the Court.”

DATED:

6/15/2020


Justice, Superior Court

A true copy
ATTEST:


Michele Lambert
Clerk of Courts