Coalitions for victory: the necessity of alliance creation for progressive ballot initiative campaigns

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Coalitions for Victory:
The Necessity of Alliance Creation for
Progressive Ballot Initiative Campaigns

By Julie Bero, American Studies Class of 2008

Mentor: Dr. Margaret McFadden
Dedicated to my grandmother, Denise C. Ivans, who always had more stories to tell.

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In Maine, we have the amazing power as young people to make a difference. It is as easy to run into my state representatives in the supermarket or the local coffee shop, Jorgenson’s, as it is to meet with them at their local office or at the State House in Augusta. I can join a signature gathering campaign sponsored by local college students and I can help count absentee ballots with senior citizens on Election Day. Here in Waterville, politics are accessible. I believe that my opinion counts not only when I vote, but every time I decide to voice my beliefs.

When I told friends from home that I had decided to leave Brooklyn and go to Maine for college, they called me crazy. To city slickers, it’s considered sacrilege to leave New York, but it was even worse to move to the antithesis of the Big Apple: The Country. Besides the snow and subzero temperatures, what was I going to do with my time? “Believe me,” I told them, “I always find something to do.” Did I ever.

Before entering Colby, I had heard about The League of Pissed-Off Voters from various progressive listserves. Now known nationally as The League of Young Voters, their goal is to build a national youth-driven organization dedicated to framing politics in a way that appeals to young people. Using tools such as hip-hop and art, they work to engage 18-35 year olds in the political process. When I arrived at the Colby Activities Fair and heard a fellow New Yorker pumping The Clash from his boom box and talking about voting and political awareness, I knew I had found my “something to do.”

In the autumn of 2005, I became Co-President of the group and dove head-first into my first experience with direct democracy: I campaigned against a law that would repeal civil rights for homosexuals in Maine. The Colby League joined the statewide progressive coalition, Maine Won’t Discriminate, to defeat Question 1 by 55%. It was a
close call and we stayed up until 3 am waiting for the results. I can remember just how thrilled I was to know that all the hard work and dedication that I contributed (including the 400+ Colby students we drove to the polls) had truly made a difference. Since Maine Won’t Discriminate, I have worked on many other candidate and ballot measure campaigns and each time the thrill is just the same because I know we’re building a better Maine. I really couldn’t be happier that I decided to go to college in a state where there is direct democracy.

One of the most important lessons I’ve learned is the power of coalition building. I think that each campaign has been successful because of groups of like-minded people: old and young, unions and local businesses, environmentalists, and religious groups. Had these groups rejected alliances, they would not have successfully conveyed their message to Maine voters. I have been thoroughly impressed by the message-framing and event-planning of each coalition and glad to do my part as a young, civically engaged Mainer (I even have the Maine ID to prove it!).

Ballot initiatives have been my passion since arriving at Colby and when considering thesis topics, I realized that I want to be an expert. I decided to do an in-depth study of the effects of progressive coalitions on ballot initiatives. Before researching this topic, I assumed that progressive coalitions do, in fact, have a positive effect on ballot campaigns and that the creation of such alliances could drastically change the outcome of an election. In beginning my research, I wanted to address three questions: Who is included in these coalitions? What messages do coalitions use to convince voters to support or oppose initiatives and referenda? And do funds determine victory? I believe that the most successful ballot measure campaigns incorporate a strong,
framed message, the participation of diverse progressive organizations, and a sizable budget. Most importantly, I will prove that coalitions using grassroots organizing are particularly successful.¹

This work is particularly exciting because political scientists have done very little research about the contemporary use of the ballot initiative. Because I could not elaborate on the work of others, I decided to start by researching the history of the process and completing three case studies to recognize trends and strategies in ballot initiative campaigns. My case studies include one proposed conservative measure defeated by a progressive coalition; one passed progressive measure supported by a progressive coalition; and one failed progressive measure.

My paper consists of three sections. In the first, I explain the function of ballot measures and discuss why Americans have supported or opposed the use of direct democracy. I will also offer the history of direct democracy. In the second section, I will discuss the current national state of affairs in direct democracy, specifically analyzing recent ballot measures. I will analyze three cases, focusing on information gathered from the news media and personal interviews with campaign organizers. Finally, I will draw conclusions about these three measures and assert implications for the future of direct democracy.

¹ “Grassroots” refers to political activism that starts at the citizen level. This often occurs when a community unites around a local issue. Grassroots organizing is not initiated by the state in any way. Volunteers work with people in their community to spread their message and attain political goals. Historically, grassroots work has focused on voter education and registration, commonly known as “get out the vote.” Other examples of grassroots work include organizing house parties, putting up posters, gathering signatures for a petition or an initiative, organizing demonstrations, or raising small amounts of money for political groups or candidates.
Chapter 1: Process and History

The Ins and Outs of Direct Democracy

Direct democracy is a form of citizen participation whereby constituents, rather than elected representatives, make legislative and bureaucratic decisions by ballot. Direct democracy exists in countries around the world including Israel, Italy, New Zealand, Spain, and Sweden. Current systems of direct democracy are modeled after the Swiss form, the first process enacted. The “Optional Referendum” spread widely throughout Swiss canton governments in the early 1800s and the federal government adopted the process in 1874, calling it “The Veto.”

Eighteenth-century Progressives in the United States modeled American direct democracy on this early Swiss practice. In the United States today, there are two prominent forms of citizen participation: the ballot initiative and the popular referendum.

An American ballot initiative, or citizen’s initiative, is a piece of legislation supported by petition by registered voters, which can place the proposed law on the ballot. The petition can be a statute, constitutional amendment, or statement for a legislative body to consider. A statute and constitutional amendment differ in that a state legislative body can more easily overturn a statute than an amendment. To place a question on the ballot, citizen groups must collect thousands of signatures of support from registered voters. The number of signatures varies by state and each year the secretary of state’s office determines the required number by an equation that often involves the total number of votes cast in a prior gubernatorial election. In Maine, for example, this number is calculated, as per the state constitution, as ten percent of the total votes cast in the most

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recent gubernatorial race.  

