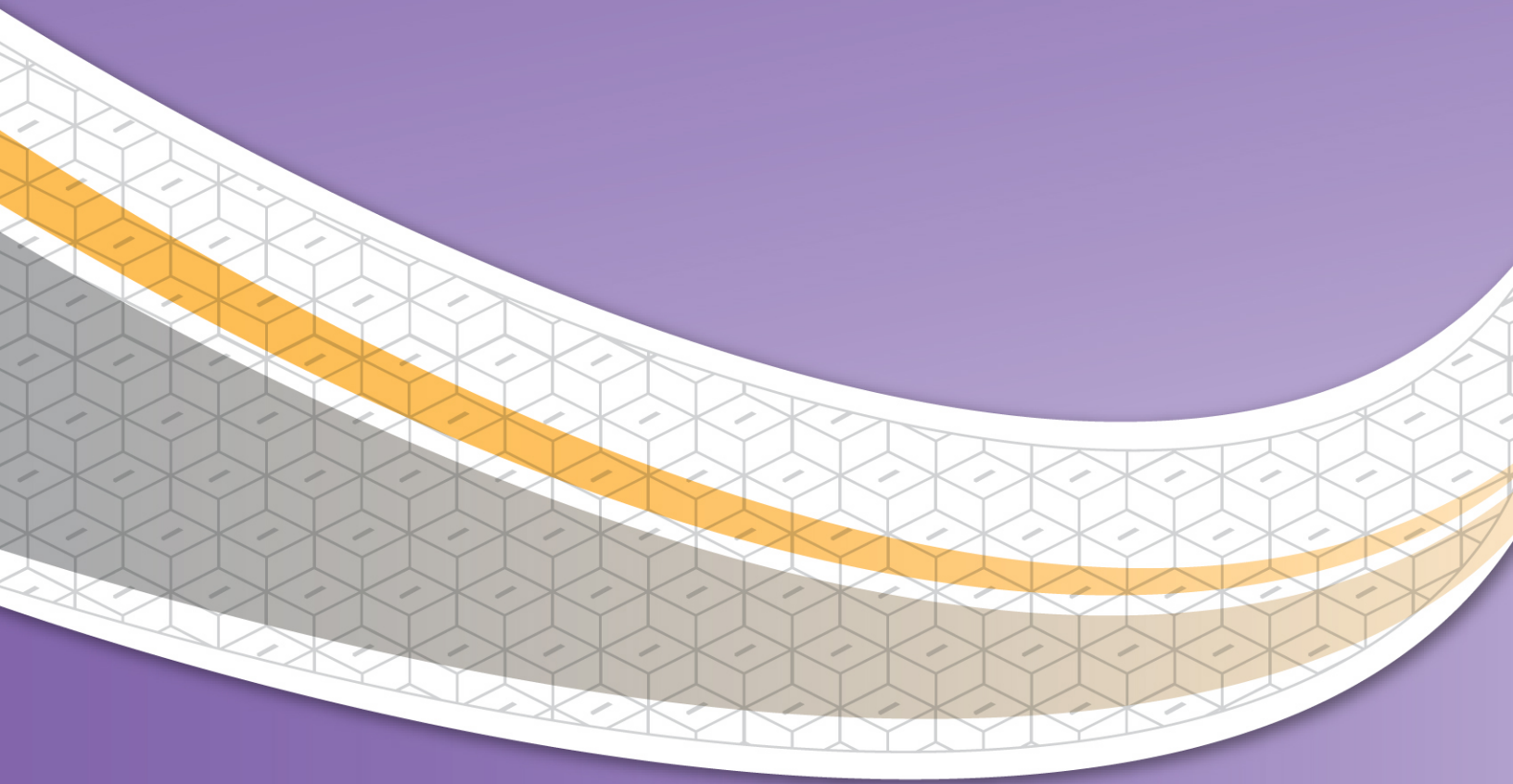


The 2008  
**INITIATIVE & REFERENDA**  
Election Results  
NOV'08



Ballot Initiative  
**STRATEGY CENTER**

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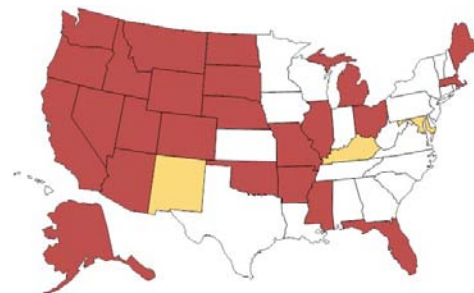
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*Includes measure numbers, titles, ballot language and/or description*



## The Terms: Initiative vs. Referendum

### Ballot Initiative States

All of the shaded states indicate where laws can be passed or repealed by collecting signatures to qualify ballot measures. Only the red states allow for ballot initiatives, however.

### Legislative Referenda

The legislative referendum process is allowed in all states. This occurs when the state legislature, an elected official, state appointed constitutional revision commission or other government agency or department submits propositions (constitutional amendments, statutes, bond issues, etc.) to voters for their approval or rejection.

### Popular Referenda (otherwise known as citizen veto)

The states which are yellow, New Mexico, Virginia, and Maryland, are the three non-initiative states that allow for popular referenda. Popular referenda allow the people have the power to refer, by collecting signatures on a petition, specific legislation that was enacted by their legislature for the voters to either accept or reject. This process is used much less frequently. *NOTE: The popular referenda process is available in all of the other red states, except for Florida, Illinois and Mississippi.*



**Ballot Initiative  
STRATEGY CENTER**

Ballot Initiative Strategy Center (BISC) is the progressive “think-and-do tank” for ballot measure research, development and campaign support. Our sister organization, the Ballot Initiative Strategy Center Foundation, is an educational policy center that tracks ballot measure activity and contributions -- shedding more light on the money behind measures, improving donor disclosure and signature gathering laws.

PRESS INQUIRIES: Kristina Wilfore, Executive Director of Ballot Initiative Strategy Center and one of the country’s leading analysts on state politics and initiative and referenda, is available for comment at 202-223-2373.

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OVERVIEW

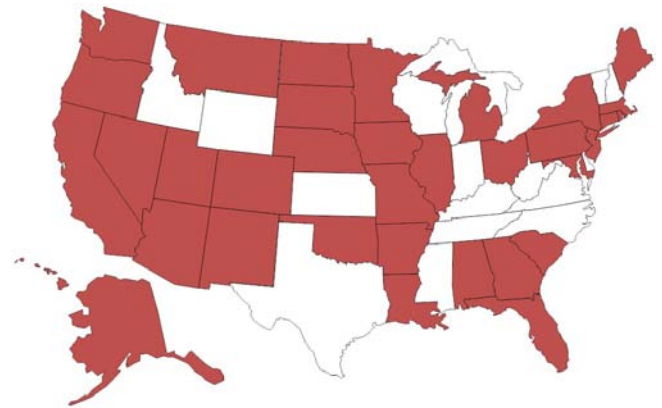
## Ballot Measure Results: The Raw Numbers

In 2008 there were 153 total ballot measures spread across 35 states. Sixty-six percent of those measures (101) were approved – similar to the passage rate of ballot measures during the last Presidential election. Sixty-one of 153 measures were citizen petitioned initiatives (including popular referenda or citizen vetos). Less than half of those were approved by voters (27 of 61). Referenda fared better this election – with 63 of the 92 measures referred to the ballot approved by voters.

With respect to just the ballot initiatives, only six of the 26 right-wing or conservative backed initiatives were approved by voters – a passage rate of 23%. What was also notable about this year is how much was attempted by conservatives, but failed to gather steam during the signature gathering phase. Twenty-nine measures failed to qualify – an early indication that much of the extreme ideas put forth this year via initiative were out of sync with voter’s priorities.

While it was reported that the number of ballot measures were significantly down this year, that analysis is inaccurate. Ballot measure usage in a given year should be compared to previous election years of the same kind (i.e. Presidential to Presidential, midterm to midterm, odd year to odd year and so on). Six more ballot initiatives qualified for the 2008 election compared to the Presidential election of 2004.

States with 2008 Ballot Measures



Incorporating results of the 2008 measures, 2273 initiatives have qualified for the ballot since the process began. Less than half of the measures voted on over time have been approved by voters; 927 of the measures voted on have passed, which is a 40.8% passage rate over time.

Year	Initiatives or Citizen Vetoes	Legislative Referenda	Total Ballot Measures
<b>2008</b>	<b>61 (27 passed)</b>	<b>92 (63 passed)</b>	<b>153 (100 passed)</b>
2006	80	124	204
2004	55	107	162
2002	53	149	202
2000	71	133	204
1999	5	56	61
1998	61	174	235

*Note: Two of the 61 citizen-petitioned measures this year are popular referenda*

## ELECTION COMMENTARY

## Analysis: Progressives Win Big on Ballot Initiatives

Across the country voters went to the polls on Tuesday and voted with progressives on ballot initiatives and referendums. Progressive backed initiatives were approved by voters in Michigan, Missouri, Montana, Washington, and Wisconsin. Progressives also beat back right-wing efforts in Arizona, Colorado, Massachusetts, North Dakota, Ohio, Oregon, and South Dakota.

Conservatives took stinging defeats on a number of ballot measures. Despite the focus on the passage of the marriage inequality measures, the win record for conservatives this year is paltry – conservatives and right-wing backers won only six of their attempted 26 ballot initiatives, a win ratio of 23%. Initiatives that attacked a women’s right to choose were rejected by voters in Colorado, South Dakota and California. Anti-government tax measures went down in Massachusetts, North Dakota and Oregon and efforts to weaken labor unions went down in defeat in Colorado, Oregon and South Dakota. In addition, voters in Ohio and Arizona defeated measures pushed by the predatory lending industry that sought to roll back payday loan reforms in both states.

Progressives won important victories and beat back right wing backed initiatives across the country. If conservatives thought they could find some comfort from ballot initiatives they won’t find any solace. Voters advanced progressive policies and rejected the right

Progressive policy solutions advanced at the ballot box included stem cell research and medical marijuana in Michigan, clean energy and home health care reform in Missouri, children’s health care in Montana, health care reform (long term care) and a “*Death with Dignity*” initiative in Washington, and paid sick leave in Milwaukee, Wisconsin.

### Progressive Victories

#### Health Care

- Stem Cell Research and Medical Marijuana: MI
- Home Care: MO
- Children’s Health Care: MT
- Death With Dignity: WA
- Long Term Care: WA
- Paid Sick leave: WI (Milwaukee)

#### Clean Energy

- Clean Energy: MO

### Right-Wing Defeats

#### Reproductive Freedom and a Woman's Right to Choose

- Parental Notification: CA
- Definition of Personhood: CO
- Abortion Ban: SD

**Anti-Labor**

- “Paycheck Deception”: CO, OR
- “Open & Clean Government”: SD
- “Right to Work”: CO

**Anti-Government Tax Measures**

- Eliminate Income tax: MA
- Income Tax Cut: OR
- Corporate Tax Cut: ND
- Revenue Cap: NH (Somersworth)

**Anti-Equal Opportunity**

- Affirmative Action Ban: CO

**2008 Trends****TAXES AND INVESTMENTS**

At this time of economic insecurity people are looking to government for fairness and investments that provide solutions to the challenges they face. Massachusetts voters rejected by a wide margin an anti-government initiative to abolish the state personal income tax and slash the state’s revenue by 40%. New Hampshire, with the most tax-sensitive voters in the country, rejected 1 of the 2 local revenue cap measures that were originally designed to swing key candidate races. In Minnesota voters voted for a constitutional amendment to *increase* taxes in order to secure environmental protections and funding for the arts. And in Oregon and North Dakota, the anti-government folks took it on the chin as well: they lost unfair tax measures advanced by the Grover Norquist crowd. Looks like it’s time for them to go back to the drawing board.

As further evidence of voters’ desire for their states to provide critical services and respond to the needs of its citizens, 14 out of 17 bond measures were approved dealing with a range of issues from veteran’s benefits to supporting senior citizens, ensuring clean water, construction of health facilities and much more in AK, AR, CA, ME, NJ, MN, OH, PA and RI.

**ECONOMIC SECURITY**

This year, there were a large number of ballot initiatives that were meant to weaken worker security. At a time when voters believe our economy is going in the wrong direction, they clearly saw this agenda for what it was and rejected it. All but one of the six anti-labor measures were defeated in Colorado, Oregon, and South Dakota – including two so-called “paycheck protection” measures, a Right to work initiative, and an effort to **base teacher pay on undefined classroom performance**. In Colorado, a coalition that included major business interests opposed, “The Prohibition on Mandatory Labor Union Dues” Amendment (47), which sought to restrict the way unions organize in the state. In South Dakota, a diverse coalition came together to defeat Measure 10 by 65%. The so-called “Open and Clean” proposal was being sold to voters as an effort to promote transparency in state government. Instead, voters saw this measure as a gag law that would shut tens of thousands of South Dakotans out of the

political process, effectively robbing them of their First Amendment rights by restricting their free speech. A similar measure narrowly passed in Colorado and will be the subject of constitutional challenge.

Two other measures of particular note this year – the overwhelming push back against payday lending practices. Voters' concern over corporate greed and corruption, which has been dominating the political debate, led Ohio and Arizona to say no to the predatory lending industry in a big way. In Ohio, payday lenders placed an initiative that would gut a reform measure that was passed by the legislature and signed by Governor Strickland earlier this year. The reform legislation capped interest rates for short term loans at 28%. The initiative would have repealed the cap and moved it back to a 391% interest rate. The predatory loan industry spent over \$14 million and garnered only 36% of the vote, while the reformers spent under a million to soundly defeat them. In Arizona, the so-called Payday Loan "Reform" Act would have allowed payday lenders to institute 400% interest rates on consumers. Out-of-state payday lenders poured over \$10 million into trying to pass the measure, losing by nearly 20 points.

### **REPRODUCTIVE CHOICE**

The reproductive justice community won every single anti-choice initiative in 2008, from South Dakota to Colorado to California. Since the early 1970's, there have been 33 measures on statewide ballots dealing in some way with abortion. Anti-choice advocates were proponents in 25 of those fights. While the anti-choice extremists are often able to qualify measures to the ballot (largely organizing petition drives through the churches) they have a much tougher time passing them. Their win record is abysmal. When faced with ballot measures to protect women's health and reproductive freedom, voters are on the side of choice. Since the first anti-choice ballot initiative in 1978, 22 of 25 measures have now failed. This year California defeated, for the third time in four years, a measure to restrict access to abortion. The Parental Notification measure went down with 52% voting against the measure. Colorado's "definition of a person," which would have given eggs rights (thereby banning abortion and certain types of birth control) was the most extreme anti-choice measure to ever be on the ballot. It went down in flames with 74% of voters rejecting this proposal. South Dakota deserves special attention as a state that has now twice defeated a full blown abortion ban. The ban was being pushed by the National Right to Life to use as a test case against Roe v. Wade. This year South Dakota defeated the ban with far fewer resources than it had in a similar 2006 battle. Earlier in the year, signatures were being gathered in four additional states to push extreme anti-choice initiatives. They failed to catch fire in the field in MT, MO, GA and OR – which is further evidence that this extremist agenda continues to be rejected by voters even in its infancy.

### **MARRIAGE EQUALITY**

California, which took away marriage rights from same-sex couples in the state, was not the "last stand" for marriage rights in America. Prop 8 was narrowly approved by voters with spending on both sides of the aisle topping \$70 million. Florida also approved a constitutional ban on marriage. Arizona, the first state to reject the attempt to discriminate against marriage and domestic partnerships, approved a more narrowly focused marriage measure this year, Prop 102, with heavy spending by proponents. Despite these defeats, 2008 proves that the "wedge" effect of these measures is dead. The political usefulness of gimmicky ballot initiative issues such as marriage inequality is an empty promise. Much of the evidence on the electoral effects of anti-gay marriage amendments does not support the claim that they boost turn-out and deliver elections for Republicans – California and Florida this year are further

evidence of that. In California, voters approved Prop 8 by 52%, which is significantly closer than the marriage initiative vote of 2000 when 61% of voters approved a marriage ban. The intensity continues to wane on this issue, despite its passage. In 2004 voters constitutionally banned gay 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%. Nearly two-thirds of voters support some form of legal recognition for gay and lesbian couples, and seven of ten voters believe that civil unions will be permitted throughout the country within ten years, according to a post-election survey of 19,356 voters conducted by Zogby International in November 2006.

## **EQUAL OPPORTUNITY**

Ward Connerly's campaign to outlaw equal opportunity programs lost in four of five states he attempted to pass his divisive initiatives and re-write state constitutions (he originally wanted to sponsor 11 measures). Connerly's near \$3 million campaign was plagued by charges of fraud and deception and, as a result, he failed to qualify for the ballot in Arizona, Missouri, and Oklahoma. Connerly was able to make the ballot in only two of the five states - Colorado and Nebraska. Connerly was defeated in Colorado and narrowly won in Nebraska, where a lawsuit over signature fraud is still pending.

Media reports detailed the deception Connerly used to collect signatures in Colorado. Connerly's paid staff targeted people at Obama rallies and a Martin Luther King Day parade, telling them that his initiative would "end discrimination" when in fact it would enable discrimination by re-writing the state constitution and outlaw equal opportunity programs in the state. Connerly faced a legal challenge in Colorado where half the signatures he turned in (70,000) were the subject of a lawsuit. Over 56,000 signatures failed to match any registered voter, even using the broadest screen possible to combat any data entry errors. Colorado law requires circulators to be Colorado residents, and swear that they reside at the address given on the petition form; however numerous circulators used old, invalid, or even false addresses, bringing into question nearly 7,000 signatures. The *Associated Press* reported that "Connerly said about half the signature gatherers hired for his initiative were out-of-state workers who travel across the country working on ballot proposals." The Secretary of State (and GOP candidate for Congress), who was embroiled in a controversial move to remove registered voters from the voter rolls failed to act on Connerly's fraud and deception.

