

# BALLOTWATCH®

## November 8 Elections

- 39 measures on the ballot nationwide, 19 approved
- Voters rejected 16 of 18 citizen initiatives and a referendum.

## All 2005 Elections

- 45 measures, 22 approved
- 17 of 19 citizen initiatives and a referendum rejected

## Hot Issues

- Election reform measures strongly rejected in California and Ohio
- Tax cuts or rebates rejected in Colorado and Washington
- Gay rights upheld in Maine, gay marriage banned in Texas
- Bond issues approved in Maine, Ohio, New York, rejected in Colorado, Oklahoma, and West Virginia

## IRI

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## ELECTION 2005 REVIEW

On November 8, seven states voted on a total of 39 ballot propositions. Overall, voters approved 20 propositions, but they rejected 16 of 18 citizen initiatives and a referendum.

In elections held before November 8, five states voted on a total of six propositions, bringing the total number of ballot measures for the year to 45. The number of initiatives for the year was 19, a record for an odd-numbered year, eclipsing the previous high of seven. This continues the 30-year trend of increasing initiative use. Even though voters declined almost all of the citizen-initiated measures they faced this year, the process itself continues to be popular and there is no sign of an abatement in its use.

There were few broad themes in the 2005 elections. The critical issues tended to vary by state, and the politics revolved around state-specific issues. Some highlights:

### *Failure of Election Reform*

Voters in California and Ohio rejected — by large majorities — proposals to reform the political process. Both states had measures that would take redistricting out of the hands of incumbent politicians, the California measure generally supported by Republicans and the Ohio measure generally supported by Democrats. Washington voters approved a measure that requires performance audits of government agencies.

### *Fiscal Liberalism*

Voters were often willing to support government spending programs. Huge transportation bond issues were approved in New York (\$2.9 billion) and Ohio (\$1.85 billion), while Maine voters approved four of five bond issues (totaling \$74 million). A \$2.1 billion bond issue in Colorado narrowly failed. Washington voters declined to roll back the state gas tax, California voters rejected a proposal to limit the growth of state spending to the growth of state revenue, and in a November 1 election, Colorado voters agreed to forego \$3.7 billion of promised tax rebates over the next five years.

### *Gay Rights*

Gay rights continued to be worked out at the state level. In 2004, 13 states amended their constitutions to ban gay marriage. Kansas followed suit in April 2005, and Texas on November 8. Maine voters declined to repeal a state law that prohibits discrimination on the basis of sexual orientation.

### *Spending*

National totals are not yet available, but spending in California exceeded \$230 million, a new record, with pharmaceutical companies spending \$80 million on two prescription drug pricing measures. Dueling medical malpractice initiatives in Washington set a spending record in that state of \$9 million. Ohio groups reported raising over \$6 million.

*Note: Question 6 in Maine is currently failing but the vote is close enough that the outcome could be reversed with the remaining returns or a recount. This report counts it as rejected.*



## ELECTION RESULTS FOR NOV. 8

All returns are unofficial.

### California (100% reporting)

All eight measures are initiatives. Props. 74-77 were supported by Gov. Schwarzenegger.

- *Prop. 73. Abortion.* Requires parental notification before a minor can receive an abortion. REJECTED 47-53
- *Prop. 74. Teacher Tenure.* Extends from 2 to 5 years the amount of time that must be served before a public school teacher can be tenured. REJECTED 45-55
- *Prop. 75. Union Dues.* Requires public employee unions to get written approval from members before using dues for political purposes. REJECTED 47-53
- *Prop. 76. "Live Within Our Means".* Caps the growth of state spending and relaxes minimum spending requirements for education. REJECTED 38-62
- *Prop. 77. Redistricting.* Creates a nonpartisan commission to redistrict instead of the legislature. REJECTED 41-59
- *Prop. 78. Prescription Drugs (Voluntary).* Creates voluntary prescription drug discount program. Sponsored by pharmaceutical firms. REJECTED 42-58
- *Prop. 79. Prescription Drugs (Mandatory).* Creates prescription drug discount program, prohibits Medi-Cal contracts for non-participating drug companies. REJECTED 39-61
- *Prop. 80. Electricity Regulation.* Restricts competition among suppliers of electricity. REJECTED 34-66

Los Angeles voters approved a \$4 billion bonds for schools.

### Maine (99%)

Question 1 is a referendum qualified by petition. The others were placed on ballot by legislature.

- *Question 1. Gay Rights.* This referendum would repeal a Maine law that prohibits discrimination on the basis of sexual orientation. REJECTED 45-55.
- *Question 2. \$33.1 Million Bonds for Transportation.* APPROVED 67-33
- *Question 3. \$8.9 Million Bonds for Water Systems.* APPROVED 58-42
- *Question 4. \$20 Million Bonds to Promote Research.* APPROVED 58-42
- *Question 5. \$12 Million Bonds for Land Conservation.* APPROVED 65-35
- *Question 6. \$9 Million Bonds for Higher Education Facilities.* **FAILING BUT CLOSE** 49-51
- *Question 7. Commercial Fishing Property.* Lowers assessment of waterfront property used for commercial fishing activities. APPROVED 72-28

### New Jersey (90%)

Both measures were placed on the ballot by the legislature.

