



Legislators jealously guard their power - March 16

SUMMARY:Not content to override voter-approved laws, legislators also are attacking the initiative process itself.

The last election is long past, the next one a long way off. So, we're hearing a lot less of the things legislators say to get elected and getting a closer look at what they really think. The clear message from many lawmakers in Helena this winter is that they, not you, know best.

The contempt that too many elected lawmakers have for citizens is plain to see in the series of bills seeking to override ballot measures approved by voters - term limits, the ban on mining with cyanide, use of tobacco-settlement funds and game farms. A few months ago, legislators promised to represent you; they'll be back at your door with the same pledge next year. For now, however, many of them have every intention of defying the clearly expressed will of voters.

Further evidence comes in the form of House Bill 719, passed by state representatives last month and now pending in the Senate. HB 719 targets the initiative process itself, not any specific law enacted by voters. It would change the deadline for gathering signatures on initiative petitions - to six months before election day, instead of the current four months. That's intended to make it harder to gather enough signatures. Citizens carrying petitions would have to gather signatures earlier in the year and turn them in long before primary election day in June, when large numbers of registered voters can be found near polling places.

This bill also asserts greater legislative control over the contents of petitions - requiring inclusion of adversary critiques by legislative staffers, for example. It would also give legislative staffers space in the official voter's pamphlet for their comments.

The unmistakable message - already endorsed by a majority of the House, mind you - is that making laws is a job for legislators; the public can't be trusted.

All of this is rather ironic when you consider the fact that in the nearly 95 years that Montanans have had the constitutional right to enact laws by initiative, citizens have proposed scores of measures but approved relatively few - several dozen. Initiatives receive great scrutiny and prompt much debate, and by the time an election is held, the vast majority of voters know exactly what they're voting on. Contrast that to the nearly 2,000 laws legislators propose each session and the hundreds they pass, sometimes with legislators themselves complaining they don't know for what they've voted.

The initiative process is a democratic safety valve. It's a means for citizens to enact laws when politicians aren't responsive or powerful interests wield too much control over government institutions. Montanans have used their initiative powers sparingly and

responsibly over the years.

But that's beside the point here. Backers of HB 719 aren't saying the initiative process has been ill-used. They don't like that it's used at all.