Connerly, who has paid himself over \$7.6 million out of his non-profit campaign organizations, suffered his first lost on affirmative action at the ballot box with voters defeating his initiative in Colorado. In Nebraska, one of the reddest of red states, Connerly underperformed expectations after vastly outspending opponents to the initiative. A court in Nebraska continues to look into charges of fraud and deception against Connerly's Nebraska campaign.

Barack Obama's landslide win over John McCain and Connerly's failure in four out five states is proof that the overwhelming majority of voters oppose Connerly's divisive politics. Voters spoke clearly on Tuesday by electing a President who supports equal opportunity for everyone and rejecting a candidate that supported Connerly's effort to divide.

## IMMIGRATION

In 2006, seven immigration initiatives were on state ballots, six of them specifically targeted *against* undocumented immigrants. All of them passed overwhelmingly and instituted, for example, a prohibition against immigrants winning damages in civil lawsuits in Arizona and a process for penalizing businesses that hire undocumented immigrants in Colorado.

This year was a dramatically different story. Only three states had measures that touched on immigration, but the initiatives and referenda in 2008 were a mixture of efforts targeted against immigrants and non-English speakers and those that lessened attacks against immigrants and the businesses that hire them. Arizona had an initiative to create a loophole in its employer sanctions law, Missouri's legislature referred a measure to make English the official language of the state, and Oregon voters weighed in on whether or not to require students with limited English proficiency to be placed in immersion programs and take them out of all other classes in the time being.

As the measures were mixed, so too were the reactions of the voters. Arizona voters rejected adding loopholes to their employer sanctions law, but Oregon also rejected the effort to restrict limited English speakers from participating in math and science classes.

Immigration was simply not as important an issue this year as it was in 2008. Voters were not motivated by it and it had little impact on the wider set of elections occurring this year.

## THE INITIATIVE PROCESS

Constitutional conventions were up for a vote in three states, Hawaii, Connecticut and Illinois. Voters were encouraged to look at these votes as a first step to create the initiative process in their state. Clearly, voters are skeptical of direct democracy, as each measure failed handedly. Where the process exists, however, voters tend to be fairly guarded about the rules governing it. A measure referred to the ballot in Colorado to increase the signatures for constitutional amendments and lower them for statutes was defeated. A misleading measure called "Majority Rules" in Arizona, which would have rewarded lazy voters by counting a non vote as a "no" was also defeated 2 to 1. It was being backed by anti-tax groups who were trying to increase the threshold for passage of tax measures through this anti-democracy game change.

TOP ISSUES

**Highlights of Issues this Election Cycle**

*Some measures are listed in more than one category.*

**Criminal Justice**

- Victims' Rights: CA **PASSED**
- Nonviolent Drug Offenses: CA **FAILED**
- Police and Law Enforcement Funding: CA **FAILED**
- Possession of Marijuana: MA **PASSED**
- Drug Trafficking, Addiction Treatment: OR **PASSED**
- Mandatory Minimums: OR **FAILED**
- Lottery Money for Crime Prevention: OR **FAILED**

**Election Reform**

- Redistricting: CA **PASSED**
- Redistricting: OR **PASSED**
- Elimination of Term Limits: SD **FAILED**
- Open Primary: OR **FAILED**
- Initiative Reform: CO **FAILED**
- Initiative Reform: OH **PASSED**
- Initiative Reform: WY **FAILED**

**Economic Security**

- Homeowners' Bill of Rights: AZ **FAILED**
- Payday Loans: AZ **FAILED**
- Payday Loans: OH **PASSED**
- Right-to-Work: CO **FAILED**
- Paycheck Deception: CO **FAILED**
- Paycheck Deception: OR **FAILED**
- Open and Clean Government: CO **PASSED**

- Paycheck Deception and Open and Clean Government: SD **FAILED**

**Education**

- Savings Account for Education (SAFE): CO **FAILED**
- English-Only Education: OR **FAILED**
- Teacher Pay/Classroom Performance: OR **FAILED**

**Energy**

- Alternative Fuels: CA **FAILED**
- Clean and Solar Energy: CA **FAILED**
- Severance Tax for Higher Education: CO **FAILED**
- Severance Tax for Transportation: CO **FAILED**
- Clean Energy: MO **PASSED**

**Equal Opportunity**

- Ban on Affirmative Action: CO **FAILED**
- Ban on Affirmative Action: NE **PASSED**

**Health Care**

- Personal Choice in Health Care: AZ **FAILED**
- Repeal on Tax that Funds Universal Health Care: ME **PASSED**
- Medical Marijuana: MI **PASSED**
- Stem Cell Research: MI **PASSED**
- Home Care: MO **PASSED**

- Children's Health Care: MT **PASSED**
- Death With Dignity: WA **PASSED**
- Long Term Care Workers: WA **PASSED**

**Immigration**

- Penalties for Businesses with Illegal Aliens: AZ **FAILED**
- Property Rights and Ineligible Aliens: FL **FAILED**
- English as the Official Language for the Government: MO **PASSED**
- English-Only Education: OR **FAILED**

**Investment/Taxes**

- Majority Rules: AZ **FAILED**
- Savings Account for Education (SAFE): CO **FAILED**
- Oil Severance Tax for Higher Education: CO **FAILED**
- Oil Severance Tax for Transportation: CO **FAILED**
- Ban on Income Tax: MA **FAILED**
- Alteration of Income Tax: ND **FAILED**
- Alteration of Income Tax: OR **FAILED**
- Repeal on Tax that Funds Universal Health Care: ME **PASSED**

- Tax Increase to Protect Environment: MN **PASSED**
- Property Tax Elections Decided by Majority of Voters: OR **PASSED**

**LGBT Equality**

- Ban on Same-Sex Adoption: AR **PASSED**
- Ban on Same-Sex Marriage: AZ **PASSED**
- Ban on Same-Sex Marriage: CA **PASSED**

- Ban on Same-Sex Marriage: FL **PASSED**

**Reproductive Freedom**

- Parental Notification: CA **FAILED**
- Definition of Personhood: CO **FAILED**
- Abortion Ban: SD **FAILED**

**Other Issues**

- Humane Treatment of Farm Animals: CA **PASSED**
- Constitutional Convention: CT **FAILED**

- Constitutional Convention: HI **FAILED**
- Constitutional Convention: IL **FAILED**
- Prohibition on Dog Racing: MA **PASSED**
- Gaming: AR **PASSED**
- Gaming: CO **PASSED**
- Gaming: ME **FAILED**
- Gaming: MD **PASSED**
- Gaming: MO **PASSED**
- Gaming: OH **FAILED**

## State-by-State Rank

State	State Citizen Petitioned Measures (Initiatives or Citizen Vetoes)	Referred Measures (Legislative Referenda)	Total Number of Statewide Ballot Measures	Number of Measures Approved
Alabama	0	6	6	5
Alaska	0	1	1	1
Arizona	6	2	8	2
Arkansas	2	3	5	5
California	10	2	12	7
Colorado	10	4	14	4
Connecticut	0	2	2	1
Florida	1	5	6	4
Georgia	0	3	3	2
Hawaii	0	2	2	0
Illinois	0	1	1	0
Iowa	0	1	1	1
Louisiana	0	7	7	3
Maine	2	1	3	2
Maryland	0	2	2	2
Massachusetts	3	0	3	2
Michigan	2	0	2	2
Minnesota	0	1	1	1
Missouri	3	2	5	5
Montana	1	2	3	2
Nebraska	1	1	2	1
Nevada	1	3	4	2
New Jersey	0	2	2	1
New Mexico	0	9	9	8
New York	0	1	1	1
North Dakota	3	1	4	2
Ohio	2	3	5	4
Oklahoma	0	4	4	4
Oregon	8	4	12	4
Pennsylvania	0	1	1	1
Rhode Island	0	2	2	2
South Carolina	0	3	3	1
South Dakota	3	4	7	1
Utah	0	5	5	4
Washington	3	0	3	2
Wyoming	0	2	2	1

### States with the Most Measures Approved

1. New Mexico (8)
2. California (7)
3. Alabama, Arkansas, Missouri (5)
4. Florida, Colorado, Ohio, Oklahoma, Oregon, Utah (4)

### States with the Most Ballot Initiatives Approved

1. California (5)
2. Missouri (3)
3. Arkansas, Colorado, Massachusetts, Michigan, North Dakota, Washington (2)

## Condensed List of Ballot Measure Results

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
<b>Alabama</b>							
	Amendment 1	R	Investment/ Taxes (reestablish Education Trust Rainy Day Account)	Passed	57	43	99
	Amendment 2	R	Administration of Government (establish Shelby County Judicial Commission)	Passed	60	40	99
	Amendment 3	R	Investment/Taxes (ad valorem tax for public schools in City of Madison)	Passed	50.4	49.6	99
	Amendment 4	R	Administration of Government (territory annexation in Blount County)	Passed	57	43	99
	Amendment 5	R	Administration of Government (court costs in Russell County)	Failed	45	55	99
	Amendment 6	R	Administration of Government (utilities' board election in City of Tuskegee)	Passed	58	42	99
<b>Alaska</b>							
	Bond Proposition A	R	Bond (transportation)	Passed	62.5	37.5	100
<b>Arizona</b>							
	Prop 100	I	Investment/Taxes (property tax restriction)	Passed	77	23	100
	Prop 101	I	Health Care (personal choice in health care)	Failed	49.8	50.2	100
	Prop 102	R	LGBT Equality (ban on same-sex marriage)	Passed	56	44	100
	Prop 105	I	Investment/Taxes (majority rules)	Failed	34	66	100
	Prop 200	I	Economic Security (payday loans)	Failed	40	60	100

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
	Prop 201	I	Economic Security (homeowners' bill of rights)	Failed	22	78	100
	Prop 202	I	Immigration (penalties for businesses with illegal aliens)	Failed	41	59	100
	Prop 300	R	Administration of Government	Failed	35.5	64.5	100
<b>Arkansas</b>							
	Initiative Act 1	I	LGBT Equality (adoption ban)	Passed	57	43	100
	Constitutional Amendment 1	R	Election Reform (qualification of voters and election officers)	Passed	73	27	100
	Constitutional Amendment 2	R	Administration of Government (legislative session)	Passed	69	31	100
	Constitutional Amendment 3	I	Education/Gaming (lottery to fund higher education scholarships)	Passed	63	37	100
	Referred Question 1	R	Bonds (water, waste disposal, pollution abatement facilities)	Passed	66	34	100
<b>California</b>							
	Prop 1A	R	Bond (high speed train)	Passed	52	48	100
	Prop 2	I	Animal Rights (humane treatment of farm animals)	Passed	63	37	100
	Prop 3	I	Bond (children's hospital)	Passed	55	45	100
	Prop 4	I	Reproductive Freedom (parental notification)	Failed	48	52	100
	Prop 5	I	Criminal Justice (nonviolent drug offenses)	Failed	40	60	100
	Prop 6	I	Criminal Justice (police and law enforcement funding)	Failed	31	69	100
	Prop 7	I	Energy (clean and solar)	Failed	35	65	100
	Prop 8	I	LGBT Equality (ban on same-sex marriage)	Passed	52.5	47.5	100

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
	Prop 9	I	Criminal Justice (victims' rights)	Passed	53.5	46.5	100
	Prop 10	I	Energy (alternative fuels)	Failed	40	60	100
	Prop 11	I	Election Reform (redistricting)	Passed	51	49	100
	Prop 12	R	Bond (veterans)	Passed	63.5	36.5	100
<b>Colorado</b>							
	Amendment 46	I	Equal Opportunity (ban on affirmative action)	Failed	49	51	97
	Amendment 47	I	Economic Security (right-to-work)	Failed	44.5	55.5	97
	Amendment 48	I	Reproductive Freedom (definition of personhood)	Failed	27	73	97
	Amendment 49	I	Economic Security (paycheck deception)	Failed	39	61	97
	Amendment 50	I	Gaming (casino regulation, percentage of revenue for scholarships)	Passed	59	41	97
	Amendment 51	I	Investment/Taxes (state sales tax for individuals with developmental disabilities)	Failed	37	63	97
	Amendment 52	I	Energy/ Investment/Taxes (severance tax on mineral fuels for transportation)	Failed	36	64	97
	Amendment 54	I	Economic Security (open and clean government)	Passed	51	49	97
	Amendment 58	I	Education/Energy/ Investment/Taxes (severance tax on oil for education)	Failed	42	58	97
	Amendment 59	I	Education/Investment/ Taxes (savings account for education)	Failed	45	55	97
	Referendum L	R	Administration of Government (age qualification of legislator)	Failed	46	54	96

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
	Referendum M	R	Administration of Government (elimination of obsolete provisions regarding land value)	Passed	62	38	96
	Referendum N	R	Administration of Government	Passed	69	31	96
	Referendum O	R	Election Reform (initiative petition requirements)	Failed	47	53	96
<b>Connecticut</b>							
	Constitutional Amendment 1	R	Constitutional Convention	Failed	41	59	97
	Constitutional Amendment 2	R	Election Reform (voting age)	Passed	64	36	97
<b>Florida</b>							
	Amendment 1	R	Immigration (property rights and ineligible aliens)	Failed	48	52	100
	Amendment 2	I	LGBT Equality (ban on same-sex marriage)	Passed	62	38	100
	Amendment 3	R	Investment/Taxes (property improvement assessment)	Passed	60.5	39.5	100
	Amendment 4	R	Investment/Taxes (property tax exemption for perpetually conserved land)	Passed	68	32	100
	Amendment 6	R	Investment/Taxes (waterfront property tax exemption)	Passed	70.5	29.5	100
	Amendment 8	R	Investment/Taxes (community college funding)	Failed	43.5	56.5	100
<b>Georgia</b>							
	Amendment 1	R	Environment (preservation of forests)	Passed	68	32	98
	Amendment 2	R	Investment/Taxes (authorize school districts to use tax funds for community redevelopment)	Passed	52	48	98

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
	Amendment 3	R	Administration of Government (creation of infrastructure development districts)	Failed	48	52	98
<b>Hawaii</b>							
	Constitutional Convention Question	R	Constitutional Convention	Failed	35	65	100
	Constitutional Amendment	R	Election Reform (age of governor and lieutenant governor)	Failed	18	82	100
<b>Illinois</b>							
	Constitutional Convention	R	Constitutional Convention	Failed	33	67	99
<b>Iowa</b>							
	Constitutional Amendment	R	Election Reform (qualification of electors)	Passed	81	19	100
<b>Louisiana</b>							
	Amendment 1	R	Administration of Government (term limits for various commissioner positions)	Passed	69	31	100
	Amendment 2	R	Administration of Government (extraordinary legislative session proclamation)	Passed	60	40	100
	Amendment 3	R	Administration of Government (temporary succession of legislator if called to active duty)	Passed	62	38	100
	Amendment 4	R	Investment/Taxes (severance tax)	Failed	45	55	100
	Amendment 5	R	Administration of Government (transfer of special assessment level on property)	Failed	49.9	50.1	100
	Amendment 6	R	Property Rights (procedural)	Failed	49	51	100
	Amendment 7	R	Investment/Taxes (investment in equities of the state and a political subdivision)	Failed	44	56	100

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
<b>Maine</b>							
	Question 1	I	Health Care/Investment/Taxes (repeal on tax that funds universal health care)	Passed	64	36	99
	Question 2	I	Gaming	Failed	45	55	99
	Question 3	R	Bond	Passed	51	49	99
<b>Maryland</b>							
	Question 1	R	Election Reform (early voting, polling places, absentee ballots)	Passed	71	29	99
	Question 2	R	Gaming (slot machines)	Passed	59	41	99
<b>Massachusetts</b>							
	Question 1	I	Investment/Taxes (ban on income tax)	Failed	30	70	100
	Question 2	I	Criminal Justice (possession of marijuana)	Passed	65	35	100
	Question 3	I	Animal Rights (prohibition on dog racing)	Passed	56	44	100
<b>Michigan</b>							
	Proposal 08-1	I	Health Care (medical marijuana)	Passed	63	37	100
	Proposal 08-2	I	Health Care (stem cell research)	Passed	53	47	100
<b>Minnesota</b>							
	Constitutional Amendment 1	R	Environment (clean water, wildlife, cultural heritage, natural areas)	Passed	56	44	100
<b>Missouri</b>							
	Proposition A	I	Gaming (casino regulation, percentage of revenue for scholarships)	Passed	56	44	100
	Proposition B	I	Health Care (home care)	Passed	75	25	100
	Proposition C	I	Energy (clean energy)	Passed	66	34	100
	Amendment 1	R	Immigration (English as the official language)	Passed	86	14	100

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
	Amendment 4	R	Administration of Government (financing of storm water control projects)	Passed	58	42	100
<b>Montana</b>							
	I-155	I	Health Care (healthy kids plan)	Passed	70	30	100
	C-44	R	Investment/Taxes (certain percent of public funds invested in private corporate stock)	Failed	26	74	100
	LR-118	R	Education (6-Mill levy for support of Montana University System)	Passed	57	43	100
<b>Nebraska</b>							
	Initiative Measure 424	I	Equal Opportunity (ban on affirmative action)	Passed	58	42	100
	Amendment 1	R	Investment/Taxes (municipality funding)	Failed	46	54	100
<b>Nevada</b>							
	Question 1	R	Administration of Government (residency within Nevada in order to vote)	Failed	47	53	100
	Question 2	I	Eminent Domain	Passed	61	39	100
	Question 3	R	Investment/Taxes (property tax regulations)	Passed	60	40	100
	Question 4	R	Administration of Government (amendment of Sales and Use Tax of 1955)	Failed	27	73	100
<b>New Jersey</b>							
	Public Question 1	R	Investment/Taxes (state authority bonds payable from state appropriations)	Passed	57	43	99
	Public Question 2	R	Administration of Government (selection of municipal court judges)	Failed	45	55	99