Many times community organizations will form a coalition to work on a ballot initiative, to garner support or organize opposition to a measure. In the 2006 Arizona election, citizens proposed and passed Proposition 201, a ballot initiative to prohibit smoking in many public places and to increase the tax on cigarettes. The “Smoke-Free Arizona Act” was supported by a coalition of more than 100 community, health, and business organizations including the American Cancer Society, American Heart Association, and American Lung Association.

The second form of direct democracy is the popular referendum. This is a direct vote in which a legislative body asks its constituents to approve or reject a proposal. This process includes the adoption of a new law, constitution, or constitutional amendment. In November 2008, the State Legislature of Oregon will ask voters to decide whether or not they want to allow same-sex domestic partnerships. In place of a citizens’ group, the House Committee on Elections, Ethics, and Rules proposed the bill, HB 2007. A referendum can even propose the recall of an elected official, which happened to California Governor Gray Davis in 2003. Although voters elected Davis to a second term as Governor in 2002, constituent anger arose about a failing California economy, a budget shortfall of $38 billion, and Davis’ alleged mishandling of California’s 2000 electricity crisis. On October 7, 2003, California voters recalled Davis with 55.4% of the

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votes in favor of the recall, and later replaced him with Arnold Schwarzenegger.\(^8\)

Proponents believe that without direct democracy, elected officials have too much power. They think that by proposing ballot measures, citizens are given the opportunity to make policy in their communities that politicians might otherwise be unwilling to address. Often an issue will divide the constituency of an elected official and that politician may avoid addressing the subject in fear of losing support. Due to direct democracy, a citizen can propose an initiative to create change, even if their opinion is in the minority. In 2006, this occurred in Massachusetts, when voters passed a nonbinding ballot measure that called on President George W. Bush and the United States Congress to end the war in Iraq and immediately bring the troops home. A nonbinding resolution does not enact legislation or force representatives to take action, and although the measure did not make substantive change, it allowed constituents to send a message to their elected officials. Paul Shannon, employed by the American Friends Service Committee to coordinate the effort, said that the bill was important because even though the majority of Massachusetts residents oppose the war, the media does not recognize that belief because pundits refuse to address the issue.\(^9\) Ballot initiatives have the potential make governments accountable to their citizens because measures force politicians to comment on important issues.

Many political scientists assent that direct democracy encourages open and educated discourse among voters and increases voter turnout. As Caroline Tolbert writes, when proponents of direct democracy believe that when faced by important policy issues, “[voters will] begin to assume the stature of a man, to become a sovereign in fact as well


Regrettably an overwhelming amount of media coverage and advertisements in presidential election years discourage voters from the polls because they do not feel as knowledgeable enough about the issues and/or candidates. As a result, turnout decreases. However, decreased information saturation in mid-year elections, promotes higher voter turnout. Decreased information most often does not eliminate advertising and door-knocking, but rather the amount of campaigning becomes manageable and voters feel capable of making an informed decision.

Although too much information can overwhelm voters, studies prove that initiatives can increase voter turnout. When initiatives are consistently on the ballot, voters become increasingly aware of and comfortable with the process. Political scientist Caroline Tolbert confirmed that the presence and frequency of ballot initiatives increase the number of voters. In fact, her study revealed that each question on the ballot increases the likelihood that a citizen will turn out by one percent.11 States with multiple ballot initiatives have roughly a four percent turnout increase in presidential elections and roughly eight percent in midterm elections.12 Proponents contend that ballot measures are necessary because they empower a greater number of citizens.

Critics of initiatives and referenda believe that the process affords too much power to an undereducated public. Political scientist Robert M. Alexander writes that opponents worry that “[voters] may be led astray by slick advertisements or bumper stickers.”13 Concerned pundits claim that it is not constituents, but special interest groups,
that propose legislation. For example, out of state interest groups often support the issue of regulatory takings, which allows the government to regulate zoning laws to such an extreme that the state essentially exercises eminent domain without divesting the property’s owner from the title to their land. The burden of proof then falls onto the property owner to prove to a court that the land has lost all economic value. This has been especially appealing to business owners that convince state agencies to rezone residential and environmentally protected areas. In Idaho in 2006, the group This House is My Home proposed a regulatory takings measure and received financial backing from Fund for Democracy, a New York special interest group. Five months before the election, Fund for Democracy had already raised $237,000 in support of Proposition 2. The progressive coalition Neighbors Protecting Idaho who convinced 76% of voters to resoundingly reject Proposition 2 had to fight an organization with out-of-state funds, which made their work more difficult. This House is My Home touted big city donors such as Americans for Limited Government and Premiere Merchant Services, whereas Neighbors Protecting Idaho raised money locally from in-state organizations such as Idaho Power and the Conservation Voters for Idaho. Due to the fact that Neighbors Protecting Idaho was an in-state coalition, which means that they had the power to campaign locally, convincing their friends and neighbors that Proposition 2 was a bad idea for Idaho.

Adversaries of ballot measures also worry that citizen groups will have too great an influence on voting choices. These groups include business and economic groups, trade unions, and spiritual institutions. The sway of such organizations has been noticed in the past five years by political pundits, as many religious leaders have preached against

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15 Ibid.
stem cell research ballot initiatives, urging their parishioners to vote their religious conscience. Father Frank Pavone writes in his voter guide that it is impossible to separate church and state when voting: “It is about the kind of authority government has. It is about who is ultimately in charge, God or government? It’s about the most fundamental political question there can be.”

Opponents of ballot initiatives worry that voters trust these organizations to inform their vote, giving citizen groups too much sway over public opinion.

Ironically, it was such a fear of the power of the few that began a strong direct democracy movement during the Progressive Era. But this is not where the story of ballot measures begins; that story begins before the United States was even a nation.

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The History of Direct Democracy

In order to fully appreciate the current state of direct democracy, it is important to understand the history of the practice. It is necessary to understand the causalities of traditions and procedure. In this section, I will discuss the inception and proliferation of direct democracy. I will speak specifically to historical subject trends and contextualize my case studies in contemporary political issue movements.

