

**Initiative & Referendum Institute's  
November 5, 2002**

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General Election Post Election Report

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## **2002 Initiatives and Referendum Drugs, Politics and Gambling - Did the Voters Succumb<sup>1</sup>?**

So what did the voter's decide – were they cautious as we had predicted or did they disregard the concerns of war, terrorism and the economy and do as they pleased? In short, “cautious” was the word of the day. The voters once again defied party labeling and voted their conscience when it came to ballot measures. In a time of great uncertainty, voters picked through the list of statewide ballot measures and systematically made their feelings known while at the same time not revealing whether their underlying principles lean more liberal or conservative. The great race to categorize the voter's political beliefs will once again have to wait for another election day.

On Election Day 2002, voters cast their ballots on 202 statewide ballot measures in 40 states and approved approximately 62% of them. 53 were placed on the ballot by the people and 149 were placed on the ballot by the state legislatures<sup>2</sup>. Of the measures placed on the ballot by the people, 47% were approved. This number is a little higher than the 100-year average of 41%. In looking at the measures placed on the ballot by the state legislatures, the voters continued the trend of passing those at a higher percentage than citizen measures by adopting almost 66% of them. Arizona and New Mexico hold the top honor of having the most prolific ballot on Election Day – both with 14. The state that had the most issues from the people (commonly referred to as initiatives) was Oregon with 7 – though a 60% decrease from 2000. Three of the top five most prolific ballots comprised of issues from lawmakers and not the people – New Mexico, Louisiana and Georgia. There was an average of 2.04 initiatives per state and an average of 2.94 legislative referendums per state on the ballot this election.<sup>3</sup>

This election was noticeable for many reasons but one that stands out is the fact that there were 30% fewer initiatives on the ballot than 2000 and the fewest number since 1986. The decrease in the number of initiatives making the ballot can be attributed to five distinct factors: 1) increased regulation of the initiative process has made it more difficult to use; 2) increased judicial action striking down initiatives on technical grounds has caused concern among potential users of the initiative process and has made them reluctant to use the process; 3) many potential users of the process were waiting to see what the new makeup of the state legislatures and Congress will be after redistricting and the mid-term elections. The new composition of these lawmaking bodies may be more receptive to their reforms and so therefore they would not have to turn to

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<sup>1</sup> Special thanks must go to Shirley Starke for the preparation of this report. Shirley serves as the Institute's archivist and worked around the clock on election night collecting the information for this report.

<sup>2</sup> This analysis was prepared by M. Dane Waters, President of the non-profit and non-partisan Initiative & Referendum Institute. Nothing in this analysis should be construed as an endorsement of any of the ballot measures mentioned and is being provided for educational purposes only.

<sup>3</sup> Only 24 states have the statewide initiative process and 50 states have the legislative referendum process. Full definitions are available in the back of this report.

the initiative process; 4) some potential initiative supporters chose not to place initiatives on the ballot post 9/11 feeling that this was not the time to be challenging the government; and 5) due to the poor economy potential initiative proponents did not have the funds necessary to utilize the initiative process. However, even though the citizens placed fewer issues on the ballot, state legislators placed 10% more issues on the ballot than they did in 2000. The reason for this is hard to say, but it could be argued that the increase was due to a desire by state lawmakers to increase revenue for their states through new bonds or the expansion of lottery and gaming.

### **So how did the top initiatives do?**

**Drug Policy Reform** - Coming into this election cycle, drug policy reformers had enjoyed a tremendous winning record but this year they suffered a clean sweep defeat on their statewide initiatives (they did win a local measure in Washington, DC and one in San Francisco). Ohio voters chose not to adopt Issue One that would allow for the treatment instead of incarceration for non-violent drug offenders while Nevadans chose to vote down Question 9 which would have legalized marijuana for recreational purposes. In one of the more surprising outcomes voters voted down Proposition 203 in Arizona that would have legalized medical marijuana. Two other closely watched drug related initiatives in South Dakota, Amendment A which would allow a criminal defendant to argue the merits of the law and be found innocent because the jury found the law itself to be bad public policy and Measure 1 which would legalize industrial hemp (cannabis) were both defeated. Many have argued that the reason this election cycle has proven to be more difficult for the movement than previous elections is due to the extraordinary step by John Walter (Bush's Drug Policy Advisor) and Asa Hutchison (head of the DEA) in actively campaigning against these measures – a move that many believe will lead to litigation against the federal government's involvement in political campaigns.

According to Bill Zimmerman, Executive Director, Campaign for New Drug Policies, "of the four drug reform initiatives we were directly involved with in the last election, one won and three lost. While this represents a lower level of success than we realized in the three previous election cycles, we see it as a bump in the road, not a change of direction. Over the past six years, our initiatives have moved drug policy reform from the political netherworld to the political mainstream. Drug policy reforms are being debated by elected officials and legislatures across the country. We entered this cycle with a 17-2 record on drug policy reform initiatives. We come out of it with an 18-5 record." There is little doubt that the drug policy reform movement will continue to utilize the initiative process in its quest to raise awareness of the reforms they are seeking.

**Animal Rights** - Animal rights advocates fared well on Election Day. The

animal protection movement emerged in the 1990s as a dominant issue at the ballot box. This election cycle was no exception. Voters in Oklahoma approved an initiative outlawing cockfighting while voters in Florida voted to ban the use of gestation crates for pregnant pigs. On the losing side was an Arkansas initiative that would have made cruelty to animals a class D felony instead of the current class A misdemeanor. The Florida win will help energize the movement to ban gestation crates across the country potentially leading to more ballot measures on this issue in the near future. "Voters again have demonstrated that they care about the protection of animals, whether the abuse involves intensive confinement on factory farms or staged animal fights," said Wayne Pacelle, senior vice president of the Humane Society of the United States.

**Education** - Another favorite at the ballot box has been education reform and this election cycle continued the trend. According to Kristina Wilfore of the progressive Ballot Initiative Strategy Center (BISC), "ballot measure results from this election clearly demonstrated voters' strong support for public education." Five initiatives are especially worth noting that prove this point. In California, Arnold Schwarzenegger's Proposition 49 won handily. The initiative will "increase state grant funds available for before and after school programs." This impressive victory will no doubt give the "Terminator" the political prestige he wanted to launch his rumored gubernatorial campaign. In Colorado and Massachusetts voters decided 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. The surprising thing about these two initiatives is where they won and lost. This issue, which is usually personified as a conservative issue, won handily in the liberal state of Massachusetts (Question 2) but lost in conservative Colorado (Amendment 31). This just goes to show that voters can't be expected to vote straight party ideology when voting on ballot measures. Floridians dealt with two high profile education initiatives. Measure 8, which will require that "every four-year-old child in Florida be offered a high quality pre-kindergarten learning opportunity" won by a narrow margin as did Measure 9. Measure 9, which will "provide funding for sufficient classrooms so that there be a maximum number of students in public school classes" had become a big issue in the Governor's race with McBride throwing his strong support behind it while Bush was caught in an unfortunate candid moment saying that he had already thought of several "devious ways" to keep the measure from going into affect. Now that it's the law all eyes will no doubt be watching for the "devious" Bush to appear.

**Election Reform** - One of the biggest losers on Election Day was election reform. In California and Colorado, voters said no to initiatives that would have put in place what is commonly referred to as "same-day voter registration." Three other Colorado initiatives are also worth noting. Amendment 29, which would change the way candidates are placed on the primary ballot by

requiring nominating petitions instead of relying on nominating conventions, was defeated. Amendment 28, which would allow for mail ballot elections, was defeated as well. The third, Amendment 27, which would “reduce the amount of money that individuals and political committees can contribute”, was victorious. According to Pete Maysmith, Executive Director of Colorado Common Cause, “voters in Colorado for the second time in six years overwhelmingly supported a strong, comprehensive campaign finance reform measure championed by the League of Women Voters and Colorado Common Cause. Although many politicians are reluctant to admit it, there can be no doubt - Coloradoans believe their campaign finance system is corrupted by big money and they want to see it fixed.”

One of the more telling signs of the political feelings of the electorate was exemplified in Idaho with voters giving a controversial endorsement to a measure that would abolish term limits in Idaho. However, this victory for state lawmakers is being overshadowed by persistent stories of voter confusion over which way to vote on the ballot measure. According to Stacie Rumenap, Executive Director of U.S. Term Limits, “the narrow defeat in Idaho showed that the popularity of state legislative term limits is not always enough to sustain support for term limits on hundreds of state and local offices, from sheriff to school board members, as was the case in the Idaho term limits law. Additionally, there was a great deal of confusion over how to vote to keep term limits in place. However, it’s clear that when voters are asked only about legislative limits, support remains strong. After being outspent by political elites 11 to 1 earlier this year, voters in California soundly defeated a measure intended to extend legislative limits. Across the county, the numbers are clear: the majority of voters continue to back legislative term limits every chance they get.”

**Gaming** - Several ballot measures dealing with expanding gaming or creating a lottery were put before the voters, but as is usually the case didn’t fare well. Those from the state legislatures will be discussed below but as far as initiatives were concerned, Arizona was the hotbed. In that state, three initiatives were voted on that dealt with gaming. Propositions 200 and 202 that dealt with expanding Indian gaming and dictating where and how the proceeds should be divided had mixed results. Proposition 200 was soundly defeated while Proposition 202 passed. The other initiative, Proposition 201 that would have allowed for “non-tribal gaming” in the state was defeated overwhelmingly. In Idaho, voters decided to allow video gaming on Indian land and voters in North Dakota decided to “direct the legislative assembly to authorize the state to join a multi-state lottery.”

**Taxes** - Since 1978’s Proposition 13 in California that cut property taxes, tax reformers have used the initiative process religiously. This election cycle was no different. However, it wasn’t exactly a banner year for tax cut advocates at the statewide level. The voters of Massachusetts voted down Question 1 that would

have abolished their state income tax – maybe in hopes of maintaining their title of “Taxachusetts” – while voters in Arkansas defeated an initiative that would have abolished certain taxes on their food and medicine. But tax cutters weren’t without a few victories at the local level. According to John Berthoud, President of the National Taxpayers Union (NTU), “taxpayers were heartened by a number of strong victories at the local level in 2002. One of the most important was a resounding defeat of a proposed half-cent sales tax hike in Northern Virginia and Hampton Roads, Virginia for more transportation spending. Proponents of higher taxes pulled out all the stops. Developers poured in money and outspent taxpayer groups by at least ten to one. Politicians of both parties (well-funded by the same developers) lobbied hard for the measure. Still, taxpayers told them all that enough is enough.”

Regardless of these outcomes at the statewide level, tax cutters will be back in future elections to carry on the legacy of Howard Jarvis and California’s Proposition 13.

### **So how did the top legislative referendum do?**

**Revenue Enhancers** - Over the last couple of election cycles, and especially since the fiscal impact of September 11<sup>th</sup>, state legislators have been looking at ways to increase the revenues in their state. At least forty states will have budget deficits this year and in this election cycle lawmakers were hoping that the voters would “ease their pain” and give them more money to spend. Well in short – the verdict is mixed. In Tennessee where lawmakers were hoping to establish a lottery (to escape having to implement an income tax), voters decided to help lawmakers by passing Amendment A-1. In Montana, South Carolina and Louisiana, where the voters were asked to give lawmakers greater latitude in investing in the stock market, the voters for the most part said no. With the exception of one measure in South Carolina, the voters told lawmakers that the stock market was too risky to be investing public funds. As to bonds, California voters adopted the largest bond measure in the state’s history. Proposition 47 will raise \$13 billion for an across the board overhaul of the state’s public school facilities. Other bond measures across the country seemed to fare well also. According to the National Conference of State Legislatures (NCSL), 21 of the 24 statewide bond issues passed providing \$22 billion dollars in funding for “everything from mortgage assistance for veterans, to transportation, education and environmental projects.”