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
<b>New Mexico</b>							
	Bond Question A	R	Bond (senior citizen facility)	Passed	59	41	100
	Bond Question B	R	Bond (library acquisition)	Passed	52	48	100
	Bond Question C	R	Bond (health facility improvement )	Passed	65	35	100
	Bond Question D	R	Bond (higher educational and special schools)	Passed	58	42	100
	Amendment 1	R	Administration of Government (school board)	Passed	53	47	100
	Amendment 2	R	Administration of Government (salary for county officers)	Failed	26.5	73.5	100
	Amendment 3	R	Administration of Government (confirmation of cabinet secretaries)	Passed	72	28	100
	Amendment 4	R	Administration of Government (school elections)	Passed	74.5	25.5	100
	Amendment 5	R	Administration of Government (appointment of lieutenant governor in cases of vacancy)	Passed	69	31	100
<b>New York</b>							
	Ballot Proposal 1	R	Administration of Government (civil service credit for members of armed forces)	Passed	77	23	99
<b>North Dakota</b>							
	Measure 1	R	Investment/Taxes (oil tax)	Failed	36	64	100
	Measure 2	I	Investment/Taxes (alteration of income tax)	Failed	30	70	100
	Measure 3	I	Health Care (tobacco prevention)	Passed	54	46	100

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
	Measure 4	I	Administration of Government (appointment of the director for the Workforce Safety and Insurance agency)	Passed	67	33	100
<b>Ohio</b>							
	Issue 1	R	Election Reform (earlier deadlines for ballot issues)	Passed	69	31	100
	Issue 2	R	Bond (Clean Ohio Program for Environmental Revitalization and Conservation)	Passed	69	31	100
	Issue 3	R	Property Rights (protection of private property near watercourse)	Passed	72	28	100
	Issue 5	I	Economic Security (capping payday loan interest rates)	Passed	63	37	100
	Issue 6	I	Gaming (establishing a casino)	Failed	37	63	100
<b>Oklahoma</b>							
	State Question 735	R	Investment/Taxes (personal property tax exemption)	Passed	85	15	100
	State Question 741	R	Investment/Taxes (property tax system)	Passed	68	32	100
	State Question 742	R	Environment (hunting regulation)	Passed	80	20	100
	State Question 743	R	Miscellaneous (wine related)	Passed	79	21	100
<b>Oregon</b>							
	Measure 54	R	Administration of Government (eligibility to vote in school board elections)	Passed	73	27	88
	Measure 55	R	Election Reform (redistricting)	Passed	77	23	88
	Measure 56	R	Taxes/Investment (property tax elections decided by majority of voters)	Passed	55	45	95

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
	Measure 57	R	Criminal Justice (toughens sentences for drug trafficking, addiction treatment)	Passed	61	39	95
	Measure 58	I	Education/Immigration (English-only education)	Failed	46	54	95
	Measure 59	I	Investment/Taxes (alteration of income tax)	Failed	37	63	95
	Measure 60	I	Economic Security (teacher pay/classroom performance)	Failed	40	60	95
	Measure 61	I	Criminal Justice (mandatory minimums)	Failed	49	51	95
	Measure 62	I	Criminal Justice (percentage of lottery money for crime prevention)	Failed	41	59	95
	Measure 63	I	Property Rights (building permit requirements)	Failed	47	53	95
	Measure 64	I	Economic Security (paycheck deception)	Failed	49	51	95
	Measure 65	I	Election Reform (open primary)	Failed	34	66	95
<b>Pennsylvania</b>							
	Ballot Question	R	Bond (water and sewer improvements)	Passed	62	38	100
<b>Rhode Island</b>							
	Question 1	R	Bond (transportation)	Passed	77	23	100
	Question 2	R	Bond (open space and recreational development)	Passed	68	32	100
<b>South Carolina</b>							
	Question 1	R	Criminal Justice (age of consent)	Passed	52	48	100
	Question 2	R	Investment/Taxes (public employee pension plans)	Failed	42	58	100
	Question 3	R	Investment/Taxes (public employee pension plans)	Failed	44	56	100

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
<b>South Dakota</b>							
	Measure 9	I	Administration of Government (stock market transactions)	Failed	43	57	100
	Measure 10	I	Economic Security (open and clean government)	Failed	35	65	100
	Measure 11	I	Reproductive Freedom (abortion ban)	Failed	45	55	100
	Constitutional Amendment G	R	Administration of Government (travel reimbursement for legislators)	Failed	41	59	100
	Constitutional Amendment H	R	Economic Security (repeal certain provisions relating to corporations)	Failed	31	69	100
	Constitutional Amendment I	R	Administration of Government (legislative session)	Passed	52	48	100
	Constitutional Amendment J	R	Election Reform (term limits)	Failed	24	76	100
<b>Utah</b>							
	Amendment A	R	Administration of Government (executive officer succession provisions)	Passed	76	24	100
	Amendment B	R	Investment/Taxes (Permanent State Trust Fund)	Passed	66	34	100
	Amendment C	R	Administration of Government (legislative session schedule)	Passed	71	29	100
	Amendment D	R	Administration of Government (legislative appointment)	Passed	78	22	100
	Amendment E	R	Bond (stock and bond subscriptions)	Failed	44	56	100
<b>Washington</b>							
	Initiative Measure 985	I	Transportation (traffic control)	Failed	40	60	75
	Initiative Measure 1000	I	Health Care (death with dignity)	Passed	59	41	75

State	Ballot Measure #	Initiative or Referenda	Issue	Passed/Failed	Yes (%)	No (%)	Precincts Reporting (%)
	Initiative Measure 1029	I	Health Care (long term care workers)	Passed	73	27	75
<b>Wyoming</b>							
	Constitutional Amendment A	R	Administration of Government (oath taken by elected officials)	Passed	75	17	100
	Constitutional Amendment B	R	Election Reform (requirements for petition signatures for initiatives or referenda)	Failed	47	40	100

## State-by-State Measures

### ALABAMA

6 BALLOT MEASURES (5 *passed*)

Alabama is a non-initiative state; six measures on the statewide ballot were legislative referenda.

#### 6 Constitutional Amendments Were Referred

##### **Statewide Amendment Number One: Education/Investment/Taxes**

Proposing an amendment to the Constitution of Alabama of 1901, to repeal Amendment 709 to the Constitution of Alabama of 1901; to reestablish the Education Trust Fund Rainy Day Account within the Alabama Trust Fund; and to establish the General Fund Rainy Day Account within the Alabama Trust Fund. (Proposed by Act 2008-508)

**PASSED 57% - 43%**

##### **Statewide Amendment Number Two: Administration of Government**

Relating to Shelby County, proposing an amendment to the Constitution of Alabama of 1901, establishing the Shelby County Judicial Commission and providing for the filling of vacancies in the offices of circuit and district judge of the 18<sup>th</sup> Judicial Circuit. (Proposed by Act 2007-225)

**PASSED 60% - 40%**

##### **Statewide Amendment Number Three: Investment/Taxes**

Proposing an amendment to the Constitution of Alabama of 1901, providing for the levy of ad valorem tax for public school purposes in the portion of the City of Madison located in Limestone County for the purpose of equalizing the rate of ad valorem taxation in those portions of the City of Madison located in Limestone County with those portions of the City located in Madison County and providing for the manner of conducting elections with respect to the tax. (Proposed by Act 2007-360)

**PASSED 50.4% - 49.6%**

##### **Statewide Amendment Number Four: Administration of Government**

Relating to Blount County, proposing an amendment to the Constitution of Alabama of 1901, to prohibit any municipality that is not located wholly or in part within the boundaries of Blount County on the effective date of this amendment from annexing any territory within Blount County without the approval of the electorate of Blount County expressed in a vote on the issue of the annexation. (Proposed by Act 2008-285)

**PASSED 57% - 43%**

##### **Statewide Amendment Number Five: Administration of Government**

Relating to Russell County, proposing an amendment to the Constitution of Alabama of 1901, to authorize the Legislature, by local or general act, to fix, regulate, and alter the costs and charges of court and to ratify and confirm any local law authorizing any additional court costs enacted prior to the adoption of this amendment. (Proposed by Act 2008-288)

**FAILED 45% - 55%**

**Statewide Amendment Number Six: Administration of Government**

Relating to the City of Tuskegee in Macon County, proposing an amendment to Amendment 591 to the Constitution of Alabama of 1901, to provide for the election of two persons to the utilities board and the term of office of, procedure for the filling of vacancies in, and compensation of, the positions; and to provide for who may vote in the election. (Proposed by Act 2008-293)

**PASSED 58% - 42%**

**ALASKA**  
1 BALLOT MEASURE (1 passed)

One measure was on the statewide ballot; it was a legislative referendum.

1 Statutory Initiative Was Referred

**General Ballot Measure 1: Bond**

*G.O. Bonds for Transportation Projects.* Shall the State of Alaska issue its general obligation bonds in the principal amount of not more than \$315,050,000 for the purpose of paying the cost of state transportation projects?

**PASSED 62.5% - 37.5%**

**ARIZONA**  
8 BALLOT MEASURES (2 passed)

Eight measures were on the statewide ballot.

- Six were citizen-petitioned initiatives.
- One was a legislative referendum.
- One was referred by the Commission on Salaries for Elective State Officers.

3 Constitutional Amendments Qualified

**Proposition 100: Investment/Taxes**

*Proposing an Amendment to Article IX of the Arizona Constitution by Adding a New Section 24 Relating to a Prohibition of Any New Real Property Sale or Transfer Tax in Arizona:* Prohibits state, county, city, town, municipal or other state political subdivision from imposing any new tax, fee, or other assessment on the sale, purchase, transfer, or other conveyance of any interest in real estate after December 31, 2007.

Proponents: Arizona Association of Realtors, <http://www.protectourhomes.com/home/>

Opponents: No Committee Identified

**PASSED 77% - 23%**

**Proposition 101: Health Care**

*Proposing an Amendment to the Constitution of Arizona; Amending Article II of the Arizona Constitution by Adding Section 36 of Article II; Relating to Freedom of Choice in Health Care:* Prohibits laws that restrict person's choice of private health care systems or private plans; interfere with person's or

entity's right to pay directly for lawful medical services; impose a penalty or fine for choosing to obtain or decline health care coverage or for participation in any health care system or plan.

Proponents: Medical Choice for Arizona, <http://www.medicalchoiceforaz.com/>

Opponents: No Committee Identified

**FAILED 49.8% - 50.2%**

**Proposition 105: Investment/Taxes**

*Majority Rule-Let the People Decide Act Proposing an Amendment to the Constitution of Arizona: Amending Article IV, Part 1, Constitution of Arizona, by Adding Section 1.1 Relating to Initiative Measures and Requiring that Any Mandatory Tax or Spending Increase Be Enacted by a Majority of Qualified*

*Electors:* Requires an initiative measure that establishes, imposes or raises a tax, fee, or other revenue, or mandates a spending obligation, whether on a private person, labor organization, other private legal entity or state, shall not become law unless the measure is approved by a majority of qualified electors registered to vote.

Proponents: Majority Rules – Let the People Decide In Favor of Prop 105

Opponents: The Voters of Arizona – No on Prop 105, <http://www.thevotersofaz.com/prop105/>

**FAILED 34% - 66%**

3 Statutory Initiatives Qualified

**Proposition 200: Economic Security**

*Payday Loan Reform Act:* Extends payday licensing program indefinitely; allows electronic debit agreements; prohibits services over 35 days; requires English or Spanish agreements; prohibits certain fees; requires payment plan if requested; prohibits arrangements with customers having outstanding repayment plans; allows licensee to make other loans; requires licensee to maintain minimum and maximum net worth.

Proponents: Arizonans for Financial Reform, <http://www.afr2008.org/>

Opponents: Arizonans for Responsible Lending, No on 200, [www.200isNoReform.com](http://www.200isNoReform.com)

**FAILED 40% - 60%**

**Proposition 201: Economic Security**

*Homeowners' Bill of Rights:* Allows prospective dwelling buyer lawsuit; permitting lawsuits despite alternative dispute resolution agreements; prohibits seller attorney fees; shortens notice and response time; requires seller inspection and licensed contractor; requires seller contract provide 10-year warranty; seller must disclose conflicts; gives buyer cancellation rights; expands time to file improvements suit; expands purchaser remedies.

Proponents: Arizona Homeowners Bill of Rights Committee

Opposition: Arizonans against Lawsuit Abuse, <http://www.stoplawsuitabuseaz.com/>

**FAILED 22% - 78%**

**Proposition 202: Immigration**

*Amending Title 13, Chapter 20, Arizona Revised Statutes, by Amending Sections 13-2008, 13-2009, and 13-2010; and Amending Title 23, Chapter 2, Arizona Revised Statutes, by Amending Section 23-211, 23-212, 23-213, and 23-214, and Adding Section 23-215:* Modifies laws that suspend or revoke business licenses for employers who knowingly or intentionally employ an unauthorized alien; increases penalties on identity theft related to employment; adds fines on employers who pay improperly reported cash wages; establishes presumption favoring employer that verifies employee eligibility under federal law.

Proponents: Stop Illegal Hiring, <http://www.stopillegalthiring.com/index.php>

Opponents: No on Prop 202, <http://www.stopproposition202.com>

**FAILED 41% - 59%**

1 Constitutional Amendment Was Referred

**Proposition 102: LGBT Equality**

*Senate Concurrent Resolution 1042 Proposing an Amendment to the Constitution of Arizona; Amending the Constitution of Arizona, by Adding Article 30; Relating to Marriage:* Defines that only a union of one man and one woman shall be valid or recognized as a marriage in this state.

Proponents: Yes for Marriage, <http://www.yesformarriage.com>

Opponents: Arizona Together Opposed to Prop 102, <http://www.AZTogether.org/>

**PASSED 56% - 44%**

1 Constitutional Amendment Was Referred by the Commission on Salaries for Elective State Officer

**Proposition 300: Administration of Government**

*State Legislators' Salaries:* Provides for an increase in the salaries of State Legislators from \$24,000 to \$30,000 per year.

**FAILED 35.5% - 64.5%**

**ARKANSAS**

**5 BALLOT MEASURES (5 passed)**

Five measures were on the statewide ballot.

- Two were citizen-petitioned initiatives.
- Three were legislative referenda.

1 Statutory Initiative Qualified

**Initiative Act 1: LGBT Equality**

*An Act Providing that an Individual Who is Cohabiting Outside of a Valid Marriage May Not Adopt or be a Foster Parent of a Child less than Eighteen Years Old:* A proposed act providing that a minor may not be adopted or placed in a foster home if the individual seeking to adopt or to serve as a foster parent is cohabiting with a sexual partner outside of a marriage which is valid under the constitution and laws of this state; stating that the foregoing prohibition applies equally to cohabiting opposite-sex and same-sex individuals; stating that the act will not affect the guardianship of minors; defining "minor" to mean an individual under the age of eighteen (18) years; stating that the public policy of the state is to favor marriage, as defined by the constitution and laws of this state, over unmarried cohabitation with regard to adoption and foster care; finding and declaring on behalf of the people of the state that it is in the best interest of children in need of adoption or foster care to be reared in homes in which adoptive or foster parents are not cohabiting outside of marriage; providing that the Director of the Department of Human Services shall promulgate regulations consistent with the act; and providing that the act applies prospectively beginning on January 1, 2009.

Proponents: Family Council Action Committee,

<http://adoptionact.familycouncilactioncommittee.com/index.asp?PageID=1>

Opponents: Arkansas Families First, <http://arkansasfamiliesfirst.org/>

**PASSED 57% - 43%**

### 1 Constitutional Amendment Qualified

#### **Constitutional Amendment 3: Education/Gaming**

*A Constitutional Amendment Authorizing the General Assembly to Establish, Operate, and Regulate State Lotteries to Fund Scholarships and Grants for Arkansas Citizens Enrolled in Certified Two-Year and Four-Year Colleges and Universities in Arkansas:* An amendment to the Arkansas Constitution authorizing the General Assembly to enact laws to establish, operate, and regulate state lotteries; requiring lottery proceeds to be used solely to pay the operating expenses of lotteries, including all prizes, and to fund or provide for scholarships and grants to citizens of this state enrolled in public and private non-profit two-year and four-year colleges and universities located within the state that are certified according to criteria established by the General Assembly; requiring the General Assembly to establish criteria to determine who is eligible to receive the scholarships and grants; declaring that lottery proceeds shall not be subject to appropriation by the General Assembly; declaring lottery proceeds to be cash funds held in trust separate and apart from the State Treasury to be managed and maintained by the General Assembly or an agency or department of the state as determined by the General Assembly; requiring lottery proceeds remaining after payment of operating expenses and prizes to supplement, not supplant, non-lottery educational resources; declaring that this amendment does not repeal, supersede, amend or otherwise affect Amendment 84 to the Arkansas Constitution or games of bingo and raffles permitted therein; prohibiting lotteries and the sale of lottery tickets except as herein specifically provided.