Since the inception of direct democracy, it has been a popular form of political involvement in the United States. In fact, Thomas Jefferson was a strong advocate and proposed direct democracy even before the thirteen colonies formed a country. He once said, “The further the departure from direct and constant control by the citizens, the less has the government the ingredient of republicanism.” He believed that without consistent citizen input, American leadership would deteriorate. In 1775, he proposed that the Virginia State Constitution should be approved by a statewide referendum. This motion was not ratified because Jefferson was at the Continental Congress and his letter arrived too late to be considered, but it was the beginning of a movement that is still vibrant today.

Citizens first demanded the power of direct democracy as new states ratified their constitutions in the early 1800s. In fact, by 1835, eleven states had endorsed their constitutions by direct democracy, which compelled Congress to dictate in 1857 that thenceforth each new state would approve their constitution by popular referendum. The opinion of the states influencing decision-making at the federal level embodies the

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18 Ibid.
19 The Initiative and Referendum Institute.
spirit of direct democracy— citizens had an avenue to participate directly in the management of their country. However, it must be noted that not all citizens that could vote. It was, in fact, the common white man, who could vote. At this time, women and non-whites were not included in the voting population.

Direct democracy in the United States developed further in the late 1800s when the ideology of populism became prevalent. Populism is an egalitarian philosophy that supports empowering the common man in his struggle against the privileged elite. The political action surrounding this philosophy emerged in the 1890s, but 1885 marked the first step in this movement. It was in 1885 that citizens first demanded an initiative and referendum process, supporting the rights of the common citizen to create legislation. Direct democracy embodies the spirit of populism because it gives citizens—the common people—the right to actively take part in their government. Populism was an especially popular idea in the Western and Midwestern states where residents valued the right of the individual and it was for this reason that Father Robert Haire, an abolitionist and labor activist, and newspaper publisher Benjamin Urner became the first Americans to recommend statewide initiative and referendum power. It was in part due to Haire’s and Urner’s work convincing many candidates in South Dakota to run on a platform of direct democracy that South Dakota became the first state to adopt initiative and popular referendum when the Populist Party took control of the state government in 1897. Most of the states that adopted direct democracy laws were in the Midwestern and Western United States. In the period between 1897 and 1918, twenty-three states adopted statewide initiative and/or the people’s referendum. Among these states was Oregon,

which in 1904 was the first state to put an initiative on the ballot. The most divisive issue of the time and thus, the first ballot question, was prohibition.\textsuperscript{22}

Although the Populist movement was strong in the western United States, social power struggles fueled resistance to the movement in the rest of the country. In eastern port states, concern existed among long-time natives that if measures were placed on the ballot, immigrants would be able to gain political clout. In the South, racism against African Americans strongly influenced the anti-initiative camp. In Mississippi, for example, fears that African Americans would gain political power fueled the 1922 repeal of their initiative and referendum process.\textsuperscript{23} The loudest cry for direct democracy came from states such as Illinois and New York that had entrenched city political machines. Corrupt politicians who did not want to lose their power blocked discussion of direct democracy laws and as a result, citizens were unable to pass binding legislation.\textsuperscript{24}

But with the advent of World War I, xenophobic sentiments increased and many worried that direct democracy offered German sympathizers easy infiltration into American politics. As a result, no new states adopted direct democracy until after World War II, when Alaska joined the union in 1959 and made the process a part of their constitution. Wyoming, Florida, and the District of Columbia eventually followed suit, and Illinois, still mired in machine party politics, created a very limited system in 1970.\textsuperscript{25} Mississippi is the most recent state to enact statewide ballot measures after the 1992 reinstatement of their process.\textsuperscript{26}

\textsuperscript{22} Gallagher, 2006.
\textsuperscript{24} Ibid.
\textsuperscript{25} Ibid.
\textsuperscript{26} The Initiative and Referendum Institute: “Initiative Process Historical Timeline,” http://www.iandrinstitute.org/
In the revival of direct democracy, activists found a new avenue to create the change they wished to see. Inspired by the resurgence of direct democracy, many initiatives appeared on the ballot in the 1970s as the modern environmental movement was born. Oregonians proposed and passed a 1970 initiative protecting their scenic waterways, and in 1972, California voters created the Coastal Zone Conservation Commission to protect their shores.27

One of the strongest actions for environmentalism grew from within the Nuclear Freeze movement. Protesters against nuclear weapons decided that they would attempt to work within the system to end nuclear proliferation. Taking the lessons they had learned in the 1960s about the power of peaceful protest, over 300 activists gathered in 1981 to form a national dialogue about a nuclear weapons freeze. By the end of their organizing effort, a ballot initiative opposing nuclear proliferation was on the ballot in 25 states. As David Schmidt reports, “By the time the polls closed on 2 November 1982, an unprecedented one-third of the nation had cast their ballots for or against a bilateral US-Soviet ‘freeze’ on the testing, production, and deployment of nuclear weapons.”28 Although voters passed a non-binding resolution, this multi-state measure is the closest the United States has ever come to voting on a national referendum.

Most recently, ballot measures have mostly pertained to tax legislation. This trend started in 1978 with California’s Proposition 13. The measure, proposed by Howard Jarvis, Republican politician and anti-tax activist, cut property taxes and capped the rate at which they could increase. Additionally, taxes could not be raised without a two-thirds

vote of the state legislature, known as a “supermajority.”

Prior to Proposition 13, only four such measures had been on the ballot in the United States, all of which had been referred to votes by state legislatures. The law remains in the California law books, but has repeatedly been an issue of debate because local governments had to increase taxes to pay for municipal programs such as education and fire departments. However, the law still remains popular in the state of California, with the support of 57 percent of voters. This property tax law foreshadowed the Reagan era, encouraging conservative anti-tax activists to use direct democracy to introduce nationwide the concept of tax relief and “trickle-down” economics. Tax relief proponents support the idea that government spending must be cut down, which is best accomplished by tax cuts. “Trickle-down” economists believe that by cutting taxes for the wealthy, their increased savings and investments will benefit the economy.

