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2010 Post-Election Report

With the nonstop media attention paid to candidate elections last week, it's easy to overlook the reality that voters by and large rejected right-wing ideology on ballot measures. These results lend context to the candidate races and should not be overlooked when analyzing the election.

In Massachusetts, Colorado, Arizona, and other states, voters valued clean air and water, community safety, and high-quality public education systems over tax cuts and funding reductions. At the same time, fiscal fears led to the rejection of sensible revenue-generating measures in a few states. But when asked directly about the real issues at hand, voters exposed a critical dissonance between small-government candidates and support for key public services. Of the major statewide initiatives seeking to privatize government or cut funding to education, health care, and other key public services, only a handful were successful.

Overall, ballot measure results made it clear that Americans don't want to see large-scale reductions in the public services that support their communities – and here we find insight into what American voters truly value in these hard economic times.

Key Trends and Important Results:

- **California voters applauded for upholding landmark environmental law**
- **Special interests fail to cut key public services for citizens**
- **Reproductive justice – a failed wedge**
- **Montana protects working families from predatory lenders**
- **Right-wing legislative referrals**
- **Economic woes and fear-based tactics hurt some progressive priorities**

Proposition 23 Fails to Hinder California's Clean Energy Progress

Financed by oil companies Tesoro and Valero, this obvious ploy to buy favorable legislation at the expense of good public policy was easily defeated (39% Yes, 61% No).

Voters in California were unwilling to overturn the state's landmark environmental law and hand over the clean energy market to oil corporations and other polluters. AB 32, the Global Warming Solutions Act of 2006, was hailed by proponents as a template for the entire country, and the defeat of Prop 23 demonstrates how important energy security is to voters. This should be a warning sign to Republican members of Congress, especially when 86% of the incoming freshmen oppose *any* climate change legislation that increases government revenue.

A Failed Attack on Public Services

Citizens United created an environment of huge corporate spending on elections, and ballot measure campaigns have not been spared. Seeking to capitalize on the public's concern over the sluggish economy, corporate-backed measures, which aimed to privatize government and cut funding to public services, made it on the ballot in seven states. Fortunately, this attempt to play on American's fears was a failure – voters rejected most of the major ideological positions posed by the Right.

In Arizona, Proposition 302 failed to cut funding to the state's First Things First early childcare program (30% Yes, 70% No). Proposed by the state, the measure would have cut essential programs such as quality child care, early literacy programs, parenting support for at-risk families, oral health treatments for infants and toddlers, and programs to prevent child injuries or childhood obesity.

In Washington State, Initiatives 1082, 1100, 1105, and 1107 sought to privatize government and slash taxes. Only I-1107 succeeded, repealing a tax on candy and soda after the American Beverage Association poured nearly \$17 million into the effort. I-1082 failed, which sought to privatize workers' compensation (42% Yes, 58% No). I-1100 and I-1105, efforts to privatize liquor sales, also failed (47% Yes, 53% No and 35% Yes, 65% No, respectively). Insurance giants like Liberty Mutual and Farmers, along with the Building Industry Association of Washington, spent over \$3 million on 1082, and initiatives 1100 and 1105 received nearly \$9 million, mostly from large corporations like Costco, Walmart, and Safeway.

In Colorado, Amendments 60 and 61, along with Proposition 101, constituted a triple failure for ideological right-wing interests. The amendments sought to decimate the state budget, eliminate billions in funding for services, and wipe out the state government's ability to assist working families. All three were defeated (Amendment 60: 25% Yes, 75% No; Amendment 61: 27% Yes, 73% No; and Proposition 101: 32% Yes, 68% No).

Voters in Massachusetts rejected Question 3, an effort to reduce the state sales tax from 6.5% to 3%. The measure would have deprived communities of revenue to pay for schools, police and fire protection, safe roads and bridges, clean water, and quality health care while adding \$2 billion to the budget deficit (57% Yes, 43% No).

However, some harmful ballot measures did pass:

Voters in California marginally passed Proposition 26 (53% Yes, 47% No). Prop 26 will shift the burden of paying for the cost of pollution from the companies that pollute to ordinary taxpayers. This measure will jeopardize environmental, public health, and consumer safeguards, and will worsen the budgetary problems facing state and local governments.

In Indiana, Question 1 placed a permanent property tax cap into the state constitution. The measure is simply a restatement of current law, but by passing a constitutional amendment, Indiana will have a

difficult time changing the statute even if voters and legislators want to in years to come (72% Yes, 28% No).