Proponents: Hope for Arkansas, <http://www.hopeforarkansas.org/index.html>

Opponents: Family Council, <http://www.familycouncil.org/>

**PASSED 63% - 37%**

### 1 Statutory Initiative Was Referred

#### **Referred Question 1: Bond**

*Arkansas Water, Waste Disposal, and Pollution Abatement Facilities Financing Act of 2007:* Shall the Arkansas Natural Resources Commission be authorized to issue general obligation bonds under the authority of the Arkansas Water, Waste Disposal and Pollution Abatement Facilities Act of 2007, for the financing and refinancing of the development of water, waste disposal, water pollution control, abatement and prevention, drainage, irrigation, flood control, and wetlands and aquatic resources projects to serve the citizens of the state of Arkansas, in total principal amount not to exceed three hundred million dollars (\$300,000,000), with no more than one hundred million dollars (\$100,000,000) of such bonds to be issued to finance and refinance the development of irrigation facilities, in series from time to time in principal amounts not to exceed, without prior approval of the General Assembly, sixty million dollars (\$60,000,000) in any fiscal biennium, which bonds shall be secured by a pledge of the full faith and credit of the state of Arkansas?

Proponents: Arkansans for Clean Water

**PASSED 66% - 34%**

## 2 Constitutional Amendments Were Referred

### **Constitutional Amendment 1: Election Reform**

*An Amendment Concerning Voting, Qualifications of Voters and Election Officers, and the Time of Holding General Elections:* Amending various provisions of the Arkansas Constitution concerning voting and elections; providing that all persons may vote who are citizens of the United States, residents of the state of Arkansas, at least eighteen (18) years of age, and lawfully registered to vote; to repeal the requirement that the right to vote shall not be made to depend on any previous registration of an elector's name; repealing Article 3, Section 5 of the Arkansas Constitution providing that no idiot or insane person shall be entitled to the privileges of an elector; and permitting the General Assembly to establish the date and time of elections and the qualifications of election officers.

**PASSED 73% -27%**

### **Constitutional Amendment 2: Administration of Government**

*An Amendment Providing that No Legislative Appropriation Shall Be for a Period Longer than One Year, Providing for Fiscal Legislative Sessions, Requiring the General Assembly to Meet Every Year with Regular Sessions Continuing to Be Held in Odd-Numbered Years and Fiscal Sessions Held in Even-Numbered Years, Unless the General Assembly Votes to Hold Regular Sessions in Even-Numbered Years and Fiscal Sessions in Odd-Numbered Years, and Allowing the General Assembly to Consider Non-Fiscal Matters During a Fiscal Session Upon Approval of Two-Thirds of Both Houses:* Proposing a Constitutional Amendment to reduce the period for which appropriation bills are valid from two (2) years to one (1) fiscal year; to require the General Assembly to meet in a limited fiscal session during even-numbered years to consider appropriation bills; to establish the length of sessions; and to make conforming amendments to reflect the changes proposed in this amendment.

**PASSED 69% - 31%**

<h2>CALIFORNIA</h2>
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<p>12 BALLOT MEASURES (7 passed)</p>
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Twelve measures were on the statewide ballot.

- Ten were citizen-petitioned initiatives.
- Two were legislative referenda.

## 3 Constitutional Amendments Qualified

### **Proposition 4: Reproductive Freedom**

*Waiting period and parental notification before termination of minor's pregnancy:* Changes California Constitution, prohibiting abortion for unemancipated minor until 48 hours after physician notifies minor's parent, legal guardian, or, in limited cases, substitute adult relative. Provides an exception for medical emergency or parental waiver.

Proponents: Friends of Sarah, <http://www.yeson4.net/>

Opponents: The Campaign for Teen Safety, <http://www.noonprop4.org/>

**FAILED 48% - 52%**

**Proposition 8: LGBT Equality**

*Eliminates right of same-sex couples to marry:* Changes California Constitution to eliminate the right of same-sex couples to marry. Provides that only marriage between a man and woman is valid or recognized in California.

Proponents: Protect Marriage, <http://www.protectmarriage.com/>

Opponents: Equality for California Families, <http://noonprop8.com>

**PASSED 52.5% - 47.5%**

**Proposition 9: Criminal Justice**

*Criminal justice system. Victims' rights. Parole:* Requires notification to victim and opportunity for input during phases of criminal justice process, including bail, pleas, sentencing and parole. Establishes victim safety as consideration in determining bail or release on parole.

Proponents: Marsy's Law: Justice for Crime Victims, <http://www.marsyslaw.org/>

Opponents: No on Props 6 & 9: Communities for Safe Neighborhoods & Fiscal Responsibility,

<http://www.votenoprop9.com/>

**PASSED 53.5% - 46.5%**

7 Statutory Initiatives Qualified**Proposition 2: Animal Rights**

*Standards for Confining Farm Animals:* Requires that certain farm animals be allowed, for the majority of every day, to fully extend their limbs or wings, lie down, stand up and turn around. Limited exceptions apply.

Proponents: Californians for Humane Farms, <http://www.yesonprop2.com/>

Opponents: Californians for Safe Food, <http://www.safecaliforniafood.org/>

**PASSED 63% - 37%**

**Proposition 3: Bond**

*Children's Hospital Bond Act:* Authorizes \$980,000,000 in general obligation bonds for construction, expansion, remodeling, renovation, furnishing and equipping of eligible children's hospitals.

Proponents: Yes on Children's Hospitals, Yes on Prop 3, <http://www.imaginewithus.org/>

Opponents: No Committee Identified

**PASSED 55% - 45%**

**Proposition 5: Criminal Justice**

*Nonviolent drug offenses. Sentencing, parole and rehabilitation:* Allocates \$460,000,000 annually to improve and expand treatment programs. Limits court authority to incarcerate offenders who commit certain drug crimes, break drug treatment rules or violate parole.

Proponents: NORA Campaign – Yes On 5, <http://www.prop5yes.com/>

Opposition: No on Proposition 5, <http://www.noonproposition5.com>

**FAILED 40% - 60%**

**Proposition 6: Criminal Justice**

*Police and law enforcement funding. Criminal penalties and laws:* Requires minimum of \$695,000,000 of state funding each year for police and local law enforcement. Makes approximately 30 revisions to California criminal law.

Proponents: Committee to Take Back our Neighborhoods, <http://www.safeneighborhoodsact.com/>

Opponents: No on Props 6 & 9: Communities for Safe Neighborhoods & Fiscal Responsibility, <http://www.votenoprop6.com>

**FAILED 31% - 69%**

**Proposition 7: Energy**

*Renewable energy generation:* Requires government-owned utilities to generate 20% of their electricity from renewable energy by 2010, a standard currently applicable only to private electrical corporations. Raises requirement for all utilities to 40% by 2020 and 50% by 2025.

Proponents: Californians for Solar and Clean Energy, <http://www.solarandcleanenergy.org/>

Opponents: Californians Against Another Costly Energy Scheme, <http://www.noprop7.com/>

**FAILED 35% - 65%**

**Proposition 10: Energy**

*Alternative fuel vehicles and renewable energy. Bonds:* Authorizes \$5 billion in bonds paid from state's General Fund, to help consumers and others purchase certain vehicles, and to fund research in renewable energy and alternative fuel vehicles.

Proponents: Coalition for Energy Independence: Yes on Prop 10, <http://www.prop10yes.com/>

Opponents: Consumer Federation of California, <http://www.noonproposition10.org/>

**FAILED 40% - 60%**

**Proposition 11: Election Reform**

*Redistricting:* Changes authority for establishing state office boundaries from elected representatives to commission. Establishes multilevel process to select commissioners from registered voter pool.

Commission comprised of Democrats, Republicans, and representatives of neither party.

Proponents: Yes on Prop 11, <http://yesprop11.org/>

Opponents: Citizens for Accountability, <http://www.noonprop11.org/>

**PASSED 51% - 49%**

2 Statutory Initiatives Were Referred

**Proposition 1A: Bond**

*Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century:* This act provides for the Safe, Reliable High-Speed Passenger Train Bond Act for the 21<sup>st</sup> Century. For the purpose of reducing traffic on the state's highways and roadways, upgrading commuter transportation, improving people's ability to get safely from city to city, alleviating congestion at airports, reducing air pollution, and providing for California's growing population, shall the state build a high-speed train system and improve existing passenger rail lines serving the state's major population centers by creating a rail trust fund that will issue bonds totaling \$9.95 billion, paid from existing state funds at an average cost of six hundred and forty-seven million dollars (\$647 million) per year over the 30-year life of the bonds, with all expenditures subject to an independent audit?

Proponents: Californians for High Speed Trains, <http://www.californiahighspeedtrains.com/>

Opponents: No Committee Identified

**PASSED 52% - 48%**

**Proposition 12: Bond**

*Veterans' Bond Act of 2008:* This act provides for a bond issue of nine hundred million dollars (\$900,000,000) to provide farm and home aid for California veterans.

**PASSED 63.5% - 36.5%**

## COLORADO

### 14 BALLOT MEASURES (4 passed)

Fourteen measures were on the statewide ballot.

- Ten were citizen-petitioned initiatives.
- Four were legislative referenda.

#### 8 Constitutional Amendments Qualified

##### **Amendment 46: Equal Opportunity**

*Prohibition on Discrimination and Preferential Treatment by Colorado Government:* Shall there be an amendment to the Colorado constitution concerning a prohibition against discrimination by the state, and, in connection therewith, prohibiting the state from discriminating against or granting preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting; allowing exceptions to the prohibition when bona fide qualifications based on sex are reasonably necessary or when action is necessary to establish or maintain eligibility for federal funds; preserving the validity of court orders or consent decrees in effect at the time the measure becomes effective; defining "state" to include the state of Colorado, agencies or departments of the state, public institutions of higher education, political subdivisions, or governmental instrumentalities of or within the state; and making portions of the measure found invalid severable from the remainder of the measure?

Proponents: Colorado Civil Rights Initiative, <http://coloradocri.org/>

Opponents: Vote No on Amendment 46, <http://votenoamendment46.com>

**FAILED 49% - 51%**

##### **Amendment 47: Economic Security**

*Prohibition on Certain Conditions of Employment:* Shall there be an amendment to the Colorado constitution concerning participation in a labor organization as a condition of employment, and, in connection therewith, prohibiting an employer from requiring that a person be a member and pay any moneys to a labor organization or to any other third party in lieu of payment to a labor organization and creating a misdemeanor criminal penalty for a person who violates the provisions of the section?

Proponents: A Better Colorado, <http://www.abettercolorado.com/>

Opponents: Coloradans For Middle Class Relief, <http://www.voteno47.com/>

**FAILED 44.5% - 55.5%**

##### **Amendment 48: Reproductive Freedom**

*Definition of Person:* Shall there be an amendment to the Colorado constitution defining the term "person" to include any human being from the moment of fertilization as "person" is used in those provisions of the Colorado constitution relating to inalienable rights, equality of justice, and due process of law?

Proponents: Colorado for Equal Rights, <http://www.coloradoforequalrights.com/>

Opponents: Protect Families, Protect Choice, <http://www.protectfamiliesprotectchoice.org/>

**FAILED 27% - 73%**

**Amendment 49: Economic Security**

*Limitation on Public Payroll Deductions:* Shall there be an amendment to the Colorado constitution concerning deductions from governmental payroll systems, and, in connection therewith, prohibiting a governmental payroll system from taking a payroll deduction from any government employee except deductions required by federal law, tax withholdings, judicial liens and garnishments, deductions for individual or group health benefits or other insurance, deductions for pension or retirement plans or systems, or other savings or investment programs, and charitable deductions?

Proponents: Ethical Standards Now, <http://www.ethicalstandardsnow.org/>

Opponents: Protect Colorado's Future, <http://www.protectcoloradosfuture.org/>

**FAILED 39% - 61%**

**Amendment 50: Gaming**

Shall there be an amendment to the Colorado constitution concerning voter-approved revisions to limited gaming, and, in connection therewith, allowing the local voters in Central City, Black Hawk, and Cripple Creek to extend casino hours of operation, approved games to include roulette and craps or both, and maximum single bets up to \$100; adjusting distributions to current gaming fund recipients for growth in gaming tax revenue due to voter-approved revisions in gaming; distributing 78% of the remaining gaming tax revenue from this amendment for student financial aid and classroom instruction at community colleges according to the proportion of their respective student enrollments, and 22% for local gaming impacts in Gilpin and Teller counties and the cities of Central City, Black Hawk, and Cripple Creek according to the proportion of increased tax revenue from voter-approved revisions in each city or county; and requiring any increase in gaming taxes from the levels imposed as of July 1, 2008 to be approved at a statewide election, if local voters in one or more cities have approved any revision to limited gaming?

Proponents: Coloradans for Community Colleges

Opponents: Vote No on 50: No High Stakes 24/7 Gambling in Colorado, <http://keepvegasout.com/>

**PASSED 59% - 41%**

**Amendment 52: Energy/Investment/Taxes**

Shall there be an amendment to the Colorado constitution concerning the allocation of revenues from the state severance tax imposed on minerals and mineral fuels other than oil shale that are extracted in the state, and, in connection therewith, for fiscal years commencing on or after July 1, 2008, requiring half of the revenues to be credited to the local government severance tax fund and the remaining revenues to be credited first to the severance tax trust fund until an annually calculated limit is reached and then to a new Colorado transportation trust fund, which may be used only to fund the construction, maintenance, and supervision of public highways in the state, giving first priority to reducing congestion on the Interstate 70 corridor?

Proponents: Better Roads Now Issue Committee, <http://www.betterroadsnow.com/>

Opponents: A Smarter Colorado, <http://asmartercolorado.org/>

**FAILED 36% - 64%**

**Amendment 54: Economic Security**

*Restrictions on Campaign Contributions from Government Sole-Source Contractors:* Shall there be an amendment to the Colorado constitution concerning restrictions on campaign contributions, and, in connection therewith, prohibiting the holder of contracts totaling \$100,000 or more, as indexed for inflation, awarded by state or local governments without competitive bidding ("sole source government contracts"), including certain collective bargaining agreements, from making a contribution for the benefit of a political party or candidate for elective office during the term of the contracts and for 2

years thereafter; disqualifying a person who makes a contribution in a ballot issue election from entering into a sole source government contract related to the ballot issue; and imposing liability and penalties on contract holders, certain of their owners, officers and directors, and government officials for violations of the amendment?

Proponents: Clean Government Colorado, <http://www.cleangovernmentcolorado.com/>

Opponents: Protect Colorado's Future, <http://www.protectcoloradosfuture.org/>

**PASSED 51% - 49%**

#### **Amendment 59: Education/Investment/Taxes**

*Savings Account for Education:* Shall there be an amendment to the Colorado constitution concerning the manner in which the state funds public education from preschool through the twelfth grade, and, in connection therewith, for the 2010-11 state fiscal year and each state fiscal year thereafter, requiring that any revenue that the state would otherwise be required to refund pursuant to the constitutional limit on state fiscal year spending be transferred instead to the state education fund; eliminating the requirement that, for the 2011-12 state fiscal year and each state fiscal year thereafter, the statewide base per pupil funding for public education from preschool through the twelfth grade and the total state funding for all categorical programs increase annually by at least the rate of inflation; creating a savings account in the state education fund; requiring that a portion of the state income tax revenue that is deposited in the state education fund be credited to the savings account in certain circumstances; requiring either a two-thirds majority vote of each house of the general assembly or, in any state fiscal year in which Colorado personal income grows less than six percent between the two previous calendar years, a simple majority vote of the general assembly to use the moneys in the savings account; establishing the purposes for which moneys in the savings account may be spent; establishing a maximum amount that may be in the savings account in any state fiscal year; and allowing the general assembly to transfer moneys from the general fund to the state education fund, so long as certain obligations for transportation funding are met?

Proponents: Savings Account for Education, <http://coloradosafe.org/>

Opponents: No Committee Identified

**FAILED 45% - 55%**

#### 2 Statutory Initiatives Qualified

#### **Amendment 51: Investment/Taxes**

*State Sales Tax for Services for Individuals with Developmental Disabilities:* Shall state taxes be increased \$186.1 million annually after full implementation by an amendment to the Colorado revised statutes concerning an increase in the state sales and use tax to provide funding for long-term services for persons with developmental disabilities, and, in connection therewith, increasing the rate of the state sales and use tax beginning on July 1, 2009, by one-tenth of one percent in each of the next two fiscal years; permitting the state to retain and spend all revenues from the new tax, notwithstanding the state spending limit; requiring an amount equal to the net revenue from the new tax to be deposited in the newly created developmental disabilities long-term services cash fund; requiring the money in the fund to be used to provide long-term services for persons with developmental disabilities; and prohibiting reductions in the level of state appropriations in the annual general appropriation bill existing on the effective date of this measure for long-term services for persons with developmental disabilities?

Proponents: Coalition to End the Wait List, <http://endcoloradowaitlist.org/>

Opponents: No Committee Identified

**FAILED 37% - 63%**

**Amendment 58: Education/Energy/Investment/Taxes**

*Severance Tax:* Shall state taxes be increased \$321.4 million annually by an amendment to the Colorado Revised Statutes concerning the severance tax on oil and gas extracted in the state, and, in connection therewith, for taxable years commencing on or after January 1, 2009, changing the tax to 5% of total gross income from the sale of oil and gas extracted in the state when the amount of annual gross income is at least \$300,000; eliminating a credit against the severance tax for property taxes paid by oil and gas producers and interest owners; reducing the level of production that qualifies wells for an exemption from the tax; exempting revenues from the tax and related investment income from state and local government spending limits; and requiring the tax revenues to be credited as follows: (a) 22% to the Severance Tax Trust Fund, (b) 22% to the local government Severance Tax Fund, and (c) 56% to a new Severance Tax Stabilization Trust Fund, of which 60% is used to fund scholarships for Colorado residents attending state colleges and universities, 15% to fund the preservation of native wildlife habitat, 10% to fund renewable energy and energy efficiency programs, 10% to fund transportation projects in counties and municipalities impacted by the severance of oil and gas, and 5% to fund community drinking water and wastewater treatment grants?