A second wave of tax measures occurred in the early 1990s. These initiatives, known as Tax and Expenditure Limits (TEL) decrease taxes using a formula based on population growth and the consumer price index. In Oklahoma in 1992, anti-tax activist, Dan Brown, proposed the first TEL. Besides tying taxes to a formula of population growth and the consumer price index, the question required a majority of three-fourths of the state legislature or a vote of the people in order to change the law. The most famous of these types of measures because of the number of states in which it has been proposed, is the Taxpayer Bill of Rights. It was first proposed to Colorado voters in 1992, and I will

29 Waters, 496.
32 Waters, 497.
discuss it at greater length in a case study in order to analyze the current ballot initiative atmosphere. These TELs exhibit a trend in direct democracy by which initiatives often reflect national political sentiments. In the late 1960s, initiatives reflected the popular liberal ideology, by supporting the environment or fighting nuclear proliferation. During the 1980s when President Reagan encouraged an economic policy of tax cuts, his supporters used initiatives to enact legislation at the state level that would mirror federal tax law. As recently as 2004, the Right has lost political clout and that shift has been mirrored on the ballot as more progressive groups propose legislation. It is strategically appropriate that such a trend would occur as political activists have the ability recognize a moment at which certain popular ideologies encourage the passage of a more Right or Left leaning piece of legislation.

Since the 1970s, there has been much debate about donations and the signature gathering process for ballot initiatives, which resulted in the need for the courts to outline procedural regulations. In the cases First National Bank of Boston v. Bellotti and Citizens Against Rent Control v. Berkeley, the Supreme Court decided that corporations can donate to ballot campaigns legally and that states cannot cap contributions to campaigns in support of or opposition to ballot measures. 33 Chief Justice Warren E. Burger wrote in his opinion of the case Citizens Against Rent Control v. Berkeley: “To limit the right of association places an impermissible restraint on the right of expression.” 34 The court decided that the Constitution’s First Amendment guarantees freedom of expression and therefore protects petitions. The Supreme Court also removed limitations in signature gathering. In Meyer v. Grant and Buckley v. American Constitutional Law Foundation,

33 Waters, 497.
the Supreme Court ruled that states cannot prohibit paid signature gathering and cannot require gatherers to be registered voters.\textsuperscript{35} They decreed that initiative petitions are protected speech, citing not only the first amendment, but also states’ rights. Justice Ruth Bader Ginsburg wrote in the majority opinion that the Supreme Court needed to be "vigilant" in protecting citizens from "undue hindrances to political conversations and the exchange of ideas."\textsuperscript{36} Discussions continue today about the practice of fraudulently reporting donations and gathering signatures as groups have been found guilty of illegal activity as recently as the 2006 TABOR campaigns in Michigan, Missouri, and Montana.\textsuperscript{37}

1996 became the high-water mark for ballot initiatives with a record of 94 proposals and 44 adoptions. The initiatives had a broad range in subject matter, covering among other issues, environmental protection, gambling, and tax reform. Many pundits claimed that the high turnout resulted from voters who were disillusioned by candidates who did not pass meaningful legislation. Joan Ponessa, research director at the Public Affairs Research Institute said, “It's the whole climate of the 1990s. Citizens want more influence and they think this is the only way they can get something done.”\textsuperscript{38} And truly, this is the historical and practical purpose of ballot measures— to offer the people an option when they feel that their elected officials fail them, to have a voice when theirs has been taken away.

\textsuperscript{35} The Initiative and Referendum Institute, “Initiative Process Historical Timeline.”
\textsuperscript{38} Bill Varner, “Citizens Initiate a Record 94 Ballot Questions,” \textit{USA Today}, Oct. 17, 1996, 4A, Final Ed..
Chapter 2: Case Studies

The Method

I came to the conclusion that a series of case studies would be the best way to discover the answers to my questions about the effectiveness of progressive coalitions. Who is included in these coalitions? What messages do coalitions use to convince voters to support or oppose initiatives and referenda? And do funds determine victory? Case studies are important because they help to answer why and how rather than what. They are explanatory rather than predictive.\(^{39}\) Social scientist Robert K. Yin writes that a case study is “an empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident.”\(^{40}\) The case study offers an opportunity to consider the many cultural influences that inspired the ballot measure and its surrounding campaign.

I modeled my case studies on Robert M. Alexander’s 2002 study of the effects of special interest groups on ballot measure campaigns. I chose to use his research strategy because of the similarities in our objectives and our limitations, particularly the lack of data available for study. Aside from analyzing campaign spending and the frequency of measures on the ballot, little research has been completed concerning process, i.e., tactics and strategies.\(^{41}\) Alexander found little research relating to non-legislative lobbying and following his approach, I found a lack of analyses of the creation of progressive coalitions. Because ballot initiatives have only returned as a mainstream form of political activity in the past ten years, little theory exists about the modern American process. In

\(^{40}\) Ibid., 13.
\(^{41}\) Alexander, 40.
other words, a generally accepted method to predict the outcome of a ballot measure campaign is unavailable.

Alexander recommends analyzing membership characteristics, group mobilization, and organizational resources to understand ballot campaigns. Since I am asking slightly different questions than Alexander, I have altered his method for my own purposes. I have also added the sub-category to group mobilization of an analysis of message formation in an election. I believe that the strategy that each campaign uses to convince constituents to support or oppose a measure is unique. To fully assess successful campaigns, we need to understand which values and ideas appeal to voters in each state. It is also essential to study campaign finance in order to understand whether money determines success.

