

BALLOTWATCH

Overview

- November: 28 propositions in 7 states: Voters approved 14, rejected 11, and in Washington recommended repealing three new taxes adopted by the legislature.
- Most active states: Texas (8), New York (5), Louisiana (4).
- Initiatives: 4 total; 3 failed
- For the year: 39 propositions in 9 states; a total of 4 initiatives (1 approved), 32 legislative proposals (24 approved).

ELECTION RESULTS 2021

Ballot proposition activity is limited in odd-numbered years. There were 24 state-level propositions decided on November 2, preceded by 11 earlier in the year, and followed by 4 on November 13. The 39 propositions for the year is down from 130 in 2020, but comparable to the 36 in 2019. Overall, voters approved 71% of the measures, and recommended repealing three new taxes in advisory elections in Washington.

Only four of the propositions were citizen-proposed initiatives; the rest were placed on the ballot by legislatures. Of the initiatives, one passed (a Maine proposal to limit construction of electric transmission lines) and three failed (Colorado proposals to prevent the governor from allocating federal grant money without legislative approval; to increase the tax rate on marijuana sales; and to reduce property taxes.)



Select Issues of Interest

Redistricting: New York's Ballot Proposal 1, placed on the ballot by the Democratic-controlled legislature, would have rolled back the state's bipartisan redistricting commission, adopted by voters in 2014, and made it easier to impose a Democratic gerrymander. Voters in this blue state turned down the proposal by a substantial margin (44%-56%), choosing "good government" principles over narrow partisan interest.

Voting rights: New York's Ballot Proposals 3 and 4, also placed on the ballot by the legislature, would have allowed same-day voter registration and no-fault absentee voting. Somewhat surprisingly given that both ideas are featured in the federal Freedom to Vote Act proposed by Democratic Party officials, voters turned down both proposals by substantial margins.

Electric power lines: Maine's Question 1, which voters approved 59%-41%, banned construction of electric transmission lines in the Upper Kennebec Region and required supermajority approval from the legislature to construct such lines elsewhere. The initiative was funded by local power companies in order to prevent competition from Canadian electricity suppliers, and supported by environmental groups concerned with potential environmental damage from the lines.

Sports gambling: Voters decisively rejected (44%-56%) New Jersey's Public Question 1, a legislative constitutional amendment that would have legalizing betting on college sports.

Local Issues of Interest: Police Funding and Oversight

In response to ongoing public discussion about funding of police, several cities held referendums to consider options related to "defunding" the police. The most high-profile election was in **Minneapolis**, the site where George Floyd was murdered by a police officer while in custody in May 2020. Social justice activists used the initiative process to qualify Question 2 for the ballot. It proposed to replace the Minneapolis police department with a new department of public safety, and adopt a "public health approach to safety." Voters rejected the proposal, 44%-56%. Similarly, **Oak Park** IL rejected an advisory measure to defund the political department. On the other side, **Austin** Texas, voters rejected a proposal to substantially increase spending on police and lock in minimum spending levels. Voters in **Albany** NY, **Denver** CO, and **Cleveland** OH approved measures increasing oversight of police misconduct.

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STATE-BY-STATE LIST

The remainder of this report contains a complete list of state-level propositions for 2021. An “initiative” is a citizen-sponsored law placed on the ballot by petition. “Legislative” measures were placed on the ballot by the legislature.

Colorado

All three measures were citizen initiatives, the first an amendment, the last two statutes.

- *Amendment 78. Custodial money.* Requires money received by the state for specific purposes to be appropriated by legislature, not unilaterally by governor. FAILED 43-57
- *Prop 119. Marijuana tax.* Increases tax rate from 15% to 20%; dedicates revenue to out-of-school learning programs; creates new agency to administer. FAILED 46-54
- *Prop 120. Property tax.* Lowers rate on residential property from 7.15% to 6.5%. FAILED 43-57

Louisiana (November 13)

All proposals were constitutional amendments placed on ballot by legislature.

- *Amendment 1. Tax administration.* Creates a single state board to administer sales taxes and provides for electronic filing. FAILED 48-52
- *Amendment 2. Income tax rate.* Lowers maximum allowable rate from 6.0% to 4.75%. APPROVED 54-46
- *Amendment 3. Levy districts.* Allows certain districts to impose taxes over 5 mills with voter approval. FAILED 42-58
- *Amendment 4. Deficit reduction.* Increases allowable deductions from constitutionally protected funds in order to reduce a deficit. FAILED 28-72

Maine

Question 1 was an initiative statute. Question 2 was a legislative statute. Question 3 was a legislative amendment.