**Initiative and Referendum Reform** - As the Institute has highlighted over the last few years, state legislators have become more and more hostile to the initiative process. This election only emphasized the point with votes on amendments to make the process more difficult in Oklahoma and Montana. In Oklahoma, the voters defeated a measure placed on the ballot by lawmakers that would change the number of signatures needed to propose a constitutional initiative from 8% to 15% for initiatives pertaining to hunting, fishing

or trapping. In Montana, voters decided two issues. They adopted one measure that would increase the distribution requirement for constitutional initiatives and another that would increase the distribution requirement for statutory initiatives.

### **A few honorable mentions.**

Voters also showed their resolve to maintain the norm with the defeat of two high profile measures in Oregon – Measure 23 that would have called for universal health care and Measure 27 that would have called for the labeling of genetically modified foods. These defeats do not necessarily mean that voters don't support these reforms – it's just that given the uncertainty of the times these are items that they feel can be addressed in the future – but not now. Smoking was another area that voters spoke out on. In Florida the voters adopted Amendment 6 that would ban smoking in all public places. In Missouri, voters chose not to increase cigarette taxes while in Arizona the voters decided to make cigarettes \$1.18 a pack – more than double the current rate. As to social policy, not much was on the ballot this election cycle with the exception of banning same sex marriage in Nevada. Nevadans voted once again (by law amendments must be voted on twice before becoming law) to adopt the ban.

### **So what does all of this mean?**

Primarily, faced with uncertain economic times and the possibility of war, voters chose to be cautious and maintain the status quo – though with one obvious exception – education reform. The reason for this, many argue, is that during these tough fiscal times voters feel that big ticket road projects and other costly non-education related items can wait until economic times are better and they are more comfortable approving them. They also feel that items that would cause significant changes in their daily lives – like drug reform, labeling genetically modified food and establishing universal healthcare – can wait as well. However, they made it clear that what can't wait is the education of their kids.

Ignoring the hum drum factual analysis of Election Day 2002, what did we really learn about the voter – simply that the line between conservatives and liberals is blurring. You will always have your 10% hardcore conservatives and liberals at both ends of the political spectrum that not only vote the party line on candidates but also vote strict political conviction on ballot measures. But the other 80% is clearly thumbing their noses at those that want to label them. These voters may feel some loyalty to a specific party but when it comes to ballot measures they know that their vote will have an almost instantaneous impact on their daily lives and so are far less likely to vote strictly on party conviction. Though the repercussions of their vote for a specific candidate may be unknown for a long period of time, they can see clearly the impact of their vote on ballot measures almost immediately. Maybe this is the reason that voters

love ballot measures so much – they know their vote will have an immediate impact – good or bad.

But what impact will these ballot measures have on government? Some, like those that gave governments more latitude in spending money, will help them deal with the tough fiscal crisis they are facing. Others that dedicated revenue for specific reforms – like education – will force governments to take a closer look at their budgets and make some tough choices in order to fund the citizens' mandate. However, there is no doubt that some governments will choose to ignore the people's mandates for various reasons – in most cases because they will argue that implementing the ballot measure will cause undue fiscal problems to the state. It will be interesting to see how the voters respond when this happens.

Overall, as with every election cycle in which ballot measures are voted on, the impact on the citizens and the government will be substantial and long lasting.

### **How does this election compare to other elections?**

Since the first statewide initiative appeared on Oregon's ballot in 1904, citizens in the 24 states with the initiative process have placed approximately 2,051 statewide initiatives on the ballot and have only adopted 841 (41%). Even though 24 states have the statewide initiative process, over 60% of all initiative activity has taken place in just six states – Arizona, California, Colorado, North Dakota, Oregon and Washington.<sup>4</sup>

Additionally, it is important to point out that very few initiatives actually make it to the ballot. In California, according to political scientist Dave McCuan, only 26% of all initiatives filed have made it to the ballot and only 8% of those filed actually were adopted by the voters. During the 2000 election cycle, over 350 initiatives were filed in the 24 initiative states and 76 made the ballot – about 22%<sup>5</sup>.

<b>Decades with the lowest number of statewide initiatives on the ballot</b>	<b>Number Proposed</b>	<b>Number Adopted</b>	<b>Passage Rate</b>
<b>1901-1910</b>	56	25	45%
<b>1961-1970</b>	87	37	41%
<b>1951-1960</b>	114	45	39%

The initiative process has been through periods of tremendous use as well as periods in which it was rarely utilized. Initiative usage steadily declined from its peak of 293 from 1911-1920 to its low of 87 in 1961-1970. Many factors contributed to this, but the distraction of two World Wars, the Great Depression and the Korean War are largely responsible.

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<sup>4</sup> Based on independent research conducted by the Initiative & Referendum Institute. A complete listing of all the initiatives that appeared on the ballot can be found in the Institute's historical database at [www.iandrinstitute.org](http://www.iandrinstitute.org).

<sup>5</sup> Ibid.

However, in 1978, with the passage of California's Proposition 13, the people began to realize the power of the initiative process once again and its use began to climb. Since 1978, two of the three most prolific decades of initiative use have occurred, 1981-90 (271 initiatives) and 1991- 2000 (389 initiatives).<sup>6</sup>

<b>Decades with the highest number of statewide initiatives on the ballot</b>	<b>Number Proposed</b>	<b>Number Adopted</b>	<b>Passage Rate</b>
<b>1991-2000</b>	389	188	48%
<b>1911-1920</b>	293	116	40%
<b>1981-1990</b>	271	115	42%

In 1996, considered by scholars to be the “high water mark” for the use of the initiative process, the citizens placed 93 initiatives on statewide ballots and adopted 44 (47%). In contrast, that year, state legislators in those same 24 states adopted over 14,000 laws and resolutions.<sup>7</sup>

<b>States with the highest number of statewide initiatives on the ballot (1904 – 2002)</b>	<b>Number Proposed</b>	<b>Number Adopted</b>	<b>Passage Rate</b>
<b>Oregon</b>	325	115	36%
<b>California</b>	279	98	35%
<b>Colorado</b>	183	65	36%
<b>North Dakota</b>	168	76	45%
<b>Arizona</b>	154	64	42%

Since 1996, the number of initiatives actually making the ballot is remaining constant if not falling. In 1998, only 61 statewide initiatives actually made the ballot - the lowest in a decade. In 2000 a total of 76 initiatives found their way to statewide ballots, though more than 1998, it is 17 less than appeared on the 1996 ballot and is consistent with the decade average of 73 initiatives per election cycle. These numbers do not support the accusation that there has been a “drastic” increase in initiative usage over the last decade.

In 2001 there were only four initiatives on statewide ballots. This number is actually two fewer than the number of initiatives that appeared on the 1991 general election ballot. The reason for the low number in odd numbered election years is that the constitutions of only five states allow initiatives in the odd years – Colorado, Maine, Mississippi, Ohio and Washington State.

The 2002 election cycle continues to show that the use of the initiative process is declining - perhaps showing the success that legislatures have had in restricting the public's use of the initiative process. On Election Day 2002 voters decided the outcome of 202 statewide ballot measures in 40 states. Of those, 49 were initiatives – a 30% decrease from the 2000 general election and the

<sup>6</sup> Ibid.

<sup>7</sup> Numbers are approximate due to the fact that a comprehensive list of laws passed by state legislatures is unavailable. The numbers utilized in this section were arrived at utilizing information provided by the National Conference of State Legislatures.

lowest since 1986.

Whether or not this trend will continue is hard to predict. The history of the initiative process has shown that there are high use periods as well as low use periods. However, one thing that is for certain – if state lawmakers continue to put more restrictions on the people’s ability to utilize the initiative process there is no doubt that fewer initiatives will be making the ballot.

### How the states rank

The following is how the states rank regarding number of statewide ballot measures voted on November 5, 2002.

#### The top five most prolific ballots this November by total number of ballot measures

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
Arizona	4	0	10	14
New Mexico	0	0	14	14
Louisiana	0	0	12	12
Oregon	7	0	5	12
Georgia	0	0	11	11

#### The rest of the country

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
Florida	5	0	5	10
Colorado	5	0	5	10
Nevada	2	0	7	9
Oklahoma	1	0	8	9
California	4	0	3	7
Montana	2	1	4	7
Utah	1	0	6	7
Alaska	2	0	4	6
Missouri	2	0	4	6
Rhode Island	0	0	5	5
Washington	2	1	2	5
Arkansas	2	0	2	4
Michigan	2	1	1	4
South Dakota	2	0	2	4
Virginia	0	0	4	4
Wyoming	0	0	4	4
Alabama	0	0	3	3
Hawaii	0	0	3	3
Maine	0	0	3	3
Maryland	0	0	3	3
Massachusetts	2	0	1	3

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
North Dakota	2	0	1	3
Idaho	1	1	0	2
Kentucky	0	0	2	2
Nebraska	0	0	2	2
New Hampshire	0	0	2	2
South Carolina	0	0	2	2
Tennessee	0	0	2	2
West Virginia	0	0	2	2
Mississippi	0	0	1	1
North Carolina	0	0	1	1
Ohio	1	0	0	1
Pennsylvania	0	0	1	1
Texas	0	0	1	1
Vermont	0	0	1	1
Connecticut	0	0	0	0
Delaware	0	0	0	0
Illinois	0	0	0	0
Indiana	0	0	0	0
Iowa	0	0	0	0
Kansas	0	0	0	0
Minnesota	0	0	0	0
New Jersey	0	0	0	0
New York	0	0	0	0
Wisconsin	0	0	0	0

**The top five most prolific ballots this November by total number of initiatives**

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
Oregon	7	0	5	12
Colorado	5	0	5	10
Florida	5	0	6	11
Arizona	4	0	10	14
California	4	0	3	7

**The top five most prolific ballots this November by total number of legislative referendum**

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
New Mexico	0	0	14	14
Louisiana	0	0	12	12
Georgia	0	0	11	11
Arizona	4	0	10	14
Oklahoma	1	0	8	9

## State-by-state listing

### **ALABAMA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 3**

State ID Number: Amendment Number 1

Type: Legislative Referendum

Summary: Proposing an amendment to the Constitution of Alabama of 1901, providing that any new proposed Constitution of Alabama adopted to replace the existing Constitution of Alabama of 1901, shall become effective only upon its ratification by a majority of the qualified voters voting on such ratification. Proposing an amendment to the Constitution of Alabama of 1901, providing that any new proposed Constitution of Alabama adopted to replace the existing Constitution of Alabama of 1901, shall become effective only upon its ratification by a majority of the qualified voters voting on such ratification.

**Pass/Fail: P**

**Percent Yes: 81.03**

**Percent No: 18.97**

State ID Number: Amendment Number 2

Type: Legislative Referendum

Summary: Proposing an amendment to the Constitution of Alabama of 1901, to establish the General Fund Rainy Day Account within the Alabama Trust Fund.

**Pass/Fail: F**

**Percent Yes: 49.9**

**Percent No: 51.1**

State ID Number: Amendment Number 3

Type: Legislative Referendum

Summary: Proposing an amendment to the Constitution of Alabama of 1901, to provide a means by which members of the sheep and goat industry may organize and by referendum levy upon themselves assessments for the purpose of financing promotional programs for the sheep and goat industry.

