



# 2010 Ballot Propositions

By John G. Matusaka

*Voters decided 184 ballot propositions in 38 states in 2010, approving two-thirds of them. No single issue emerged as a common theme across the country, but individual states featured high-profile battles over marijuana legalization, taxes on millionaires, secret voting in union elections and health care systems. The number of initiatives—new laws brought to the ballot by citizen petition—was only 46 for the year, the lowest annual total for an even-numbered year in a quarter century.*

## Overview

Fueled by the tea party movement, conservative groups won big in elections across the country in November 2010. The conservative surge spilled over to ballot propositions, as progressive measures went down to defeat and many conservative measures were approved. Voters in 37 states decided 184 propositions in 2010 (see Table A). The overall number was up from 174 in 2008, but below the 226 decided in 2006. The number of citizen-initiated proposals was at its lowest level since 1986. Voters approved 65 percent of the measures in 2010, roughly consistent with historical averages.

The 2010 propositions reached the ballot in several different ways. Forty-six were *initiatives*, new laws proposed by citizen groups and qualified for the ballot by petition. Four *referendums*, proposals to repeal existing laws, also qualified by petition.<sup>1</sup> Initiatives and referendums come to the ballot when citizen groups become dissatisfied with the status quo and seek to change existing laws by a direct appeal to voters. Voters approved 43 percent of initiatives, roughly the historical average, and three of the four referendums.

Four propositions gave voters the option to call a constitutional convention, as required by state constitutions, all of which were rejected. The other 130 propositions were *legislative measures*, placed on the ballot by a state's legislature. As usual, most of the measures that went before the voters originated in the legislature, and as usual, most were approved (75 percent for the year). Most legislative measures were constitutional amendments—every state but Delaware requires voter approval to amend the constitution—while 17 were bond measures and a few concerned statutory matters.

## Initiative Trends

One of the more intriguing stories this year was the relative scarcity of initiatives. Citizen-initiated laws usually attract the most money and the most

attention, and propose the boldest policies. Initiatives are the poster child for direct democracy, and in the eyes of advocates and opponents, encapsulate all of the promises and perils of popular lawmaking. South Dakota in 1898 was the first state to adopt the process. Mississippi was the latest adopter in 1992, bringing the total number of states that allow initiatives to 24.<sup>2</sup>

The 46 initiatives in 2010 is the lowest since 1986, when 42 initiatives were on ballots nationwide. The 2010 total is well below the annual average of 60 since the modern initiative movement began in 1978 with California's tax-cutting Proposition 13, and less than half of the record 93 on the ballot in 1996.

The reason for the waning of the initiative process is unclear. Initiatives may have been a casualty of the economic and financial crisis, as citizens found they had more pressing concerns to deal with than enact new laws. However, initiative activity did not decline during other troubled economic times, such as the 2001 or the 1990–91 recessions, and initiative activity exploded during the Great Depression (with 69 on the ballot in 1932). A fair amount of recent activity has been in response to court rulings, such as initiatives banning same-sex marriage or restricting the use of eminent domain. One reason for the decline in initiative activity may be the absence of similar catalyzing court rulings in the last few years.

It remains to be seen if the decline in initiative activity in 2010 signals an end to the epic wave of initiatives that began in the late 1970s. Figure A shows the number of initiatives by decade, beginning in 1904 when the first initiatives appeared in Oregon. Initiatives were used extensively in the 1920s, 1930s and 1940s. Much of that activity arose from tensions between the new urban majorities in many states and the rural interests that controlled the legislatures.<sup>3</sup> Initiative activity trailed off in the middle decades of the century, with only