- *Public Question 1. Lieutenant Governor.* Creates office of Lt. Governor. APPROVED 56-44
- *Public Question 2. Environmental Funds.* Allows money dedicated for hazardous waste cleanup to be used for air pollution control. APPROVED 56-44

### New York (99%)

Both measures were placed on the ballot by the legislature.

- *Proposal 1. Contingency Budget.* An amendment that automatically adopts a contingency budget with spending equal to the previous year if the legislature fails to approve the governor's budget. REJECTED 35-65
- *Proposal 2. \$2.9 Billion Bonds for Transportation.* APPROVED 55-45

*"Voters looked kindly on government spending programs, approving big bond issues in New York, Ohio, and Los Angeles, and rejecting tax cuts in Washington and tax rebates in Colorado."*

## STATE-BY-STATE LIST

### Ohio (99%)

Issue 1 was placed on the ballot by the legislature. The other four measures are initiatives.

- *Issue 1. \$1.85 Billion Bonds for Infrastructure and R&D.* APPROVED 54-46
- *Issue 2. Absentee Ballots.* Allows absentee ballots for any reason up to 35 days before election. REJECTED 37-63
- *Issue 3. Campaign Contribution Limits.* REJECTED 33-67
- *Issue 4. Redistricting.* Creates a nonpartisan commission to redistrict. REJECTED 30-70
- *Issue 5. Board of Elections.* Creates an independent board to oversee elections instead of Secretary of State. REJECTED 30-70

### Texas (99%)

All nine measures are constitutional amendments placed on the ballot by the legislature.

- *Prop. 1. Railway Fund.* Establishes a state fund to finance railway projects. APPROVED 54-46
- *Prop. 2. Marriage.* Defines marriage as between a man and a woman. APPROVED 76-24
- *Prop. 3. Local Bond Approval.* Removes the requirement that local governments seek voter approval before borrowing for economic development projects. APPROVED 52-48
- *Prop. 4. Bail.* Allows judges more reasons to deny bail to criminal defendants. APPROVED 85-15
- *Prop. 5. Usury.* Allows legislature to exempt commercial loans from state laws that set maximum interest rates. REJECTED 43-57
- *Prop. 6. Judicial Conduct Commission.* Adds two members to commission. APPROVED 63-37
- *Prop. 7. Mortgages.* Allows a variety of reverse mortgages. APPROVED 60-40
- *Prop. 8. State Land.* State relinquishes claim to land in two counties. APPROVED 61-39
- *Prop. 9. Transportation Board Term Limits.* Sets six year term limits for board members of Regional Mobility Authorities. REJECTED 47-53

### Washington (100%)

All measures are initiatives except for SJR-8207, which was placed on the ballot by the legislature.

- *I-330. Malpractice Awards.* Limits pain and suffering awards and attorney fees in medical malpractice lawsuits. Backed by doctors, opposed by trial lawyers. REJECTED 48-52
- *I-336. Malpractice Insurance.* Establishes state supplemental medical malpractice insurance program. Revokes licenses of doctors with three malpractice incidents. Trial lawyer alternative to I-330. REJECTED 42-58
- *I-900. Government Performance Audits.* Requires performance audits for state and local governments. APPROVED 57-43
- *I-901. Smoking Ban.* Bans indoor smoking in public places. APPROVED 63-37
- *I-912. Gas Tax.* Repeals 9.5 cent per gallon gas tax enacted in 2005. REJECTED 49-51
- *SJR-8207. Commission on Judicial Conduct.* Allows municipal court judges to serve on commission. APPROVED 66-34

Seattle voters rejected a proposal to continue of an expensive monorail program.

*“Voters rejected 16 of  
18 citizen-initiated  
measures on Nov. 8.”*

## RESULTS FOR EARLIER ELECTIONS

### *Election Results from Earlier in the Year*

#### **Colorado (November 1 )**

The two measures made up the "Colorado Economic Recovery Plan" sponsored and placed on the ballot by the Gov. Owens and the General Assembly.

- *Referendum C. TABOR Reform.* Temporarily lifts TABOR spending limits and allows the state to keep an estimated \$3.7 billion over the next five years that would otherwise be returned to taxpayers. APPROVED 52-48
- *Referendum D. \$2.1 billion bonds for roads.* Authorized state to borrow \$2.1 billion for roads, fire and police pensions, and school maintenance. FAILED 49-51

Voters in Denver approved a law legalizing possession of marijuana.

#### **Kansas (April 5)**

- *Constitutional Amendment. Marriage.* This measure, placed on the ballot by the legislature, defined marriage as solely between a man and a woman. APPROVED: 70-30

#### **Oklahoma (September 13)**

- *Question 723. Bridges and Highways.* This initiative amendment proposed to raise the gas tax by 5 cents per gallon for unleaded and 8 cents per gallon for diesel, with funds dedicated to highways and bridges. REJECTED: 13-83.

#### **West Virginia (June 25)**

- *Amendment 1. Pension Bonds.* This constitutional amendment, placed on the ballot by the legislature, authorized \$5.5 billion bonds for public employee pensions. REJECTED: 46-54

#### **Wisconsin (April 5)**

- *Referendum. Term Limits.* This constitutional amendment, placed on the ballot by the legislature, set four year term limits for certain county offices. APPROVED: 75-25

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