The Cases

I chose three 2006 ballot initiatives with varied election results. The first is the Taxpayer Bill of Rights from Maine, which was proposed by conservatives and defeated by a progressive coalition. The Taxpayer Bill of Rights proposed to limit the rate by which taxes could increase, which would limit state spending on social programs. The next is Missouri Minimum Wage, which won with the support of a progressive coalition. The Missouri minimum wage campaign would raise the minimum pay from $5.15 to $6.50 an hour, a rate which would continue to rise with the cost of living. Finally, I decided to examine a failed progressive measure, Renewable Energy in California. This bill, Proposition 87 for renewable energy, proposed a ten-year $4 billion dollar program to reduce oil and gas usage by 25%. Had Proposition 87 passed, it would have enacted an

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42 Alexander, 40.
oil production severance tax to fund the program. The bill would have been funded by a tax on in-state oil producers and drillers.

Alexander cautions against a small or unvarying data pool because a criticism of the case study is that it cannot be applied to a larger scale, or to more than just the specific situations analyzed. He underlines the importance of “analytic generalization” or, the expansion of and generalization of theory. Following Alexander’s strategy, I chose ballot initiatives relating to three different issues in three demographically different states. The issues addressed in these measures have recently and frequently been on the ballot. Renewable energy and the Taxpayer Bill of Rights fall into the two most popular categories in the direct democracy sphere: the environment and taxation respectively. In 2006, citizens in six states placed initiatives on the ballot to raise the minimum wage, making it a new popular ballot measure (Appendix 1).

Not only do the issues in my case studies vary, but also the states in which they occurred are distinctly different. These three measures span the country, from Northeastern Maine to Midwestern Missouri and West Coast California. Additionally, the populations of the state differ greatly, which provides a broad range of state size to study. California has the largest population in the United States (pop. 36,457,549); Missouri is a middling-size state (pop. 5,842,713); and Maine is in the bottom fifth of population rank (pop. 1,321,574). The cases also differ in terms of who composes the population of the states. Maine is a predominantly Caucasian and aging state, whereas Missouri is slightly more racially diverse and has a large youth population. California is the most racially diverse of the three, with large Asian and Hispanic populations, and it is also the

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43 Alexander, 42.
youngest state of the three.\textsuperscript{45} These factors influence the decisions that voters make at the polls based on generational and racial differences in ideology.

The popularity of direct democracy differs in these three states. California has become famous in recent years for the sheer volume of issues on their ballot. Alexander writes, “Moreover, it is widely recognized that California is a bastion for controversial ballot measures and for astronomical sums of money spent by opponents in ballot campaigns.”\textsuperscript{46} In 2006, they ranked third in the country for number of ballot questions, with thirteen citizen-originated and referred measures. Maine had a low number of proposed measures, with just two on the ballot, but it is one of the few states to allow ballot measures in midyear elections.\textsuperscript{47} Mainers are accustomed to voting on legislation; this makes it an ideal state to study because citizens are more likely to vote the more accustomed they are to seeing measures on the ballot. In 2006, Missouri had five initiatives and referenda, a median between Maine and California. Although Missouri does not allow for midyear measures, it tends to have a few measures on the ballot each year. Missouri has historically had a low rate of measure passage; in the past twenty years, however, this trend has changed dramatically with the support of more than 60\% of measures.\textsuperscript{48}

My first case study is the Maine Taxpayer Bill of Rights. It is a part of the nearly thirty year history of Tax and Expenditure Limitation initiatives.

\textsuperscript{45} United States Census Bureau, “State & County Quick Facts.”
\textsuperscript{46} Alexander, 43.
\textsuperscript{48} Waters, 254-255.
Case Study: The Taxpayer Bill of Rights (TABOR)

BACKGROUND

Maine consistently ranks in the top five on lists of the best education systems in the country. In fact, The Children’s Rights Council in Washington, DC said that Maine is the best state in the nation to raise a child.\(^\text{49}\) Maine is also known for its affordable health care program, Dirigo, and its beautiful state parks. It is likely that the quality of life in Maine is so satisfying because Maine ranks in the top twenty percent in the country for high taxes. According to the U.S. Census Bureau’s 2005 report, Maine citizens pay more per capita than the national average, which is $2,189.84. Mainers pay $2,323.12 per capita.\(^\text{50}\) It is a wonder that TABOR did not pass, even though Maine has some of the highest taxes per capita in the United States. Voters rejected the law due to the work of a strong progressive coalition opposed to TABOR.

Many Mainers believe that it is time for tax relief, especially when it comes to property taxes, and so in recent years, various groups have proposed Tax and Expenditure Limitation (TEL) initiatives. A TEL prescribes tax rates following a strict mathematical equation based on the population growth and the consumer price index.\(^\text{51}\) In 2004, conservative tax activist Carol Palesky of Maine Taxpayer Action Network proposed a TEL initiative that would cap property tax rate at 1 percent of the assessed value of the land. The pro-tax cap campaign used the message that the tax system currently in place forced the elderly to sell their homes and promised that even if the TEL were enacted,

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\(^{51}\) The Real Story Behind TABOR, Produced by Lu Bauer, The Center on Budget & Policy Priorities, 2006.
municipal services would remain unchanged. Opponents of her tax cap called the measure the "Palesky meat-ax initiative," predicting that its passage would result in large budget cuts for municipal public works and education. Ultimately, voters rejected the measure by nearly 55%. This did not signify that Maine does not need tax reform, as nearly 45% of the state supported the bill. The voters decided that the Palesky cap was just not the correct solution.

Mainers were offered another solution to high taxes in the autumn of 2006, when they were presented with a conservative ballot measure called the Taxpayer Bill of Rights (TABOR). TABOR also used a population growth and consumer price index equation to limit the rate of tax increase and included the provision that the law could only be altered by a vote of the people or a supermajority (a two-thirds vote) of the state legislature. The TABOR revenue cap also causes a “ratchet effect,” in which funding decreases each year that the state uses the equation to determine taxes because the equation is based on the prior year. When a law is a constitutional amendment, the guidelines to change it are much stricter. By creating TABOR as a constitutional amendment, proponents of the bill believed TABOR to be a long-term tax plan for Maine.

