

BALLOTWATCH®

Important Facts

- 34 propositions in 6 states on November 6, up from 204 in 2006 and 39 in 2005.
- 82% approved (28 of 34)
- Initiatives 2 (1 approved), referendums 2, legislative measures 30.
- High profile failures: school vouchers in Utah, stem cell bonds in New Jersey, property tax relief in New Jersey, tobacco tax in Oregon
- High profile approval: development limits in Oregon
- For the year: 43 propositions, 35 approved.

IRI

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ELECTION RESULTS 2007

Voters in six states decided 34 ballot propositions in November 2007, approving 82 percent of them. The number of propositions was less 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. The approval rate exceeded the 67 percent approval rate in 2006 and the 51 percent approval rate in 2005.

Only four of the measures were placed on the ballot by citizen petition. Two initiatives proposed new laws (one that failed in Maine and one that was approved in Washington), and two referendums asked voters to repeal laws approved by the state legislature (one in Utah that was successful and one in Washington that was unsuccessful). The other 30 measures were placed on the ballot by the legislature.

Since 2000, a total of 303 initiatives (measures placed on the ballot by petition) have come before the voters. If the number of initiatives in the rest of the decade is at historical levels, the total number of initiatives for the first decade will approach the record 379 for the 1990s, suggesting that the wave of citizen-initiated legislation is not ebbing. For an historical overview of initiative use, see IRI report *Initiative Use 1902-2006*, at www.iandrinstitute.org.

This IRI report highlights key issues and lists all of the ballot measures and election results state by state. All election results are unofficial returns.

**TRENDS**

With relatively few measures on the ballot, it is difficult to point to pronounced national trends. Two broad classes of issues did emerge in multiple states, however, taxes and bonds. These issues are perennially popular subjects for ballot propositions.

Seven **tax-related** propositions were decided in four states, and voters were consistently anti-tax. Oregon voters rejected a cigarette tax (Measure 50). Texas voters approved limits on the appraised value of homes (Prop. 3), property tax exemption for certain vehicles (Prop. 6), and property tax relief for disabled veterans (Prop. 9). Washington voters approved an initiative that required a two-thirds vote of the legislature for all tax increases (I-960), and rejected a proposal to make it easier for local governments to raise taxes by removing a supermajority requirement in referendums (EHJR 4204). New Jersey voters rejected revenue-neutral Public Question 1, which would have directed 1 percent of sales tax revenue to property tax relief.

Bonds continued to be a popular funding source. Nine bond measures in three states were approved that authorized a total of \$10.084 billion (\$134 million in Maine, \$200 million in New Jersey, and \$9.75 billion in Texas). The only bond measure to fail was New Jersey's Public Question 2 that would have authorized \$450 million for stem cell research.

HOT ISSUES

HOT ISSUES

Although few issues struck a spark nationwide in 2007, several interesting issues appeared in single states.

In Utah, by a 38-62 margin voters repealed a law passed by the Republican-controlled legislature that would have provided **vouchers** of \$500 to \$3,000 for low-income students to attend private schools. The repeal campaign was funded with \$4.5 million from the National Education Association. The pro-vouchers side was bankrolled with \$4 million from the family of Overstock.com CEO Patrick Byrne. A similar school voucher initiative was rejected in California by a similarly large margin in 2000, but the overwhelming failure of this measure in conservative Utah is especially heartening news for teacher unions and other educational groups committed to fighting voucher plans.

In New Jersey, voters rejected a bond issue to fund **stem cell** research. This proposition came on the heels of controversial stem cell measures in California in 2004 and Missouri in 2006, both of which were approved. New Jersey is a solidly blue state, so it seems likely that voters were mainly scared away by the price tag and not by moral qualms about stem cell research per se.

Oregon voters approved Measure 49, sponsored by the legislature, that significantly limited **land development** and weakened 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 United States Supreme Court's *Kelo* ruling in 2006. Eleven eminent domain or regulatory takings propositions were decided in 2006.

Also in Oregon, voters rejected Measure 50 that would have increased the **tobacco tax** by a whopping 84.5 cents a pack, with revenue dedicated to health care for low income children. Tobacco companies spent \$12 million fighting the measure. This is just one year after the tobacco industry spent more than \$50 million to defeat a similar measure in California, and signals the industry's continued willingness to use its deep pockets to fight these measures. In addition to testifying to the power of money in opposition to ballot propositions, the rejection of Measure 50 suggests voters remain hesitant to require narrow groups to fund broad public programs.

Voters were consistently anti-tax.

STATE-BY-STATE LISTING

Maine

Question 1 was an initiative placed on the ballot by petition. Questions 2-5 were placed on the ballot by the legislature.