Proponents: A Smarter Colorado, <http://asmartercolorado.org/>

Opponents: Coloradans for a Stable Economy

**FAILED 42% - 58%**

4 Constitutional Amendments Were Referred**Referendum L: Administration of Government**

*Age Qualification for Serving in General Assembly:* Submitting to the registered electors of the state of Colorado an amendment to Section 4 of Article V of the Constitution of the State of Colorado, concerning the ability of an elector of the State of Colorado who has attained the age of twenty-one years to serve as a member of the Colorado General Assembly.

**FAILED 46% - 54%**

**Referendum M: Administration of Government**

*Elimination of Obsolete Constitutional Provisions Regarding Land Value Increase:* Submitting to the registered electors of the state of Colorado the repeal of Section 7 of Article XVIII of the State Constitution, concerning outdated, obsolete provisions regarding land value increase.

**PASSED 62% - 38%**

**Referendum N: Administration of Government**

*Elimination of Obsolete Constitutional Provisions Regarding Intoxicating Liquor:* Submitting to the registered electors of the state of Colorado the repeal of Section 5 of Article XVIII and ARTICLE XXII of the State Constitution, concerning the elimination of outdated obsolete provisions of the State Constitution.

**PASSED 69%- 31%**

**Referendum O: Election Reform**

*Initiative Petition Requirements:* Submitting to the registered electors of the state of Colorado an amendment to Section 1 of Article V of the Constitution of the State of Colorado, concerning ballot initiatives, and, in connection therewith, increasing the number of signatures required for a proposed initiative to amend the State Constitution; reducing the number of signatures required for a proposed statutory initiative; requiring a minimum number of signatures for a proposed initiative to amend the State Constitution to be gathered from residents of each congressional district in the state; increasing

the time allowed to gather signatures for a proposed statutory initiative; modifying the review of initiative petitions; establishing a filing deadline for proposed initiatives to amend the State Constitution; and requiring a two-thirds vote of all members elected to each house of the General Assembly to amend, repeal, or supersede any law enacted by an initiative for a period of five years after the law becomes effective.

Proponents: Colorado's Future, <http://www.coloradosfuture.org/>

**FAILED 47% - 53%**

**CONNECTICUT**  
2 BALLOT MEASURES (1 passed)

Connecticut is a non-initiative state; both measures on the statewide ballot were legislative referenda.

2 Constitutional Amendments Were Referred

**Constitutional Amendment 1: Constitutional Convention**

*Constitutional Convention:* Shall there be a Constitutional Convention to amend or revise the Constitution of the State?

Proponents: Constitution Convention Campaign, <http://www.ctconcon.com/>

Opponents: Vote No: Protect Our Constitution, <http://www.ctvoteno.org/>

**FAILED 41% - 59%**

**Constitutional Amendment 2: Election Reform**

Shall the constitution of the state be amended to permit any person who will have attained the age of eighteen years on or before the day of a regular election to vote in the primary for such regular election?

**PASSED 64% - 36%**

**FLORIDA**  
6 BALLOT MEASURES (4 passed)

Six measures were on the statewide ballot.

- One is was a citizen-petitioned initiative.
- Four were referred by the Tax and Budget Reform Commission.
  - One was a legislative referendum.

1 Constitutional Amendment Qualified

**Amendment 2: LGBT Equality**

*Florida Marriage Protection:* This amendment protects marriage as the legal union of only one man and one woman as husband and wife and provides that no other legal union that is treated as marriage or the substantial equivalent thereof shall be valid or recognized

Proponents: Florida For Marriage, <http://florida4marriage.org/>

Opponents: Florida Red & Blue, <http://sayno2.com/>

**PASSED 62% - 38%**

4 Constitutional Amendments Were Referred by the Tax and Budget Reform Commission**Amendment 3: Investment/Taxes**

*Property improvement Assessment.* Authorizes the Legislature, by general law, to prohibit consideration of changes or improvements to residential real property which increase resistance to wind damage and installation of renewable energy source devices as factors in assessing the property's value for *ad valorem* taxation purposes. Effective upon adoption, repeals the existing renewable energy source device exemption no longer in effect.

**PASSED 60.5% - 39.5%**

**Amendment 4: Investment/Taxes**

*Property Tax Exemption for Perpetually Conserved Land:* This amendment requires the Legislature to provide a property tax exemption for real property encumbered by perpetual conservation easements or other perpetual conservation protections, defined by general law. It also requires the Legislature to provide for classification and assessment of land used for conservation purposes, and not perpetually encumbered, solely on the basis of character or use. Subjects assessment benefit to conditions, limitations, and reasonable definitions established by general law. Applies to property taxes beginning in 2010.

**PASSED 68% - 32%**

**Amendment 6: Investment/Taxes**

*Waterfront Property Tax Exemption:* Provides for assessment based upon use of land used predominantly for commercial fishing purposes; land used for vessel launches into waters that are navigable and accessible to the public; marinas and dry stacks that are open to the public; and water-dependent marine manufacturing facilities, commercial fishing facilities, and marine vessel construction and repair facilities and their support activities, subject to conditions, limitations, and reasonable definitions specified by general law.

**PASSED 70.5% - 29.5%**

**Amendment 8: Investment/Taxes**

*Local Option Community College Funding:* An amendment to the State Constitution to require that the Legislature authorize counties to levy a local option sales tax to supplement community college funding; requiring voter approval to levy the tax; providing that approved taxes will sunset after 5 years and may be reauthorized by the voters.

**FAILED 43.5% - 56.5%**

1 Constitutional Amendment Was Referred**Amendment 1: Immigration**

*Relating to Property Rights and Ineligible Aliens:* Proposing an amendment to the State Constitution to delete provisions authorizing the Legislature to regulate or prohibit the ownership, inheritance, disposition, and possession of real property by aliens ineligible for citizenship.

**FAILED 48% - 52%**

**GEORGIA**  
3 BALLOT MEASURES (2 passed)

Georgia is a non-initiative state; three measures on the statewide ballot were legislative referenda.

3 Constitutional Amendments Were Referred

**Amendment 1: Environment**

*To encourage the preservation of Georgia's forests through a conservation use property tax reduction program:* Shall the Constitution of Georgia be amended so as to provide that the General Assembly by general law shall encourage the preservation, conservation, and protection of the state's forests through the special assessment and taxation of certain forest lands and assistance grants to local government?

**PASSED 68% - 32%**

**Amendment 2: Investment/Taxes**

*To authorize local school districts to use tax funds for community redevelopment purposes:* Shall the Constitution of Georgia be amended so as to authorize community redevelopment and authorize counties, municipalities, and local boards of education to use tax funds for redevelopment purposes and programs?

**PASSED 52% - 48%**

**Amendment 3: Administration of Government**

*To authorize the creation of special Infrastructure Development Districts providing infrastructure to underserved areas:* Shall the Constitution of Georgia be amended so as to authorize the General Assembly to provide by general law for the creation and comprehensive regulation of infrastructure development districts for the provision of infrastructure as authorized by local governments?

**FAILED 48% - 52%**

**HAWAII**  
2 BALLOT MEASURES (0 passed)

Hawaii is a non-initiative state; both measures on the statewide ballot were legislative referenda.

2 Constitutional Amendments Were Referred

**State of Hawaii Constitutional Convention Question: Constitutional Convention**

*Constitutional Convention:* Shall there be a convention to propose a revision of or amendments to the Constitution?

Proponents: *It's Time Hawaii*, <http://www.itstimehawaii.com>

Opponents: No Committee Identified

**FAILED 35% - 65%**

**Constitutional Amendment: Election Reform**

Shall the age qualification for the office of governor and office of lieutenant governor be reduced from thirty years of age to twenty-five years of age?

Proponents: No Committee Identified

Opponents: No Committee Identified

**FAILED 18% - 82%**

**ILLINOIS**  
1 BALLOT MEASURE (0 passed)

One measure was on the statewide ballot; it was a legislative referendum.

1 Constitutional Amendment Was Referred

**Constitutional Convention**

*Proposed Call for a Constitutional Convention:* This proposal deals with a call for a state constitutional convention. The last such convention was held in 1969-70, and a new Constitution was adopted in 1970. The 1970 Illinois Constitution requires that the question of calling a convention be placed before the voters every 20 years. In 1988 the electors rejected the call for a constitutional convention, with 75% voting against calling a convention and 25% voting in favor of calling a convention. If you believe the 1970 Illinois Constitution needs to be revised through the convention process, vote "YES" on the question of calling a constitutional convention. If you believe that a constitutional convention is not necessary, or that changes can be accomplished through other means, vote "NO" on the calling of a constitutional convention.

Proponents: Yes for Illinois, <http://yesforillinois.com/>

Opponents: Alliance to Protect the Illinois Constitution, <http://www.protectillinoisconstitution.org>

**FAILED 33% - 67%**

**IOWA**  
1 BALLOT MEASURE (1 passed)

Iowa is a non-initiative state; the measure on the statewide ballot was a legislative referendum.

1 Constitutional Amendment Was Referred

**Constitutional Amendment: Election Reform**

*Relating to the Qualification of Electors:* Shall the following amendment to the Constitution be adopted:

Summary: Changes the language that describes a person who cannot legally vote from "idiot or insane person" to "a person adjudged mentally incompetent to vote."

**PASSED 81% - 19%**

## LOUISIANA

### 7 BALLOT MEASURES (3 *passed*)

Louisiana is a non-initiative state; seven measures on the statewide ballot were legislative referenda.

#### 7 Constitutional Amendments Were Referred

##### **Proposed Amendment 1: Administration of Government**

To provide for term limits for members of the Public Service Commission, the State Board of Elementary and Secondary Education, the Board of Regents, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors of Community and Technical Colleges, the Louisiana Forestry Commission, the State Civil Service Commission, and the State Police Commission; to provide that a person who has served for more than two and one-half terms in three consecutive terms shall not be appointed or elected to the succeeding term; and to provide for a limit on service on more than one such board or commission.

**PASSED 69% - 31%**

##### **Proposed Amendment 2: Administration of Government**

To require a proclamation which calls the legislature into extraordinary session to be issued at least seven calendar days prior to the convening of the legislature in extraordinary session.

**PASSED 60% - 40%**

##### **Proposed Amendment 3: Administration of Government**

To require the legislature to provide by law for the prompt and temporary succession to the powers and duties of a legislator if the legislator is unavailable to perform his functions or duties due to being ordered to active duty in the armed services of the United States.

**PASSED 62% - 38%**

##### **Proposed Amendment 4: Investment/Taxes**

To increase the maximum amount of the severance tax imposed and collected by the state on natural resources, other than sulfur, lignite, and timber, which is remitted to the parish governing authority where the severance occurs from eight hundred fifty thousand dollars to one million eight hundred fifty thousand dollars, for Fiscal Year 2009-2010 and to two million eight hundred fifty thousand dollars for Fiscal Year 2010-2011 and thereafter; to require at least fifty percent of the excess severance tax remitted to a parish because of this constitutional amendment to be used within the parish only in the same manner and for the same purposes as money received by the parish from the Parish Transportation Fund; to increase the amount of such severance taxes collected by the state, not to exceed ten million dollars each fiscal year, which is to be deposited to a special fund created in the state treasury to be known as the Atchafalaya Basin Conservation Fund, in order to fund projects contained in the state or federal Basin master plans or an annual Basin plan developed by an Atchafalaya Basin Research and Promotion Board and other such advisory or approval boards, all of which the legislature must create and provide for by law within the Atchafalaya Basin Program, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project, all as the secretary of the Department of Natural Resources shall direct, provided that eight-five percent must be used for water management, water quality, or access projects, and the remaining fifteen percent may be used to complete ongoing projects

and for projects that are in accordance with the mission statement of the state master plan, further provided, however, that up to five percent of the money allocated in any one fiscal year may be used for the operational costs of the program or the department; all to become effective July 1, 2009.

**FAILED 45% - 55%**

**Proposed Amendment 5: Administration of Government**

To authorize the transfer of the special assessment level on property when the property for which the special assessment level applies has been sold to or expropriated by the federal government, state government, or a local governing authority or political subdivision.

**FAILED 49.9% - 50.1%**

**Proposed Amendment 6: Property Rights**

To provide an exception to requirements of first refusal by the owner prior to sale and certain procedures for declaration of property as surplus property, when property is taken for the public purpose of removal of a threat to public health or safety caused by the existing use or disuse of the property.

**FAILED 49% - 51%**

**Proposed Amendment 7: Investment/Taxes**

To authorize the investment in equities of monies of the state and a political subdivision which have been reserved to provide for post-employment benefits other than pensions.

**FAILED 44% - 56%**

**MAINE**  
3 BALLOT MEASURES (2 passed)

Three measures were on the statewide ballot.

- Two were citizen-petitioned initiatives.
- One was a legislative referendum.

2 Ballot Measures Qualified

**Question 1: Health Care/Investment/Taxes**

*People's Veto of Parts D, E and F of P.L. 2007 Chapter 629, "An Act To Continue Maine's Leadership in Covering the Uninsured"*: Do you want to reject the parts of a new law that change the method of funding Maine's Dirigo Health Program through charging health insurance companies a fixed fee on paid claims and adding taxes to malt liquor, wine and soft drinks?

Proponents: Fed Up With Taxes, <http://www.fedupwithtaxes.org>

Opponents: Health Coverage for Maine, <http://www.healthcoveragemaine.org/index.html>

**PASSED 64% - 36%**

**Question 2: Gaming**

*An Act to Allow a Casino in Oxford County*: Do you want to allow a certain Maine company to have the only casino in Maine, to be located in Oxford County, if part of the revenue is used to fund specific state programs?

Proponents: Evergreen Mountain Enterprises LLC

Opponents: CasinosNo!, [http://www.casinosno.org/info.php?info\\_id=1](http://www.casinosno.org/info.php?info_id=1)

**FAILED 45% - 55%**

1 Bond Was Referred

**Question 3: Bond**

*Bond Issue:* Do you favor a \$3,400,000 bond issue to support drinking water programs, to support the construction of wastewater treatment facilities and to leverage \$17,000,000 in other funds?

**PASSED 51% - 49%**

**MARYLAND**

**2 BALLOT MEASURES (2 passed)**

Maryland is a non-initiative state; both measures on the statewide ballot were legislative referenda.

2 Constitutional Amendments Were Referred

**Question 1: Election Reform**

*Early Voting; Polling Places; Absentee Ballots:* Authorizes the General Assembly to enact legislation to allow qualified voters to vote at polling places inside or outside of their election districts or wards and to vote up to two weeks before an election. This amendment also authorizes the General Assembly to enact legislation to allow absentee voting by qualified voters who choose to vote by absentee ballot, in addition to voters who are absent at the time of the election or who are unable to vote personally.

**PASSED 71% - 29%**

**Question 2: Gaming**

*Authorizing Video Lottery Terminals (Slot Machines) to Fund Education:* Authorizes the State to issue up to five video lottery licenses for the purpose of raising revenue for education of children in public schools, prekindergarten through grade 12, public school construction and improvements, and construction of capital projects at community colleges and higher education institutions. No more than a total number of 15,000 video lottery terminals may be authorized in the State, and only one license may be issued for each specified location in Anne Arundel, Cecil, Worcester, and Allegany Counties, and Baltimore City. Any additional forms or expansion of commercial gaming in Maryland is prohibited, unless approved by a voter referendum.

Proponents: For Maryland For Our Future, <http://www.formaryland.org/>

Opponents: Marylanders United to Stop Slots, <http://www.marylandersunited.com/>

**PASSED 59% - 41%**

## MASSACHUSETTS

### 3 BALLOT MEASURES (2 passed)

Three measures were on the statewide ballot; all were citizen-petitioned initiatives.

#### 3 Statutory Initiatives Qualified

##### **Question 1: Investment/Taxes**

*State Personal Income Tax:* This proposed law would reduce the state personal income tax rate to 2.65% for all categories of taxable income for the tax year beginning on or after January 1, 2009, and would eliminate the tax for all tax years beginning on or after January 1, 2010. The personal income tax applies to income received or gain realized by individuals and married couples, by estates of deceased persons, by certain trustees and other fiduciaries, by persons who are partners in and receive income from partnerships, by corporate trusts, and by persons who receive income as shareholders of "S corporations" as defined under federal tax law. The proposed law would not affect the tax due on income or gain realized in a tax year beginning before January 1, 2009. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

Proponents: Committee for Small Government, <http://www.smallgovernmentact.org/>

Opponents: Vote No on Question 1, <http://votenoquestion1.com/>

**FAILED 30% - 70%**

##### **Question 2: Criminal Justice**

*Possession of Marijuana:* This proposed law would replace the criminal penalties for possession of one ounce or less of marijuana with a new system of civil penalties, to be enforced by issuing citations, and would exclude information regarding this civil offense from the state's criminal record information system. Offenders age 18 or older would be subject to forfeiture of the marijuana plus a civil penalty of \$100. Offenders under the age of 18 would be subject to the same forfeiture and, if they complete a drug awareness program within one year of the offense, the same \$100 penalty. Offenders under 18 and their parents or legal guardian would be notified of the offense and the option for the offender to complete a drug awareness program developed by the state Department of Youth Services. Such programs would include ten hours of community service and at least four hours of instruction or group discussion concerning the use and abuse of marijuana and other drugs and emphasizing early detection and prevention of substance abuse. The penalty for offenders under 18 who fail to complete such a program within one year could be increased to as much as \$1,000, unless the offender showed an inability to pay, an inability to participate in such a program, or the unavailability of such a program. Such an offender's parents could also be held liable for the increased penalty. Failure by an offender under 17 to complete such a program could also be a basis for a delinquency proceeding. The proposed law would define possession of one ounce or less of marijuana as including possession of one ounce or less of tetrahydrocannabinol ("THC"), or having metabolized products of marijuana or THC in one's body. Under the proposed law, possessing an ounce or less of marijuana could not be grounds for state or local government entities imposing any other penalty, sanction, or disqualification, such as denying student financial aid, public housing, public financial assistance including unemployment benefits, the right to operate a motor vehicle, or the opportunity to serve as a foster or adoptive parent. The proposed law would allow local ordinances or bylaws that prohibit the public use of marijuana, and would not affect existing laws, practices, or policies concerning operating a motor vehicle or taking

other actions while under the influence of marijuana, unlawful possession of prescription forms of marijuana, or selling, manufacturing, or trafficking in marijuana. The money received from the new civil penalties would go to the city or town where the offense occurred.