Coloradoans passed a similar amendment to their state constitution in 1992, which provided a good example to voters of what might result if TABOR succeeded in Maine. Colorado at first had a successful experience with TABOR, finding that it brought
personal income and sales tax rates to a reasonable level. Additionally, taxpayers received a refund from the state with money that had been cut from the budget.\textsuperscript{57} However, immigration slowed, inflation decreased, and the equation of inflation plus population growth provided far too little revenue to support social and administrative programs necessary for the state’s well being. Republicans and Democrats alike realized that TABOR was hurting their state and voted in 2005 to suspend TABOR for five years in an attempt to re-energize their state. In Maine, the difficult task that faced the anti-TABOR coalition was convincing Mainers that TABOR would be equally destructive in Maine as it had been in Colorado.

\textbf{MEMBERSHIP CHARACTERISTICS: SUPPORTERS}

Howie Rich is the multi-millionaire Chairman of Americans for Limited Government, an organization that uses Rich’s money to help interest groups around the country to place measures such as TABOR on the ballot. In Maine, the group donated $131,962.50 to the pro-TABOR campaign, nearly one-half of their budget.\textsuperscript{58} In 2006, nine TABOR petitions were submitted across the country and Secretary of State Offices in Maine, Nebraska, and Oregon approved the measure. In some states, courts uncovered illegal signature gathering by out-of-state residents, disqualifying those petitions.\textsuperscript{59} In Maine, a conservative coalition in support of the measure did not exist, but The Maine Heritage Policy Center (MHPC) strongly backed the measure with the help of a few local

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businesses and chambers of commerce. MHPC is “a research and educational organization whose mission is to formulate and promote conservative public policies.” It is important to note that MHPC is not a member-oriented group, but rather a research center. This means that they did not have a base of members to be easily mobilized to vote on Election Day.

In Maine, Mary Adams, a well-known anti-tax activist, led the drive for petition signatures. The campaign she promoted supported the message that Mainers pay some of the highest taxes in the country, limiting job creation and the ability of Mainers to provide for their families. The campaign was especially successful in reminding voters that they had been paying high taxes for a long time and offered TABOR as a lifesaver. Adams said, “We're awful glad that the taxpayers and the voters will have an opportunity to vote on this... I think they'll grab it just like a drowning man would grab a flotation ring.” Instead, a coalition formed a with a strong campaign strategy to combat TABOR.

MEMBERSHIP CHARACTERISTICS: THE PROGRESSIVE COALITION

When progressive groups in Maine learned of TABOR, they concluded that the TABOR formula would ultimately cut many social programs in Maine. More than twenty groups formed a coalition called Citizens United to Protect Our Public Safety, Schools and Communities. The coalition included more than twenty groups, including the American Association of Retired Persons (AARP), Sheriffs and Firefighters, the Council of Churches, local unions, the Maine Women’s Lobby, the Maine Center for Economic

Policy, and the League of Young Voters. Clearly, this group represents a broad scope of issues and demographics, offering access to many different voter target groups.

Unofficially, the coalition also received support from the University of Maine System and the Maine Blueprint Project. The Maine Blueprint Project, now known as Engage Maine, promotes a progressive vision that successfully articulates and inspires an active, compassionate public policy process and government that provides innovative programs for its citizens. They had recently received a large grant from The Proteus Fund, much of which they donated to the anti-TABOR campaign. The Proteus Fund is a public interest group that supports groups engaged in social justice work. Overall, the coalition created a broad-reaching network of organizations dedicated to defeating TABOR.

The consensus among member groups was that coalitions work. Not only did combining member organizations create a larger outreach group, but also confirmed a platform to appeal to Mainers. One of the few difficulties that the coalition encountered was trying to convince national organizations that offered campaign help that the Maine message could not be the same as that in other states. Mark Gray of the MEA said, “Our message was very Maine-specific. The AARP typically is a more nationally driven organization and so they wanted us to use their own set of talking points with a generic message. We worked very hard to get the national folks to be consistent with our message.”

A 2006 voter poll showed that due to a stagnant economy, nearly 71% of Mainers

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67 Mark Gray, Executive Director, Maine Education Association, personal communication by phone, March 11, 2008.
planned to support TABOR in November 2006. However, when Mainers began to hear just how many organizations thought that TABOR would be a poor choice for Maine, they began to change their opinions. Amy Thompson of the Maine People’s Alliance believes that it was neighbor-to-neighbor interactions that created a real change in the TABOR campaign: “Unless you’re sitting down with people, shifting their world view, you have not shot in hell [of winning].” The Maine People’s Alliance (MPA) did a great deal of outreach work to change voters’ minds about TABOR. In fact, they organized 416 volunteers to knock on 70,470 doors, 15,759 of those doors were knocked on in the month of October. The MPA also organized 85 meetings and house parties, created phone banks to make 44,723 personal phone calls and arranged 22,000 automated calls. This dedication to fighting TABOR was important to show Mainers that their neighbors had very strong feelings against the law, even if taxes would remain the same. The campaign was successful because coalition groups communicated with their core members to easily mobilize volunteers to hand out literature, make phone calls, attend rallies, and write letters to the editors in local newspapers. This strategy of Mainers speaking to Mainers gave the movement a great deal of power.

GROUP MOBILIZATION: MESSAGE FORMATION

When faced with the prospect of overcoming a daunting amount of public support for TABOR, Citizens United decided that they needed to hire a public relations agency to frame a message for their campaign. They found Savvy Inc., a seasoned firm based in

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69 Amy Thompson, Communications and Development Director, Maine People’s Alliance, personal communication by phone, March 14, 2008.
70 “2006 MPA Civic Engagement Work,” document provided by Amy Thompson, Communications and Development Director, Maine People’s Alliance.
Portland, Maine, which had worked on such progressive political campaigns as Campaign to Save Working Waterfront Jobs, John Baldacci for Governor, and Freeport Community Services. Savvy Inc. created a three-pronged, pro-Maine, anti-TABOR message: “TABOR doesn’t work. It won’t save you money. It will take away local autonomy and control.” This message spoke not only to Mainers’ sense of individuality, but also to a general dislike of organizations that attempt to influence policy from out-of-state. One group that used this message especially well is the League of Young Voters. They helped advertise that an out-of-state organization created TABOR with the slogan “Their dream, our nightmare.” These posters explained in one sentence that TABOR was not home grown and that it would be disastrous for Maine. The most successful messages spoke directly to the ideology of Mainers who have a dislike for out-of-staters who try to steer Maine politically.