**BALLOT PROPOSITIONS**

**Table A: State-by-State Totals for 2010**

State	Initiatives	Referendums	Legislative measures	Constitutional convention	Total	Notable issues
Alabama (a).....	...	...	5 (0)	...	5 (0)	Diversion of Alabama Trust Fund
Alaska (b).....	2 (1)	...	3 (2)	...	5 (3)	Sales tax surtax, parental notification for abortion
Arizona (c).....	1 (1)	...	10 (4)	...	11 (5)	Health care system, union elections, medical marijuana
Arkansas.....	...	...	3 (3)	...	3 (3)	Maximum interest rates
California (d).....	11 (4)	...	3 (2)	...	14 (6)	Marijuana legalization, budget rules, redistricting
Colorado.....	6 (0)	...	3 (1)	...	9 (1)	Health care system, property taxes, vehicle taxes
Florida.....	3 (2)	...	4 (2)	...	7 (4)	Land use plans, class sizes, redistricting
Georgia.....	...	...	6 (4)	...	6 (4)	Vehicle registration fees, property taxes
Hawaii.....	...	...	2 (2)	...	2 (2)	Appointment to state board of education
Idaho.....	...	...	4 (4)	...	4 (4)	Debt issues without voter approval
Illinois.....	...	...	1 (1)	...	1 (1)	Recall of governor
Indiana.....	...	...	1 (1)	...	1 (1)	Property tax limits
Iowa.....	...	...	1 (1)	1 (0)	2 (1)	Sales tax for conservation
Kansas.....	...	...	2 (2)	...	2 (2)	Right to own guns
Louisiana (e).....	...	...	12 (10)	...	12 (10)	Property taxes, public retirement system
Maine (f).....	1 (1)	1 (0)	6 (6)	...	8 (7)	Casino, income versus sales tax
Maryland.....	...	...	2 (2)	1 (0)	3 (2)	Constitutional convention, jury trials
Massachusetts.....	3 (1)	...	...	...	3 (1)	Sales taxes, low income housing approval
Michigan.....	...	...	1 (1)	1 (0)	2 (1)	Officeholding by felons, constitutional convention
Missouri (g).....	3 (3)	...	3 (3)	...	6 (6)	Health care system, living space for dogs
Montana.....	3 (3)	...	...	1 (0)	4 (3)	Payday loans, hunting fees
Nebraska (h).....	...	...	3 (2)	...	3 (2)	Economic development
Nevada.....	...	...	4 (0)	...	4 (0)	Courts, eminent domain
New Jersey.....	...	...	1 (1)	...	1 (1)	Public employee funds
New Mexico.....	...	...	9 (6)	...	9 (6)	Bonds
North Carolina.....	...	...	1 (1)	...	1 (1)	Felons holding office of sheriff
North Dakota.....	1 (0)	...	1 (1)	...	2 (1)	State legacy fund, hunting in game preserves
Ohio (i).....	...	...	2 (2)	...	2 (2)	Development bonds
Oklahoma.....	1 (0)	...	10 (9)	...	11 (9)	School spending, term limits, health care system
Oregon (j).....	4 (2)	2 (2)	5 (5)	...	11 (9)	Income and corporate tax increases
Rhode Island.....	...	...	4 (3)	...	4 (3)	State name, bonds
South Carolina.....	...	...	4 (4)	...	4 (4)	Union elections, right to hunt and fish
South Dakota.....	1 (0)	1 (1)	2 (1)	...	4 (2)	Union elections, medical marijuana, smoking ban
Tennessee.....	...	...	1 (1)	...	1 (1)	Right to hunt and fish
Utah.....	...	...	4 (4)	...	4 (4)	Public and union elections
Vermont.....	...	...	1 (1)	...	1 (1)	Voting by 17-year-olds
Virginia.....	...	...	3 (3)	...	3 (3)	Property taxes, rainy day fund
Washington.....	6 (2)	...	3 (2)	...	9 (4)	Tax on millionaires, candy tax, state liquor stores
<b>Total.....</b>	<b>46 (20)</b>	<b>4 (3)</b>	<b>130 (97)</b>	<b>4 (0)</b>	<b>184 (120)</b>	

Source: Initiative & Referendum Institute ([www.iandrinstitute.org](http://www.iandrinstitute.org)).

Note: The table reports the total number of propositions during 2010. Except as noted below, all propositions appeared on the ballot on November 2. The main entry is the number of propositions appearing, and the number approved is in parentheses. A referendum in which the original law is *retained* is considered to have been "approved" (Maine reports in the opposite way on its website).

**Key:**

- (a) Alabama includes one legislative measure from June 1.
- (b) Alaska includes two initiatives from August 24, one of which was approved.
- (c) Arizona includes one legislative measure from May 18 that was approved.

(d) California includes two initiatives (both failed) and three legislative measures (two passed) from June 8.

(e) Louisiana includes two legislative measures from October 2, both of which passed.

(f) Maine includes one referendum (law was repealed) and four legislative measures (all approved) from June 8.

(g) Missouri includes one legislative measure from August 3 that was approved.

(h) Nebraska includes one legislative measure from May 11 that was approved.

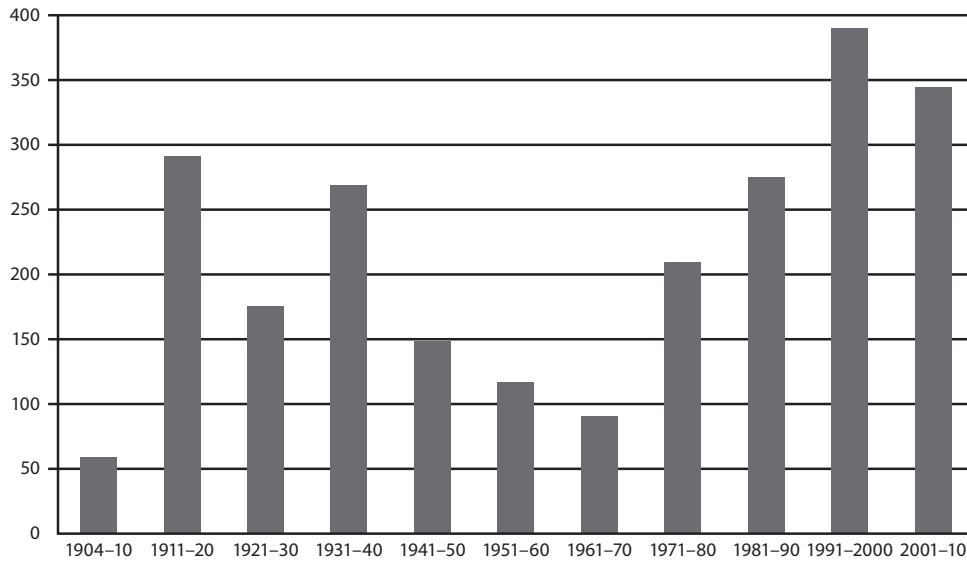
(i) Ohio includes two legislative measures from May 4 that were approved.