Proponents: Committee for Sensible Marijuana Policy, <http://sensiblemarijuanapolicy.org/initiative.html>

Opponents: No Committee Identified

**PASSED 65% - 35%**

### Question 3: Animal Rights

*Dog Racing:* This proposed law would prohibit any dog racing or racing meeting in Massachusetts where any form of betting or wagering on the speed or ability of dogs occurs. The State Racing Commission would be prohibited from accepting or approving any application or request for racing dates for dog racing. Any person violating the proposed law could be required to pay a civil penalty of not less than \$20,000 to the Commission. The penalty would be used for the Commission's administrative purposes, subject to appropriation by the state Legislature. All existing parts of the chapter of the state's General Laws concerning dog and horse racing meetings would be interpreted as if they did not refer to dogs. These changes would take effect January 1, 2010. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

Proponents: Committee to Protect Dogs, <http://www.protectdogs.org/>

Opponents: Massachusetts Animal Interest Coalition, <http://www.protectdogsandjobs.org>

**PASSED 56% - 44%**

## MICHIGAN

2 BALLOT MEASURES (2 passed)

Two measures were on the statewide ballot; both were citizen-petitioned initiatives.

### 1 Statutory Initiative Qualified

#### **Proposal 08-1: Health Care**

*A legislative initiative to permit the use and cultivation of marijuana for specified medical conditions:* The proposed law would: Permit physician approved use of marijuana by registered patients with debilitating medical conditions including cancer, glaucoma, HIV, AIDS, hepatitis C, MS and other conditions as may be approved by the Department of Community Health. Permit registered individuals to grow limited amounts of marijuana for qualifying patients in an enclosed, locked facility. Require Department of Community Health to establish an identification card system for patients qualified to use marijuana and individuals qualified to grow marijuana. Permit registered and unregistered patients and primary caregivers to assert medical reasons for using marijuana as a defense to any prosecution involving marijuana.

Proponents: Michigan Coalition for Compassionate Care, <http://stoparrestingpatients.org/>

Opponents: Citizens Protecting Michigan Kids

**PASSED 63% - 37%**

### 1 Constitutional Amendment Qualified

#### **Proposal 08-2: Health Care**

*A proposal to amend the state constitution to address human embryonic stem cell research in Michigan:*

The proposed constitutional amendment would: Expand use of human embryos for any research permitted under federal law subject to the following limits: the embryos are created for fertility treatment purposes; are not suitable for implantation or are in excess of clinical needs; would be discarded unless used for research; were donated by the person seeking fertility treatment. Provide that stem cells cannot be taken from human embryos more than 14 days after cell division begins. Prohibit any person from selling or purchasing human embryos for stem cell research. Prohibit state and local laws that prevent, restrict or discourage stem cell research, future therapies and cures.  
 Proponents: Stem Cell Research Ballot Question Committee, [www.curemichigan.com](http://www.curemichigan.com)  
 Opponents: Michigan Citizens Against Unrestricted Science and Experimentation, <http://www.micause.com/>  
**PASSED 53% - 47%**

**MINNESOTA**  
 1 BALLOT MEASURE (1 passed)

Minnesota is a non-initiative state; the measure on the statewide ballot was a legislative referendum.

1 Constitutional Amendment Was Referred

**Constitutional Amendment 1: Environment**

*Clean Water, Wildlife, Cultural Heritage, and Natural Areas:* Shall the Minnesota Constitution be amended to dedicate funding to protect our drinking water sources; to protect, enhance, and restore our wetlands, prairies, forests, and fish, game, and wildlife habitat; to preserve our arts and cultural heritage; to support our parks and trails; and to protect, enhance, and restore our lakes, rivers, streams, and groundwater by increasing the sales and use tax rate beginning July 1, 2009, by three-eighths of one percent on taxable sales until the year 2034?

Proponents: Yes for Minnesota, <http://www.yesformn.org/index.php>

Opponents: Taxpayers League of Minnesota, <http://www.nosalestaxincrease.org/>

**PASSED 56% - 44%**

**MISSOURI**  
 5 BALLOT MEASURES (5 passed)

Five measures were on the statewide ballot.

- Three were citizen-petitioned initiatives.
- Two were legislative referenda.

2 Constitutional Amendments Qualified

**Proposition B: Health Care**

Shall Missouri law be amended to enable the elderly and Missourians with disabilities to continue living independently in their homes by creating the Missouri Quality Homecare Council to ensure the availability of quality home care services under the Medicaid program by recruiting, training, and stabilizing the home care workforce?

Proponents: Missourians for Quality Home Care, [www.moqualityhomecare.org](http://www.moqualityhomecare.org)

Opponents: No Committee Identified

**PASSED 75% - 25%**

**Proposition C: Energy**

Shall Missouri law be amended to require investor-owned electric utilities to generate or purchase electricity from renewable energy sources such as solar, wind, biomass and hydropower with the renewable energy sources equaling at least 2% of retail sales by 2011 increasing incrementally to at least 15% by 2021, including at least 2% from solar energy; and restricting to no more than 1% any rate increase to consumers for this renewable energy?

Proponents: Missourians for Cleaner Cheaper Energy, <http://www.missouricleanenergy.org/>

Opponents: No Committee Identified

**PASSED 66% - 34%**

1 Statutory Initiative Qualified

**Proposition A: Gaming**

Shall Missouri law be amended to: repeal the current individual maximum loss limit for gambling; prohibit any future loss limits; require identification to enter the gambling area only if necessary to establish that an individual is at least 21 years old; restrict the number of casinos to those already built or being built; increase the casino gambling tax from 20% to 21%; create a new specific education fund from gambling tax proceeds generated as a result of this measure called the "Schools First Elementary and Secondary Education Improvement Fund"; and require annual audits of this new fund?

Proponents: Yes on A Coalition, <http://www.yesforschoolsfirst.com/>

Opponents: No Committee Identified

**PASSED 56% - 44%**

2 Constitutional Amendments Were Referred

**Amendment 1: Immigration**

Shall the Missouri Constitution be amended to add a statement that English shall be the language of all governmental meetings at which any public business is discussed, decided, or public policy is formulated whether conducted in person or by communication equipment including conference calls, video conferences, or Internet chat or message board?

**PASSED 86% - 14%**

**Amendment 4: Administration of Government**

Shall the Missouri Constitution be amended to change provisions relating to the financing of stormwater control projects by: limiting availability of grants and loans to public water and sewer districts only; removing the cap on available funding and existing restrictions on disbursements; requiring loan repayments to be used only for stormwater control projects?

**PASSED 58% - 42%**

## MONTANA

### 3 BALLOT MEASURES (2 passed)

Three measures were on the statewide ballot.

- One was a citizen-petitioned initiative.
- Two were legislative referenda.

#### 1 Statutory Initiative Qualified

##### **I-155: Health Care**

*The Healthy Kids Plan Act:* Establishes the Healthy Montana Kids plan to expand and coordinate health coverage for uninsured children under the Children's Health Insurance Program (CHIP), the Montana Medicaid Program, and employer-sponsored health insurance. The State Health Department may: raise income eligibility levels for children under CHIP and Medicaid; simplify transitions between CHIP and Medicaid coverage; provide assistance for children in employer-sponsored insurance; and work with health care providers, schools, organizations, and agencies to encourage enrollment of uninsured children. Funding for I-155 will come from a share of the insurance premium tax and federal matching funds.

Proponents: Healthy Montana Kids, <http://www.healthymontanakids.org/>

Opponents: No Committee Identified

**PASSED 70% - 30%**

#### 2 Constitutional Amendments Were Referred

##### **C-44: Investment/Taxes**

*An act submitting to the qualified electors of Montana an amendment to article VIII, Section 13 of the Montana Constitution to allow up to 25 percent of certain public funds to be invested in private corporate capital stock; and providing an immediate effective date:* The 2007 Legislature submitted this proposal for a vote. This measure would amend the Montana Constitution to allow up to 25 percent of all state trust fund assets to be invested in private corporate capital stock. Currently, the Constitution allows only Retirement Funds and Workers' Compensation Insurance Funds to be invested in private corporate capital stock.

**FAILED 26% - 74%**

##### **LR-118: Education**

*An act submitting a 6-Mill levy for support of the Montana University System to the electorate; and providing effective dates and a termination date:* The 2007 Legislature submitted this proposal for a vote. This proposal asks Montana voters to continue the 6-mill levy to support the university system. Without voter approval, the current 6 mill levy to support the university system will expire in January 2009. If passed, this proposal would be effective on January 1, 2009 and terminate January 1, 2019.

**PASSED 57% - 43%**

## NEBRASKA

### 2 BALLOT MEASURES (1 passed)

Two measures were on the statewide ballot.

- One was a citizen-petitioned initiative.
- One was a legislative referendum.

#### 1 Constitutional Amendment Qualified

##### **Initiative Measure 424: Equal Opportunity**

*Nebraska Civil Rights Initiative:* Shall the Nebraska Constitution be amended to prohibit the State, any public institution of higher education, political subdivision or government institution from discriminating against, or granting preferential treatment to, individuals or groups based upon race, sex, color, ethnicity, or national origin in operating public employment, education or contracting? Existing court orders are not invalidated, bona fide qualifications based on sex reasonably necessary to normal operation of public employment, education or contracting, and actions necessary to obtain federal funds through federal programs are permitted. A cause of action for violation is created. The amendment applies to actions after its adoption.

Proponents: Nebraska Civil Rights Initiative, <http://www.nebraskacri.org/>

Opponents: Nebraskans United, <http://www.nebraskansunited.org/>

**PASSED 58% - 42%**

#### 1 Constitutional Amendment Was Referred

##### **Amendment Number 1: Investment/Taxes**

*LR 229CA:* A constitutional amendment to change the powers of municipalities relating to fund sources for economic or industrial development.

**FAILED 46% - 54%**

## NEVADA

### 4 BALLOT MEASURES (2 passed)

Four measures were on the statewide ballot.

- One was a citizen-petitioned initiative.
- Three were legislative referenda.

#### 1 Constitutional Amendment Qualified

##### **Question 2: Eminent Domain**

Shall Article 1 of the Nevada Constitution be amended in order: to provide that the transfer of property from one private party to another private party is not considered a public use; to provide that property taken for a public use must be valued at its highest and best use; to provide that fair market value in eminent domain proceedings be defined as the —highest price the property would bring on the open market;” and to make certain other changes related to eminent domain proceedings?

Proponents: People’s Initiative to Stop the Taking of Our Land (PISTOL)

Opponents: No Committee Identified

**PASSED 61% - 39%**

2 Constitutional Amendments Were Referred

**Question 1: Administration of Government**

*Assembly Joint Resolution No. 10 of the 73rd Session:* Shall the Nevada Constitution be amended to eliminate an unconstitutional requirement that a person must reside in Nevada for 6 months prior to an election in order to be eligible to vote in that election?

**FAILED 47% - 53%**

**Question 3: Investment/Taxes**

*Assembly Joint Resolution No. 16 of the 73rd Session:* Shall the Nevada Constitution be amended to require that, before it can enact an exemption from property tax or from sales and use tax, the Nevada Legislature must: (1) make certain findings regarding the social or economic purpose and benefits of the exemption; (2) ensure that similar classes of taxpayers must meet similar requirements for claiming exemptions; and (3) provide a specific date on which the exemption will expire?

**PASSED 60% - 40%**

1 Statutory Initiative Was Referred

**Question 4: Administration of Government**

*Senate Bill No. 502 of the 74th Session:* Shall the Sales and Use Tax Act of 1955 be amended to authorize the Legislature to amend or repeal any provision of this Act without an additional direct vote of the people whenever necessary to carry out any federal law or interstate agreement for the administration, collection or enforcement of sales and use taxes, and to repeal an exemption from the taxes imposed by this Act on certain aircraft and aircraft components?

**FAILED 27% - 73%**

**NEW JERSEY**

**2 BALLOT MEASURES (1 passed)**

New Jersey is a non-initiative state; both measures on the statewide ballot were legislative referenda.

2 Constitutional Amendments Were Referred

**Public Question #1: Election Reform/Investment/Taxes**

*Voters to Approve State Authority Bonds Payable from State Appropriations:* Do you approve the proposed amendment to the State Constitution which provides that, after this amendment becomes part of the Constitution, a law enacted thereafter that authorizes State debt created through the sale of bonds by any autonomous public corporate entity, established either as an instrumentality of the State or otherwise exercising public and essential governmental functions, such as an independent State authority, which debt or liability has a pledge of an annual appropriation as the ways and means to pay the interest of such debt or liability as it falls due and pay and discharge the principal of such debt, will be subject to voter approval, unless the payment of the debt is made subject to appropriations of an independent non-State source of revenue paid by third persons for the use of the object or work

bonded for, or are from a source of State revenue otherwise required to be appropriated pursuant to another provision of the Constitution?

**PASSED 57% - 43%**

**Public Question #2: Administration of Government**

*Provides that Method of Selection and Appointment of Certain Municipal Court Judges Be Set by Statute Rather Than by the Constitution:* Shall the amendment to Article VI, Section VI, paragraph 1 of the New Jersey Constitution, agreed to by the Legislature, providing that judges of inferior courts with jurisdiction extending to more than one municipality be appointed as provided in law rather than as provided in the Constitution which requires nomination by the Governor and appointment with the advice and consent of the Senate, be approved?

**FAILED 45% - 55%**

**NEW MEXICO**  
9 BALLOT MEASURES (9 passed)

New Mexico is a non-initiative state; nine measures on the statewide ballot were legislative referenda.

4 Statutory Initiatives Were Referred

**Bond Question A: Bond**

The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of senior citizen facility improvement, construction and equipment acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed fourteen million seven hundred twenty-five thousand dollars (\$14,725,000) to make capital expenditures for certain senior citizen facility improvements, construction and equipment acquisition projects and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

**PASSED 59% - 41%**

**Bond Question B: Bond**

The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of library acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed eleven million nineteen thousand dollars (\$11,019,000) to make capital expenditures for academic, public and tribal library acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

**PASSED 52% - 48%**

**Bond Question C: Bond**

The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of health facility improvement bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed fifty-seven million nine hundred twenty-five thousand dollars (\$57,925,000) to make capital expenditures for cancer research and treatment facilities, other

statewide and regional health facilities, educational facilities for statewide dental services and public health and behavioral health facilities and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

**PASSED 65% - 35%**

**Bond Question D: Bond**

The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of higher educational and special schools capital improvement and acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed one hundred forty million one hundred thirty-three thousand dollars (\$140,133,000) to make capital expenditures for certain higher educational and special schools capital improvements and acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

**PASSED 58% - 42%**

5 Constitutional Amendments Were Referred

**Constitutional Amendment 1: Administration of Government**

Proposing an amendment to Article 12, Section 15 of the Constitution of New Mexico to increase the size of certain school boards to nine members and conduct the election by mail-in ballot or as otherwise provided by law.

**PASSED 53% - 47%**

**Constitutional Amendment 2: Administration of Government**

Proposing an amendment to Article 10, Section 1 of the Constitution of New Mexico to allow for midterm salary increases for county officers.

**FAILED 26.5% - 73.5%**

**Constitutional Amendment 3: Administration of Government**

Proposing an amendment to Article 5 of the Constitution of New Mexico to require confirmation of cabinet secretaries at the beginning of each term of a governor.

**PASSED 72% - 28%**

**Constitutional Amendment 4: Administration of Government**

Proposing to amend Article 7, Section 1 of the Constitution of New Mexico to allow school elections to be held at the same time as non-partisan elections.

**PASSED 74.5% - 25.5%**

**Constitutional Amendment 5: Administration of Government**

Proposing an amendment to Article 5 of the Constitution of New Mexico to provide that, in the case of a vacancy in the office of Lieutenant Governor, the governor shall fill the vacancy by appointment with the consent of the senate.

**PASSED 69% - 31%**

## NEW YORK

1 BALLOT MEASURE (1 passed)

New York is a non-initiative state; the measure on the statewide ballot was a legislative referendum.

