



Drugs, Politics and Gambling

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This November, voters in 38 states will get the opportunity to cast a vote on 200 statewide ballot measures – 53 from the people and 147 from the government. The issues to be decided will be as mundane as taking out obsolete provisions of Colorado's constitution to controversial issues like legalizing marijuana in Nevada. Over half of the statewide measures will fall into a handful of categories; drug policy reform, animal protection, education reform, election reform, gaming and fiscal policy.

Arizona and New Mexico vie for the top honor of having the most prolific ballot this November – both with 14. The state with the most issues from the people (commonly referred to as initiatives) is Oregon with 7 – a 60% decrease from 2000. Three of the top five most prolific ballots are comprised of issues from lawmakers and not the people – New Mexico, Louisiana and Georgia.

If these numbers stay constant, it will represent a 30% decrease from the last election in the number of initiatives placed on the ballot and will also represent the fewest number since 1986 when 46 statewide initiatives were voted on. However, even though the citizens are placing fewer issues on the ballot, state legislators placed 10% more issues on the ballot than they did in 2000.

Drug Policy Reform

This reform has been on a roll since it came to the forefront of ballot politics in 1998. This election continues the trend. Voters in Ohio will face an initiative requiring treatment instead of incarceration for non-habitual drug offenders. In Arizona, the voters will once again address the medical marijuana issue and Nevadans will vote to decriminalize the possession of less than 3 ounces of marijuana.

Two South Dakota initiatives will indirectly affect the drug reform movement. One would legalize the use of industrial hemp and the other would allow a criminal defendant to argue the merits, validity, and applicability of the law, including sentencing laws. This initiative is strongly supported by drug reformers because it would allow people arrested on drug related charges to argue that the law that they were arrested under is bad public policy and therefore the defendant shouldn't be convicted. If this initiative passes, it could mark the next front in drug reform related initiatives.

But this election cycle won't be easy for these reformers. The movement is facing a challenge far greater than just opponents within the states. The federal government, in the form of the Drug Enforcement Agency (DEA), has taken a very active role in working to defeat these initiatives. Whether or not this active involvement in electoral politics is legal or not will no doubt be ultimately decided by the courts.

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Animal Protection

This is another dominant issue that emerged in the 1990s and has consistently ranked as one of the top issues to be addressed via the initiative process. This November, voters in Florida will decide whether to ban gestation crates for pigs. This initiative marks the opening salvo on the growing industrial hog farming industry.

Oklahoma voters will decide whether to become the newest state to ban cockfighting and in Arkansas an initiative to toughen penalties for extreme acts of animal cruelty will be decided.

Education Reform

In California, Arnold Swartzenegger is trying to say “hasta la vista” to bored school children by pushing Proposition 49 that would “increase state grant funds available for before and after school programs.”

In Colorado and Massachusetts voters will decide on initiatives that would require children to be taught by using the English language in the classroom. These two initiatives follow wins on this issue in California and Arizona.

Floridians will get the opportunity to deal with two high profile education initiatives. Measure 8 would require that “every four-year-old child in Florida shall be offered a high quality pre-kindergarten learning opportunity” and Measure 9 would “provide funding for sufficient classrooms so that there be a maximum number of students in public school classes.” In all, it is likely that these education battles will account for a substantial percentage of the money spent on ballot measures this election cycle.

Election Reform

Several initiatives fall into this category this election cycle – more so than in any of the previous three cycles. In California and Colorado, voters will decide on what is commonly referred to as “same day voter registration.”

Three other Colorado initiatives are also worth noting. One would change the way candidates are placed on the primary ballot by requiring nominating petitions instead of relying on nominating conventions. The second would allow for mail ballot elections and the third would be a far-reaching campaign finance reform measure that would “reduce the amount of money that individuals and political committees can contribute.”

In Oregon, voters will decide on an initiative that would “revise the procedure for filling judicial vacancies and allows vote for ‘none-of-the-above’.” In Michigan, voters will decide on reinstating straight party voting and in Idaho the voters will decide on a popular referendum that would reinstate the state legislative term limits that were abolished by the state legislature earlier this year. The outcome of this vote will resonate through state legislatures all across the country.

But what about state legislators? What are they putting on the ballot?

It seems that they have focused their efforts on fiscal and revenue issues. Over the last couple of election cycles, and especially since the fiscal impact of September 11th, state legislators have been looking at ways to increase the revenues in their state. 40 states are now claiming that they will have budget deficits this year.

One way in which the states hope to increase revenue is by allowing the investment of state funds in the stock market. In Louisiana, one legislative referendum would allow institutions of higher education to invest in stocks and another would create “an exception to permit investment in stocks of up to 35% of the Medicaid Trust Fund for the Elderly.” Montanans will decide if to “remove the restriction on investing public funds in private corporate capital stock” and in South Carolina, two legislative referendum will be voted on that would allow for the additional investing of state funds in the stock market. It will be interesting to see how the voters respond to these ballot measures given the current fiscal climate and controversy surrounding corporate stock and the volatility of the stock market.

Another method in which the states are trying to increase their revenue, as they do in almost every election cycle, is through the issuance of bonds. Almost 16% of all the legislative referendum this election cycle are bonds.

But that’s not all state lawmakers are up to - expanding gaming or establishing a lottery is also on their radar screen. In Arizona, voters will decide on whether to extend the state lottery to the year 2012 while in Tennessee voters will be deciding two interrelated legislative referendum. One would delete the current constitutional prohibition on lotteries and the other would create the Tennessee Lottery Corporation. These measures will no doubt test the ability of the churches to mobilize their flocks.

So buckle up, cast your vote on Election Day, and sit back and watch. This election, like those before it, offers something for everyone and the outcomes are anyone’s guess. But whatever the outcome, the fiscal and social impacts will be far reaching and long lasting.