Savvy Inc. also created a message that members of the coalition could tailor to their target audience; “TABOR will hurt fill in the blank.” In this space, community organizations spoke about a broad range of topics including health care, the environment, and K-12 education. Mark Grey of the Maine Education Association said that his organization conducted polls to learn the demographic makeup of a Maine voter who would oppose TABOR. The MEA found that females with school age children were most likely to oppose TABOR and so his organization worked especially hard to bring these women to the polls, campaigning against TABOR with automated phone calls and direct

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72 Alec Maybarduk.
73 Ibid.
74 Ibid.
75 See Appendix 1. “TABOR Maine People’s Alliance literature drop,” document provided by Amy Thompson, Communications and Development Director, Maine People’s Alliance.
mail. The MEA also learned that the Board and Chancellor of the University of Maine System opposed TABOR and worked with them to send a TABOR fact sheet to over 100,000 University of Maine alumni. By the end of the anti-TABOR campaign, the MEA sent out 600,000 pieces of direct mail and recorded 400,000 automated phone messages. Those in the targeted demographic received two calls prior to election week, two during election week, and one more on Election Day to ensure they were convinced to oppose TABOR. These messages worked because these groups function outside of the election season and their constituents trust that the advice they receive from their leaders is valuable and true. Mark Gray said, “If you hear the message from an organization that you already have confidence in, you’re likely to listen and participate.” This continued relationship encourages voter mobilization and turnout. This was especially relevant to members of Citizens United because many were civil servants and thus are likely to have greater ties to the community.

The AARP created one of the most effective messages of the campaign, using both newsprint and television media to help Mainers to understand how TABOR would directly influence their lives. They quoted Bangor, Maine City Manager, Ed Barret, in their online bulletin: “It would require the city to place a measure on the ballot to raise greens fees at municipal golf courses, he says, or raise landing fees at Bangor's airport, which runs under a separate enterprise authority.” When Mainers began to think about how TABOR would alter their daily lives, they became more convinced that voting in its favor would be a poor choice for Maine.

76 Mark Gray.
77 Ibid.
But the greatest victory for the AARP message framers was a commercial about the devastating effects of TABOR on social services. The commercial, which aired during the 2006 election season, portrayed an elderly woman, a young female student, and various public service providers playing musical chairs. The narrator says:

A set budget works great when there’s enough to go around. But what do you do when the unexpected happens and you need funding? Something’s gotta give. TABOR doesn’t target government waste and can’t fully fund public services. TABOR is a bad idea.  

When the music stops, there are not enough chairs for everyone to sit down and the little girl and elderly lady are left standing. This spoke vividly to the way TABOR would continuously decrease the amount of money saved in the state’s “rainy day fund” after budget cuts. This message spoke very clearly to Mainers who worried about natural disasters and decreasing public safety services. The anti-TABOR campaign warned that with tax cuts, the state would be unable to maintain ambulance, police, and fire services. Additionally, many Mainers remembered the Ice Storm of 1998, which debilitating the state. Many voters believed that if TABOR were approved, a catastrophe could occur and the state government would not have enough money to protect Mainers.

ORGANIZATIONAL RESOURCES: CAMPAIGN SPENDING

There has been much talk in the media lately about exorbitant spending of presidential candidates. For the July-September 2006 filing period, Democratic front runners Hillary Clinton and Barack Obama spent $22.6 million and $21.5 million,

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80 Alec Maybarduk.
respectively, and Republican Mitt Romney spent $21.3 million.\(^{81}\) Ballot campaigns have also spent more as recent elections proved that such politically polarizing issues as abortion and gay marriage turned out voters. This is, in part, due to what political analysts at the Ballot Initiative Strategy Center call “the spillover effect.”\(^{82}\) Many times when voters turn out for controversial issues, they will also vote for likeminded candidates. Recently, the Democratic and Republican parties have offered support to ballot measures, and candidates have run for or against the “hot button” issue. This occurred in the 2006 Maine gubernatorial race, when Republican candidate Chandler Woodcock ran as a pro-TABOR candidate against incumbent Democrat John Baldacci, who was anti-TABOR.\(^{83}\)

The anti-TABOR campaign did not receive the majority of its funding until later in the campaign after Citizens United had garnered a great deal of support. Donors were unwilling to contribute to the campaign unless they knew that the coalition had any chance of winning. Door-knocking and phone banking was imperative to this campaign because it proved to national organizations that TABOR could be defeated. In fact, it was not until the very end of September that the majority of out-of-state organizations such as large trade unions began to donate to the campaign.

Unions played a very important part in the anti-TABOR campaign. Many national unions became involved with the campaign and donated large sums in opposition to TABOR. Local chapters of American Federation of State, County and Municipal Employees (AFSCME), Service Employees International Union (SEIU), and the Maine

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\(^{82}\) The term “spillover effect” has multiple definitions. “Spillover” means an unpredicted effect, such as voters for a progressive initiative who also vote for a progressive candidate. See footnote 142 for more information about a similar term, “spillover wages.”

Education Association (MEA) contacted their national offices to fundraise. These three groups donated a combined sum of over $820,000.\textsuperscript{84} Over the past ten years, union power has declined, as many of the larger unions have experienced leadership infighting and disorganization. Progressives should worry about the future of coalitions because the participation of unions is very important to fundraisers and organizers. If progressives hope to continue to win elections, it is necessary to fiscally and politically support this important work.