### 1 Constitutional Amendment Was Referred

#### **Ballot Proposal 1: Administration of Government**

*Amendment to Article 5, section 6 of the Constitution, in relation to additional civil service credit for members of the armed forces of the United States:* The proposed amendment would eliminate the requirement that veterans who were disabled in the actual performance of duty in any war be receiving disability payments from the United States Veterans Administration in order to qualify for additional points on a civil service examination for appointment or promotion. Under the proposed amendment, the disability must only be certified to exist by the United States Department of Veteran Affairs. The proposed amendment would also update the reference to the "United States Veterans Administration" to instead refer to the "United States Department of Veterans Affairs" to reflect current federal government structure. Shall the proposed amendment be approved?

**PASSED 77% - 23%**

## NORTH DAKOTA

4 BALLOT MEASURES (2 passed)

Three measures were on the statewide ballot.

- Three were citizen-petitioned initiatives.
- One was a legislative referendum.

### 3 Statutory Initiatives Qualified

#### **Measure 2: Investment/Taxes**

This initiated statutory measure would amend sections 57-38-30 and 57-38-30.3 of the North Dakota Century Code. This initiated measure would amend sections 57-38-30 and 57-38-30.3 of the North Dakota Century Code for tax years beginning after December 31, 2008 by lowering the state corporate income tax rates by fifteen percent and the adjusted state income tax rates by fifty percent, except for one taxpayer bracket where the reduction would be forty-five percent and for two other brackets where some income would not be taxed.

Proponents: Americans for Prosperity, <http://www.americansforprosperity.org/index.php?state=nd>

Opponents: Partners to Protect North Dakota's future, <http://www.nomeasure1nd.com/measure2/>

**FAILED 30% - 70%**

#### **Measure 3: Health Care**

This initiated statutory measure would add seven new sections to the North Dakota Century Code and amends section 54-27-25. This measure would establish a tobacco prevention and control advisory committee and an executive committee; develop and fund a comprehensive statewide tobacco prevention and control plan; and create a tobacco prevention and control trust fund to receive tobacco settlement dollars to be administered by the executive committee.

Proponents: Support Tobacco Prevention, <http://www.stpnd.org/>

Opponents: No Committee Identified

**PASSED 54% - 46%**

**Measure 4: Administration of Government**

This initiated statutory measure would add two new sections to Title 65 of the North Dakota Century Code. This measure would provide for the appointment by the Governor of the director for the Workforce Safety and Insurance agency, the placement of its employees into the state personnel system, and for the appointment of independent administrative law judges to conduct hearings and make final decisions.

Proponents: Citizens for Accountability in Government

Opponents: No Committee Identified

**PASSED 67% - 33%**

1 Constitutional Amendment Was Referred

**Measure 1: Investment/Taxes**

This constitutional measure would add a new section to Article X of the North Dakota Constitution. This measure would establish a permanent oil tax trust fund from oil and gas tax revenue exceeding one hundred million dollars per biennium, adjusted for inflation; interest earnings on the trust fund would be transferred to the general fund each year; and no more than twenty percent of the principal of the trust fund could be spent each biennium, if approved by three-fourths of the members of both houses of the legislature.

Proponents: Permanent Promise Coalition, <http://www.measure1nd.com/>

Opponents: Partners to Protect North Dakota's future, <http://nomeasure1nd.com/>

**FAILED 36% - 64%**

**OHIO**  
**5 BALLOT MEASURES (4 passed)**

Five measures were on the statewide ballot.

- Two were citizen-petitioned initiatives.
- Three were legislative referenda.

2 Constitutional Amendments Qualified

**Issue 5: Economic Security**

*Referendum on legislation making changes to check cashing lending, sometimes known as "payday lending," fees, interest rates and practices:* Substitute House Bill 545 (H.B. 545), which was passed by the Ohio legislature and signed into law by the Governor, substantially changed the law regulating how certain lenders in Ohio operate. Under the referendum, voters must decide whether Section 3 of H.B. 545 should go into effect. Section 3 of H.B. 545 deletes the old provisions of the law regulating check cashing lenders, sometimes known as "payday lenders," in favor of new provisions. 1. If a majority of Ohio voters approve Section 3 of H.B. 545, all short term lenders, including check cashing lenders, would be subject to the following limitations: The maximum loan amount would be \$500; Borrowers would have at least 30 days to repay the loan; and The maximum interest rate would be 28% annual percentage rate (APR) on all loans. 2. If a majority of Ohio voters reject Section 3 of H.B. 545, check

cashing lenders would be allowed to continue under previous law as follows: The maximum loan amount would continue to be \$800; There would continue to be no minimum repayment period; and Check cashing lender could continue to charge rates and fees, resulting in a total charge for a loan that substantially exceeds an equivalent APR of 28%.

Proponents (*want to repeal the restrictions on the payday loan industry that were passed by the Ohio Legislature*): Reject HB 545 Committee, <http://www.ohioans4financialfreedom.com/>

Opponents (*want to keep the restrictions on the payday loan industry that were passed by the Ohio Legislature*): Protect HB 545 Committee, <http://www.yesonissue5.com>

**PASSED 63% - 37%**

### **Issue 6: Gaming**

To amend the Constitution by initiative petition for a casino near Wilmington in Southwest Ohio and distribute to all Ohio counties a tax on the casino.

Proponents: My Ohio Now, [www.MyOhioNow.com](http://www.MyOhioNow.com)

Opponents: Vote No Casinos, <http://www.votencasinos.com/>

**FAILED 37% - 63%**

## 3 Constitutional Amendments Were Referred

### **Issue 1: Election Reform**

*To provide for earlier filing deadlines for statewide ballot issues:* The proposed amendment would: 1. Require that a citizen-initiated statewide ballot issue be considered at the next general election if petitions are filed 125 days before the election. 2. Establish deadlines for boards of elections to determine the validity of citizen initiated petitions. 3. Standardize the process for legal challenges to citizen-initiated petitions by giving the Ohio Supreme Court jurisdiction to consider these cases and establishing expedited deadlines for the Court to make decisions.

**PASSED 69% - 31%**

### **Issue 2: Bond**

*To authorize the state to issue bonds to continue the Clean Ohio Program for Environmental Revitalization and Conservation:* This proposed amendment would: 1. Authorize the state to issue up to two hundred million dollars (\$200,000,000) of bonds for conservation and preservation of natural areas, open spaces and farmlands and other lands devoted to agriculture, including by acquiring land or interests in land; provision of state and local park and recreation facilities, and other actions that permit and enhance the availability, public use and enjoyment of natural areas in the state; and land, forest, water and other natural resource management projects. 2. Authorize the state to issue bonds up to two hundred million dollars (\$200,000,000) for environmental revitalization and re-development of publicly and privately owned lands, including environmental remediation, assessment or clean up of contamination or pollution. 3. Limit the amount that could be borrowed in any one fiscal year for either conservation or revitalization purposes to no more than fifty million dollars (\$50,000,000) plus the principal amount of those obligations that in any prior fiscal year could have been but were not issued.

Proponents: Citizens for a Clean Ohio, [www.cleanohio.org](http://www.cleanohio.org)

Opponents: No Committee Identified

**PASSED 69% - 31%**

### **Issue 3: Property Rights**

*To amend the constitution to protect private property rights in ground water, lakes, and other watercourses:* This proposed Amendment would: 1. Make explicit that a private property owner has a

right to make reasonable use of the ground water that lies beneath the owner's land, although this right is subordinate to the public welfare. 2. Make explicit that a private property owner who owns land on the border of a lake or other watercourse has a right to make reasonable use of the water in such lake or watercourse located on or flowing through the owner's land, although this right is subordinate to the public welfare. 3. Not affect the public's use of Lake Erie and other navigable waters of the state. 4. Prevent the rights confirmed under this proposed amendment to the Ohio Constitution from being impaired or limited by the operation of other sections of the Ohio Constitution.

**PASSED 72% - 28%**

## OKLAHOMA

### 4 BALLOT MEASURES (4 passed)

Four measures were on the statewide ballot; all were legislative referenda.

#### 4 Constitutional Amendments Were Referred

##### **State Question 735: Investment/Taxes**

Creates an exemption from personal property tax. The exemption would be for the full amount of taxes due on all household personal property. The exemption would be for the full amount of taxes due on all household personal property. The exemption would apply to certain injured veterans. It would also apply to those veterans' surviving spouses.

**PASSED 85% - 15%**

##### **State Question 741: Investment/Taxes**

This measure amends the Oklahoma Constitution. It would add a new Section 22A to Article 10. This section is related to the property tax system. There are certain types of exemptions from property tax. A person or a business might be required to file an application for an exemption. This section would require a person or a business to file an application the first time in order to have an exemption. A person or a business could not file an application late to obtain an exemption for a prior tax year. The Legislature would be given authority to write laws to implement the provisions of this section.

**PASSED 68% - 32%**

##### **State Question 742: Environment**

This measure adds a new section to the State Constitution. It adds Section 36 to Article 2. It gives all people of this state the right to hunt, trap, fish and take game and fish. Such activities would be subject to reasonable regulation. It allows the Wildlife Conservation Commission to approve methods and procedures for hunting, trapping, fishing and taking of game and fish. It allows for taking game and fish by traditional means. It makes hunting, fishing, and trapping the preferred means to manage certain game and fish. The new law will not affect existing laws relating to property rights.

**PASSED 80% - 20%**

##### **State Question 743: Miscellaneous**

This measure amends Section 3 of Article 28 of the Constitution. It requires a customer to be twenty-one and physically present to purchase wine at a winery, festival or trade show. The measure changes the law to allow certain winemakers to sell directly to retail package stores and restaurants in Oklahoma. The change applies to winemakers who produce up to ten thousand gallons of wine a year. It applies to winemakers in state and out of state. Those winemakers may not also use a licensed

wholesale distributor. They must sell their wine to every retail package store and restaurant in Oklahoma that wants to buy the wine. The sales must be on the same price basis. The sales must be without discrimination. Those winemakers must use their own leased or owned vehicles to distribute their wine. They may not use common or private carriers. If any part of this measure is found to be unconstitutional, no winemaker could sell wine directly to retail package stores or restaurants in Oklahoma.

**PASSED 79% - 21%**

## OREGON

### 12 BALLOT MEASURES (4 passed)

Twelve measures were on the statewide ballot.

- Eight were citizen-petitioned initiatives.
- Four were legislative referenda.

#### 7 Statutory Initiatives Qualified

##### **Measure 58: Education/Immigration**

*Prohibits teaching public school student in a language other than English for more than two years (exception for teach foreign language to English speakers):* Current law requires instruction in all school subjects (except foreign languages) to be primarily in English; permits instruction more than one language so students whose native language is not English can make early transition to English; requires schools to provide English courses for children unable to profit from classes taught in English. Measure provides that no public school student shall be taught in language other than English for more than two years, with exception for classes teaching foreign language to English-speaking students. Limits “English immersion classes” (not defined) to no more than two years for students whose primary language is not English and who are not capable of being taught in English; after that, students shall be taught exclusively in English. Other provisions.

Proponents: English Immersion Committee

Opponents: Parents and Teachers Know Better, <http://www.parentsandteachersknowbetter.com/>

**FAILED 46% - 54%**

##### **Measure 59: Investment/Taxes**

*Creates an unlimited deduction for federal income taxes on individual taxpayers' Oregon income-tax returns:* Under current law, personal income taxpayers may deduct a limited amount of federal income taxes when calculating their Oregon taxable income (limit generally is \$5500; limit is adjusted yearly for cost-of-living starting in 2008). This measure creates an unlimited deduction for federal income taxes on individual taxpayers' Oregon returns beginning in 2010. Provides “no Oregon taxpayer shall be required to pay to the state, a local government, or other taxing district, an income tax of any kind on money paid to the federal government as federal income taxes.” Deduction applies only to federal income taxes paid on income taxed in Oregon; does not apply to corporate excise/income taxes. Reduces revenue available for state expenditures; provides no replacement funding. Other provisions.

Proponents: Stop the Double Tax

Opponents: Defend Oregon, <http://www.defendoregon.org/>

**FAILED 37% - 63%**

**Measure 60: Economic Security**

*Teacher "classroom performance," not seniority, determines pay raises; "most qualified" teachers retained regardless of seniority:* Local Public school district boards currently fix salaries, and retention and other contract terms of employment for teachers within their respective districts, subject to state laws regarding collective bargaining, merit, competence, licensure and the Accountability for Schools for the 21<sup>st</sup> Century Law. Measure eliminates seniority as criterion for pay raises and requires that pay raises for teacher be based solely on that teacher's "classroom performance" (undefined); provides that if a school district reduces teaching staff, the district must retain the "most qualified" teacher, identified by "past classroom experience successfully teaching the specific subject" and academic training that subject. Measure supersedes any conflicting law or policy, but applies only to teacher contract extensions and new contracts made after the effective date of measure. Other provisions.

Proponents: Preserve our Best Teachers

Opponents: Parents and Teachers Know Better, <http://www.parentsandteachersknowbetter.com/>

**FAILED 40% - 60%**

**Measure 61: Criminal Justice**

*Creates mandatory minimum prison sentences for certain theft, identity theft, forgery, drug, and burglary crimes:* Measure creates mandatory minimum prison sentences for specified crimes for which current law does not require mandatory minimums. Requires 36-month minimums for identity theft, first degree burglary, and Class A felony manufacture/delivery of methamphetamine, heroin, cocaine, or methylenedioxymethamphetamine; 30-month minimums for Class B felony manufacture/delivery of same specified controlled substances. For offenders with one or more prior felony convictions, or two or more prior misdemeanor convictions, measure requires 18-month minimums for first degree forgery, motor vehicle theft; 14-month minimums for first degree theft, second degree burglary. Prohibits reductions in sentences required by measure. Sentences must be served in state prisons, not in county jails. State must reimburse counties for pretrial incarceration costs for persons sentenced under measure. Other provisions.

Proponents: Oregonians for Safe Neighborhoods

Opponents: Defend Oregon, <http://www.defendoregon.org/>

**FAILED 49% - 51%**

**Measure 63: Property Rights**

*Exempts specified property owners from building permit requirements for improvements valued at/under 35,000 dollars:* Current law requires owners of residential real property or farm property to comply with applicable state and local building permit requirements when making improvements to real property. Measure creates exemption for residential real property and farm property owners from applicable state and local building permit requirements for improvements when the total value of improvements made within a calendar year does not exceed 35,000 dollars. Measure requires improvements to comply with applicable setback requirements and height limitations. Requires property owners to disclose improvements made without building permits to prospective buyers. Requires electrical wiring made to improvements covered by measure to be performed or approved by licensed electrical contractor. Amount of exemption increases annually to adjust for inflation. Measure supersedes conflicting state and local laws. Other provisions.

Proponents: Oregon Homeowners Association PAC

Opponents: Defend Oregon, <http://www.defendoregon.org/>

**FAILED 47% - 53%**

**Measure 64: Economic Security**

*Penalizes a person or entity for using funds collected with "public resource" (defined) for "political purpose":* Current law allows individuals, organizations to use money for "political purposes," including money collected with public resources. Measure prohibits individuals, organizations, other entities from using money for "political purposes" if "public resources" were used in collecting it. "Money" includes in-kind contributions, independent expenditures, pass-through contributions. "Public resources" include money, public employee work time, buildings, equipment, supplies, unless used for conducting elections, issuing official voters' pamphlet. "Used for a political purpose" means: contributed to a candidate, political committee, political party, initiative/referendum committee; spent supporting opposing candidate, ballot measure, gathering signatures for proposed measure, petition; excludes lobbying an elected official. Mandates civil penalty, bars government from collecting money for entity that uses such money for "political purpose" or commingles it with "political" money. Other provisions. Proponents: Bans Public Money for Politics Committee

Opponents: Don't Silence Our Voice: No on Measure 64, <http://www.dontsilenceourvoice.com/>

**FAILED 49% - 51%**

**Measure 65: Election Reform**

*Changes partisan primaries: primary ballots contain all candidates; top two candidates proceed to general election:* Currently, major parties nominate candidates to general election through party primaries; minor parties, independents nominate candidates directly to the general election. Multiple candidates for office may appear on general election ballot. Measure changes those nomination processes for most partisan offices, including United States Senator; Congressional Representative; Governor; Secretary of State; State Treasurer; Attorney General; State Senator; State Representative; any state, county, city, district office that is not partisan/for which law authorizes political party nominations to general election. Primary ballots contain all prospective candidates; elector may vote for candidate regardless of elector's, candidate's party affiliation. Only top two candidates in primary compete in general election. Primary, general election ballots must contain candidates' party registration, endorsements. Eligible person, regardless of party affiliation, may fill vacancy. Other provisions.

Proponents: One Ballot, <http://www.oneballot.com/>

Opponents: Oregonians Against Unfair Elections, <http://www.voteno65.org/>

**FAILED 34% - 66%**

1 Constitutional Amendment Qualified**Measure 62: Criminal Justice**

*Allocates 15% of lottery proceeds to the Public Safety Fund for Crime Prevention, investigation, prosecution.* Amends constitution: Constitution currently apportions lottery proceeds to create jobs, further economic development, finance public education. In addition to those uses, measure requires 15% of net lottery proceeds deposited in public safety fund. 50% of fund moneys are distributed to counties for grants for the following: 20% for early childhood programs for at-risk children, 15% to supplement district attorney operations; 15% to county sheriffs' investigation, field operations. Allocates grants to county under formula: 30% divided equally on per-county basis, 70% divided on population basis. Measure dedicates 50% of proceeds to state police criminal investigation, forensic operations. Measure prohibits legislature from limiting expenditures from fund. Funds to prosecution, sheriffs not a substitute to existing funds. Other provisions.