(j) Oregon includes two referendums (both laws sustained) from January 26, and two legislative measures (both approved) from May 18.



## BALLOT PROPOSITIONS

**Figure A: Number of Initiatives by Decade**



Source: Initiative & Referendum Institute.

89 measures from 1961 to 1970. Beginning in the late 1970s, initiative use picked up again, following California's Proposition 13 in 1978 that set off a national tax revolt. Each successive decade set a new record for the number of initiatives, peaking with 389 in 1991 to 2000. The 344 initiatives for the decade of 2001 to 2010 is high by historical standards, but down 12 percent from the previous decade. The numbers hint that we may be at the start of a down period for citizen lawmaking.

### Conservative Victories

In contrast to previous election years, 2010 did not see the emergence of a national issue that spread across the states, such as same-sex marriage and eminent domain that dominated ballots in 2004 to 2008. Instead, an array of state-specific issues appeared that addressed real or perceived needs in individual states. Although the issues were promoted by groups across the ideological spectrum, the energized conservative base that flocked to the polls in November gave many of the ballot proposition results a conservative cast. The propositions included such topics as:

*Marijuana legalization.* Marijuana opponents were victorious in three of four contests across the country. California's Proposition 19, which would have legalized marijuana, was one of the highest profile initiatives in 2010. It led in early polls, but ended up failing 53 to 47 percent. The silver lining for marijuana proponents is that support for legalization appears to be growing over time, albeit slowly. The last attempt to legalize marijuana in the Golden State in 1972 failed by a much larger margin, 65 to 35 percent. According to a post-election survey by Greenberg-Quinlan-Rosner, voters favored the idea of legalization 49 to 41 percent, but they appeared to dislike the details of Prop 19—placing regulation in the hands of local government rather than the state, and preventing employers from prohibiting marijuana use by employees unless it “actually impairs” job performance.

South Dakota voters rejected Initiated Measure 13, which would have authorized the use of marijuana for medical purposes. Oregon voters rejected Measure 74, which would have expanded the scope of the state's existing medical marijuana law. The only victory for marijuana proponents came in





## BALLOT PROPOSITIONS

Arizona, where voters narrowly approved—by 5,000 votes out of 1.6 million cast—Proposition 203, which legalized medical marijuana. Before 2010, voters across the country generally had supported medical marijuana at the ballot box, with 12 of 15 medical marijuana measures passing.

*“Soaking the rich.”* Two of the year’s most discussed measures concerned surtaxes on the wealthy. Washington’s I-1098 would have established a state income tax on individuals earning more than \$200,000, with revenue dedicated to supporting public education. Despite prominent support from Bill Gates Sr., (who filmed a “soak the rich” commercial in which he was dunked in a pool of water) and Microsoft founder Bill Gates Jr., the state’s voters rejected the measure 64 to 36 percent. An interesting aspect of the campaign was that prominent business leaders associated with Microsoft took opposing sides, as the initiative’s opponents included Microsoft CEO Steve Ballmer and co-founder Paul Allen. Voters apparently were persuaded by arguments that the tax would drive high-skill workers out of the state, and that once imposed, the income threshold would gradually fall, extending the tax to lower-income individuals.

The debate over I-1098 had overtones of the national discussion over whether the Bush tax cuts should be allowed to expire for high-income individuals. Some of the issues surrounding I-1098 are specific to Washington and may not apply to the Bush tax cuts, but the election results suggest that one should not assume voters are eager to raise revenue by targeting the rich. In January 2010, well before the tea party storm hit, Oregon voters rejected an attempt to repeal an income surtax on individuals earning more than \$250,000.

*Government health care.* Voters in Arizona (Proposition 106), Missouri (Proposition C), and Oklahoma (Question 756) approved ballot measures declaring that individuals and business cannot be required to participate in a government health care system, and that individuals and businesses have a right to privately contract for medical services. These votes were a symbolic rejection of President Obama’s health care plan adopted earlier in the year. Bucking the trend, Colorado (Amendment 63) voters rejected a similar measure.

*Secret votes in union elections.* Voters approved several measures that were targeted at labor unions. Voters in Arizona (Proposition 103), South Carolina (Amendment 2) and Utah (Amendment A) approved propositions requiring secret ballots

for union elections. These measures were intended to block the “card check” system that allows workers to unionize without a secret ballot by signing cards stating support for unionization. It represented another refutation of President Obama, who made approval of a federal card check law a prominent part of his campaign in 2008, although the rejections took place in three states that Obama lost in 2008.

*Affirmative action.* By a 60 to 40 percent margin, Arizona voters approved Proposition 107, which prohibits the state from “giving preferential treatment to or discriminating against any person or group” on the basis of race and ethnicity, effectively banning many forms of affirmative action. The state joins California, Michigan, Nebraska and Washington, which previously approved such measures.

