

USING BALLOT INITIATIVES TO WIN

USING HISTORY AND POSITIONS
ON MISSOURI INITIATIVES TO SWAY
VOTERS

- SOME BACKGROUND ON BALLOT MEASURES
- WHY DO PEOPLE VOTE FOR CANDIDATES WHO HATE BALLOT INITIATIVES THEY LOVE?
- MISSOURI GOP ATTACKS ON BALLOT MEASURES

SOME BALLOT MEASURE HISTORY

- Initiatives and referendums were signature reforms from the Progressive Era (1896–1917) as a form of direct democracy to moderate the power of parties and elected officials. 1
- These powers are written into several state constitutions. **26 states** allow for citizen-initiated ballot measures.
 - **18** allow for initiated constitutional amendments.
 - **21** allow for initiated state statutes. 2
- Legislatures are required to seek voter approval to amend their state constitutions in 49 of 50 states.
- **For over a hundred years the MO Constitution has granted the right of MO citizens to propose or reject laws and amendments to the constitution by the initiative process, and it gives citizens the power to approve or reject by referendum any act of the general assembly.** 3 2
- In Missouri, a total of 131 ballot measures appeared on statewide ballots between 1985 and 2020. 83 were approved, and 48 were defeated for an approval rate of 63%.
- List of ballot measures 1910-2022.

NOTABLE MISSOURI MEASURES PASSED

- 1921 Enabled women to hold any office in the state.
- 1924 Provided funding for the maintenance and construction of the state's highways
- 1940 Constitutional amendment to establish a nonpartisan system for the nomination & appointment of judges. Copied by several states and now known as the "Missouri Plan" for judicial selection.
- 1980 "Hancock Amendment" which limited state and local taxes.
- 1992 Term limits for representatives and senators.
- 1994 Campaign finance reform approved.
- 2002 Allowed citizens of the City of St. Louis to amend or revise their present charter
- 2006 Increased state's minimum wage to \$6.50/hour
- 2010 **Missouri Healthcare Freedom Act**, was a legislatively referred state statute. The proposed measure aimed to block the federal government from requiring people to buy health insurance. Ballot passed but was later overturned by the courts.

NOTABLE MISSOURI MEASURES PASSED

- 2018 Voters repealed a right-to-work law enacted by the state legislature.
- 2018 Missouri's minimum wage increased to \$12 by 2023.
- 2018 Clean Missouri . Voters approved (62%) changes to stop gerrymandering of districts, change lobbying laws, impose campaign finance limits for state legislative candidates, and expand sunshine law.
- 2020 “Cleaner Missouri” passed by 51%. This GOP legislatively referred ballot amendment reinstated gerrymandering undoing the chief goal of Clean Missouri.
- 2020 Medicaid Expansion was approved with 53.25% of the vote.
- 2022 Marijuana legalized.

2024 BALLOT MEASURES

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|---|-------------------------------|--|
| Citizen initiative | Amendment 2 | Legalize and regulate sports wagering in Missouri |
| Citizen initiative | Amendment 3 | Amend the Missouri Constitution to provide the right for reproductive freedom |
| Legislature initiative | Amendment 6 | Define the administration of justice to include the levying of costs and fees to support the salaries and benefits for law enforcement personnel |
| Legislature initiative | Amendment 7 | States that only citizens who are Missouri residents can vote and prohibits ranked-choice voting |
| <u>citizen-initiated ballot measure</u> amending state statute. | Proposition A | Establish a \$13.75 per hour minimum wage by 2025, which would be increased by \$1.25 per hour each year until 2026, when the minimum wage is \$15 per hour, and also requiring employers to provide one hour of paid sick leave for every 30 hours worked |

Why do voters favoring a ballot initiative also vote for Missouri GOP candidates where:

- the candidate or GOP is opposed to that ballot initiative
and
- The candidate's Party has a history of obstructing and failure to implement passed initiatives
and
- the GOP has repeatedly tried to gut the ballot initiative process ?