Massachusetts voters passed Question 1 (52% Yes, 48% No), which will eliminate the sales tax on alcohol. The state will lose \$100 million dollars a year in dedicated funding for public health services.

Reproductive justice – a failed wedge

With all eyes on the economy, the right wing failed to use anti-reproductive justice measures as “wedge” issues in states with key candidate races – something they’ve tried consistently in past cycles. The only initiative on the ballot was **Colorado’s Amendment 62**, a statewide ban on abortion, which voters overwhelmingly rejected (29% Yes, 71% No). As evidenced by the candidate results, Amendment 62 failed as a wedge issue. In other states where anti-reproductive justice measures were pursued – North Dakota and Montana – the measures failed to even make the ballot.

Montana Caps Payday Loan Interest Rates at 36%

Predatory lenders were once able to harm working families in Montana. Now, **with the passage of I-164**, those families will be protected against nefarious lenders.

Voters showed broad support for I-164, which will cap interest rates on payday loans at 36% (72% Yes, 28% No). Until now, predatory lending firms charged outrageous rates and targeted low-income communities where citizens were most vulnerable. Montana voters had enough and demonstrated that the well-being of working families is more important than the bottom line of an out-of-state corporation.

It’s important to note the broad support for this progressive measure. I-164 will hopefully represent the beginning of a trend where similar payday loan caps are pursued in other states two years from now.

Right-Wing Legislators Put their Agendas on the Ballot

As in past cycles, the most conservative state legislatures used the referral process to pass ideological referenda. 2010 was no different, but by and large the results constitute bizarre statements of ideology – though there were also a few serious threats.

Four state legislatures – Arizona, South Carolina, South Dakota, and Utah – used the referral process to pass “Save Our Secret Ballot” legislation on Election Day. These frivolous measures are a rhetorical ploy to oppose the Employee Free Choice Act (EFCA), Congressional legislation that would give workers more freedom in choosing when and how to unionize. The success of these measures goes to show just how far corporate interests will go to maintain a status quo that protects exploitative employers, no matter the cost to ordinary Americans.

A similar strategy was used to oppose implementation of the Affordable Health Care Act. Legislators in Arizona and Oklahoma successfully passed so-called “nullification” measures that seek to undermine the

new health care legislation. **But just like “Save Our Secret Ballot,” the measures will have no legal impact.** A similar attempt was defeated in Colorado.

Legislators in Oklahoma successfully distorted the initiative process to ban Sharia law from being considered by state courts (Question 755: 71% Yes, 30% No). The measure has no real world consequences, but it’s frightening to consider the possibility of the right wing using Islamophobia as a wedge in coming years.

The makeup of state legislatures became increasingly hostile to progressive priorities on Election Day. In 2012, we’re likely to see more legislatively-referred ballot measures that aim to hurt working families.

Economic Woes Hurt Some Progressive Priorities

The economy was far and away the most important issue in 2010 election, and as fiscal problems continue to plague communities and working families, so too do they hurt the chances of sensible revenue-generating initiatives.

In Washington, voters rejected measures 1098 and R-52. Together, 1098 and R-52 would have raised \$2 billion for education and health care while creating 30,000 jobs and lowering taxes on the middle class. Opponents defeated the measures by magnifying fears about the slow economy and steering the focus away from job creation and funding for valued services.

California voters rejected Proposition 24, which sought to close three corporate tax loopholes. The measure would have saved \$1.3 billion a year in lost revenue. Without raising taxes, Prop 24 would have kept the Legislature from making even deeper cuts in public education, health care, and public safety

Looking Ahead

Though it’s clear that the economy had a huge impact on the 2010 election, voters opposed the right wing’s attempt to cut back on the key public services that their communities rely on. This context is a welcome reminder of how government can play a positive role in people’s lives. And yet the challenge we face as we enter the next cycle is to find ways to pay for these services in order to help working families and the communities in which they live.

As we look ahead, it’s vital that the narrative *not* be one sided. Quality public education, health care, environmental protection, clean and domestic energy, and public safety remain priorities for Americans – and support for these services remains in opposition to the ideological underpinnings of the right wing. Progressives are supporting the services that voters value, and it’s critical that we showcase this work. Ballot measures are one of the avenues where we can do that.

There will be obstacles and hard-fought battles in our near future, but there is no need to fear what lies ahead. Instead, we must make our voices louder and highlight victories for the American people, especially as we work toward the next election.