### Other Issues across the Political Spectrum

*Animals.* Propositions relating to animals have been increasingly common, with 13 animal-related initiatives appearing over the past decade. Many of these measures have been promoted by animal rights groups in order to improve the living conditions of farm animals and limit hunting practices. Voters this year approved “pro-animal” Proposition B in Missouri—which established minimum space requirements for dog breeders—but rejected North Dakota’s Initiated Statutory Measure 2, which would have banned hunting in fenced game preserves. Partly in response to the growing success of animal rights activists, hunting and fishing advocates have been seeking to amend their state constitutions to guarantee residents the right to hunt and fish. Voters in Arkansas (Amendment 1), South Carolina (Amendment 1), and Tennessee (Amendment 1) approved such constitutional amendments in 2010, but voters rejected a similar measure in Arizona (Proposition 109).

*Election reform.* Dissatisfaction with the performance of American democracy continued to fuel election reform proposals. With redistricting looming nationwide following the census, California (Proposition 20) created a citizen commission to draw the lines for Congressional districts, Florida (Amendments 5 and 6) prohibited redistricting plans that favored incumbents or particular political parties, and Oklahoma (Question 748) made the state’s redistricting commission bipartisan. California (Proposition 27) declined to abolish its new citizen commission for redistricting the state legislature. Voters were not attracted to the idea of publicly funding campaigns, repealing a public





## BALLOT PROPOSITIONS

funding law in Florida (Amendment 1) and rejecting a California initiative (Proposition 15) that would have established a public funding system for secretary of state. Oklahoma (Question 747) approved term limits for state officers and New Mexico (Amendment 2) rejected a proposal to weaken term limits for county officials. Oklahoma voters approved a law requiring proof of identity to vote (Question 746). Illinois voters approved a constitutional amendment allowing recall of the governor in response to the Rod Blagojevich scandal. And in June, California voters approved a non-partisan top-two primary system (Proposition 13).

*Big spending by big businesses.* The most expensive campaign of the year involved California's Proposition 16 on the June ballot, which would have required approval from two-thirds of voters before public funds could be used to enter the electricity business. The initiative was sponsored by Pacific Gas and Electric Company, the main private electricity supplier for North and Central California, which contributed \$43 million in support. Despite only \$130,000 in formal campaign spending, opponents of Proposition 16 received extensive support from media outlets throughout the state and managed to defeat the initiative 53 to 47 percent.

Another expensive campaign involved California's Proposition 17, which would have allowed car insurance companies to base premiums on a driver's history of insurance coverage, presumably raising rates for drivers that were periodically uninsured and lowering rates for drivers with continuous coverage. Insurance giant Mercury Insurance sponsored the initiative and contributed \$13 million to the campaign in favor. Opponents spent only \$2 million against Proposition 17, but voters rejected the initiative 52 to 48 percent. The outcomes of the Proposition 16 and 17 campaigns support the conventional view that spending against a measure is more potent than spending in favor of a measure, and the uneven spending ratios in the campaigns undercut the claim that special interests can use their deep pockets to buy favorable legislation by outspending opponents.

*Bonds.* Voters decided 17 state-level bond measures in six states in 2010, approving 15 of them that authorized a total of \$2 billion, and rejecting two that would have borrowed \$660 million. In comparison, in 2008 voters approved 14 of 15 bond propositions, authorizing more than \$13 billion. Sponsors pulled a huge water bond measure in California from the ballot before the election

out of concern it would fail. Overall, legislatures seem to have become hesitant about borrowing, perhaps due to huge federal and state deficits that have begun worrying citizens across the country.

*Rhode Island name change.* Voters in Rhode Island rejected by more than a 3-to-1 margin a proposal to change the name of the state from "Rhode Island and the Providence Plantations" to simply "Rhode Island." Proponents of the measure argued the reference to plantations in the name evokes the state's slaveholding past.

*California budget process.* California is one of a small number of states that require a two-thirds vote of the legislature to approve the annual budget. Desperate for a solution to the recurrent nightmare of projected deficits, overdue budgets and state-issued IOUs, voters approved Proposition 25. It repealed the two-thirds rule in the hope that majority rule will restore fiscal sanity. Whether or not it will have that effect is not clear; the state still has in place a two-thirds requirement for tax increases. Voters approved a similar rule for fee increases, creating the possibility the legislature could approve a budget that authorizes spending but not be able to raise the revenue to pay for it.

*Washington liquor stores.* Washington voters rejected two initiatives that would have privatized its state-run retail liquor stores. Both initiatives proposed to replace lost state revenue by imposing a tax on liquor sales, but differed in how they regulated the distribution channel. I-1100, the more "free market" of the two, allowed retailers to purchase alcohol directly from manufacturers, while I-1105 required retailers to purchase through distributors. I-1100 was backed by retailer Costco, while I-1105 was backed by distributors, including Odom Corporation, a partner of the nation's largest liquor distributor.

*Louisiana retirement systems.* Louisiana voters approved a constitutional amendment requiring a supermajority for the legislature to increase benefits in public retirement systems.

*California greenhouse gases.* Proposition 23, an initiative sponsored by two Texas oil companies, proposed to suspend (until the economy improves) a state law passed in 2006 that requires reductions in greenhouse gas emissions, as well as to abandon a number of renewable and clean fuel requirements. The proposition was ahead in early polls, but a flood of money against it—as well as opposition from the current governor and both gubernatorial candidates—turned the tide, leading to a decisive 62 to 38 percent rejection.





