

[Back](#)

Article published Oct 24, 2006

Vote as if initiative votes count

Three issues will be on the ballot in two weeks despite a court ruling invalidating them.

We plan to vote against them anyway, on the chance they get reinstated on appeal.

A little over a month ago, District Judge Dirk Sandefur threw out:

- *Constitutional Initiative 97, which sought to cap government spending, line by line;*
- *Constitutional Initiative 98, which purported to make courts more accountable by making it ridiculously easy to mount a recall campaign; and*
- *Initiative 154, which purported to protect property owners from the nonexistent threat of reckless eminent domain actions by government.*

We'll vote against CI-97 because it would handcuff governments — not so much on the big bottom line because Montana government already is forbidden from deficit spending by the Constitution.

It's those thousands of little bottom lines within our governments that worry us — shifting money among accounts is a managerial necessity; the initiative would make it so cumbersome that essential services — from health care to education — would erode.

CI-98 would tend to tie court decisions to public opinion instead of to the law, and that's a just plain bad idea.

I-154 would block government use of eminent domain to take private property in many cases. But it's a wolf in a not-very-good sheep disguise, playing on fear and reaching too far in ways that would ultimately stymie actions aimed at the greater good.

All three initiatives rise out of the same pool of anti-government sentiment — not just figuratively but literally, from some out-of-state place to the right not only of Democrats but also of most Republicans.

Montanans — especially those already in possession of their absentee ballots — should vote against them just in case they're reinstated by the high court before Election Day Nov. 7.

The issues are on the ballot; vote counters will ignore them if the high court upholds Sandefur's ruling.

In 46 pages, Sandefur said people seeking signatures on petitions in support of all three initiatives used fraudulent and deceptive practices.

Trevis Butcher of Winifred, who's listed as author of all three, has refused to say who financed the petition drive and advertising, but he admitted in court that much of the \$600,000 spent on it came from out of state.

It is widely presumed that much of the cash comes from New York real estate tycoon and libertarian Howie Rich, who's financed similar efforts with varying degrees of success across the West.

Butcher appealed Sandefur's ruling and the high court should decide the issues' validity before the election.

The broad opposition all three attracted, especially the spending cap (CI-97), is worth noting.

One group, Not In Montana: Citizens Against CI-97, claims one of the most diverse member and supporter lists we've ever seen on a public movement, ranging from the state Chamber of Commerce to the AFL-CIO, to the Dental

Association to Montana Audubon.

With enemies as wide-ranging as that, we wonder: Who are the initiatives' friends?

The theme adopted by Not in Montanais: Vote as if it counts. We agree, on all three invalidated initiatives. Vote No on CI-97, CI-98 and I-154.