SOME ANSWERS

1. Initiatives are presented as “non-partisan’ so the pro or con stance of a Party or candidate doesn’t occur to them.
2. Voters don’t know a candidate’s or Party’s position on an initiative. Candidates may not take positions on popular initiatives they oppose.
- 3 Voters don’t know how a candidate/Party has opposed or failed to follow through on implementation of popular initiatives in the past. (Would voters care?)
4. Voters don’t know how the GOP has attempted to gut the initiative process.
5. Party identity: the Party “brand” of a candidate is more important to voters than any other consideration, i.e. brand trumps whatever they might desire on initiatives.

MISSOURI GOP HISTORY OF UNDERMINING DIRECT DEMOCRACY

THWARTING THE WILL OF THE PEOPLE FROM START TO

FINISH

OBSTRUCTING INITIATIVES FROM GETTING ON THE BALLOT
DELAY/DECEPTIVE BALLOT LANGUAGE/BALLOT CANDY/FRAUDULENT COST ESTIMATES

FLAWED OR SABOTAGED IMPLEMENTATION OF INITIATIVES
IGNORING OR BOTCHED IMPLEMENTATION, NO OR INADEQUATE FUNDING, STATUTES
TO LIMIT EFFECTIVENESS

REVERSING THE WILL OF THE PEOPLE
“RESPONSE” LEGISLATION TO REVERSE AN INITIATIVE. “CLEANER” |

THE GOP ENDGAME PLAN FOR BALLOT INITIATIVES
RENDER IT USELESS BY RAISING THE BAR FOR APPROVAL



GOP THWARTING OF VOTER INITIATIVES

MEDICAID EXPANSION ballot measure was approved as a citizen-initiated constitutional amendment in 2020. (1)

The Missouri House and Senate refused to fund expansion and were joined by Gov. Parson in stopping implementation.

It went to court where the MO Supreme Court ruled the amendment was constitutional and the administration must implement.

Expansion began in Oct 2021. Medicaid via MO Healthnet continues to struggle to provide health services to those qualified. The budget recently passed by the super majority Republican legislature **requires** Medicaid to *keep shrinking*.

The plan is simple. Make the entitlement increasingly difficult to access through a lack of staff and resources, despite the expressed will of the people.

GOP THWARTING OF VOTER INITIATIVES

REPRODUCTIVE RIGHTS SOS Ashcroft(R), an abortion opponent, declined to approve the petition to be on the 2020 ballot until a court ordered him to do so.

He then delayed final release leaving 14 days to collect 107,510 signatures. An impossible task. The initiative never made it onto the ballot.

The state Supreme Court ruled in 2023 that Ashcroft's procedural hurdles in the referendum process violated the state constitution.

In 2024 AG Bailey (R) attempted to increase the cost impact of the initiative from \$51,000 to \$12.5 billion and refused to certify the abortion right initiative.

The Missouri Supreme Court ruled that Bailey had improperly held up his approval of the ballot initiative. Despite Bailey's attempt to run out the clock like Ashcroft in 2020, the initiative is on the ballot.

Two GOP state legislators recently sued to block the abortion-rights amendment

GOP THWARTING OF VOTER INITIATIVES

CLEAN MISSOURI (2018) and “CLEANER” MISSOURI (2020)

Clean Missouri would have established a process to avoid gerrymandering, severely limit lobbyist gifts, lengthen the wait time for a legislator to become a lobbyist, and extend the sunshine law to state legislators. It passed with 62% of the vote.

Amendment 3, aka Cleaner Missouri, was a GOP legislative action placed on the 2020 ballot to **reverse** Clean Missouri and the expressed will of the people.

The original GOP worded ballot summary was taken to an appeals court over its vague wording, which described it as "misleading, unfair and insufficient."

Cleaner Missouri had slightly lower limits on lobbyist gifts and campaign contributions to deceive voters into thinking they were voting for an improved Clean Missouri, but it re-introduced GOP capacity for gerrymandering, the chief GOP goal.