## BALLOT PROPOSITIONS

**Table B**  
**COMPLETE LIST OF STATEWIDE BALLOT PROPOSITIONS IN 2010**

<i>State</i>	<i>Type</i>	<i>Result</i>	<i>Short description</i>
<b>Alabama</b>			
Amendment (June 1)	L/CA	Failed 40-60	Assessments on propane gas industry to fund promotion programs.
Amendment 1	L/CA	Failed 45-55	Allows fees for assessment and collection of special property taxes.
Amendment 2	L/CA	Failed 48-52	Allows approval of county school taxes with majority versus 3/5 vote.
Amendment 3	L/CA	Failed 43-57	Allows state trust fund to be used for transportation purposes.
Amendment 4	L/CA	Failed 49.6-50.4	Regulates taxes in Blount County.
<b>Alaska</b>			
Ballot Measure 1 (August 24)	I/ST	Failed 39-61	Prohibits use of public funds and public union funds for campaigns.
Ballot Measure 2 (August 24)	I/ST	Approved 56-44	Requires parental notification before a minor has an abortion.
Ballot Measure 1	L/CA	Failed 40-60	Increases number of state senators and house members.
Bonding Proposition A	L/ST	Approved 62-38	\$600 million bond issue for veterans mortgages.
Bonding Proposition B	L/ST	Approved 59-41	\$397 million bond issue for libraries and education facilities.
<b>Arizona</b>			
Prop 100 (May 18)	L/CA	Approved 64-36	Imposes 3-year 1% sales tax surtax for schools and public health.
Prop 106	L/CA	Approved 55-45	Bans mandatory government health insurance plans. H45
Prop 107	L/CA	Approved 60-40	Bans racial preferences in government.
Prop 109	L/CA	Failed 43-57	Declares a right to hunt and fish.
Prop 110	L/CA	Failed 49.7-50.3	Allows state to dispose of lands in order to protect military facilities.
Prop 111	L/CA	Failed 41-59	Creates office of Lieutenant Governor, eliminates Secretary of State.
Prop 112	L/CA	Failed 49.99-50.01	Requires initiative petitions to be filed longer before election.
Prop 113	L/CA	Approved 60-40	Requires secret ballot for union elections.
Prop 203	I/ST	Approved 50.1-49.9	Allows medical use of marijuana.
Prop 301	L/ST	Failed 26-74	Transfers funds in land conservation fund to state general fund.
Prop 302	L/ST	Failed 30-70	Transfers childhood development funds to state general fund.
<b>Arkansas</b>			
CA 1	L/CA	Approved 83-17	Declares a right to hunt and fish.
CA 2	L/CA	Approved 64-36	Removes maximum rates of interest on government bonds.
CA 3	L/CA	Approved 62-38	Removes limitation on economic development bonds.
<b>California</b>			
Prop 13 (June 8)	L/CA	Approved 85-15	Property tax exemption for seismic retrofitting.
Prop 14 (June 8)	L/CA	Approved 54-46	Establishes top-two primary systems.
Prop 15 (June 8)	L/ST	Failed 43-57	Provides public funding for Secretary of State elections.
Prop 16 (June 8)	I/CA	Failed 47-53	Requires 2/3 vote for local government electricity provision.
Prop 17 (June 8)	I/ST	Failed 48-52	Permits auto insurance premiums based on history of coverage.
Prop 19	I/ST	Failed 47-53	Legalizes marijuana.
Prop 20	I/CA	Approved 61-39	Creates citizen commission for Congressional redistricting.
Prop 21	I/ST	Failed 43-57	Establishes \$18 car tax for state parks.
Prop 22	I/CA	Approved 61-39	Prohibits state from diverted revenue intended for local governments.
Prop 23	I/ST	Failed 38-62	Suspends state greenhouse gas emission laws.
Prop 24	I/ST	Failed 42-58	Repeals recent laws concerning business tax exemptions.
Prop 25	I/CA	Approved 55-45	Allows legislature to pass budget with majority rather than 2/3 vote.
Prop 26	I/CA	Approved 52-48	Requires 2/3 legislative vote for charges, voter approval of local taxes.
Prop 27	I/CA+ST	Failed 41-59	Repeals citizen commission to redistrict state legislature.
<b>Colorado</b>			
Amendment 60	I/CA	Failed 25-75	Allows voters to vote on property taxes where they own property.
Amendment 61	I/CA	Failed 27-73	Prohibits borrowing by state, required voter approval for local debt.
Amendment 62	I/CA	Failed 29-71	Defines a "person" as human from start of biological development.
Amendment 63	I/CA	Failed 47-53	Bans mandatory government health insurance plans.
Amendment P	L/CA	Failed 38-62	Allows General Assembly to regulate gaming.
Amendment Q	L/CA	Approved 58-42	Allows move of capital to Denver in emergency.
Amendment R	L/CA	Failed 38-62	Exempts possessory interest in property from property tax.
Prop 101	I/ST	Failed 32-68	Reduces vehicle fees, cuts income tax.
Prop 102	I/ST	Failed 38-62	Limits eligibility of defendants for pretrial release.
<b>Florida</b>			
Amendment 1	L/CA	Failed 52-481	Repeals public funding of campaigns.
Amendment 2	L/CA	Approved 78-22	Property tax credit for deployed military personnel.
Amendment 4	I/CA	Failed 33-67	Voters must approve land use plans.
Amendment 5	I/CA	Approved 62-38	Sets standards for state redistricting.
Amendment 6	I/CA	Approved 63-37	Sets standards for Congressional redistricting.
Amendment 8	L/CA	Failed 54-461	Increases maximum allowable class sizes.
Referendum 1	L/ST	Approved 72-28	Calls for federal balanced budget amendment.
<b>Georgia</b>			
Amendment 1	L/CA	Approved 68-32	Allows enforcement of contracts with non-compete clauses.
Amendment 2	L/CA	Failed 47-53	\$10 vehicle registration fee for state trauma centers.
Amendment 3	L/CA	Failed 49.9-50.1	Allows multiyear construction agreements by state.
Amendment 4	L/CA	Approved 61-39	Allows multiyear energy efficiency agreements by state.
Amendment 5	L/CA	Approved 64-36	Permits land owners to remove their property from an industrial area.
Referendum A	L/ST	Approved 54-46	Exempts business inventory from property taxes.