**Pass/Fail: P**

**Percent Yes: 66.04**

**Percent No: 33.96**

### **ALASKA - Total number of ballot measures currently certified for the November 2002 general election ballot: 6**

State ID Number: Bonding Proposition A

Type: Legislative Referendum

Summary: State Guaranteed Veterans Residential Mortgage Bonds \$500,000,000

**Pass/Fail: P**  
**Percent Yes: 70.03**  
**Percent No: 29.97**

State ID Number: Bonding Proposition B

Type: Legislative Referendum

Summary: State Guaranteed Transportation Revenue Anticipation Bonds and State General Obligation State Transportation Project Bonds – Total Bond Authorization \$226,719,500

**Pass/Fail: P**  
**Percent Yes: 67.75**  
**Percent No: 32.35**

State ID Number: Bonding Proposition C

Type: Legislative Referendum

Summary: State General Obligation Educational and Museum Facility, Design, Construction, and Major Maintenance Bonds \$236,805,441

**Pass/Fail: P**  
**Percent Yes: 59.60**  
**Percent No: 40.40**

State ID Number: Ballot Measure No.1

Type: Legislative Referendum

Summary: Shall there be a constitutional convention?

**Pass/Fail: F**  
**Percent Yes: 28.36**  
**Percent No: 71.64**

State ID Number: Ballot Measure No.2

Type: Initiative

Summary: Would move all sessions of the state legislature from Juneau to the Matanuska-Susitna Borough.

**Pass/Fail: F**  
**Percent Yes: 32.77**  
**Percent No: 67.23**

State ID Number: Ballot Measure No. 3

Type: Initiative

Summary: Would establish the Alaska Gas Development Authority to maximize revenues for Alaska and to promote jobs for Alaskans.

**Pass/Fail: P**  
**Percent Yes: 62.03**  
**Percent No: 37.97**

**ARIZONA - Total number of ballot measures currently certified for the November 2002 general election ballot: 14**

State ID Number: Proposition 100

Type: Legislative Referendum

Summary: A constitutional amendment relating to municipal debt limits. It would 1) remove the requirement for voting in political subdivision elections to approve indebtedness that the voters must be property taxpayers, but retain the requirement that they be qualified electors. This change would conform the Arizona Constitution to a United States Supreme Court decision; 2) specify that the last assessment for state and county purposes must be used in determining the value of taxable property in incorporated cities and towns, and; 3) allow incorporated cities and towns to include debt for the construction, reconstruction, improvement or acquisition of streets, highways or bridges and the acquisition of interests in land for rights-of-way for streets, highways or bridges in the twenty percent debt limit, with voter approval.

**Pass/Fail: F**

**Percent Yes: 42**

**Percent No: 58**

State ID Number: Proposition 101

Type: Legislative Referendum

Summary: A constitutional amendment relating to state lands.

**Pass/Fail: F**

**Percent Yes: 48**

**Percent No: 52**

State ID Number: Proposition 102

Type: Legislative Referendum

Summary: A constitutional amendment relating to residential property tax valuation.

**Pass/Fail: P**

**Percent Yes: 80**

**Percent No: 20**

State ID Number: Proposition 103

Type: Legislative Referendum

Summary: A constitutional amendment relating to bailable offenses.

**Pass/Fail: P**

**Percent Yes: 80**

**Percent No: 20**

State ID Number: Proposition 104

Type: Legislative Referendum

Summary: A constitutional amendment relating to school and community college district expenditure limitations.

**Pass/Fail: P**

**Percent Yes: 70**

**Percent No: 30**

State ID Number: Proposition 200

Type: Initiative

Summary: Would direct the Governor to enter into gaming compacts with Arizona Indian tribes asking for such compacts for the purpose of alleviating poverty on Arizona Indian Reservations and enhancing the self-sufficiency of Arizona Indian Tribes.

**Pass/Fail: F**

**Percent Yes: 15**

**Percent No: 85**

State ID Number: Proposition 201

Type: Initiative

Summary: Would permit Arizona non-tribal gaming operators a limited number of gaming devices.

**Pass/Fail: F**

**Percent Yes: 20**

**Percent No: 80**

State ID Number: Proposition 202

Type: Initiative

Summary: Would authorize agreements between Arizona tribes and the State to allow for the continuation of limited, regulated gaming on tribal lands.

**Pass/Fail: P**

**Percent Yes: 52**

**Percent No: 48**

State ID Number: Proposition 203

Type: Initiative

Summary: Would create a medical marijuana registry card system authorizing medical use of marijuana for people diagnosed with a debilitating medical condition; increase drug offender maximum sentences for violent crimes committed while on drugs by 50%; punish personal possession of marijuana with a civil fine; require a drug related conviction before forfeiture of property seized incident to possession or use of drugs; establish state administered system for distribution of marijuana to qualifying medical patients; require supervised

release of non-violent offenders convicted of simple possession or use of controlled substances, unless such release poses a public danger.

**Pass/Fail: F**

**Percent Yes: 42**

**Percent No: 58**

State ID Number: Proposition 300

Type: Legislative Referendum

Summary: A measure relating to state school trust land revenues.

**Pass/Fail: P**

**Percent Yes: 75**

**Percent No: 25**

State ID Number: Proposition 301

Type: Legislative Referendum

Summary: A measure relating to the continuation of the state lottery commission. If adopted by the voters, the state lottery would extend the termination of lottery from 2003 to 2012.

**Pass/Fail: P**

**Percent Yes: 72**

**Percent No: 28**

State ID Number: Proposition 302

Type: Legislative Referendum

Summary: A measure relating to probation.

**Pass/Fail: P**

**Percent Yes: 69**

**Percent No: 31**

State ID Number: Proposition 303

Type: Legislative Referendum

Summary: A measure relating to the taxation of tobacco products.

**Pass/Fail: P**

**Percent Yes: 66**

**Percent No: 34**

State ID Number: Proposition 304

Type: Legislative Referendum

Summary: A measure increasing legislative salaries to \$36,000.

**Pass/Fail: F**

**Percent Yes: 33**

**Percent No: 67**

**ARKANSAS - Total number of ballot measures currently certified for the November 2002 general election ballot: 4**

State ID Number: Proposed Constitutional Amendment 1

Type: Legislative Referendum

Summary: Would ensure the secrecy of individual votes cast in elections.

**Pass/Fail: P**

**Percent Yes: 57**

**Percent No: 43**

State ID Number: Proposed Constitutional Amendment 2

Type: Legislative Referendum

Summary: Revise certain constitutional articles pertaining to the executive branch.

**Pass/Fail: F**

**Percent Yes: 45**

**Percent No: 55**

State ID Number: Proposed Constitutional Amendment 3

Type: Initiative

Summary: Would eliminate taxes on food and medicine.

**Pass/Fail: F**

**Percent Yes: 39**

**Percent No: 61**

State ID Number: Proposed Initiated Act 1

Type: Initiative

Summary: Would amend Arkansas law concerning cruelty to animals to add a section establishing the offense of "aggravated cruelty to animals."

**Pass/Fail: F**

**Percent Yes: 38**

**Percent No: 62**

**CALIFORNIA - Total number of ballot measures currently certified for the November 2002 general election ballot: 7**

State ID Number: Proposition 46

Type: Legislative Referendum

Summary: Would establish the Housing and Emergency Shelter Trust Fund.

**Pass/Fail: P**

**Percent Yes: 57.6**

**Percent No: 42.4**

State ID Number: Proposition 47

Type: Legislative Referendum

Summary: Would authorize new bonds for educational purposes.

**Pass/Fail: P**

**Percent Yes: 59.1**

**Percent No: 40.9**

State ID Number: Proposition 48

Type: Legislative Referendum

Summary: Would set the guidelines for the consolidation of California courts.

**Pass/Fail: P**

**Percent Yes: 72.9**

**Percent No: 27.1**

State ID Number: Proposition 49

Type: Initiative

Summary: Increases state grant funds available for before and after school programs providing tutoring, homework assistance, and educational enrichment. Establishes priority for continued funding level for schools already receiving grants. Makes public elementary, middle and junior high schools, including charter schools, eligible for grants ranging from \$50,000 to \$75,000. Provides priority for additional funding for schools with predominantly low-income students. Declares that funding for before and after school programs shall be above Proposition 98 base funding, and at least \$85 million for first year increasing to \$550 million annually if state revenues grow. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would have a major fiscal effect of additional annual state costs for before and after school programs that could exceed \$400 million annually, beginning in 2004-2005.

**Pass/Fail: P**

**Percent Yes: 56.7**

**Percent No: 43.3**

State ID Number: Proposition 50

Type: Initiative

Summary: Authorizes \$3,440,000,000 general obligation bonds, to be repaid from state's General Fund, to fund a variety of water projects including: specified CALFED Bay-Delta Program projects including urban and agricultural water use efficiency projects; grants and loans to reduce Colorado River water use; purchasing, protecting and restoring coastal wetlands near urban areas; competitive grants for water management and water quality improvement projects; development of river parkways; improved security for state, local and regional water systems; and grants for desalination and drinking water

disinfecting projects. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: If passed, the measure would result in state costs to repay the bonds, which, if the bonds were issued with a maturity of 25 years, would equal approximately \$5.7 billion to pay principal (\$3.44 billion) and interest (\$2.24 billion), with payments of approximately \$227 million per year. The measure would also result in potential costs of an unknown amount to state and local governments to operate or maintain properties or projects acquired or developed with these bond funds.

**Pass/Fail: P**

**Percent Yes: 55.4**

**Percent No: 44.6**

State ID Number: Proposition 51

Type: Initiative

Summary: Reallocates 30% of certain state revenues collected on motor vehicle sales or leases from the General Fund to the Traffic congestion Relief and Safe School Bus Trust Fund. Allocates money for transportation programs including: highway expansion, specific freeway interchange improvements, mass transit improvements, purchasing buses, and expanding light and commuter rail. Provides funds for environmental enhancement, transportation impact mitigation programs, and transportation safety programs. Allocates money to 45 specific projects and for remainder specifies distribution percentages, restricts fund uses, and provides accountability measures. Summary of estimate by Legislative Analyst of fiscal impact on state and local governments: About \$460 million in 2002-03 and \$950 million in 2003-04, increasing annually thereafter, for state and local transportation-related purposes. Summary of estimate by Department of Finance of fiscal impact on state and local governments: Increases resources for state and local transportation-related purposes by about \$460 million in 2002-03 and \$950 million in 2003-04, increasing annually thereafter. Potentially increases resources for Proposition 98 purposes and reduces resources for other General Fund purposes by significant amounts that could exceed the amounts stated above.

**Pass/Fail: F**

**Percent Yes: 41.4**

**Percent No: 58.6**

State ID Number: Proposition 52

Type: Initiative

Summary: Allows persons who are legally eligible to vote and have valid identification to register to vote on Election Day at their polling place. Increases criminal penalty for voter and voter registration fraud. Makes conspiracy to commit voter fraud a crime. Requires trained staff at polling places to manage Election Day registration. Creates fund to implement measure, including training

and providing personnel for Election Day registration. Allows a person to register or re-register during 28 days preceding Election Day at their local elections office. Provides more time to county election officials to prepare voter registration lists. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would result annually in about \$6 million in state costs and no net costs to counties.

**Pass/Fail: F**

**Percent Yes: 40.6**

**Percent No: 59.4**

**COLORADO - Total number of ballot measures currently certified for the November 2002 general election ballot: 10**

State ID Number: Amendment 27

Type: Initiative

Summary: The proposed amendment reduces the amount of money that *individuals* and *political committees* can contribute; to candidates and various political organizations; limits the amount of money that *political parties* can contribute to candidates; creates *small donor committees* which may accept up to \$50 per individual per year, and limits the amount of money they can contribute to candidates and political parties; sets voluntary spending limits for political races and establishes incentives for candidates to accept the spending limit; adjusts contribution and spending limits for inflation every four years; and requires reporting and disclosure of money spent for certain political advertisements.

