

# BALLOTWATCH

## Important Facts

- 34 ballot propositions in 6 states in November
- 2 initiatives, 2 citizen referendums, 30 legislative measures
- Most: 16 in Texas, 6 in Washington
- 2007 ballot propositions not on November ballot: 9 propositions in 4 states.
- 2007 totals: 43 propositions in 9 states, 2 initiatives, 2 referendums
- Trends: taxes, bonds
- Hot issues: regulatory takings in Oregon, school vouchers in Utah, insurance in Washington.

## IRI

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## ELECTION 2007 PREVIEW

Voters in six states will vote on 34 ballot propositions in November 2007. This is less activity than in November 2005, the last off-year election, in which voters decided 39 measures in seven states, and far below the 204 propositions in 37 states in November 2006.

Only four of the measures were placed on the ballot by citizen petition. Two initiatives (one in Maine and one in Washington) propose new laws, and two referendums (one in Utah and one in Washington) ask voters to repeal a law approved by the state legislature. The other 30 measures were placed on the ballot by the legislature. At the midpoint of the decade, a total of 233 initiatives have come before the voters. The number of initiatives for the decade (2000-2007) now stands at 303.

This IRI report highlights key issues and lists all of the ballot measures state by state. This report will be updated if and when new measures qualify for the ballot.

### Trends

**Taxes** are the most popular subject for ballot propositions this fall, with seven tax-related measures on the ballot in four states. Most of the measures involve tax cuts or tax relief. New Jersey voters will decide whether to redirect 1% of sales tax revenue to property tax relief (Public Question 1). Texas voters will decide whether to limit the appraised value of homes for property tax purposes (Prop. 3), whether to exempt vehicles used for business from property taxes (Prop. 6), and whether to provide property tax relief to disabled veterans (Prop. 9). Washington voters will consider an initiative that expands the state's requirement for a 2/3 vote by the legislature on tax increases, requires legislative approval of all fee increases by state agencies, and requires an advisory vote on tax increases that do not come before the voters on a binding referendum (I-960). The lone tax increase proposal is in Oregon, where voters will decide whether to increase cigarette taxes by 84.5 cent a pack as well as increase taxes on other tobacco products in order to fund health care for uninsured children (Measure 50).

**Bonds** continue to be a popular funding source, as legislatures remain shy about raising taxes to fund new programs. Ten bond measures are on the ballot in three states, proposing to borrow a total of \$10.534 billion (\$134 million in Maine, \$650 million in New Jersey, and \$9.75 billion in Texas). The two largest proposals are in Texas: \$5 billion for highway projects (Prop. 12) and \$3 billion for a cancer research center (Prop. 15)

### Hot Issues

In **Oregon**, Measure 49, sponsored by the legislature, seeks to weaken the state's landmark Measure 37 that requires governments to compensate land owners when regulations reduce the value of their property. Land use has been a front burner issue in the last few years, triggered by Measure 37 in 2004 and especially the U. S. Supreme Court's *Kelo*



## STATE-BY-STATE LIST

ruling in 2006. Eleven eminent domain or regulatory takings propositions were decided in 2006.

In **Utah**, teacher unions and other education groups placed a referendum on the ballot to repeal a new law that provides school vouchers of \$500-\$3,000 to low income students., and insulates public schools from losing revenue for five years. The original law was narrowly approved by the Republican-controlled legislature earlier this year. Campaign spending exceeded \$2.6 million by mid-September with most of the cash coming from voucher opponents (including \$1.5 million in out of state money from the National Education Association).

In **Washington**, trial lawyers and insurance companies are battling over ESSB 5726 that would make it a crime to "unreasonably" deny an insurance claim and allow triple damages. The bill was approved by the Democrat-controlled legislature earlier this year, and placed on the ballot by a citizen petition campaign largely funded by insurance companies. This measure is the latest installment in an ongoing struggle between trial lawyers and insurers that has resulted in ballot propositions in Florida, Nevada, and Oregon in 2004, and in Washington 2005.

### Maine

Question 1 is an initiative placed on the ballot by petition. Questions 2-5 were placed on the ballot by the legislature. The Maine legislature also approved (without sending it to the ballot) an initiative that provides tax credits for students loans for Maine students who remain in the state.

- *Question 1. Racino.* Authorizes a Maine tribe to operate a racing track with slot machines.
- *Question 2. \$55 million bonds for R&D.*
- *Question 3. \$43.5 million bonds for higher education buildings.*
- *Question 4. \$35.5 million bonds for land conservation.*
- *Question 5. Term limits.* Extends legislative term limits from 8 to 12 years.

### New Jersey

Four constitutional amendments were placed on the ballot by the legislature.

- *Public Question 1. Property tax relief.* Dedicates 1% of sales tax revenue for property tax relief. A related measure was approved in 2006.
- *Public Question 2. \$450 million bonds for stem cell research projects.*
- *Public Question 3. \$200 million bonds for land acquisition and conservation.*
- *Public Question 4. Constitutional language.* Voting rights of "idiot or insane person."