See footnotes at end of table.





COMPLETE LIST OF STATEWIDE BALLOT PROPOSITIONS IN 2010—Continued

<i>State</i>	<i>Type</i>	<i>Result</i>	<i>Short description</i>
<b>Hawaii</b>			
(HB 2376)	L/CA	Approved 60-40	Replaces elected with appointed state board of education.
NA	L/CA	Approved 65-35	Removes requirement that state rebate surplus tax revenue.
<b>Idaho</b>			
HJR 4	L/CA	Approved 64-36	Allows public hospitals to incur debt.
HJR 5	L/CA	Approved 53-47	Allows local airports to issue revenue bonds.
HJR 7	L/CA	Approved 57-43	Allows municipal electric utilities to issue revenue bonds.
SJR 101	L/CA	Approved 64-36	Allows University of Idaho to charge tuition, not just fees.
<b>Illinois</b>			
(HJCA 31)	L/CA	Approved 66-34	Allows voters to recall governor.
<b>Indiana</b>			
Public Question 1	L/CA	Approved 72-28	Limits property taxes on homes and other property.
<b>Iowa</b>			
Amendment 1	L/CA	Approved 63-37	Creates conservation program with revenue from new sales taxes.
Constitutional Conv Question	X	Failed 33-67	Calls a constitutional convention.
<b>Kansas</b>			
Amendment 1	L/CA	Approved 88-12	Provides a right to own guns.
Amendment 2	L/CA	Approved 62-38	Prohibits legislature from removing voting rights for mentally ill.
<b>Louisiana</b>			
Amendment 1 (October 2)	L/CA	Approved 63-37	Changes the day the legislature convenes.
Amendment 2 (October 2)	L/CA	Approved 52-48	Civil service for state homeland security office.
Amendment 1	L/CA	Approved 73-27	Limits salary increases for state elected officials.
Amendment 10	L/CA	Approved 55-45	Limits ability of criminal defendants to waive their right to jury trial.
Amendment 2	L/CA	Approved 58-42	Dedicates severance taxes to local governments and conservation.
Amendment 3	L/CA	Approved 65-35	Property tax exemption for veterans and surviving spouses.
Amendment 4	L/CA	Failed 48-52	Limits property tax increases by non-elected governments.
Amendment 5	L/CA	Approved 62-38	Property tax exemption for property damaged in disasters.
Amendment 6	L/CA	Approved 65-35	Requires 2/3 legislative vote to increase public retirement benefits.
Amendment 7	L/CA	Failed 45-55	Authorizes bidder at tax sale to bid down existing 5% tax penalty.
Amendment 8	L/CA	Approved 51-49	Property expropriated as threat to public safety.
Amendment 9	L/CA	Approved 57-43	Workers' compensation and court of appeals.
<b>Maine</b>			
Question 1 (June 8)	R/ST	Approved 61-39	Asks voters to repeal law cutting income tax and increasing sales tax.
Question 2 (June 8)	L/ST	Approved 59-41	\$26.5 million bond issue for energy projects.
Question 3 (June 8)	L/ST	Approved 58-42	\$47.8 million bond issue for highways, railroads, and marine facilities.
Question 4 (June 8)	L/ST	Approved 51-49	\$23.75 million bond issue for R&D.
Question 5 (June 8)	L/ST	Approved 56-44	\$10.25 million bond issue for water projects.
Question 1	I/ST	Approved 50.4-49.6	Authorizes a casino in Oxford County.
Question 2	L/ST	Approved 51-49	\$5 M bond issue for dental care.
Question 3	L/ST	Approved 59-41	\$9.75 M bond issue for land and waterfront conservation.
<b>Maryland</b>			
Question 1	X	Failed 54-462	Calls a constitutional convention.
Question 2	L/CA	Approved 66-34	Allows limits on jury trials for civil trials with small stakes.
Question 3	L/CA	Approved 83-17	Requires certain judges to be practicing lawyers.
<b>Massachusetts</b>			
Question 1	I/ST	Approved 52-48	Removes certain sales taxes on alcohol.
Question 2	I/ST	Failed 42-58	Repeals law that eases zoning rules for low income housing.
Question 3	I/ST	Failed 43-57	Reduces state sales tax from 6.25% to 3%.
<b>Michigan</b>			
Proposal 10-1	X	Failed 33-67	Calls a constitutional convention.
Proposal 10-2	L/CA	Approved 75-25	Bans certain felons from holding elective office.
<b>Missouri</b>			
Proposition C (August 3)	L/ST	Approved 71-29	Prohibits mandatory health insurance.
CA 1	L/CA	Approved 74-26	Requires county assessor to be an elected office.
CA 2	L/CA	Approved 66-34	Property tax exemption for disabled veterans.
CA 3	I/CA	Approved 84-16	Prohibits new taxes on home sales.
Prop A	I/ST	Approved 68-32	Requires voter approval of municipal earnings taxes.
Prop B	I/ST	Approved 52-48	Minimum space requirements for dog breeders.
<b>Montana</b>			
CC-2	X	Failed 41-59	Calls a constitutional convention.
CI-105	I/CA	Approved 73-27	Prohibits new taxes on property sales.
I-161	I/ST	Approved 54-46	Increases nonresident fees for big game and deer hunting.
I-164	I/ST	Approved 72-28	Reduces the maximum interest rate on loans to 36%.