**Pass/Fail: P**

**Percent Yes: 66.51**

**Percent No: 33.49**

State ID Number: Amendment 28

Type: Initiative

Summary: Would allow mail ballot elections.

**Pass/Fail: F**

**Percent Yes: 42.41**

**Percent No: 57.59**

State ID Number: Amendment 29

Type: Initiative

Summary: An amendment to the Colorado revised statutes concerning the use of petition to provide candidate access to the primary election ballot, and, in connection, therewith, requiring that all candidates for nomination at a primary election be placed on the primary election ballot by petition; eliminating the candidate designation and certification process from state, county, and district

assemblies; specifying the signature requirements for nominating petitions for access to the primary election ballot; allowing a candidate to include a personal statement on his or her nominating petition; providing for examination of nominating petitions by the designated election official; and setting forth a procedure to protest the election official's decision regarding the sufficiency of nominating petitions.

**Pass/Fail: F**

**Percent Yes: 39.84**

**Percent No: 60.16**

State ID Number: Amendment 30

Type: Initiative

Summary: An amendment to the Colorado constitution concerning election day voter registration, and, in connection therewith, allowing an eligible citizen to register and vote on any day that a vote may be cast in any election beginning on January 1, 2004; specifying election day voter registration locations; specifying that an eligible citizen who registers to vote on election day shall register in person and present a current and valid Colorado driver's license or state identification card or other approved documentation; and directing the Colorado general assembly, in implementing election day voter registration, to adopt necessary protections against election fraud.

**Pass/Fail: F**

**Percent Yes: 39.25**

**Percent No: 60.75**

State ID Number: Amendment 31

Type: Initiative

Summary: An amendment to the Colorado constitution concerning English-language education in Colorado public schools, and, in connection therewith, requiring children to be taught by using the English language in their classrooms and requiring children who are learning English to be placed in an English immersion program that is intended to last one year or less, and, if successful, will result in placement of such children in ordinary classrooms; exempting from such requirements those children whose parents or legal guardians obtain annual waivers allowing the children to transfer to classes using bilingual education or other educational methodologies, but making such waivers very difficult to obtain because the school can grant them only in very restrictive circumstances and can deny them for any reason or no reason thereby reducing the likelihood that bilingual education will be used; requiring schools that grant any waivers to offer bilingual education or other educational methodologies when they have at least 20 students in the same grade who receive a waiver and in all other cases permitting students to transfer to a public school in which bilingual education or other methodologies are offered, with the cost of such transfer,

excluding transportation, to be provided by the state; allowing a parent or legal guardian to sue public employees granting a waiver if the parent or guardian later concludes that the waiver was granted in error and injured the child's education; creating severe legal consequences identified in the amendment for such public employees who willfully and repeatedly refuse to implement the amendment; and requiring schools to test children learning English, enrolled in second grade or higher, to monitor their progress, using a standardized nationally-normed test of academic subject matter given in English.

**Pass/Fail: F**

**Percent Yes: 43.78**

**Percent No: 56.22**

State ID Number: Referendum A

Type: Legislative Referendum

Summary: Would exempt District Attorneys from the existing term limits law.

**Pass/Fail: F**

**Percent Yes: 35.27**

**Percent No: 64.73**

State ID Number: Referendum B

Type: Legislative Referendum

Summary: Would provide for the public ownership of health facilities.

**Pass/Fail: F**

**Percent Yes: 40.76**

**Percent No: 59.24**

State ID Number: Referendum C

Type: Legislative Referendum

Summary: Would set the qualifications for the Coroner.

**Pass/Fail: P**

**Percent Yes: 70.92**

**Percent No: 29.08**

State ID Number: Referendum D

Type: Legislative Referendum

Summary: Would repeal obsolete provisions from the state constitution.

**Pass/Fail: P**

**Percent Yes: 71.89**

**Percent No: 28.11**

State ID Number: Referendum E

Type: Legislative Referendum

Summary: Would establish the "Cesar Chavez Legal Holiday."

**Pass/Fail: F**  
**Percent Yes: 20.61**  
**Percent No: 79.39**

**CONNECTICUT - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: None**

**DELAWARE - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: None**

**FLORIDA - Total number of ballot measures currently certified for the November 2002 general election ballot: 10**

State ID Number: Constitutional Amendment No. 1

Type: Legislative Referendum

Summary: Would authorize the death penalty for capital crimes and authorize retroactive changes in the method of execution.

**Pass/Fail: P**  
**Percent Yes: 69.7**  
**Percent No: 30.3**

State ID Number: Constitutional Amendment No. 2

Type: Legislative Referendum

Summary: Would require an economic impact statement for initiatives before being voted on.

**Pass/Fail: P**  
**Percent Yes: 78.0**  
**Percent No: 22.0**

State ID Number: Constitutional Amendment No. 3

Type: Legislative Referendum

Summary: Would authorize amendments or revisions to the Miami-Dade home rule charter.

**Pass/Fail: F**  
**Percent Yes: 47.8**  
**Percent No: 52.2**

State ID Number: Constitutional Amendment No. 4

Type: Legislative Referendum

Summary: Would require that laws providing exemptions from public records or public meetings requirements must be passed by a two-thirds vote of each

house of the legislature.

**Pass/Fail: P**

**Percent Yes: 76.6**

**Percent No: 23.4**

State ID Number: Constitutional Amendment No. 6

Type: Initiative

Summary: Would prohibit tobacco smoking in enclosed indoor workplaces.

**Pass/Fail: P**

**Percent Yes: 71.0**

**Percent No: 29.0**

State ID Number: Constitutional Amendment No. 7

Type: Legislative Referendum

Summary: Would allow counties to exempt from taxation an increase in the assessed value of homestead property resulting from constructing living quarters for parents or grandparents who is 62 years old or older.

**Pass/Fail: P**

**Percent Yes: 67.3**

**Percent No: 32.7**

State ID Number: Constitutional Amendment No. 8

Type: Initiative

Summary: Every four-year-old child in Florida shall be offered a high quality pre-kindergarten learning opportunity by the state no later than the 2005 school year. This voluntary early childhood development and education program shall be established according to high quality standards and shall be free for all Florida four-year-olds without taking away funds used for existing education, health and development programs.

**Pass/Fail: P**

**Percent Yes: 59.2**

**Percent No: 40.8**

State ID Number: Constitutional Amendment No. 9

Type: Initiative

Summary: Proposes an amendment to the State Constitution to require that the Legislature provide funding for sufficient classrooms so that there be a maximum number of students in public school classes for various grade levels; requires compliance by the beginning of the 2010 school year; requires the Legislature, and not local school districts, to pay for the costs associated with reduced class size; prescribes a schedule for phased-in funding to achieve the required maximum class size.

**Pass/Fail: P**

**Percent Yes: 52.4**  
**Percent No: 47.6**

State ID Number: Constitutional Amendment No. 10  
Type: Initiative

Summary: Inhumane treatment of animals is a concern of Florida citizens; to prevent cruelty to animals and as recommended by The Humane Society of the United States, no person shall confine a pig during pregnancy in a cage, crate or other enclosure, or tether a pregnant pig, on a farm so that the pig is prevented from turning around freely, except for veterinary purposes and during the pre-birthing period; provides definitions, penalties, and an effective date.

**Pass/Fail: P**  
**Percent Yes: 54.8**  
**Percent No: 45.2**

State ID Number: Constitutional Amendment No. 11  
Type: Initiative

Summary: A local board of trustees shall administer each state university. Each board shall have thirteen members dedicated to excellence in teaching, research, and service to community. A statewide governing board of seventeen members shall be responsible for the coordinated and accountable operation of the whole university system. Wasteful duplication of facilities or programs is to be avoided. Provides procedures for selection and confirmation of board members, including one student and one faculty representative per board.

**Pass/Fail: P**  
**Percent Yes: 60.5**  
**Percent No: 39.5**

**GEORGIA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 11**

State ID Number: Constitutional Amendment 1  
Type: Legislative Referendum

Summary: Would make someone who defaults on his or her taxes ineligible to hold public office.

**Pass/Fail: P**  
**Percent Yes: 78.7**  
**Percent No: 21.3**

State ID Number: Constitutional Amendment 2  
Type: Legislative Referendum

Summary: Would allow separate valuations for qualified affordable residential developments.

**Pass/Fail: F**  
**Percent Yes: 46.1**  
**Percent No: 53.9**

State ID Number: Constitutional Amendment 3  
Type: Legislative Referendum  
Summary: Would allow tax incentives to encourage redevelopment of blighted property.

**Pass/Fail: P**  
**Percent Yes: 59.6**  
**Percent No: 40.4**

State ID Number: Constitutional Amendment 4  
Type: Legislative Referendum  
Summary: Would allow different tax rates for properties contaminated with hazardous waste to encourage their cleanup.

**Pass/Fail: P**  
**Percent Yes: 68.6**  
**Percent No: 31.4**

State ID Number: Constitutional Amendment 5  
Type: Legislative Referendum  
Summary: Would allow different tax rates for commercial dockside facilities used to land and process seafood.

**Pass/Fail: F**  
**Percent Yes: 43.3**  
**Percent No: 56.7**

State ID Number: Constitutional Amendment 6  
Type: Legislative Referendum  
Summary: Would establish a program of dog and cat sterilization funded by special licenses plates.

**Pass/Fail: P**  
**Percent Yes: 70.9**  
**Percent No: 29.1**

State ID Number: Statewide Referendum A  
Type: Legislative Referendum  
Summary: Would change the income limit for school tax homestead exemptions for those 62 and older.

**Pass/Fail: P**  
**Percent Yes: 79.6**  
**Percent No: 20.4**

State ID Number: Statewide Referendum B

Type: Legislative Referendum

Summary: Would extend the tax exemption for spouses of military personnel who die due to war.

**Pass/Fail: P**

**Percent Yes: 83.0**

**Percent No: 17.0**

State ID Number: Statewide Referendum C

Type: Legislative Referendum

Summary: Would exempt medical societies and museums in historic property of nonprofit corporations from property taxes.

**Pass/Fail: F**

**Percent Yes: 44.8**

**Percent No: 55.2**

State ID Number: Statewide Referendum D

Type: Legislative Referendum

Summary: Would exempt commercial fishing vessels from property taxes.

**Pass/Fail: F**

**Percent Yes: 32.9**

**Percent No: 67.1**

State ID Number: Statewide Referendum E

Type: Legislative Referendum

Summary: Would increase the tax exemption for tangible personal property from \$500 to \$7,500.

**Pass/Fail: P**

**Percent Yes: 72.2**

**Percent No: 27.8**

**HAWAII - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 3**

State ID Number: Question 1

Type: Legislative Referendum

Summary: Would require candidate's seeking office in a senatorial or representative district to be required to become a qualified voter in that district prior to filing nomination papers.

**Pass/Fail: P**

**Percent Yes: 83.9**

**Percent No: 9.1**

State ID Number: Question 2

Type: Legislative Referendum

Summary: Would authorize the state to issue special purpose revenue bonds and use the proceeds for educational purposes.

**Pass/Fail: P**

**Percent Yes: 59.7**

**Percent No: 33.0**

State ID Number: Question 3

Type: Legislative Referendum

Summary: Would permit criminal charges for felonies to be initiated by a legal prosecuting officer and establishing the procedures for such act.

**Pass/Fail: P**

**Percent Yes: 57.3**

**Percent No: 31.9**

**IDAHO - Total number of ballot measures currently certified for the November 2002 general election ballot: 2**

State ID Number: Proposition 1

Type: Initiative

Summary: Would define tribal video gaming machines and provide for their use.