### Oregon

Measure 49 is a statute. Measure 50 is a constitutional amendment. Both were placed on the ballot by the legislature.

- *Measure 49. Land use takings.* Amends Measure 37 to limit compensation for regulatory takings and restricts large developments
- *Measure 50. Tobacco tax.* Increases tobacco taxes including an 84.5 cents per pack increase in cigarette taxes, with revenue dedicated to health care for uninsured children.

### Texas

All 16 constitutional measures were placed on the ballot by the legislature.

- *Prop. 1. Angelo State University.* Allows funding of university in new governance system.
- *Prop. 2. \$500 million bonds for education loans.*
- *Prop. 3. Property tax limits.* Limits appraised value of homes for tax purposes.
- *Prop. 4. \$1 billion bonds for construction projects.*
- *Prop. 5. Local tax relief.* Authorizes small towns to provide tax relief for certain property.
- *Prop. 6. Car tax.* Authorizes property tax exemption for vehicles used for business.

*"Taxes are the most popular subject for ballot measures this fall."*

## STATE-BY-STATE LIST

- *Prop. 7. Eminent domain.* Allows resale to owner of property acquired through eminent domain.
- *Prop. 8. Home equity loans.* Clarifies certain procedures concerning loans.
- *Prop. 9. Tax relief for veterans.* Authorizes property tax relief for disabled veterans.
- *Prop. 10. Abolishes office of Inspector of Hides and Animals.*
- *Prop. 11. Legislative votes.* Requires recorded votes on bills, posting of votes on internet.
- *Prop. 12. \$5 billion bonds for highway improvement projects.*
- *Prop. 13. Bail.* Authorizes denial of bail for certain persons who violate court orders.
- *Prop. 14. Judicial terms.* Allows judge who reaches mandatory retirement age to serve out term.
- *Prop. 15. \$3 billion bonds for Cancer Prevention and Research Institute of Texas.*
- *Prop. 16. \$250 million bonds for financial assistance in economically distressed areas.*

### Utah

Referendum 1 was placed on ballot by petition in order to repeal a bill approved by the legislature.

- *Referendum 1. Vouchers.* The law in question provides school vouchers for students attending private schools.

### Washington

Initiative 960 and Referendum 67 were placed on the ballot by petition. I-960 is a new law. R-67 is a vote to repeal a law approved by the legislature. The other four measures are constitutional amendments placed on the ballot by the legislature.

- *I-960. Votes on tax increases.* Reasserts and broadens existing requirement of 2/3 legislative approval for tax increases, requires advisory vote on all tax increases that do not come before voters as a referendum, requires legislative approval of all fee increases.
- *R-67. Insurance claims.* The law in question makes it unlawful for insurers to “unreasonably” deny certain claims, and allows treble damages for violations.
- *ESSJR 8206. Budget stabilization.* Dedicates 1% of state revenue to stabilization account.
- *SJR 8212. Inmate labor.* Authorizes state-operated inmate labor programs.
- *EHJR 5215. School district tax votes.* Removes supermajority requirement for school district property taxes.
- *SHJR 4215. Higher education funds.* Allows funds to be invested in stocks and bonds.

*“Hot propositions:  
regulatory takings in  
Oregon, school  
vouchers in Utah,  
insurance in  
Washington.”*

## CONCLUDED ELECTIONS

The following propositions were decided by voters earlier this year.

### Alabama (June 5)

- *Amendment 1. Capital improvement bonds.* Legislative measure that increased to \$400 million amount of bonds authorized for capital improvements. APPROVED: 79-21
- *Amendment 2. Health care funds.* Legislative measure that required health care funds dedicated to retired state workers to be used for their health care. APPROVED: 84-16

### Alaska (April 3)

- *Advisory Measure. Same-sex benefits.* Asked voters if state and local governments should be prohibited from providing benefits to same-sex couples. APPROVED 53-47

### Louisiana (October 20, 2007)

Four constitutional amendments were placed on the ballot by the legislature.

- *Amendment 1. Police/fire salary supplements.* Prohibits state from cutting supplements. APPROVED 59-41
- *Amendment 2. Police/fire salary supplements.* Allows state to supplement uniform pay plans for police and fire fighters at Port of New Orleans. APPROVED 56-44
- *Amendment 3. Retirement benefits.* Prohibits increased retirement benefits for state workers without a funding source identified. APPROVED 58-42
- *Amendment 4. Tax on jewelry.* Exempts consigned jewelry from property taxation. FAILED 44-56

### Maine (June 12)

- *Question 1. \$113 million bonds for transportation projects.* APPROVED 71-29
- *Question 2. \$18.3 million bonds for water and waste treatment facilities.* APPROVED 64-36

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