See footnotes at end of table.

## BALLOT PROPOSITIONS

### COMPLETE LIST OF STATEWIDE BALLOT PROPOSITIONS IN 2010—Continued

<i>State</i>	<i>Type</i>	<i>Result</i>	<i>Short description</i>
<b>Nebraska</b>			
Amendment 1 (May 11)	L/CA	Approved 53-47	Allows nonprofits to use revenue bonds.
Amendment 1	L/CA	Approved 51-49	Allows cities to tax for economic development.
Amendment 2	L/CA	Failed 33-67	Abolishes position of state treasurer.
<b>Nevada</b>			
Ballot Question 1	L/CA	Failed 42-58	Allows governor to appoint appellate and supreme court judges.
Ballot Question 2	L/CA	Failed 47-53	Creates an intermediate appellate court.
Ballot Question 3	L/ST	Failed 32-68	Legislature can adjust sales tax without voter approval.
Ballot Question 4	L/CA	Failed 33-67	Allows more uses of eminent domain.
<b>New Jersey</b>			
Public Question	L/CA	Approved 80-20	Prohibits diversion of money for public employee benefits.
<b>New Mexico</b>			
Amendment 1	L/CA	Approved 77-23	Veterans pay resident tuition rates at state colleges.
Amendment 2	L/CA	Failed 17-83	Eases term limits for county officials.
Amendment 3	L/CA	Approved 57-43	Extends eligibility to vote.
Amendment 4	L/CA	Approved 58-42	Property tax exemption for veterans organizations.
Amendment 5	L/CA	Failed 23-77	Allows former legislators to hold civil offices.
Bond Question A	L/ST	Approved 54-46	\$7.8 million bond issue for senior citizen facilities.
Bond Question B	L/ST	Approved 52-48	\$7 million bond issue for libraries.
Bond Question C	L/ST	Approved 61-39	\$5.1 million bond issue for schools.
Bond Question D	L/ST	Failed 49.9-50.1	\$156 million bond issue for higher education.
<b>North Carolina</b>			
Constitutional Amendment	L/CA	Approved 85-15	Prohibits felons from running for county sheriff.
<b>North Dakota</b>			
Constitutional Measure 1	L/CA	Approved 64-36	Creates state fund from oil and gas extraction revenue.
Initiated Statutory Measure 2	I/ST	Failed 43-57	Bans hunting in fenced game preserves.
<b>Ohio</b>			
Issue 1 (May 4)	L/CA	Approved 62-38	\$700 M bond issue for R&D.
Issue 2 (May 4)	L/CA	Approved 68-32	Changes location of Columbus casino.
<b>Oklahoma</b>			
State Question 744	I/CA	Failed 19-81	Increases required education spending.
State Question 746	L/ST	Approved 74-26	Proof of identity required to vote.
State Question 747	L/CA	Approved 70-30	Term limits on statewide officers.
State Question 748	L/CA	Approved 58-42	Makes redistricting commission bipartisan.
State Question 750	L/CA	Approved 50.4-49.6	Lowers initiative signature requirement.
State Question 751	L/CA	Approved 76-24	English declared official language.
State Question 752	L/CA	Approved 63-37	Membership on Judicial Nominating Commission.
State Question 754	L/CA	Failed 37-63	Prohibits mandatory spending amendments.
State Question 755	L/CA	Approved 70-30	Prohibits courts from using international law or Sharia.
State Question 756	L/CA	Approved 65-35	Prohibits mandatory health insurance.
State Question 757	L/CA	Approved 51-49	Increases state reserve fund.
<b>Oregon</b>			
Measure 66 (January 26)	R/ST	Approved 54-46	Asks if voters want to keep tax on wealthy.
Measure 67 (January 26)	R/ST	Approved 54-46	Asks if voters want to keep high corporate taxes.
Measure 68 (May 18)	L/CA	Approved 65-35	Allows state to issue bond for school buildings.
Measure 69 (May 18)	L/CA	Approved 72-28	Allows state to borrow for higher education projects.
Measure 70	L/CA	Approved 84-16	Expands access to veterans' home loan program.
Measure 71	L/CA	Approved 68-32	Requires annual legislative sessions, limits session length.
Measure 72	L/CA	Approved 59-41	Exception from state borrowing limit.
Measure 73	I/ST	Approved 57-43	Increases sentences for sex crimes.
Measure 74	I/ST	Failed 44-56	Establishes medical marijuana supply system.
Measure 75	I/ST	Failed 32-68	Authorizes casino in Multnomah County.
Measure 76	I/CA	Approved 69-31	Continues lottery funding (15%) for parks.
<b>Rhode Island</b>			
Question 1	L/CA	Failed 22-78	Deletes "and Providence Plantations" from state name.
Question 2	L/ST	Approved 55-45	\$61 million bond issue for college buildings.
Question 3	L/ST	Approved 73-27	\$84.7 million bond issue transportation.
Question 4	L/ST	Approved 65-35	\$10 million bond issue for state parks.
<b>South Carolina</b>			
Amendment 1	L/CA	Approved 89-11	Declares a right to hunt and fish.
Amendment 2	L/CA	Approved 86-14	Right to secret ballot in union elections.
Amendment 3	L/CA	Approved 71-29	Increases size of rainy day fund.
Amendment 4	L/CA	Approved 73-27	Requires maintenance of rainy day fund.