**Pass/Fail: P**

**Percent Yes: 57.8**

**Percent No: 42.2**

State ID Number: Proposition 2

Type: Popular Referendum

Summary: Would reinstate term limits for elected state, county, municipal and school district officials that were abolished by the state legislature.

**Pass/Fail: F (listed as failed because it would leave the law challenged in place)**

**Percent Yes: 50.2**

**Percent No: 49.8**

**ILLINOIS - State has an unusable initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: None**

**INDIANA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: None**

**IOWA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: None**

**KANSAS - State does not have the initiative process. Total number of ballot measures certified for the November 2002 general election ballot: None**

**KENTUCKY - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 2**

State ID Number: Constitutional Amendment 1

Type: Legislative Referendum

Summary: Would allow the Supreme Court to designate one or more divisions of circuit court within a judicial circuit as a family court division.

**Pass/Fail: P**

**Percent Yes: 75.5**

**Percent No: 24.5**

State ID Number: Constitutional Amendment 2

Type: Legislative Referendum

Summary: Would allow the state legislature to provide by general law, the powers, rights, duties, and liabilities of corporations and the powers, rights, duties, and liabilities of their officers and stockholders or members.

**Pass/Fail: P**

**Percent Yes: 60.7**

**Percent No: 39.3**

**LOUISIANA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 12**

State ID Number: Number 1 – Act 1231

Type: Legislative Referendum

Summary: Would propose to set general legislative sessions in even-numbered years and fiscal sessions in odd-numbered years. Would authorize each member of the legislature to introduce the following bills during what is currently a fiscal issue only session convening in an odd-numbered year: 1.) Up to 5 pre-filed bills on any subject; and 2.) An unlimited number of bills to enact a local or special law that is required to be and has been advertised in accordance with the present constitution and is not prohibited by the present constitution. Act requires this amendment to be first on the ballot.

**Pass/Fail: P**

**Percent Yes: 55**

**Percent No: 45**

State ID Number: Number 2 – Act 88

Type: Legislative Referendum

Summary: Would change the individual and joint income tax schedule of rates and brackets, state sales and use tax reduction, and exemption on certain purchases.

**Pass/Fail: P**

**Percent Yes: 51**

**Percent No: 49**

State ID Number: Number 3 – Act 1236

Type: Legislative Referendum

Summary: Would establish the procedure for the legislature to adjust appropriations to eliminate a projected deficit.

**Pass/Fail: P**

**Percent Yes: 58**

**Percent No: 42**

State ID Number: Number 4 – Act 1231

Type: Legislative Referendum

Summary: Would allow for the removal of public employees from employment due to a felony conviction during employment.

**Pass/Fail: P**

**Percent Yes: 70**

**Percent No: 30**

State ID Number: Number 5 – Act 89

Type: Legislative Referendum

Summary: Would authorize the State Board of Commerce and Industry, with the approval of the governor and the affected local governing authorities, to contract for ad valorem tax exemptions with developers of retirement communities.

**Pass/Fail: F**

**Percent Yes: 39**

**Percent No: 61**

State ID Number: Number 6 – Act 1234

Type: Legislative Referendum

Summary: Would require the governor to submit a budget estimate to fully fund state salary supplements for full-time law enforcement and fire protection officers of the state.

**Pass/Fail: P**

**Percent Yes: 63**

**Percent No: 37**

State ID Number: Number 7 – Act 87

Type: Legislative Referendum

Summary: Would delete requirement that persons qualifying for special homestead exemption assessment level must reapply annually.

**Pass/Fail: P**

**Percent Yes: 68**

**Percent No: 32**

State ID Number: Number 8 – Act 1235

Type: Legislative Referendum

Summary: Would create an exception to permit institutions of higher education or their respective management boards to invest in stocks of up to 50%.

**Pass/Fail: F**

**Percent Yes: 49**

**Percent No: 51**

State ID Number: Number 9 - 1232

Type: Legislative Referendum

Summary: Would create an exception to permit investment in stocks of up to 35% of the Medicaid Trust Fund for the Elderly.

**Pass/Fail: F**

**Percent Yes: 48**

**Percent No: 52**

State ID Number: Number 10 - 1233

Type: Legislative Referendum

Summary: Would create programs to assist farmers for the development and enhancement of surface water resources, and create the Drought Protection Trust Fund.

**Pass/Fail: F**

**Percent Yes: 46**

**Percent No: 54**

State ID Number: Number 11 – Act 86

Type: Legislative Referendum

Summary: Would create an exemption from ad valorem taxation on drilling rigs used in outer continental shelf waters.

**Pass/Fail: F**

**Percent Yes: 48**

**Percent No: 52**

State ID Number: Number 12 - 1230

Type: Legislative Referendum

Summary: Would establish qualifications for the office of coroner in Livingston Parish.

**Pass/Fail: F**

**Percent Yes: 45**

**Percent No: 55**

**MAINE - Total number of ballot measures currently certified for the November 2002 general election ballot: 3**

State ID Number: Question 1: Bond Issue

Type: Legislative Referendum

Summary: Would authorize general bonds to build a new correctional facility and provide maintenance to existing prison facilities.

**Pass/Fail: F**

**Percent Yes: 37**

**Percent No: 63**

State ID Number: Question 2: Bond issue

Type: Legislative Referendum

Summary: Would authorize general bonds for water pollution control and other assorted environmental issues.

**Pass/Fail: P**

**Percent Yes: 57.2**

**Percent No: 42.8**

State ID Number: Question 3: Constitutional Amendment

Type: Legislative Referendum

Summary: Would allow loans to be repaid with federal transportation dollars.

**Pass/Fail: P**

**Percent Yes: 55.3**

**Percent No: 44.7**

**MARYLAND - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 3**

State ID Number: Question 1

Type: Legislative Referendum

Summary: Would expand the powers and duties of district court commissioners.

**Pass/Fail: P**

**Percent Yes: 87.54**

**Percent No: 12.46**

State ID Number: Question 2

Type: Legislative Referendum

Summary: Would authorize the state legislature to pass emergency laws creating or abolishing any office or changing the term of duties of any officer.

**Pass/Fail: P**

**Percent Yes: 50.57**

**Percent No: 49.43**

State ID Number: Question 3

Type: Legislative Referendum

Summary: Would authorize the Montgomery County Council to appoint a licensed and certified real estate appraiser to estimate the fair market value of property situated in the county that is subject to eminent domain.

**Pass/Fail: P**

**Percent Yes: 59.34**

**Percent No: 40.66**

**MASSACHUSETTS - Total number of ballot measures currently certified for the November 2002 general election ballot: 3**

State ID Number: Question 1

Type: Initiative

Summary: Would eliminate the state's income tax.

**Pass/Fail: F**

**Percent Yes: 45**

**Percent No: 55**

State ID Number: Question 2

Type: Initiative

Summary: Would promote choices in bilingual education for students and parents.

**Pass/Fail: P**

**Percent Yes: 68**

**Percent No: 32**

State ID Number: Question 3

Type: Legislative Referendum

Summary: Would ask voters if they want to retain the provisions of the state's clean elections law.

**Pass/Fail: F**

**Percent Yes: 26**

**Percent No: 74**

**MICHIGAN - Total number of ballot measures currently certified for the**

## **November 2002 general election ballot: 4**

State ID Number: Proposal 02-01

Type: Popular Referendum

Summary: Would reinstate straight party voting in the general election. The state legislature passed a law last year to stop letting voters choose all the candidates from one political party by checking one box, an option most often used by Democrats. This popular referendum will suspend the law until voters decide the issue in November.

**Pass/Fail: P (listed as passed because it would overturn the law challenged)**

**Percent Yes: 40**

**Percent No: 60**

State ID Number: Proposal 02-02

Type: Legislative Referendum

Summary: Would allow for the issuance of general obligation bonds to be used for great lake preservation.

**Pass/Fail: P**

**Percent Yes: 60**

**Percent No: 40**

State ID Number: Proposal 02-03

Type: Initiative

Summary: Would establish collective bargaining rights for state classified employees.

**Pass/Fail: F**

**Percent Yes: 45**

**Percent No: 55**

State ID Number: Proposal 02-04

Type: Initiative

Summary: Would reallocate tobacco settlement funds for health care programs.

**Pass/Fail: F**

**Percent Yes: 34**

**Percent No: 66**

**MINNESOTA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: None**

**MISSISSIPPI - Total number of ballot measures currently certified for the November 2002 general election ballot: 1**

State ID Number: Amendment 1

Type: Legislative Referendum

Summary: Would increase the terms of circuit court judges and chancellors from four to six years.

**Pass/Fail: F**

**Percent Yes: 38**

**Percent No: 62**

**MISSOURI - Total number of ballot measures currently certified for the November 2002 general election ballot: 6**

State ID Number: Constitutional Amendment 1

Type: Legislative Referendum

Summary: Shall the Missouri Constitution be amended so that the citizens of the City of St. Louis may amend or revise their present charter to provide for and reorganize their county functions and offices, as provided in the constitution and laws of the state? The estimated fiscal impact of this proposed measure to state and local governments is \$0.

**Pass/Fail: P**

**Percent Yes: 69.4**

**Percent No: 30.6**

State ID Number: Constitutional Amendment 2

Type: Initiative

Summary: Shall Article XIII of the Missouri Constitution be amended to permit specified firefighters and ambulance personnel, and dispatchers of fire departments, fire districts, ambulance districts and ambulance departments and fire and emergency medical services dispatchers of dispatch agencies, to organize and bargain collectively in good faith with their employers through representatives of their own choosing and to enter into enforceable collective bargaining contracts with their employers concerning wages, hours, binding arbitration and all other terms and conditions of employment, except that nothing in this amendment shall grant to the aforementioned employees the right to strike?

**Pass/Fail: F**

**Percent Yes: 48.8**

**Percent No: 51.2**

State ID Number: Constitutional Amendment 3

Type: Legislative Referendum

Summary: Shall Article III, Section 8 of the Missouri Constitution be amended to exclude, from the calculations of term limits for members of the General Assembly, service of less than one-half of a legislative term resulting from a

special election held after December 5, 2002? The estimated fiscal impact of this proposed measure to state and local governments is \$0.

**Pass/Fail: P**

**Percent Yes: 54.3**

**Percent No: 45.7**

State ID Number: Constitutional Amendment 4

Type: Legislative Referendum

Summary: Shall joint boards or commissions, established by contract between political subdivisions, be authorized to own joint projects, to issue bonds in compliance with then applicable requirements of law, the bonds not being indebtedness of the state or political subdivisions, and such activities not to be regulated by the Public Service Commission? This measure provides potential savings of state revenue and imposes no new costs.

**Pass/Fail: P**

**Percent Yes: 57.8**

**Percent No: 42.2**

State ID Number: Constitutional Convention Question

Type: Legislative Referendum

Summary: Shall there be a convention to revise and amend the constitution?

**Pass/Fail: F**

**Percent Yes: 34.5**

**Percent No: 65.5**

State ID Number: Proposition A

Type: Initiative

Summary: Shall Missouri law be amended to impose an additional tax of 2.75 cents per cigarette (fifty-five cents per pack) and 20 percent on other tobacco products, with the new revenues placed into a Healthy Families Trust Fund to be used for the following purposes: hospital trauma care and emergency preparedness; health care treatment and access, including prescription drug assistance for seniors and health care initiatives for low income citizens, women, minorities and children; life sciences research, including medical research and the proper administration of funds for such research; smoking prevention; and grants for early childhood care and education?

**Pass/Fail: F**

**Percent Yes: 49.1**

**Percent No: 50.9**

**MONTANA - Total number of ballot measures currently certified for the November 2002 general election ballot: 7**

State ID Number: C-36

Type: Legislative Referendum

Summary: Would authorize the investment of local government's insurance program assets.

