

## Post Election Political Analysis: Interpreting the 2005 Ballot Measure Votes

Commentary by

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### THE MOST IMPORTANT LESSON TO TAKE FROM 2005

The 2005 election delivered a black eye to the conservative agenda and Republican priorities across the country. Whether it was anti-government, anti-civil rights, anti-worker or anti-choice measures, voters let us know that this kind of overreach will not be tolerated. Ballot measures don't take place in a vacuum. Alongside the Democratic gubernatorial victories in Virginia and New Jersey, amidst the backdrop of corruption on the national scene, the initiatives in this off-year point to big headaches for conservatives in 2006.

### DRILL-DOWN ANALYSIS

**Trouble is a-brewing!**

**Protecting basic populist issues such as education and workers rights was more important to voters; choice advocates win big with the "devil in the details" measure; Schwarzenegger gives an unintended lift to unions;**

- A clean sweep against ALL eight ballot initiatives in California spells trouble for Schwarzenegger and the Republican Party's ability to keep the governorship in 2006.
- It is relevant to note that the Teacher Tenure measures (Prop 74) and Tying Workers in Red Tape (Prop 75) had the greatest votes cast of any measure, thus appearing as drivers for turnout, which conflicts with the right-wing perspective and conventional wisdom that the red-meat abortion measure (Prop 73) trumps basic populist issues such as workers rights education. Also noteworthy is the fact that Arnold's signature spending measure (Prop 76) failed by 24 points.
- National observers shouldn't forget the fine print of Prop 73 and why it's defeat was so important: although sold by conservatives as a reasonable family-rights issue, Prop 73 was a direct assault on reproductive freedom because it included language that would have redefined abortion as the taking of a human life, opening the door to other interference with medicine, health-care decision making, and assisted reproduction. This defeat is a major win for privacy rights and can be wielded shamelessly in the face of the White House, recent high-court nominations, and squeamish Senators.
- One last note for the Right: Be careful what you ask for. With the house of labor in flux, Prop 75 had the unintended effect of sparking new collaboration among progressive organizations in California. Most people don't know what unions do and why they're a linchpin of democracy; that fact, plus unions' own legal obstacles and difficulty communicating with the public makes them an inviting target for the far-right svengalis



(yes, Karl, we mean you). But many community groups scrambled to create or liberally reuse peers' "Vote No" GOTV fliers to send a message to constituencies - a message that was then sent to the Governor. Quite importantly, these included a No-on-75 message. Some of this material was paid for by 501c3 and much of it c4. It worked. It also built bridges and rail beds that are a real foundation of a re-emergent progressive governing coalition for the state.

### **Let's Drown Grover's *Rhetoric* in the Bathtub:**

**When voters understand the value of what they get from government, they vote to protect it**

- The statewide smoking ban passed in Washington, yes, and will get the headlines, but I-912 (the gas tax repeal) is the sleeper worth savoring. A progressive statewide transportation plan, backed by the Governor and savvy lawmakers with a solid campaign that told specific stories about the value of projects to small towns, stood up to the anti-tax maniacs in Washington, and WON. Initiative 912, dressed up as a rollback of gas taxes with refunds to the supposedly government-hating citizenry, was supposed to pass. But the Right's victory laps lasted only until the votes came in. Seattle and King Counties led the way in voting "no," but the measure lost even in Vancouver and Walla Walla, areas not known for liberal thinking. This campaign is a reminder that, when presented with a compelling narrative that frames the alternatives and spotlights close-to-home benefits of public investment, voters can choose the responsible course.
- Along with the defeat of the spending-cap ballot measures in California that would have cut deeply into public education (Proposition 76) and the 5-year suspension of TABOR's nasty tax-clamps via ballot measure in Colorado on Nov. 1, this victory for honest and responsible government and investments in the states' real priorities pours a full tub of cold water all over Grover Norquist.
- Colorado especially should give Grover and Co. pause. The fact that the only state that actually has to live under TABOR just voted to suspend it should send a clear message to politicians in other states where TABOR will be placed on the ballot. This issue isn't a slam dunk and could carry grave political consequences for any out-of-touch officials who back it.
- A stunning 85% of the total bond issuance on the ballot passed in 2005. Worth noting are the huge transportation bonds approved in New York (\$2.9 billion) and Ohio (\$1.85 billion), while Maine approved five separate bond issues for water systems, land conservation, higher education and more, totaling \$83 million. While Bush continues his policy of tax-cuts for the rich, citizens are voting to take care of the needs of their communities. Who else will?