See footnotes at end of table.





## BALLOT PROPOSITIONS

### COMPLETE LIST OF STATEWIDE BALLOT PROPOSITIONS IN 2010—Continued

State	Type	Result	Short description
<b>South Dakota</b>			
Constitutional Amendment K	L/CA	Approved 79-21	Right to secret ballot in government/union elections.
Constitutional Amendment L	L/CA	Failed 41-59	Transfers from cement plant trust fund.
Initiated Measure 13	I/ST	Failed 37-63	Allows medical marijuana.
Referred Law 12	R/ST	Approved 64-36	Asks voters to approve smoking ban.
<b>Tennessee</b>			
Constitutional Amendment 1	L/CA	Approved 90-10	Declares a right to hunt and fish.
<b>Utah</b>			
Constitutional Amendment A	L/CA	Approved 60-40	Right to secret ballot in government/union elections.
Constitutional Amendment B	L/CA	Approved 85-15	Residency requirements to hold office.
Constitutional Amendment C	L/CA	Approved 60-40	Creates property tax exemption for nonprofit water suppliers.
Constitutional Amendment D	L/CA	Approved 67-33	Creates a legislative ethics commission to review complaints
<b>Vermont</b>			
Proposal 5	L/CA	Approved 81-19	Allows certain 17-year-olds to vote in primaries.
<b>Virginia</b>			
Ballot Question 1	L/CA	Approved 76-24	Property tax exemption for senior citizens.
Ballot Question 2	L/CA	Approved 82-18	Property tax exemption for disabled veterans.
Ballot Question 3	L/CA	Approved 51-49	Increases size of rainy day fund.
<b>Washington</b>			
HJR 4220	L/CA	Approved 85-15	Allows courts to deny bail.
I-1053	I/ST	Approved 64-36	Reinstates 2/3 requirement for legislative tax increases.
I-1082	I/ST	Failed 41-59	Allows employers to opt out of workers' compensation program.
I-1098	I/ST	Failed 36-64	Establishes a state income tax on wealthy.
I-1100	I/ST	Failed 47-53	Closes state liquor stores.
I-1105	I/ST	Failed 35-65	Closes state liquor stores, regulates distribution.
I-1107	I/ST	Approved 60-40	Ends sales tax on candy.
Referendum Bill 52	L/ST	Failed 46-54	\$505 million bond issue for schools, sales tax on bottled water.
SJR 8225	L/CA	Approved 52-48	Allows state to borrow more.

Source: Initiative & Referendum Institute ([www.iandrinstitute.org](http://www.iandrinstitute.org)).

Note: Unless another date is given, a proposition appeared on the November \_\_ ballot. For referendums, "approved" means that the challenged law was upheld by the voters; "failed" means it was repealed.

Key:

CA — Constitutional amendment  
I — Initiative

L — Legislative measure

R — Referendum

ST — Statute

X — Vote on whether to call constitutional convention, required by constitution

Z — Commission

### Notes

<sup>1</sup>This article uses *referendums* instead of *referenda* as the plural, following the *Oxford English Dictionary* and common practice.

<sup>2</sup>For detailed information on initiative adoption and provisions, see the appendixes of John G. Matsusaka, *For the Many or the Few: The Initiative, Public Policy, and American Democracy* (University of Chicago Press, 2004) and M. Dane Waters, *Initiative and Referendum Almanac* (Carolina Academic Press, 2003).

<sup>3</sup>See Chapter 7 in Matsusaka, *For the Many or the Few* (2004).

### About the Author

**John G. Matsusaka** is the Charles F. Sexton chair in American Enterprise in the Marshall School of Business, Gould School of Law, and Department of Political Science, and president of the Initiative & Referendum Institute, all at the University of Southern California. He is the author of *For the Many or the Few: The Initiative, Public Policy, and American Democracy* (University of Chicago Press, 2004).