



# Ballot Initiative STRATEGY CENTER

## Ballot Initiative Overview

2008 Election

### Montana

Unlike in the last two election cycles, Montana has a relatively quiet ballot this cycle. The most significant measure relates to a theme on which voters expect action in the national election: children's health care. Earlier in the year, several measures vied for qualification, but failed to come to fruition. Montana increasingly has been a target of national out-of-state donors and activists, who have attempted to qualify issues such as paycheck deception, TABOR, regulatory takings, anti-judge and anti-choice measures. Some of those initiatives have failed to qualify, due to lack of voter appeal in the signature gathering phase, or fraud in signature collection.

Historically, the initiative process in Montana has been used for very populist objectives—around environmental protection, minimum wage increases, campaign finance issues, taxes, and reform of the initiative process itself. Although considered a very "red" state, the social hot button issues often popular with conservative voters in other states with similar demographics don't tend to take hold in Montana (although, like the 25 other states that have voted on this, the ban on same sex marriage did pass in 2004).

Much of the past initiative activity has related to industries operating in the state, including mining, dairy and agriculture. According to the Initiative and Referenda Institute, Montanans first used initiative and referenda in 1912, when voters approved election reform measures to weaken the control of the Amalgamated Copper Company, which had a dominant role in the legislature and state politics (a theme Governor Joseph M. Dixon ran against in 1920). Dixon himself used the initiative process to weaken the company and bring more of their revenues into the state budget. In 1922 the production of Montana's metal mines was \$20 million, but the state got less than seven-hundredths of one percent of that in taxes. To remedy the situation, Dixon drew up Initiative 28, which proposed no taxes on mines with annual production of \$100,000 or less, but taxed larger mines at up to 1 percent of the value of their production. The initiative qualified for the ballot in 1924, the same year Dixon was up for re-election. He lost his bid by 15,000 votes, while Initiative 28 passed. Historians have considered Initiative 28 the most significant reform won by Montana's Progressive movement.

Montana was the first and only state to ban corporate contributions to ballot measure campaigns, which was later ruled unconstitutional by the U.S. Supreme Court on First Amendment grounds. However, during the time that contributions were banned, environmentalists waged and won a measure to prevent cyanide from being used in gold leach mining in 1998. In 2002 an attempt to repeal that ban was unsuccessful.

**Three measures were on the statewide ballot (two passed).**

**One was a citizen-petitioned initiative.**

**Two were legislative referenda.**

### **1 Statutory Initiative Qualified**

#### **I-155: Health Care**

The Healthy Kids Plan Act: Establishes the Healthy Montana Kids plan to expand and coordinate health coverage for uninsured children under the Children's Health Insurance Program (CHIP), the Montana Medicaid Program, and employer-sponsored health insurance. The State Health Department may: raise income eligibility levels for children under CHIP and Medicaid; simplify transitions between CHIP and Medicaid coverage; provide assistance for children in employer-sponsored insurance; and work with health care providers, schools, organizations, and agencies to encourage enrollment of uninsured children. Funding for I-155 will come from a share of the insurance premium tax and federal matching funds.

Proponents: Healthy Montana Kids, <http://www.healthymontanakids.org/>

Opponents: No Committee Identified

PASSED 70% - 30%

### **2 Constitutional Amendments Were Referred**

#### **C-44: Investment/Taxes**

An act submitting to the qualified electors of Montana an amendment to article VIII, Section 13 of the Montana Constitution to allow up to 25 percent of certain public funds to be invested in private corporate capital stock; and providing an immediate effective date: The 2007 Legislature submitted this proposal for a vote. This measure would amend the Montana Constitution to allow up to 25 percent of all state trust fund assets to be invested in private corporate capital stock. Currently, the Constitution allows only Retirement Funds and Workers' Compensation Insurance Funds to be invested in private corporate capital stock.

FAILED 26% - 74%

#### **LR-118: Education**

An act submitting a 6-Mill levy for support of the Montana University System to the electorate; and providing effective dates and a termination date: The 2007 Legislature submitted this proposal for a vote. This proposal asks Montana voters to continue the 6-mill levy to support the university system. Without voter approval, the current 6 mill levy to support the university system will expire in January 2009. If passed, this proposal would be effective on January 1, 2009 and terminate January 1, 2019.

PASSED 57% - 43%

*For additional information please check with the Montana Secretary of State:  
<http://sos.mt.gov/index.asp>*