**Pass/Fail: F**

**Percent Yes: 39**

**Percent No: 61**

State ID Number: C-37

Type: Legislative Referendum

Summary: Would amend signature-gathering requirements for initiatives. Would increase the distribution requirement for constitutional initiatives.

**Pass/Fail: P**

**Percent Yes: 57**

**Percent No: 43**

State ID Number: C-38

Type: Legislative Referendum

Summary: Would amend signature-gathering requirements for initiatives. Would increase the distribution requirement for statutory initiatives.

**Pass/Fail: P**

**Percent Yes: 57**

**Percent No: 43**

State ID Number: C-39

Type: Legislative Referendum

Summary: Would remove the restriction on investing public funds in private corporate capital stock.

**Pass/Fail: F**

**Percent Yes: 35**

**Percent No: 65**

State ID Number: IR-117

Type: Popular Referendum

Summary: Would repeal HB 474 relating to the electric industry.

**Pass/Fail: P (listed as passed because it would overturn the law challenged)**

**Percent Yes: 40**

**Percent No: 60**

State ID Number: I-145

Type: Initiative

Summary: Would acquire hydroelectric dams and operate them for the benefit of Montanans.

**Pass/Fail: F**  
**Percent Yes: 31**  
**Percent No: 69**

State ID Number: I-146

Type: Initiative

Summary: Would establish a statewide tobacco-use prevention program using tobacco settlement funds

**Pass/Fail: P**  
**Percent Yes: 65**  
**Percent No: 35**

**NEBRASKA - Total number of ballot measures currently certified for the November 2002 general election ballot: 2**

State ID Number: LR 4CA

Type: Legislative Referendum

Summary: Would authorize the use of revenue bonds to develop and lease property for use by non-profit enterprises as determined by law.

**Pass/Fail: F**  
**Percent Yes: 43**  
**Percent No: 57**

State ID Number: LR 1CA

Type: Legislative Referendum

Summary: Would clarify English language requirements in schools.

**Pass/Fail: F**  
**Percent Yes: 40**  
**Percent No: 60**

**NEVADA - Total number of ballot measures currently certified for the November 2002 general election ballot: 9**

State ID Number: Ballot Question 1

Type: Legislative Referendum

Summary: Shall the State of Nevada be authorized to issue general obligation bonds in an amount not to exceed \$200 million in order to preserve water quality; protect open space, lakes, rivers, wetlands, and wildlife habitat; and restore and improve parks, recreational areas, and historic and cultural resources?

**Pass/Fail: P**  
**Percent Yes: 60.2**  
**Percent No: 39.8**

State ID Number: Ballot Question 2

Type: Initiative

Summary: Would provide that only a marriage between a male and a female person shall be recognized. This initiative was voted on in 2000 and passed but state law requires that it be voted on twice before becoming law.

**Pass/Fail: P**

**Percent Yes: 66.3**

**Percent No: 33.6**

State ID Number: Ballot Question 3

Type: Legislative Referendum

Summary: Shall the Sales and Use Tax Act of 1955 be amended to provide an exemption from the taxes imposed by that act on the gross receipts from the sale and the storage, use or other consumption of farm machinery and equipment employed for the agricultural use of real property?

**Pass/Fail: F**

**Percent Yes: 38.8**

**Percent No: 60.9**

State ID Number: Ballot Question 4

Type: Legislative Referendum

Summary: Shall the Sales and Use Tax Act of 1955 be amended to provide an exemption from the taxes imposed by that act on engines and chassis, including replacement parts and components for the engines and chassis, of professional racing vehicles and for certain motor vehicles used by professional racing teams or sanctioning bodies to transport certain items and facilities?

**Pass/Fail: F**

**Percent Yes: 21.2**

**Percent No: 78.4**

State ID Number: Ballot Question 5

Type: Legislative Referendum

Summary: Shall the Nevada Constitution be amended to repeal the constitutional rule against perpetuities?

**Pass/Fail: F**

**Percent Yes: 40.4**

**Percent No: 58.8**

State ID Number: Ballot Question 6

Type: Legislative Referendum

Summary: Shall the Constitution be amended to revise the term of office of a Supreme Court justice or district court judge who is appointed to fill a vacancy?

**Pass/Fail: F**  
**Percent Yes: 40.7**  
**Percent No: 58.8**

State ID Number: Ballot Question 7

Type: Legislative Referendum

Summary: Shall the Nevada Constitution be amended to allow an exemption from the state debt limit for state contracts necessary for the improvement, acquisition or construction of public elementary and secondary schools?

**Pass/Fail: F**  
**Percent Yes: 42.2**  
**Percent No: 57.3**

State ID Number: Ballot Question 8

Type: Legislative Referendum

Summary: Shall the Nevada Constitution be amended to authorize the Legislature to provide by law for a reduction in the property taxes on a single-family residence occupied by the owner to avoid a severe economic hardship to that owner?

**Pass/Fail: P**  
**Percent Yes: 57.7**  
**Percent No: 42**

State ID Number: Ballot Question 9

Type: Initiative

Summary: Would amend the constitution to provide that possession of three ounces or less of marijuana by a person who has attained the age of 21 years is not cause for arrest.

**Pass/Fail: F**  
**Percent Yes: 39**  
**Percent No: 61**

**NEW HAMPSHIRE - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 2**

State ID Number: Question 1

Type: Legislative Referendum

Summary: Would provide that the Supreme Court may adopt rules that have the force and effect of law.

**Pass/Fail: P**  
**Percent Yes: 62**  
**Percent No: 38**

State ID Number: Question 2

Type: Legislative Referendum

Summary: Would ask the voters if a convention should be called to amend or revise the constitution.

**Pass/Fail: F**

**Percent Yes: 49.9**

**Percent No: 50.1**

**NEW JERSEY - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: None**

**NEW MEXICO - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 14**

State ID Number: Constitutional Amendment 1

Type: Legislative Referendum

Summary: Would phase in additional exemptions from property taxation for honorably discharged veterans.

**Pass/Fail: P**

**Percent Yes: 72**

**Percent No: 28**

State ID Number: Constitutional Amendment 2

Type: Legislative Referendum

Summary: Would remove the prohibition against certain persons exercising the right to vote.

**Pass/Fail: F**

**Percent Yes: 40**

**Percent No: 60**

State ID Number: Constitutional Amendment 3

Type: Legislative Referendum

Summary: Would eliminate an outdated section in the constitution regarding the designation of judicial districts.

**Pass/Fail: P**

**Percent Yes: 67**

**Percent No: 33**

State ID Number: Constitutional Amendment 4

Type: Legislative Referendum

Summary: Would eliminate section of constitution that states that aliens cannot

own land or any interest in land in the state unless otherwise approved by law.

**Pass/Fail: F**

**Percent Yes: 43**

**Percent No: 57**

State ID Number: Constitutional Amendment 5

Type: Legislative Referendum

Summary: Would exempt from property taxation the principal place of residence occupied by a veteran who has 100% permanent and total service-connected disability.

**Pass/Fail: P**

**Percent Yes: 74**

**Percent No: 26**

State ID Number: Constitutional Amendment 6

Type: Legislative Referendum

Summary: Would permit the state and local governments to provide land, buildings or infrastructure to create affordable housing.

**Pass/Fail: P**

**Percent Yes: 57**

**Percent No: 43**

State ID Number: Constitutional Amendment 7

Type: Legislative Referendum

Summary: Would designate the last Friday in March as a legal holiday honoring Cesar Chavez.

**Pass/Fail: F**

**Percent Yes: 38**

**Percent No: 62**

State ID Number: Constitutional Amendment 8

Type: Legislative Referendum

Summary: Would broaden eligibility for Vietnam veteran's scholarships.

**Pass/Fail: P**

**Percent Yes: 70**

**Percent No: 30**

State ID Number: Constitutional Amendment 9

Type: Legislative Referendum

Summary: Would change the name of the State Highway Commission to the State Transportation Commission.

**Pass/Fail: P**

**Percent Yes: 51**

**Percent No: 49**

State ID Number: General Obligation Bond A

Type: Legislative Referendum

Summary: Would authorize the issuance and sale of general bonds to make improvements to senior citizen facilities.

**Pass/Fail: P**

**Percent Yes: 56**

**Percent No: 44**

State ID Number: General Obligation Bond B

Type: Legislative Referendum

Summary: Would authorize the issuance and sale of state public educational capital improvements and acquisition bonds.

**Pass/Fail: P**

**Percent Yes: 57**

**Percent No: 43**

State ID Number: General Obligation Bond C

Type: Legislative Referendum

Summary: Would authorize the issuance and sale of public library acquisition bonds.

**Pass/Fail: P**

**Percent Yes: 60**

**Percent No: 40**

State ID Number: General Obligation Bond D

Type: Legislative Referendum

Summary: Would authorize the issuance and sale of state facilities improvement and equipment bonds.

**Pass/Fail: F**

**Percent Yes: 39**

**Percent No: 61**

State ID Number: General Obligation Bond E

Type: Legislative Referendum

Summary: Would authorize the issuance and sale of water project bonds.

**Pass/Fail: P**

**Percent Yes: 55**

**Percent No: 45**

**NEW YORK - State does not have the initiative process. Total number of ballot measures certified for the November 2002 general election ballot: None**

**NORTH CAROLINA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 1**

State ID Number: Constitutional Amendment 1

Type: Legislative Referendum

Summary: Would make a technical correction in the state's constitution to allow the dedication and acceptance of property into the State Nature and Historic Preserve by the General Assembly by enactment of a bill rather than by a joint resolution.

**Pass/Fail: P**

**Percent Yes: 72**

**Percent No: 28**

**NORTH DAKOTA - Total number of ballot measures currently certified for the November 2002 general election ballot: 3**

State ID Number: Constitutional Measure 1

Type: Legislative Referendum

Summary: Would change the taxable status of land held for conservation or wildlife purposes.

**Pass/Fail: P**

**Percent Yes: 51.49**

**Percent No: 48.51**

State ID Number: Initiated Constitutional Measure 2

Type: Initiative

Summary: Would direct the legislative assembly to authorize the state to join a multi-state lottery.

**Pass/Fail: P**

**Percent Yes: 63.47**

**Percent No: 36.53**

State ID Number: Initiated Statutory Measure 3

Type: Initiative

Summary: Would create a Bank of North Dakota administered program providing for partial reimbursement of student loan payments for employed North Dakota residents under thirty years of age who have graduated from accredited post secondary schools.

**Pass/Fail: F**

**Percent Yes: 32.90**

**Percent No: 67.10**

**OHIO - Total number of ballot measures currently certified for the November 2002 general election ballot: 1**

State ID Number: Issue One

Type: Initiative

Summary: Would establish new penalties for drug kingpins; require treatment instead of jail time for drug possession offenses.

**Pass/Fail: F**

**Percent Yes: 33**

**Percent No: 67**

**OKLAHOMA - Total number of ballot measures currently certified for the November 2002 general election ballot: 9**

State ID Number: State Question 687

Type: Initiative

Summary: Would ban cockfighting in the state.

**Pass/Fail: P**

**Percent Yes: 56.19**

**Percent No: 43.81**

State ID Number: State Question 693

Type: Legislative Referendum

Summary: Would allow local governments to issue bonds for economic development.

**Pass/Fail: P**

**Percent Yes: 52.39**

**Percent No: 47.61**

State ID Number: State Question 696

Type: Legislative Referendum

Summary: Would exempt storm shelters from ad valorem tax.

**Pass/Fail: P**

**Percent Yes: 66.79**

**Percent No: 33.21**

State ID Number: State Question 697

Type: Legislative Referendum

Summary: Would exempt county development from ad valorem tax.