### **On Basic Equality, Americans Stand Firm:**

**Maine's victory in protecting equality shows value of changing the subject**

- Gay marriage is one issue; basic fairness and equality is another. While 19 states have banned same sex marriage, voters continue to uphold laws to prevent discrimination. Maine is responsible for a major win over intolerance in securing a 55%+ "no" vote on Issue 1 to uphold their anti-discrimination law, which had been suspended pending outcome of the vote. Heavy early investment by carpet-bagging Focus on the Family achieved little success in positioning the issue as a marriage referendum in voters' minds. Low-income, community, and local action networks, progressive allies, and people of faith stepped up to support gays and lesbians, running canvass and phone banks that drove home messages about the dangers of bias for Maine's future. Their work produced results: heavy turnout around 40 percent (a happy trend seen nationwide on November 8<sup>th</sup>) and a much-reduced rural vs. urban split from earlier statewide

initiatives on this issue contributed to the win. This is a welcome turnout from very narrow losses (oy, it hurts to remember those long slogs and late election nights) in '98 and '00. There's an infrastructure now to show for it. We have something to hold in our hands - a law - after major investments of time, money, and hard work in the state. And we have clearer outlines of a national blueprint for social justice progress in the face of distortion and wedge politics.

### **Reform Ohio - Not Quite Yet:**

**Election reform is an uphill, long-term battle - but an important one!**

- Historically, election reform measures are one of the toughest issues to pass through the initiative process. We should keep this fact in the front of our minds as we take a close look at the Ohio results.
- Have voters in Ohio been so beaten down by corruption and scandal in their state politics that they simply distrust the political process as a whole, ignoring both campaign's competing messages and simply rejecting all of it? Looks like that's the case. When encountering a set of government-related initiatives, voters used their "no" votes to communicate their frustration with the entire system, just as they did in California.
- Four reforms (with complicated ballot language) is a lot of change to bite off all at once, especially for a detail-driven, procedural issue like elections. Despite the backdrop of Coingate and Republican scandals, voters may have been intimidated by the amount of mechanics being offered them and what those mechanics really entailed.

### **Breaking Even:**

**No gain, no pain; two case studies on the effects of competing measures**

- Strategic note: sometimes helping the other side lose is the best we can do. That is the lesson of offering a competing initiative, which gives voters another way of looking at one issue. Sometimes they'll pass the original, sometimes the competing, and sometimes both. But as in the case of the competing medical malpractice initiatives in Washington, sometimes two initiatives on one issue can simply reduce support for both. When a \$350,000 cap on jury awards was placed on the ballot (I-330), victims' rights groups quickly organized to add a competing measure that would reform the insurance industry and hold bad doctors accountable (I-336). Both were voted down this week, but the I-336 folks weren't all that upset - they achieved their goal of keeping bad policy off the books. The results also demonstrate that voters saw through a deceptive, negative campaign waged by the insurance industry and the Washington State Medical Association, which demonized nurses' unions for daring to oppose I-330.
- The same phenomenon occurred in California, with a twist. When Health Access offered an initiative to force pharmaceutical companies to negotiate discounts for prescription drugs (Prop 79), the pharmaceutical companies designed a toothless competing measure that would make discounts entirely voluntary for themselves - in other words, a policy joke. Then the drug companies proceeded to outspend Health Access by more than \$80 million. That should have been enough to wipe the floor with Health Access *and* pass their own measure. But voters saw through it, and wiped the floor with Big Phrma too. While it's true that PhRMA may indeed have more money than God, \$80 million spent on fighting the good guys in California is \$80 million less trying to stop real prescription drug reform in other states.