- *Question 1. Electricity lines.* Limits construction of new transmission lines. APPROVED 59-41
- *Question 2. \$100 M bond issue for transportation infrastructure.* APPROVED 72-28
- *Question 3. Establishes a right to grow and consume food of one’s choosing.* APPROVED 61-39

New Jersey

Both proposals were constitutional amendments from the legislature.

- *Public Question 1. Permits wagering on college sports.* FAILED 44-56
- *Public Question 2. Permits raffles to support charities.* FAILED 36-64

New York

All measures were constitutional amendments proposed by the legislature.

- *Ballot Proposal 1. Redistricting.* Repeals voter-approved bipartisan redistricting commission; creates redistricting process with more power to majority party (Democrats); counts incarcerated persons in their former place of residence rather than prison (reducing seats upstate). FAILED 44-56
- *Ballot Proposal 2. Right to clean air and water.* APPROVED 69-31
- *Ballot Proposal 3. Allows same-day voter registration.* FAILED 42-58
- *Ballot Proposal 4. Allows no-excuse absentee voting.* FAILED 44-56
- *Ballot Proposal 5. Expands jurisdiction of NYC Civil Court.* APPROVED 63-39

Colorado — New York

STATE-BY-STATE LIST

Texas

All eight propositions were constitutional amendments placed on ballot by legislature.

- *Prop 1. Allows charitable raffles at rodeos. APPROVED 84-16*
- *Prop 2. Local bonds. Allows counties bonds for transportation infrastructure. APPROVED 63-37*
- *Prop 3. Religion. Prohibits state and local governments from limiting religious services. APPROVED 62-38*
- *Prop 4. Judges. Changes eligibility requirements for state judges. APPROVED 59-41*
- *Prop 5. Judicial candidates. Authorizes commission on judicial conduct to investigate candidates. APPROVED 59-41*
- *Prop 6. Nursing home residents. Right to designate essential caregiver who cannot be denied access. APPROVED 88-12*
- *Prop 7. Property taxes. Exemption for surviving spouse of disabled person who dies at age 55 or older. APPROVED 87-13*
- *Prop 8. Property taxes. Exemption for surviving spouse of person in armed services killed in line of duty. APPROVED 88-12*

Washington

Advisory votes are required by the constitution for tax increases.

- *Advisory Vote 36. Maintain or repeal new tax on telephone lines. REPEAL 46-54*
- *Advisory Vote 37. Maintain or repeal new 7% tax on capital gains above \$250,000. REPEAL 39-61*
- *Advisory Vote 38. Maintain or repeal new 2% tax on insurance premiums from captive insurers. REPEAL 43-57*

Texas — Washington

PRE-NOVEMBER ELECTIONS

Pennsylvania (May 18)

All four proposals came from the legislature.

- *Amendment 1. Emergencies #1.* Allows legislature to terminate or extend a disaster declaration without approval of governor. APPROVED 52-48
- *Amendment 2. Emergencies #2.* Provides that all emergency declarations expire after 21 days, requires legislative approval for government to declare a new emergency. APPROVED 52-48
- *Amendment 3. Discrimination.* Prohibits denial of rights based on race or ethnicity. APPROVED 72-28
- *Statewide Referendum.* Statute that allows municipal fire departments and emergency service companies to apply for state loans. APPROVED 73-27

Rhode Island (March 2)

All seven proposals came from the legislature.

- *Question 1.* \$107.3 M bonds higher education facilities. APPROVED 59-41
- *Question 2.* \$74 M bonds for beaches, clean water, green projects. APPROVED 78-22
- *Question 3.* \$65 M bonds for housing projects. APPROVED 66-34
- *Question 4.* \$71.7 M bonds for transportation infrastructure. APPROVED 81-19
- *Question 5.* \$15 M bonds for early care and education facilities. APPROVED 67-33
- *Question 6.* \$7 M bonds for arts and preservation grants. APPROVED 61-39
- *Question 7.* \$60 M bonds for industrial facilities. APPROVED 59-41

*Results from elections
held before November*

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