**Pass/Fail: P**

**Percent Yes: 55.41**

**Percent No: 44.59**

State ID Number: State Question 698

Type: Legislative Referendum

Summary: Would change the number of signatures needed to propose a constitutional initiative from 8% to 15% for initiatives pertaining to hunting, fishing or trapping.

**Pass/Fail: F**

**Percent Yes: 45.77**

**Percent No: 54.23**

State ID Number: State Question 701

Type: Legislative Referendum

Summary: Would modify expenditures from the Tobacco Settlement Endowment Trust Fund.

**Pass/Fail: F**

**Percent Yes: 46.06**

**Percent No: 53.94**

State ID Number: State Question 702

Type: Legislative Referendum

Summary: Would authorize the legislature to enact laws providing for tax abatement under certain circumstances.

**Pass/Fail: F**

**Percent Yes: 55.41**

**Percent No: 44.59**

State ID Number: State Question 703

Type: Legislative Referendum

Summary: Would limit liability for information technology contracts.

**Pass/Fail: F**

**Percent Yes: 45.19**

**Percent No: 54.81**

State ID Number: State Question 704

Type: Legislative Referendum

Summary: Would allow for the use of building funds for inspection of property by the county assessor.

**Pass/Fail: F**

**Percent Yes: 44.10**

**Percent No: 55.90**

**OREGON - Total number of ballot measures currently certified for the November 2002 general election ballot: 12**

State ID Number: Measure 14

Type: Legislative Referendum

Summary: Would remove historical racial references in obsolete sections of the constitution.

**Pass/Fail: P**

**Percent Yes: 71**

**Percent No: 29**

State ID Number: Measure 15

Type: Legislative Referendum

Summary: Would authorize certain bonds for seismic rehabilitation of public education buildings.

**Pass/Fail: P**

**Percent Yes: 55**

**Percent No: 45**

State ID Number: Measure 16

Type: Legislative Referendum

Summary: Would authorize certain bonds for seismic rehabilitation of emergency services buildings.

**Pass/Fail: P**

**Percent Yes: 55**

**Percent No: 45**

State ID Number: Measure 17

Type: Legislative Referendum

Summary: Would make changes to requirements to run for office and reduce the age requirement to serve as state legislator from 21 to 18.

**Pass/Fail: F**

**Percent Yes: 27**

**Percent No: 73**

State ID Number: Measure 18

Type: Legislative Referendum

Summary: Would allow certain tax districts to establish permanent property tax rates and divide into tax zones.

**Pass/Fail: F**

**Percent Yes: 39**

**Percent No: 61**

State ID Number: Measure 21

Type: Initiative

Summary: Would revise the procedure for filing judicial vacancies and allows vote for "none of the above".

**Pass/Fail: F**

**Percent Yes: 43**

**Percent No: 57**

State ID Number: Measure 22

Type: Initiative

Summary: Would require Oregon Supreme Court judges and court of appeals judges to be elected by District.

**Pass/Fail: F**

**Percent Yes: 49**

**Percent No: 51**

State ID Number: Measure 23

Type: Initiative

Summary: Would create health care finance plan for medically necessary services.

**Pass/Fail: F**

**Percent Yes: 21**

**Percent No: 79**

State ID Number: Measure 24

Type: Initiative

Summary: Would allow licensed denturists to install partial dentures (replacement teeth); authorizes cooperative dentist-denturist business ventures.

**Pass/Fail: P**

**Percent Yes: 75**

**Percent No: 25**

State ID Number: Measure 25

Type: Initiative

Summary: Would increase Oregon minimum wage to \$6.90 in 2003; adjusts for inflation in future years

**Pass/Fail: P**

**Percent Yes: 52**

**Percent No: 48**

State ID Number: Measure 26

Type: Initiative

Summary: Would prohibit payment or receipt of payment if based on number of initiative, referendum signatures obtained.

**Pass/Fail: P**

**Percent Yes: 75**  
**Percent No: 25**

State ID Number: Measure 27

Type: Initiative

Summary: Would require labeling of genetically engineered foods (as defined) sold or distributed in or from Oregon.

**Pass/Fail: F**

**Percent Yes: 30**

**Percent No: 70**

**PENNSYLVANIA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 1**

State ID Number: Question 1

Type: Legislative Referendum

Summary: Approval of this question will authorize the state to incur an indebtedness of up to \$100,000,000 for the purpose of establishing a program that utilizes capital and other related methods to enhance and improve the delivery of volunteer fire and volunteer emergency services.

**Pass/Fail: P**

**Percent Yes: 73**

**Percent No: 27**

**RHODE ISLAND - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 5**

State ID Number: Question 1

Type: Legislative Referendum

Summary: Approval of this question will authorize the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed \$55,000,000 of which an amount not to exceed \$56,400,000 will be for the State support of the construction of the new State Municipal Fire Academy and the remainder will be for the State support of the construction of the new State Police Headquarters facility.

**Pass/Fail: P**

**Percent Yes: 59.78**

**Percent No: 40.22**

State ID Number: Question 2

Type: Legislative Referendum

Summary: Approval of this question will authorize the State of Rhode Island to

issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed \$14,000,000 for State support of recreational development, historical preservation and the Heritage Harbor museum.

**Pass/Fail: P**

**Percent Yes: 53.64**

**Percent No: 46.36**

State ID Number: Question 3

Type: Legislative Referendum

Summary: Approval of this question will authorize the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed \$563,500, 000 to match federal funds; provide direct funding for improvements to the State's highways, roads and bridges; replace and repair transportation maintenance facilities and purchase buses and/or rehabilitate existing buses for the Rhode Island Public Transportation Authority's bus fleet.

**Pass/Fail: P**

**Percent Yes: 71.86**

**Percent No: 28.14**

State ID Number: Question 4

Type: Legislative Referendum

Summary: Approval of this question will authorize the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed \$11,000,000 for road and utility infrastructure, building demolition, site preparation and pier rehabilitation at the Quonset Point/Davisville Industrial Park.

**Pass/Fail: F**

**Percent Yes: 45.54**

**Percent No: 54.46**

State ID Number: Question 5

Type: Legislative Referendum

Summary: Should the Rhode Island Constitution be changed to eliminate Article 6, Section 10, which preserves to the General Assembly today broad powers granted to it by King Charles II of England in 1663 and also be changed to expressly provide that the legislative, executive and judicial branches of Rhode Island government are to be separate and co-equal consistent with the American system of government?

**Pass/Fail: P**

**Percent Yes: 75.77**

**Percent No: 24.23**

**SOUTH CAROLINA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 2**

State ID Number: Amendment Question Number One

Type: Legislative Referendum

Summary: Must Section 16, Article X of the Constitution of this State relating to benefits and funding of public employee pension plans in this State and the equity securities investments allowed for funds of the various state-operated retirement systems be amended so as to delete the restrictions limiting investments in equity securities to those of American-based corporations registered on an American national exchange as provided in the Securities Exchange Act of 1934 or any successor act, or quoted through the National Association of Securities Dealers Automatic Quotations System or similar service?

**Pass/Fail: F**

**Percent Yes: 45.28**

**Percent No: 54.72**

State ID Number: Amendment Question Number Two

Type: Legislative Referendum

Summary: Must Section 11, Article X of the Constitution of this State relating to restrictions on pledging the credit of the State or its political subdivisions for a private purpose and the restrictions on the State or its political subdivisions from becoming a joint owner or stockholder of a business be amended so as to allow a municipality, county, special purpose district, or public service district of this State which provides firefighting service and which administers a separate pension plan for its employees performing this service to invest and reinvest the funds in this pension plan in equity securities traded on a national securities exchange as provided in the Securities Exchange Act of 1934 or a successor act or in equity securities quoted through the National Association of Securities Dealers Automatic Quotations System or similar service?

**Pass/Fail: P**

**Percent Yes: 57.50**

**Percent No: 42.50**

**SOUTH DAKOTA - Total number of ballot measures currently certified for the November 2002 general election ballot: 4**

State ID Number: Constitutional Amendment A

Type: Initiative

Summary: The Constitution currently guarantees certain rights to a person accused of a crime. Amendment A would amend the Constitution to state that a criminal defendant may argue the merits, validity, and applicability of the law,

including sentencing laws.

**Pass/Fail: F**

**Percent Yes: 21**

**Percent No: 79**

State ID Number: Constitutional Amendment B

Type: Legislative Referendum

Summary: The Constitution requires the Legislature to establish legislative districts every ten years. Voters from each legislative district elect one state senator and one or two state representatives to the South Dakota Legislature. Amendment B would require the Legislature to adopt a new plan, in a regular or special legislative session, if a court invalidates the districts established by the Legislature.

**Pass/Fail: F**

**Percent Yes: 39**

**Percent No: 61**

State ID Number: Constitutional Amendment C

Type: Legislative Referendum

Summary: The Governor must veto legislation within five days of presentation while the Legislature is in session, and within fifteen days of presentation if presented within five days of adjournment or recess. Amendment C would alter these time periods by excluding weekends and holidays from the five-day presentation period, and would clarify when the fifteen-day time period is applicable.

**Pass/Fail: P**

**Percent Yes: 54**

**Percent No: 46**

State ID Number: Initiated Measure 1

Type: Initiative

Summary: Initiated Measure 1 proposes a law that would make it legal under state law, but not under federal law, for a person to plant, cultivate, harvest, possess, process, transport, sell or buy industrial hemp (cannabis) or any of its by-products with a tetrahydrocannabinol (THC) content of one percent or less.

**Pass/Fail: F**

**Percent Yes: 38**

**Percent No: 62**

**TENNESSEE - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 2**

State ID Number: Constitutional Amendment 1

Type: Legislative Referendum

Summary: Would delete the current constitutional prohibition on lotteries.

**Pass/Fail: P**

**Percent Yes: 58**

**Percent No: 42**

State ID Number: Constitutional Amendment 2

Type: Legislative Referendum

Summary: Would allow the General Assembly to prescribe the maximum fine that, absent waiver, may be assessed without a jury.

**Pass/Fail: P**

**Percent Yes: 53**

**Percent No: 47**

**TEXAS - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 1**

State ID Number: Constitutional Amendment - HJR 2

Type: Legislative Referendum

Summary: Would authorize the commissioners' court of a county to declare the office of constable in a precinct to be dormant if the office has not been filled by election or appointment for a lengthy period and providing a procedure for the reinstatement of the office.

**Pass/Fail: P**

**Percent Yes: 80.2**

**Percent No: 19.2**

**UTAH - Total number of ballot measures currently certified for the November 2002 general election ballot: 7**

State ID Number: Constitutional Amendment 1

Type: Legislative Referendum

Summary: Would make changes to the investment of state school funds.

**Pass/Fail: P**

**Percent Yes: 62.62**

**Percent No: 37.38**

State ID Number: Constitutional Amendment 2

Type: Legislative Referendum

Summary: Would change county boundaries.

**Pass/Fail: P**

**Percent Yes: 72.75**

**Percent No: 27.25**

State ID Number: Constitutional Amendment 3  
Type: Legislative Referendum  
Summary: Would amend the revenue and taxation provisions of the constitution.  
**Pass/Fail: P**  
**Percent Yes: 70.0**  
**Percent No: 30.0**

State ID Number: Constitutional Amendment 4  
Type: Legislative Referendum  
Summary: Would require public notice prior to special sessions.  
**Pass/Fail: P**  
**Percent Yes: 77.36**  
**Percent No: 22.64**

State ID Number: Constitutional Amendment 5  
Type: Legislative Referendum  
Summary: Would amend debt limits for political subdivisions.  
**Pass/Fail: P**  
**Percent Yes: 66.15**  
**Percent No: 33.85**

State ID Number: Constitutional Amendment 6  
Type: Legislative Referendum  
Summary: Would expand the government property tax exemption.  
**Pass/Fail: F**  
**Percent Yes: 42.41**  
**Percent No: 57.59**

State ID Number: Citizen's State Initiative Number 1  
Type: Initiative  
Summary: Would change Utah's regulatory and tax framework affecting the disposal and storage of radioactive waste. It provides stricter regulations, certain prohibitions, and new and increased fees and taxes.  
**Pass/Fail: F**  
**Percent Yes: 31.93**  
**Percent No: 68.07**

**VERMONT - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 1**

State ID Number: Question 1  
Type: Legislative Referendum

Summary: Would set the retirement age of justices of the state Supreme Court.