Proponents: Oregon Anti-Crime Alliance PAC

Opponents: Defend Oregon, <http://www.defendoregon.org/>

**FAILED 41% - 59%**

### 3 Constitutional Amendments Were Referred

#### **Measure 54: Administration of Government**

*Amends constitution: standardizes voting eligibility for school board elections with other state and local elections:* Amends Oregon Constitution. The Oregon Constitution requires voters in school district elections to be 21 years of age and residents in the school district for six months. It also requires voters to pass a literacy test to vote in school district elections. This measure would eliminate these school district voter eligibility requirements because they are unenforceable under the United States Constitution and federal law. Voters in school district elections would still have to satisfy all other voter eligibility requirements for local, state and federal elections in Oregon. This measure would “clean up” the Oregon Constitution by deleting outdated and unenforceable language.

**PASSED 73% - 27%**

#### **Measure 55: Election Reform**

*Amends constitution: changes operative date of redistricting plans; allows affected legislators to finish term in original district:* Amends Oregon Constitution. Reapportionment, commonly called “redistricting” in Oregon, changes the lines of Oregon’s state Representative and state Senator districts every 10 years, based on results of the U.S. census. The next census is scheduled for 2010, with redistricting to be done in 2011. Currently, when a redistricting plan takes effect, and more than one Representative or Senator resides in the new district, one of the Representatives or Senators is assigned, temporarily, to another district. For example, in 2001 a Eugene Representative was assigned to represent a district in central Oregon. This measure would allow Representatives and Senators to continue to represent the districts from which they were elected for their full terms, with the new redistricting going into effect after the next general election.

**PASSED 77% - 23%**

#### **Measure 56: Taxes/Investment**

*Amends constitution: provides that May and November tax elections are decided by majority of voters voting:* Current law requires that 50 percent of voters participate in an election (except general elections in even-numbered years) in order to pass local property tax measures to raise money for schools, police, libraries, parks or other local government services. This means that non-votes have the effect of a “no” vote where less than 50 percent of qualified voters participate. All other elections are determined by a majority of those who vote, with no voter turnout requirements. This measure eliminates the voter turnout requirement for local property tax elections held in May and November. As a result, for such elections, measures to raise money for schools, police, libraries, parks or other local government services become law when approved by a majority of those voting.

Proponents: Defend Oregon, <http://www.defendoregon.org/>

**PASSED 55% - 45%**

### 1 Statutory Initiative Was Referred

#### **Measure 57: Criminal Justice**

*Increases sentences for drug trafficking, theft against elderly, and specified repeat property and identity theft crimes; requires addiction treatment for certain offenders:* This measure increases prison sentences for specified drug and property crimes as follows: Trafficking of methamphetamine, heroin, “ecstasy,” or

cocaine: 34 - 130 months, depending on the quantity of drugs and criminal history; Aggravated theft of over \$10,000 where victim is elderly: 16 - 45 months, depending on criminal history; Repeat offenses of identity theft, burglary, theft, robbery, mail theft, car theft, forgery, criminal mischief, credit card and check fraud: 18 - 30 months or 24 - 36 months, depending on seriousness of crime and number of past convictions. This measure also requires treatment for certain addicted offenders at risk of reoffending; imposes sanctions for those who refuse treatment. Limits court's ability to reduce sentences. Provides grants to counties for operation of local jails, treatment services, intensive supervision and drug courts. If this measure passes with more votes than other specified measure on this ballot to impose minimum sentences for listed crimes, this measure controls and other measure will have no effect. If this measure passes with fewer votes than other specified measure on this ballot to impose minimum sentences for listed crimes, this measure will have no effect.

Proponents: The Better Way to Fight Crime Committee, <http://www.betterwaytofightcrime.com/>

Opponents: No Committee Identified

**PASSED 61% - 39%**

## PENNSYLVANIA

### 1 BALLOT MEASURE (1 passed)

Pennsylvania is a non-initiative state; the measure on the statewide ballot was a legislative referendum.

#### 1 Bond Was Referred

##### **Ballot Question: Bond**

*Water and Sewer Improvements Bond Referendum:* Do you favor the incurring of indebtedness by the Commonwealth of \$400,000,000 for grants and loans to municipalities and public utilities for the cost of all labor, materials, necessary operational machinery and equipment, lands, property, rights and easements, plans and specifications, surveys, estimates of costs and revenues, prefeasibility studies, engineering and legal services and all other expenses necessary or incident to the acquisition, construction, improvement, expansion, extension, repair or rehabilitation of all or part of drinking water system, storm water, nonpoint source projects, nutrient credits and wastewater treatment system projects?

**PASSED 62% - 38%**

## RHODE ISLAND

### 2 BALLOT MEASURES (2 passed)

Rhode Island is a non-initiative state; both measures on the statewide ballot were legislative referenda.

#### 2 Constitutional Amendments Were Referred

##### **Question 1: Transportation**

*Transportation Bonds \$87,215,000 (Chapter 100 - Public Laws 2008):* Approval of this question will authorize the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed \$80,000,000 to match federal funds and provide direct funding for

improvements to the state's highways, roads and bridges; \$3,570,000 to provide funding for commuter rail, and \$3,645,000 to purchase and/or rehabilitate buses for the Rhode Island Public Transit Authority's bus fleet.

**PASSED 77% - 23%**

**Question 2: Environment**

*Open Space and Recreational Development Bonds \$2,500,000 (Chapters 378/469 - Public Laws 2008):*  
Approval of this question will authorize the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed \$2,500,000 to be used by the Department of Environmental Management to purchase or otherwise permanently protect through the purchase of the title, development rights, conservation easements and public recreation easements, greenways and other open space, recreation lands, agriculture lands, forested lands and state parks.

**PASSED 68% - 32%**

**SOUTH CAROLINA**  
3 BALLOT MEASURES (1 passed)

South Carolina is a non-initiative state; three measures on the statewide ballot were legislative referenda.

3 Constitutional Amendments Were Referred

**Question 1: Criminal Justice**

Must Section 33, Article III of the Constitution of this State be amended so as to delete the provision that no unmarried woman shall legally consent to sexual intercourse who shall not have attained the age of fourteen years?

**PASSED 52% - 48%**

**Question 2: Investment/Taxes**

Must Section 16, Article X of the Constitution of this State relating to benefits and funding of public employee pension plans in this State and the investments allowed for funds of the various state-operated retirement systems be amended so as to provide that the funds of any trust fund established by law for the funding of post-employment benefits for state employees and public school teachers may be invested and reinvested in equity securities subject to the same limitations on such investments applicable for the funds of the various state-operated retirement systems?

**FAILED 42% - 58%**

**Question 3: Investment/Taxes**

Must Section 16, Article X of the Constitution of this State relating to benefits and funding of public employee pension plans in this State and the investments allowed for funds of the various state-operated retirement systems be amended so as to provide that the funds of any political subdivision of this State that have been set aside for the funding of post-employment benefits for the political subdivision's employees, including those invested in independent trusts established for that purpose, may be invested or reinvested in equity securities of the type permitted for investment by the various state operated retirement systems, as provided for by the General Assembly?

**FAILED 44% - 56%**

## SOUTH DAKOTA

### 7 BALLOT MEASURES (1 passed)

Seven ballot measures were on the statewide ballot.

- Three measures were citizen-petitioned initiatives.
  - Four were legislative referenda.

#### 2 Constitutional Amendments Qualified

##### **Measure 9: Administration of Government**

*An Initiative to make certain securities practices and transactions unlawful:* State and federal law regulates the purchase and sale of stocks and other securities. A common “stock market” transaction is a “short sale” where, for example, an investor who believes a publicly traded stock is over-priced will borrow that stock from an owner, sell the borrowed stock, and repurchase the stock later at a lower price to repay the loan, thereby making money if the price has fallen. If the price goes up, the investor must repurchase the stock at the higher price to repay the loan, and will lose money. Measure 9 would prohibit short sales. State law currently does not regulate the time frame for the delivery of securities upon sale. Measure 9 would prohibit anyone from routinely taking longer than three business days to deliver securities they have sold. If adopted, Measure 9 will likely be challenged in court and may be declared to be preempted by federal law and the United States Constitution.

Proponents: Vote Yes on 9, <http://www.voteyes9.com/measure9.php>

Opponents: No Committee Identified

**FAILED 43% - 57%**

##### **Measure 10: Economic Security**

*An Initiative to prohibit tax revenues from being used for lobbying or campaigning, to prohibit governmental bodies from lobbying, to prohibit government contractors from making campaign contributions, to prohibit government contracts when the contractor employs a legislator or legislative staff member, and to require contracts with governmental bodies to be published:* State law prohibits the acceptance of campaign contributions from all government and tribal entities, expenditure of public funds to support or oppose ballot measures, and certain state and county contracts which financially benefit legislators. Measure 10 would prohibit state and local governments, their officers, employees, independent contractors, consultants and candidates, from using government revenues or resources for campaigning or lobbying. Some communications and appearances before legislators and public bodies are exempted. It would prohibit persons who employ legislators or recent legislators from obtaining government contracts. It would prohibit, until two years after contract termination: some public officers, candidates and their agents from soliciting, accepting or directing contributions from some holders of competitively bid government contracts and their family members; and no-bid government contract holders, their officers, employees, agents, vendors and family members from making contributions to, or independent expenditures for, all candidate campaigns. The Secretary of State would be required to summarize government contracts over \$500 on its website. If approved, all or part of Measure 10 will likely be challenged in court and may be declared to be in violation of the United States Constitution. If so, the State may be required to pay attorney fees and costs.

Proponents: South Dakotans for Open and Clean Government, <http://cleanupsd.com/>

Opponents: No on 10 Committee, <http://www.voteno.org/>

**FAILED 35% - 65%**

## 1 Statutory Initiative Qualified

### **Measure 11: Reproductive Freedom**

*An Initiative to prohibit abortions except in cases where the mother's life or health is at a substantial and irreversible risk, and in cases of reported rape and incest:* Currently a woman may obtain an abortion during the first 24 weeks of pregnancy. Beyond 24 weeks, abortions may be performed only if necessary to preserve the life or health of the woman. Measure 11 would prohibit all abortions performed by medical procedures or substances administered to terminate a pregnancy, except for: abortions medically necessary to prevent death or the serious risk of substantial and irreversible impairment of a major bodily organ or system of the woman; and abortions to terminate a pregnancy of less than 20 weeks resulting from rape or incest reported to law enforcement. When an abortion is performed as a result of reported rape or incest, the woman must consent to biological sampling from herself and the embryo or fetus for DNA testing by law enforcement. Measure 11 would allow the provision of contraception substances prior to the time pregnancy can be determined by conventional medical testing, or assistance in obtaining abortions in states where the procedure is legal. If approved, Measure 11 will likely be challenged in court and may be declared to be in violation of the United States Constitution. The State may be required to pay attorneys fees and costs.

Proponents: Vote Yes For Life, <http://www.VoteYesForLife.com>

Opponents: South Dakota Healthy Families, <http://www.sdhealthyfamilies.org>

**FAILED 45% - 55%**

## 4 Constitutional Amendments Were Referred

### **Constitutional Amendment G: Administration of Government**

*An Amendment to the South Dakota Constitution, to repeal certain reimbursement restrictions for travel by legislators to and from a legislative session:* The Constitution fixes the mileage reimbursement rate for legislators at five cents per mile for their travel to and from a legislative session. Constitutional Amendment G would repeal this constitutional limitation.

**FAILED 41% - 59%**

### **Constitutional Amendment H: Economic Security**

*An Amendment to the South Dakota Constitution, to repeal certain provisions relating to corporations:* The Constitution limits "corporations" to business entities with powers or privileges not possessed by individuals or partnerships. The Constitution also requires the payment of money, property or labor for issuance of corporate stock and bonds; prohibits the increase of corporate stock and debt without consent of stockholders holding a larger value of stock first obtained; and protects cumulative voting rights of stockholders. Constitutional Amendment H would repeal the above provisions and permit a 2008 Legislative Session bill (HB 1139) to become law. The new law would allow a corporation to restrict cumulative voting and to issue corporate stock for any consideration determined to be adequate by its board of directors.

**FAILED 31% - 69%**

### **Constitutional Amendment I: Administration of Government**

*An Amendment to the South Dakota Constitution, to provide for a maximum of forty legislative days each year:* The Constitution limits the length of regular legislative sessions held during odd-numbered years to no more than forty legislative days, and those held during even-numbered years to no more

than thirty-five legislative days. Constitutional Amendment I would set all regular legislative sessions at a maximum of forty legislative days.

**PASSED 52% - 48%**

**Constitutional Amendment J: Election Reform**

*An Amendment to the South Dakota Constitution, to eliminate term limits for legislators:* The Constitution establishes term limits for legislators. No legislator may serve in the state house of representatives or the state senate for more than four consecutive terms, or a total of eight consecutive years. Constitutional Amendment J would repeal legislator term limits.

**FAILED 24% - 76%**

**UTAH**  
**5 BALLOT MEASURES (4 passed)**

Five ballot measures were on the statewide ballot; all were legislative referenda.

5 Constitutional Amendments Were Referred

**Amendment A: Administration of Government**

*H.J.R. 4 Resolution Revising Executive Officer Succession Provisions:* Shall the Utah Constitution be amended to: modify and clarify how a vacancy in the office of Governor is filled; define when a vacancy occurs in the offices of Governor and Lieutenant Governor; modify the term of office of a person filling a vacancy in the office of Governor or Lieutenant Governor; modify and clarify the exercise of the powers of Governor when the Governor is temporarily disabled; modify and clarify how the disability of a Governor is determined; modify how a vacancy in the office of Lieutenant Governor is filled; and establish a process for determining the disability of a Lieutenant Governor?

**PASSED 76% - 24%**

**Amendment B: Investment/Taxes**

*S.J.R. 2 Resolution Regarding Permanent State Trust Fund:* Shall the Utah Constitution be amended to allow a permanent state trust fund to include money or other assets given to the trust fund under any provision of law?

**PASSED 66% - 34%**

**Amendment C: Administration of Government**

*S.J.R. 12 Resolution Amending Utah Constitution:* Shall the Utah Constitution be amended to: change the start of the Legislature's annual general session from the third Monday in January to the fourth Monday in January; and exclude federal holidays from the calculation of the 45-day limit on annual general sessions of the Legislature?

**PASSED 71% - 29%**

**Amendment D: Administration of Government**

*S.J.R. 5 (2008 General Session) Joint Resolution Amending Legislative Appointment:* Shall the Utah Constitution be amended to clarify that the time when the Legislature is required to divide the state into congressional, legislative, and other districts is no later than the annual general session following the Legislature's receipt of the federal census results?

**PASSED 78% - 22%**

**Amendment E: Bond**

5. H.J.R. 12 (2008 General Session) Joint Resolution Amending The Utah Constitution- Stock and Bond Subscriptions: Shall the Utah Constitution be amended to authorize the state to invest money in the newly issued stock or bonds of private companies if the money comes from the State School Fund or from land granted to the state by the federal government, as an exception to a general rule prohibiting those investments?

**FAILED 44% - 56%**

**WASHINGTON**  
3 BALLOT MEASURES (2 passed)

Three ballot measures were on the statewide ballot; all were citizen-petitioned initiatives.

3 Statutory Initiatives Qualified

**Initiative Measure 985: Transportation**

*Transportation:* This measure would open high-occupancy vehicle lanes to all traffic during specified hours, require traffic light synchronization, increase roadside assistance funding, and dedicate certain taxes, fines, tolls and other revenues to traffic-flow purposes.

Proponents: Voters Want More Choices, <http://permanent-offense.org/>

Opponents: No on I-985, <http://www.no985.org/>

**FAILED 40% - 60%**

**Initiative Measure 1000: Health Care**

*Allowing Certain Terminally Ill Competent Adults to Obtain Lethal Prescriptions:* This measure would permit terminally ill, competent, adult Washington residents, who are medically predicted to have six months or less to live, to request and self-administer lethal medication prescribed by a physician.

Proponents: Yes! On I-1000, <http://www.yeson1000.org/>

Opponents: The Coalition Against Assisted Suicide, <http://noassistedsuicide.com/>

**PASSED 59% - 41%**

**Initiative Measure 1029: Health Care**

*Long-Term Care Workers for the Elderly or Persons with Disabilities:* This measure would require long-term care workers to be certified as home care aides based on an examination, with exceptions; increase training and criminal background check requirements; and establish disciplinary standards and procedures.

Proponents: Yes on 1029, <http://www.yeson1029.org/>

Opponents: Community Care Coalition of Washington, <http://www.communitycarecoalitionwa.org/>

**PASSED 73% - 27%**

## WYOMING

### 2 BALLOT MEASURES (1 passed)

Two ballot measures were on the statewide ballot; both were legislative referenda.

#### 2 Constitutional Amendments Were Referred

##### **Constitutional Amendment A: Administration of Government**

*Amendment would clarify and modernize the oath of office taken by all elected and appointed officials:*  
This measure would clarify and modernize the oath of office taken by all elected and appointed officials of whom the oath is required. The new oath will be: "I do solemnly swear (or affirm) that I will support, obey and defend the constitution of the United States, and the constitution of the state of Wyoming; that I have not knowingly violated any law related to my election or appointment, or caused it to be done by others; and that I will discharge the duties of my office with fidelity."

**PASSED 75% - 17%**

##### **Constitutional Amendment B: Election Reform**

*Initiative Reform:* This measure would change the requirement for petition signatures for an initiative or referendum. Currently a petition must be signed by at least fifteen percent (15%) of the qualified voters in at least two-thirds (2/3) of the counties, as determined by those who voted in the last general election. This amendment would change the requirement to at least fifteen percent (15%) of the qualified voters in at least two-thirds (2/3) of the senate districts, as determined by those who voted in the last general election.

**FAILED 47% - 40%**