

Ballot Measure/Initiative/Referendum History – Animal Protection Issues

Election Summary

Total win/loss count for the animal protection movement: 40 wins and 18 losses, a 69% win rate.

Total win/loss count for measures The Humane Society of the United States (HSUS), Humane Society Legislative Fund (HSLF) and/or The Fund for Animals (FFA) have been centrally involved in: 40 wins and 15 losses, a 73% win rate. (HSUS was not actively involved in the 1992 Arizona, 1998 Alaska or 2016 Montana anti-trapping initiatives.)

Historical Overview

Initiative and referendum processes became more common in the late 19th and early 20th centuries, when a variety of stakeholders associated with Populism and Progressivism advanced a comprehensive set of political reforms including women's suffrage, secret ballots, and direct election of senators.

For decades, animal protection groups did not frequently use this process, focusing primarily on local concerns and direct care of horses, dogs, and cats. Few groups focused on state policy, and fewer still on national policy. Advocates did advance several initiatives dealing with vivisection, rodeo, and trapping in the 1920s and 1930s, but voters rejected most of the measures.

Between 1940 and 1988, animal protection advocates qualified just a handful of animal protection initiatives. Maine voters rejected a ban on moose hunting in 1983 and Ohio and Oregon voters rejected anti-trapping initiatives in 1977 and 1980, respectively. This 50-year span marked a period of near-complete control in state legislatures over policies related to the use of animals by agricultural, hunting, and other industries.

In 1988, the California Fish and Game Commission voted to institute a mountain lion hunting season. Animal protection advocates sued the state to delay the onset of the hunting. At the same time, they launched and qualified an initiative – with volunteers amassing in excess of 600,000 signatures - to ban any trophy hunting of lions. In June 1990, voters approved the measure, and its passage sparked renewed interest in the initiative process by animal protection advocates.

Since 1990, there has been a proliferation of animal protection initiatives, largely spearheaded by the Humane Society of the United States (HSUS), the Humane Society Legislative Fund (HSLF), and The Fund for Animals (FFA). Ballot measures are seen as a backstop, launched only after lawmakers (under heavy pressure from powerful anti-animal interests) fail to pass widely supported animal protection measures. When conducting an initiative, these animal protection groups carefully identify resonant issues, organize volunteer signature drives, commission polling, raise money, air compelling advertising, and mobilize throngs of volunteers.

Between 1990 and 2018, animal protection advocates squared off against factory farming corporations, trophy hunters, and other animal-use industries in 58 statewide ballot measure campaigns, winning 40 campaigns – a 69% success rate (complete list below). Forty-four of the measures were initiatives or referenda pushed by animal protection advocates.

Even though the animal protection movement failed in efforts to strengthen anti-cruelty laws in Arkansas and North Dakota via the ballot box, state lawmakers later passed the legislation in both states at the HSUS's urging.

Of the six contested pro-hunting referenda, animal protection advocates prevailed in five campaigns. Most of these pro-hunting referenda sought to make it practically impossible to use the initiative process by creating new passage or qualification standards. One pro-hunting referendum, which was contested and defeated, sought to repeal the ban on lion hunting in California.

Since 1996, 20 states have passed constitutional amendments guaranteeing the right to hunt, and Missouri (2014) and North Dakota (2012) have passed amendments to their constitutions to establish a so-called “right to farm.” (Animal advocates dub these measures “Right to Harm” because they block voters and lawmakers from prohibiting the cruelest practices.) In 2016, animal advocates defeated a right to farm measure in Oklahoma. (The HSUS and its allies contested only the Missouri and Oklahoma measures at the ballot.) HSUS has helped defeat multiple right to farm amendments in other states before they ever reached the ballot.

Over the past few decades, the animal protection movement has had great success in carefully selecting and winning initiative and referendum campaigns. Animal-use industries continue to work with their allies in state legislatures to try to deny citizens access to the initiative process, repeal animal protection measures, and preempt or block future reforms. These threats are likely to continue, especially in respect to farm animals, wildlife, and puppy mills.

BALLOT MEASURES ON ANIMAL PROTECTION SINCE 1990

Bold – animal advocates prevail / Italics – referenda (measure referred to ballot by state legislature)

Year	State	Issue	Ballot designation	Result	Yes	No
1990	California	prohibit sport hunting of mountain lions	Proposition 117	Approved	52%	48%
1992	Arizona	ban steel jawed traps and other body-gripping traps	Proposition 200	Rejected	38%	62%
1992	Colorado	prohibit spring, bait, and hound hunting of black bears	Amendment 10	Approved	70%	30%
1994	Arizona	prohibit steel jawed traps and other body-gripping traps	Proposition 201	Approved	58%	42%
1994	Oregon	ban bear baiting and hound hunting of mountain lions	Measure 18	Approved	52%	48%
1996	Alaska	ban same-day airborne hunting of wolves and foxes	Measure 3	Approved	58%	42%
1996	California	allow the trophy hunting of mountain lions	<i>Proposition 197</i>	Rejected	42%	58%
1996	Colorado	ban leghold traps and other body-gripping traps	Amendment 14	Approved	52%	48%
1996	Idaho	ban spring, bait, and hound hunting of black bears	Proposition 2	Rejected	40%	60%
1996	Massachusetts	restrict steel traps and other body-gripping traps, ban hound hunting of bears and bobcats and eliminate quota for hunters on Fisheries & Wildlife Board	Question 1	Approved	64%	36%
1996	Michigan	ban baiting and hounding of black bears	Proposal D	Rejected	38%	62%
1996	Oregon	repeal ban on bear baiting and hound hunting of bears and cougars	<i>Measure 34</i>	Rejected	42%	58%
1996	Washington	ban bear baiting and hound hunting of bears, cougars, bobcats, and lynx	Initiative 655	Approved	63%	37%