**Pass/Fail: P**

**Percent Yes: 65**

**Percent No: 35**

**VIRGINIA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 4**

State ID Number: Proposed Amendment 1

Type: Legislative Referendum

Summary: Shall the Constitution of Virginia be amended to permit the Supreme Court to consider, as part of its original jurisdiction, claims of actual innocence presented by convicted felons in the cases and manner provided by the General Assembly?

**Pass/Fail: P**

**Percent Yes: 72.68**

**Percent No: 27.32**

State ID Number: Proposed Amendment 2

Type: Legislative Referendum

Summary: Shall the Constitution of Virginia be amended to allow localities by ordinance, rather than the General Assembly by law, to exempt property from taxation that is used for charitable and certain other purposes, subject to the restrictions and conditions provided by general law?

**Pass/Fail: P**

**Percent Yes: 64.51**

**Percent No: 35.49**

State ID Number: Proposed Bond Issue #1

Type: Legislative Referendum

Summary: Shall Chapters 827 and 859, Acts of the General Assembly of 2002, authorizing the issuance of general obligation bonds of the Commonwealth of Virginia in the maximum amount of \$900,488,645 pursuant to Article X, Section 9(b) of the Constitution of Virginia for capital projects for educational facilities, take effect?

**Pass/Fail: P**

**Percent Yes: 72.73**

**Percent No: 27.27**

State ID Number: Proposed Bond Issue #2

Type: Legislative Referendum

Summary: Shall Chapters 854 and 884, Acts of the General Assembly of 2002, authorizing the issuance of general obligation bonds of the Commonwealth of

Virginia in the maximum amount of \$119,040,000 pursuant to Article X, Section 9(b) of the Constitution of Virginia for capital projects for parks and recreational facilities, take effect?

**Pass/Fail: P**

**Percent Yes: 68.72**

**Percent No: 31.28**

**WASHINGTON - Total number of ballot measures currently certified for the November 2002 general election ballot: 5**

State ID Number: Initiative 776

Type: Initiative

Summary: Would require license tab fees of \$30 per year for cars, sport utility vehicles, motorcycles, motor homes, and light trucks.

**Pass/Fail: P**

**Percent Yes: 51.47**

**Percent No: 48.53**

State ID Number: Initiative 790

Type: Initiative

Summary: Would establish a new board of trustees to manage the law enforcement officers' and fire fighters' (LEOFF) pension system, plan 2.

**Pass/Fail: P**

**Percent Yes: 53.02**

**Percent No: 46.98**

State ID Number: Referendum Measure 53

Type: Popular Referendum

Summary: Would establish new rate classes and increase taxable wage bases for these classes; adopt tax array schedules for 2003 and 2004; adopt tax array schedules for 2005 and beyond; impose surcharge taxes if certain contingencies occur; require successor employers to use the previous owners' taxable wage base; require administrative expenses to be funded out of a separate account; and establish effective dates for various sections.

**Pass/Fail: P (listed as passed because it would overturn the law challenged)**

**Percent Yes: 40.78**

**Percent No: 59.22**

State ID Number: Referendum Bill 51

Type: Legislative Referendum

Summary: Would increase weight fees on trucks and large vehicles, fuel excise taxes, and sales taxes on vehicles to finance transportation improvements.

**Pass/Fail: F**

**Percent Yes: 37.30**  
**Percent No: 62.69**

State ID Number: Constitutional Amendment HJR 4220

Type: Legislative Referendum

Summary: Would permit property tax levy propositions for fire protection districts to be submitted to voters for periods up to four years, or six years for fire facility construction, rather than annually.

**Pass/Fail: P**

**Percent Yes: 68.14**

**Percent No: 31.86**

**WEST VIRGINIA - State does not have the initiative process. Total number of ballot measures currently certified for the November 2002 general election ballot: 2**

State ID Number: Amendment 1

Type: Legislative Referendum

Summary: Would amend the State Constitution to permit the Legislature by general law to authorize county commissions and municipalities to use a new economic development tool to help create jobs.

**Pass/Fail: P**

**Percent Yes: 56.8**

**Percent No: 43.2**

State ID Number: Amendment 2

Type: Legislative Referendum

Summary: Would allow county and municipal governments to propose excess levies for the same time periods as boards of education, which is up to five years.

**Pass/Fail: P**

**Percent Yes: 51.8**

**Percent No: 48.2**

**WISCONSIN - State does not have the initiative process. Total number of ballot measures certified for the November 2002 general election ballot: None**

**WYOMING - Total number of ballot measures currently certified for the November 2002 general election ballot: 4**

State ID Number: Amendment A

Type: Legislative Referendum

Summary: Would allow a majority of the elected members of each house to convene a special legislative session.

**Pass/Fail: P**  
**Percent Yes: 66**  
**Percent No: 34**

State ID Number: Amendment B

Type: Legislative Referendum

Summary: Would allow legislative leaders of each house to call a special session to resolve a dispute or challenge to determine the presidential electors.

**Pass/Fail: P**  
**Percent Yes: 65**  
**Percent No: 35**

State ID Number: Amendment C

Type: Legislative Referendum

Summary: Would limit the governor's partial veto authority.

**Pass/Fail: F**  
**Percent Yes: 44**  
**Percent No: 56**

State ID Number: Amendment D

Type: Legislative Referendum

Summary: Would provide that amendments to the constitution proposed by the legislature be submitted to the voters without prior approval of the governor.

**Pass/Fail: F<sup>8</sup>**  
**Percent Yes: 53**  
**Percent No: 47**

### Overall State Rankings

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
Alabama	0	0	3	3
Alaska	2	0	4	6
Arizona	4	0	10	14
Arkansas	2	0	2	4
California	4	0	3	7
Colorado	5	0	5	10
Connecticut	0	0	0	0
Delaware	0	0	0	0
Florida	5	0	5	10
Georgia	0	0	11	11
Hawaii	0	0	3	3

<sup>8</sup> In order to pass, a constitutional amendment must receive a majority of the total votes cast in the election. The unofficial total votes cast was 188,524; therefore, based on the unofficial number of total votes cast, the majority needed is 94,263. This measure received 87,795 votes, and thus failed.

State	Initiatives	Popular Referendum	Legislative Referendum	Total Number of Statewide Ballot Measures
Idaho	1	1	0	2
Illinois	0	0	0	0
Indiana	0	0	0	0
Iowa	0	0	0	0
Kansas	0	0	0	0
Kentucky	0	0	2	2
Louisiana	0	0	12	12
Maine	0	0	3	3
Maryland	0	0	3	3
Massachusetts	2	0	1	3
Michigan	2	1	1	4
Minnesota	0	0	0	0
Mississippi	0	0	1	1
Missouri	2	0	4	6
Montana	2	1	4	7
Nebraska	0	0	2	2
Nevada	2	0	7	9
New Hampshire	0	0	2	2
New Jersey	0	0	0	0
New Mexico	0	0	14	14
New York	0	0	0	0
North Carolina	0	0	1	1
North Dakota	2	0	1	3
Ohio	1	0	0	1
Oklahoma	1	0	8	9
Oregon	7	0	5	12
Pennsylvania	0	0	1	1
Rhode Island	0	0	5	5
South Carolina	0	0	2	2
South Dakota	2	0	2	4
Tennessee	0	0	2	2
Texas	0	0	1	1
Utah	1	0	6	7
Vermont	0	0	1	1
Virginia	0	0	4	4
Washington	2	1	2	5
West Virginia	0	0	2	2
Wisconsin	0	0	0	0
Wyoming	0	0	4	4
<b>Total</b>	<b>49</b>	<b>4</b>	<b>149</b>	<b>202</b>

### What is an initiative or referendum?

Anything that appears on the ballot other than a candidate for office is called a *ballot measure*. Ballot measures are broken down into two distinct categories – *initiatives and referendums*.

*Initiatives* are when the citizens, collecting signatures on a petition, place advisory questions, memorials, statutes or constitutional amendments on the ballot for the citizens to adopt or reject. Twenty-four states have the initiative process. Of the 24 states, 18 have the *constitutional initiative process* which is further broken down into two distinct subcategories - *direct initiative amendments (DA)* and *indirect initiative amendments (IDA)*. A *direct initiative amendment (DA)* is when a constitutional amendment is proposed by the people and is placed directly on the ballot for voter approval or rejection. An *indirect initiative amendment (IDA)* is when a constitutional amendment is proposed by the people but must first be submitted to the state legislature for consideration before the amendment can be placed on the ballot for voter approval or rejection. Sixteen of the 18 states have the *direct initiative amendment process* and two have the *indirect initiative amendment process*.

Twenty-one of the 24 initiative states have the *statutory initiative process* which is further broken down into two distinct subcategories - *direct initiative statutes (DS)* and *indirect initiative statutes (IDS)*. A *direct initiative statute (DS)* is when statutes (laws) or memorials (non-biding laws) proposed by the people are directly placed on the ballot for voter approval or rejection. An *indirect Initiative statute (IDS)* is when statutes (laws) or memorials (non-biding laws) proposed by the people must first be submitted to the state legislature for consideration before they can be placed on the ballot for voter approval or rejection. Fourteen of the 21 states allow *direct initiative statutes (DS)* and nine allow *indirect initiative statutes (IDS)*. That adds up to 23 – which is greater than the universe of 21 states that allow statutory initiatives. The reason for the difference is that two states – Utah and Washington – allow statutory initiatives through the *direct and indirect process*.

In many of the same states the citizens have the ability to reject laws or amendments proposed by the state legislature. This process is commonly referred to as the *referendum process*. There are two types of referendum in this country — *popular and legislative*.

*Popular referendum*, which is available in 24 states, is when the people have the power to refer, by collecting signatures on a petition, specific legislation that was enacted by their legislature for the people to either accept or reject. *Legislative referendum*, which is possible in all states, is when the state legislatures, an elected official, state appointed constitutional revision commission or other government agency or department submits propositions (constitutional amendments, statutes, bond issues, etc.) to the people for their approval or rejection. This is either constitutionally required, as in proposing constitutional amendments, or because the legislature, government official or agency voluntarily chooses to submit the proposal to the people (however, not all states allow their state legislature to place statutes on the ballot for voter approval or rejection). Every state requires that constitutional amendments proposed by the legislature be submitted to the citizenry via legislative

referendum for approval or rejection. *Legislative referendum* is further broken down into two subcategories. *Legislative amendments (LA)* are constitutional amendments placed on the ballot by the legislature or governmental body. This includes constitutional bond issues and amendments proposed by a constitutional revision commission. *Legislative statutes (LS)* are binding and non-binding statutes (laws) and statutory bonds placed on the ballot by the legislature or government body.

In the United States, the *initiative process* is used much more frequently than the *referendum process* and is considered by many the more important and powerful of the two processes.

Additionally, there is no national initiative or referendum process in the United States. However, the initiative and referendum process is available in thousands of counties, cities and towns across the country and is utilized far more frequently than their statewide counterpart.