Question 1. Racino. Authorized tribe to operate racing track with slot machines. FAILED 48-52

Question 2. \$55 million bonds for R&D. APPROVED 51-49

Question 3. \$43.5 million bonds for higher education buildings. APPROVED 51-49

Question 4. \$35.5 million bonds for land conservation. APPROVED 63-37

Question 5. Term limits. Extended legislative term limits from 8 to 12 years. FAILED 33-67

New Jersey

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

Public Question 1. Property tax. Dedicated 1% of sales tax revenue for tax relief. FAILED 47-53

Public Question 2. \$450 million bonds for stem cell research projects. FAILED 47-53

Public Question 3. \$200 million bonds for land acquisition and conservation. APPROVED 54-46

Public Question 4. Constitutional language. Voting by "idiot or insane person." APPROVED 60-40

STATE-BY-STATE RESULTS

Oregon

The legislature placed both Measure 49 (statute) and 50 (constitutional amendment) on the ballot.

Measure 49. Land use. Limited compensation for regulatory takings, restricted large developments. APPROVED 62-38

Measure 50. Tobacco tax. Increased tobacco taxes, dedicated revenue to health care for uninsured children. FAILED 41-59

Texas

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

Prop 1. Angelo State University. Allowed new governance system. APPROVED 66-34

Prop 2. \$500 million bonds for education loans. APPROVED 66-34

Prop 3. Property tax limits. Limited appraised value of homes for tax purposes. APPROVED 71-29

Prop 4. \$1 billion bonds for construction projects. APPROVED 58-42

Prop 5. Local tax relief. Authorized small towns to provide property tax relief. APPROVED 66-34

Prop 6. Car tax. Authorized property tax exemption for vehicles used for business. APPROVED 74-26

Prop 7. Land. Allowed resale to owner of property acquired by eminent domain. APPROVED 80-20

Prop 8. Home equity loans. Clarifies certain procedures concerning loans. APPROVED 78-22

Prop 9. Tax relief for veterans. Authorizes property tax relief for disabled veterans. APPROVED 91-9

Prop 10. Abolished office of Inspector of Hides and Animals. APPROVED 77-24

Prop 11. Legislative votes. Required recorded votes on bills, posting on internet. APPROVED 85-15

Prop 12. \$5 billion bonds for highway improvement projects. APPROVED 63-37

Prop 13. Bail. Authorized denial of bail for persons who violate court orders. APPROVED 84-16

Prop 14. Judges. Allowed judge at mandatory retirement age to serve out term. APPROVED 75-25

Prop 15. \$3 billion bonds for Cancer Prevention and Research Institute of Texas. APPROVED 61-39

Prop. 16. \$250 million bonds for financial assistance in distressed areas. APPROVED 61-39

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 provided school vouchers for students attending private schools. FAILED 38-62 (law repealed)

Washington

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

I-960. Votes on tax increases. Broadened existing requirement of 2/3 legislative approval for tax increases, required advisory vote on all tax increases that do not come before voters as a referendum, required legislative approval of all fee increases. APPROVED 52-48

R-67. Insurance claims. Made it unlawful for insurers to “unreasonably” deny certain claims, allowed treble damages for violations. APPROVED 57-43

ESSJR 8206. Budget. Dedicated 1% of revenue to stabilization account. APPROVED 68-32

SJR 8212. Inmate labor. Authorized state-operated inmate labor programs. APPROVED 60-40

EHJR 4024. Property taxes. Removed supermajority rule for school taxes. APPROVED 50.2-49.8

SHJR 4215. Higher ed funds. Allowed funds to be invested in stocks and bonds. APPROVED 54-46

*Hot issues: school
vouchers, stem cell
research, land use,
cigarette tax*

RESULTS FROM EARLIER IN YEAR

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)

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

Amendment 1. Police/fire salary supplements. Prohibited state from cutting supplements. APPROVED 59-41

Amendment 2. Police/fire salary supplements. Allowed state to supplement uniform pay plans for police and fire fighters at Port of New Orleans. APPROVED 56-44

Amendment 3. Retirement benefits. Prohibited increased retirement benefits for state workers without a funding source identified. APPROVED 58-42

Amendment 4. Tax on jewelry. Exempted 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

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.

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The Initiative and Referendum Institute is a nonprofit, nonpartisan educational organization headquartered at the University of Southern California, in Los Angeles, California. IRI seeks to provide information to inform public discussions, but does not take positions for or against individual ballot propositions. Media inquiries, please contact Gilien Silsby, Director of Public Relations, (213) 740-9690 (office), (213) 500-8693 (cell), gsilsby@law.usc.edu.

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