



Ballot Initiative
STRATEGY CENTER

Ballot Bulletin

Post-Election 2009

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On the economy, the right wing fails ***Voters reject right-wing TABOR measures again***

Washington, DC -- As the political and pundit class in Washington, DC try to use the 2009 elections as a barometer of where the country is at, they may be looking in all the wrong places.

Much of the Beltway focus has been on gubernatorial elections in New Jersey and Virginia, in addition to a congressional race in upstate New York where a Democratic candidate won a Republican held seat, but anti-government, fiscal ballot measures in Maine and Washington could provide tea leaf readers a much better bellwether of voter attitudes going into the 2010 election cycle.

John Fund, Wall Street Journal, October 23, 2009: *Blue States Vote on a Taxpayer Bill of Rights, The spending-limit initiatives in Maine and Washington have national implications.*

“Most of the attention on the Nov. 3 off-year elections is on governors races in New Jersey and Virginia, which Republicans are hoping to sweep. But voters in two liberal states on opposite ends of the country will also take up measures to limit spending. The outcomes will give us a clear sense of the public mood toward runaway spending.”

“If voters in Maine or Washington state pass a taxpayer bill of rights, it will be a clear sign that even in blue states the public is coming to believe that government spending is out of control and that elected officials can no longer be trusted to rein it in. That's a message that will likely reverberate in Congress regardless of who wins in the New Jersey and Virginia gubernatorial races.”

With the economy the number one issue on voters' minds, anti-government TABOR ballot initiatives were rejected by voters in Maine 60% - 40% and Washington 55% - 45%.

The Grover Norquist, Club for Growth, Glenn Beck, Tea Party crowd tried to use the bleak budget picture as an opportunity to ratchet down even harder as states look to find the revenue necessary to protect priorities, create jobs, and get their economies going – but voters rejected that failed approach again.

TABOR measures have been a central tenet of the right wing agenda. Similar initiatives were defeated at the ballot in Maine, Nebraska, Oregon in 2006 and most recently in California—even with aggressive paid signature drives, they failed to make the ballot in Ohio, Missouri, Oklahoma, Montana, and Michigan. Between 2005 and 2009, TABOR was introduced legislatively in 28 states. Colorado remains the only state to have adopted this terrible idea (which voters opted to suspend parts of in 2005).

These votes in Maine and Washington prove that the tea party anger that has been hyped for months doesn't translate into majorities and election victories. The right wing base remains out of sync with moderates and independents.

In rejecting TABOR in both states, voters in Maine and Washington TABOR sent a message that:

- TABOR would have made tough times tougher in an economy that is already struggling
- TABOR was a bad idea before...and it was a worse idea now in the middle of a recession
- TABOR would have slowed economic recovery and leave WA and ME in a permanent recession.
- TABOR would have undermined the tradition of local control and replaced local decision-making.
- TABOR would have imposed rigid limits on funding, hurting education, health care, seniors, and other essential government services that people value.

Please see below for other notable results from this year's election:

Equality

Issues of LGBT equality continue to face some wins and tough losses at the ballot box. However, movement on these issues should not be judged by ballot measure wins and losses, but by the way these measures have shown us that voters are moving towards equality over time.

The loss of marriage equality affects thousands of hard-working, tax-paying Maine families, couples, and children. The sting of this loss should not be understated. By the same measure, it should not be overstated.

Over time voters are increasingly becoming more open toward marriage. While some appear to want to interpret this as a broad commentary about the direction of the country, their focus is misplaced. Marriage equality at the ballot has been a seemingly-impossible battle for a decade, but it is no longer a sign of the political ascendancy or the 'strategy' of candidates who once rode these initiatives to victory.

In 2004 voters constitutionally banned same sex marriage in 13 states by an average of 70%. Two years later, the average passing rate fell by more than 15 percentage points to 54.5%. In California in 2008 and Maine in 2009, opponents of same sex relationships eked by with even smaller margins.

As opposition to same sex relationships lose ground their tactics become desperate. Opponents of equality continue to lie about what their ballot measures will do, as was the case in Maine and Washington. The votes are still being tabulated on keeping the domestic partnership law intact in Washington State, and prospects continue to look good for the pro-equality campaign. However, opponents tried to make this issue about marriage, when in reality it was about domestic partnerships. They used misleading language on their petitions, their mail and advertising and in their debates to try to convince voters that this measure was about children being forced to learn about "homosexuality" in school.

The same tactics were used in a local fight in Kalamazoo, Michigan during a campaign to repeal legal protections the city offered to gay, lesbian, and transgender citizens in the city's human-rights ordinance. The "no" campaign claimed that the initiative would let sexual predators roam free in public bathrooms. Equality was still upheld by a vote of 62%.

Other Fiscal Issues

Despite the tough economy, voters are clearly willing to fund issues of high priority. New Jersey passed an environmental bond for conservation and clean water by 52% while Texas approved eleven measures, two of which authorized funding for education and veteran's health care.

In Ohio voters approved casinos in Cincinnati, Cleveland, Columbus and Toledo. Supporters of the measure, which passed with nearly 53 percent of the vote, have said the casinos will create 34,000 jobs, bring \$200 million in licensing fees and generate an estimated \$651 million annually in revenue for cash-strapped Ohio and its local governments and school districts.

Ohio voters also approved selling \$200 million of bonds to provide services and compensation to residents who are veterans of conflicts in the Persian Gulf, Afghanistan and Iraq.

A Maine bonding measure was also approved by voters with 65% of the vote. The measure approves a \$71,250,000 bond issue for improvements to highways and bridges, airports, public transit facilities, ferry and port facilities, including port and harbor structures, as well as funds for the LifeFlight Foundation that will make the State eligible for over \$148,000,000 in federal and other matching funds.

Also in Maine, an excise tax cut measure was defeated with 74% of the vote. The initiative would have taken money away from communities for road maintenance and plowing, forcing communities to either put off repairs or raise property taxes. The measure was a big tax break for those who can afford new cars, but it would have done nothing for Mainers who drive older cars.

Medical Marijuana Passed in Maine

This is the 15th state to allow for medical marijuana.

Local Anti-Immigrant Measure Fails

In Denver a so-called car impound initiative, which was really an effort to target illegal immigrants, was rejected by voters. The measure would have required police to seize the vehicles of every unlicensed driver they stop.

The initiative was pushed by Daniel Hayes, who doesn't even live in the Denver area. A strong local coalition of groups called Coloradans for Safe Communities won by organizing effectively and effectively educating voters about the fact that the requirement would have drained city resources, crowded impound lots, and punished drivers who simply forgot their licenses.

For more on BISC's analysis of the 2009 election, please check out our blog on [Huffington Post](#).

Note: For complete results on all ballot measure in Maine, Washington, Ohio, Texas, New Jersey and New York, please visit www.ballot.org