1998	Alaska	ban wolf snare trapping	Proposition 9	Rejected	37%	63%
1998	Arizona	prohibit cockfighting	Proposition 201	Approved	68%	32%
1998	California	ban the use of cruel and indiscriminate traps and poisons	Proposition 4	Approved	57%	43%
1998	California	prohibit slaughter of horses and sale of horse meat for human consumption	Proposition 6	Approved	59%	41%
1998	Missouri	prohibit cockfighting	Proposition A	Approved	62%	38%
1998	Ohio	restore the ban on mourning dove hunting	Issue 1	Rejected	41%	59%
1998	Utah	require 2/3 majority for wildlife ballot issues	<i>Proposition 5</i>	Approved	56%	44%
2000	Alaska	ban wildlife issues from ballot	<i>Measure 1</i>	Rejected	35%	65%
2000	Alaska	ban land-and-shoot wolf hunting	Measure 6	Approved	53%	47%
2000	Arizona	require 2/3 majority for wildlife ballot issues	<i>Proposition 102</i>	Rejected	38%	62%
2000	Massachusetts	ban greyhound racing	Question 3	Rejected	49%	51%
2000	Montana	prohibit new game farm licenses, ban canned hunts	Initiative 143	Approved	52%	48%
2000	Oregon	restrict steel traps and certain poisons	Measure 97	Rejected	59%	41%
2000	Washington	restrict steel traps and certain poisons	Initiative 713	Approved	55%	45%
2002	Arizona	expand gambling at greyhound tracks	Proposition 201	Rejected	20%	80%
2002	Arkansas	increase penalties for animal cruelty	Initiated Act 1	Rejected	38%	62%
2002	Florida	ban gestation crates for pigs	Amendment 10	Passed	55%	45%
2002	Georgia	specialty license plate for spay/neuter	<i>Measure 6</i>	Passed	71%	29%
2002	Oklahoma	ban cockfighting	State Question 687	Passed	56%	44%
2002	Oklahoma	increase signature requirement for animal issues	<i>State Question 698</i>	Rejected	46%	54%

2004	Alaska	ban bear baiting	Ballot Measure 3	Rejected	44%	56%
2004	Florida	expand gambling at racetracks	Amendment 4	Approved	51%	49%
2004	Maine	ban bear baiting, hounding, and trapping	Question 2	Rejected	47%	53%
2006	Arizona	ban gestation crates, veal crates	Proposition 204	Passed	62%	38%
2006	Michigan	allow mourning dove hunting	Proposal 3	Rejected	31%	69%
2008	Alaska	ban airborne hunting of wolves and bears	Measure 2	Rejected	45%	55%
2008	California	ban gestation crates, veal crates, and battery cages	Proposition 2	Approved	63%	37%
2008	Massachusetts	ban greyhound racing	Question 3	Approved	56%	44%
2010	Missouri	limits on puppy mills	Proposition B	Approved	52%	48%
2010	Arizona	block certain citizen initiatives on animal welfare	<i>Proposition 109</i>	Rejected	44%	56%
2010	North Dakota	ban canned hunts	Measure 2	Rejected	44%	56%
2012	North Dakota	increase penalties for animal cruelty	Measure 5	Rejected	35%	65%
2014	Missouri	constitutional “right to farm”	<i>Amendment 1</i>	Approved	50%	49%
2014	Michigan	allow wolf hunting	Proposal 1	Rejected	45%	55%
2014	Michigan	allow Natural Resources Commission to set hunting seasons on wolves and other protected species	Proposal 2	Rejected	36%	64%
2014	Florida	dedicate funds to conservation and wildlife habitat	Amendment 1	Approved	75%	25%
2014	Maine	ban bear baiting, hounding, and trapping	Question 1	Rejected	47%	53%
2015	Washington	ban trade in parts of elephants, rhinos, lions, pangolins, tigers, leopards, cheetahs, sharks, rays, marine turtles	Initiative 1401	Approved	70%	30%
2016	Oklahoma	establish a constitutional “right to farm” – to prohibit regulations on agriculture	<i>Question 777</i>	Rejected	39%	60%

2016	Massachusetts	ban gestation crates, veal crates, hen confinement and forbid sale of veal, pork, or eggs from confinement	Question 3	Approved	78%	22%
2016	Oregon	restrict intrastate sale of ivory, rhino horns and parts from other rare wild animals	Measure 100	Approved	70%	30%
2016	California	maintain state ban on plastic bags which injure and kill sea birds and marine animals	Proposition 67	Approved	53%	47%
2016	Montana	restrict trapping on public lands	I-177	Rejected	37%	63%
2018	California	Prohibit sale of veal, pork and eggs from confinement operations	Proposition 12	Approved	63%	37%
2018	Florida	Ban greyhound racing	Amendment 13	Approved	69%	31%

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