GOP THWARTING OF VOTER INITIATIVES

PUPPY MILLS

- 2010 Missouri voters passed an initiative imposing restrictions & standards of care. GOP legislature reversed the will of the voters at the behest of the dog-breeding industry.
- 4 GOP lawmakers passed a constitutional “right-to-farm” amendment that was a thinly disguised shield for puppy mills.
- 2024 A Humane Society report listed 23 problematic puppy mills in Missouri, the most in any state.

GOP THWARTING OF VOTER INITIATIVES

RENEWABLE ENERGY STANDARDS

The Missouri legislature long delayed the implementation of renewable energy standards through procedural and legislative maneuvers.

RANKED CHOICE VOTING (RCV)

The GOP has placed amendment 7 on the 2024 ballot, which will ban RCV, as a preemptive strike to prevent future attempts to get RCV passed in the state. It's their way of keeping the right-wing extremist pipeline open and fending off more centrist candidates.

Ballot candy: To entice voters, the initiative also states that only citizens who are Missouri residents can vote, which of course is already law.

GOP THWARTING OF VOTER INITIATIVES

Repeated patterns of obstruction from beginning to end.

- Delays by administrative inaction and court challenges
- False or misleading ballot language
- Failure to fund and implement
- New laws to limit effectiveness of initiatives
- Attempts to overturn passed initiatives

Since 2021, Missouri legislators have introduced over 71 bills to change the initiative process according to data from the Ballot Initiative Strategy Center.

THE GOP SUPERMAJORITY
FINAL SOLUTION
FOR DIRECT DEMOCRACY

KILL IT!

**RAISE THE THRESHOLD SO THAT ONLY
23% OF VOTERS CAN STOP PASSAGE**

THE GOP “FINAL SOLUTION” FOR BALLOT INITIATIVES



Since 2021, Missouri legislators have introduced over 71 bills to change the initiative process according to data from the Ballot Initiative Strategy Center.

Power corrupts. And absolute power corrupts absolutely.

Despite Republicans being in the supermajority(veto-proof) in the MO House and Senate, and holding state-wide offices, that's not enough power for them.

Their goal is to snuff out completely one of the last remaining checks on their power-the direct voice of the people- by gutting the ballot amendment process.

The GOP general assembly has made repeated attempts to kill off the ballot initiatives process by raising the bar for passage so high that few if any initiatives would clear it.

That will further obstruct citizens ability to participate in the public policy process directly and independently.

In the midst of all the finger pointing about why the bill to gut ballot measures failed during the past session, the new presumptive speaker of the House made it clear that the urgency to pass a bill to change how the state constitution is amended will still exist when the new legislative session convenes next year.

THE GOP “FINAL SOLUTION” FOR BALLOT INITIATIVES

<https://my.lwv.org/missouri/article/filibuster-blocks-ballot-candy-sjr-74>

<https://missouriindependent.com/2024/05/20/missourians-must-remain-vigilant-to-protect-our-initiative-petition-process/>

<https://www.brennancenter.org/our-work/research-reports/politicians-take-aim-ballot-initiatives>

<https://empowermissouri.org/restricting-democracy-is-never-the-answer/>

<https://gatewayjr.org/missouri-legislature-has-history-of-ignoring-peoples-laws/>



An American flag is shown with a political message printed across its stripes. The message is: "A VOTE FOR MISSOURI REPUBLICANS IS A VOTE TO KILL YOUR RIGHT TO BALLOT INITIATIVES FOREVER". The flag has a blue canton with white stars on the right side. The text is printed in bold, black, sans-serif capital letters. The flag is mounted on a white background with two gold-colored grommets on the right edge.

A VOTE FOR MISSOURI REPUBLICANS

IS A VOTE TO KILL YOUR RIGHT

TO BALLOT INITIATIVES

FOREVER