Other national non-profits and businesses also donated a great deal to the anti-TABOR campaign, especially the AARP.\textsuperscript{85} This meant that Citizens United ultimately had the ability to spend $2 million, outspending the pro-TABOR campaign at a rate of approximately 5-to-1.\textsuperscript{86} It is important to reiterate that had it not been for the organizing efforts of Citizens United, these out-of-state organizations would not have contributed to this campaign. The progressive coalition with a strongly framed message and the support of hundreds of volunteers, and the money to convince Mainers to defeat TABOR.

\textsuperscript{84} Maine Commission on Governmental Ethics & Election Practices, “PAC Contribution Search Results.”
\textsuperscript{85} Ibid.
Case Study: Alternative Energy, Research, Production, Incentives.

BACKGROUND

The state of California is infamous for consistently having a long list of ballot questions. In 2006, California had the third highest number of initiatives in the country, trailing Arizona and Colorado, which had nineteen and fourteen initiatives, respectively. This high number of initiatives often leads to voter confusion and frustration. Although states with multiple ballot initiatives have roughly a four percent turnout increase in presidential elections and a roughly eight percent increase in midterm elections, voters become overwhelmed by the amount of information they receive from campaigns when the number of initiatives is too high. As a senior aid to Former President Bill Clinton, Karen Skelton said, “The electorate’s in a real pissy mood… they’re tired of the initiative process.” Because polarizing issues often turn out voters, negative campaigning often occurs in California to ensure that frustrated voters still turn out to the polls. Bruce Cain, director of the Institute of Governmental Studies at UC Berkeley commented on this idea, “Negative messages are seen as credible… because people are skeptical, they don't read the measures closely, and they're willing to believe the negative information.” This type of campaigning was prominent during the 2006 Proposition 87 campaign for the creation of an alternative energy program.

If Proposition 87 had passed, it would have enacted an oil production severance tax, which is a tax on any mineral or product that can be taken from the ground. The profit from this tax would have been deposited into the California Energy Independence

87 The Ballot Initiative Strategy Center, “2006 Ballot Initiative & Referenda Election Preview.”
88 Ibid., 25.
Fund, to be used to create and promote alternative energy programs. Oil wells more than three miles off shore or wells that produce no more than ten barrels a day would not be taxed. The estimate in 2005 for the total amount to be taxed was 200 million barrels of oil.\textsuperscript{91} Depending on the price at which the barrels were sold, the tax would range from 1.5% for $10-$25 barrels to 6.0% for barrels costing $60.01 or more.\textsuperscript{92} Significantly, the law states that producers are not allowed to increase the cost of oil, gasoline, or diesel fuel based on the tax-induced increase in production cost.

The measure dictates that the revenue for the severance tax would be used to create a new California Energy Alternatives Program Authority, which would be empowered to spend $4 billion dollars over ten years. The Authority would consist of the Secretary for Environmental Protection, the Chair of the State Energy Resources Conservation and Development Commission, a treasurer, and six members of the public who have knowledge of “economics, public health, venture capital, energy efficiency, entrepreneurship, and consumer advocacy.”\textsuperscript{93} The severance tax would expire after this money had been spent, unless bonds were issued.

The proposition charges the California Energy Alternative Program Authority with the responsibility of spending in five areas: gasoline and diesel use reduction, research, commercial energy alternatives, public education, and alternative energy vocational training. To reduce dependency on gasoline and diesel, severance tax revenues would be used for incentives such as consumer loans and grants to buy alternative fuel

\begin{footnotes}
\item[92] Ibid.
\item[93] Ibid.
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vehicles. The majority of the money (57.50%) would be spent in this area. Grants and loans would also be created for alternative energy research. These would be available to university and private research groups to “improve the economic viability and accelerate the commercialization of renewable energy technologies and energy efficiency technologies.” Businesses would also be eligible to receive incentives to begin research and manufacture of renewable energy, energy efficient, and alternative energy products. Two education programs would be created under Proposition 87: public and vocational. This would ensure that the public became aware of their alternative energy options and that citizens could be trained at community colleges to work with new energy technologies. The remainder of the budget would be used for administrative costs.

Traditionally, California has had a strong investment in gasoline, not only because there are more registered automobiles in California than in any other state (nearly double the number of the second place state of Texas), but also because California is the third largest oil producing state in the country. In 2005, California contributed 12% of United States oil production, producing 230 million barrels of oil at an average of 630,000 gallons per day. Although 37% of California’s oil is produced in-state, 21% of its oil is Alaskan and the majority of oil used in-state, 42%, is supplied by foreign countries. As a result, Californians pay high prices for gasoline; in fact, as of May 2008, they spend the most in the country at nearly $3.90 a gallon for regular grade and up to $4.11 a gallon for premium. The national average is $3.60 for regular grade and $3.85 for

94 California Attorney General, “Proposition 87.”
95 Ibid.
97 California Attorney General, “Proposition 87.”
98 Ibid.
premium. As a result of the substantial number of automobiles in state, California has the worst air quality in the country. In fact, half of California’s counties failed the American Lung Association’s 2003-2005 clean air tests and only one of the 58 qualified as a clean air county. As a result of these studies, the American Lung Association warns Californians each year of the high risks of asthma, cancer, and lung disease. For example, the worst air quality is in Los Angeles, where by the age of two months, a child has already inhaled the Environmental Protection Agency’s lifetime limit of toxins for cancer risk. Additionally, in California there are 3.3 million school absences a year because of asthma. A study at the University of Southern California studied children over an eight year period and found that those who grew up in a polluted environment are five times more likely to develop lung damage, even if they never had lung problems before. Proponents hoped that Proposition 87’s alternative energy proposal would be popular among voters due to the poor health conditions in their state.

California has a large auto market and so automobile producers must follow California vehicle laws and standards or they will not sell enough cars to reach profit goals. California has a long history of being at the forefront of the environmental movement, imposing automobile emission standards more strict than those imposed at the national level, which car companies must then follow. In 2005, California Governor Arnold Schwarzenegger announced the Breathe Easier campaign, noting that cars put

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100 David Danelski and the Associated Press. “Lung Association: L.A. regional air, including Inland's, is worst in U.S.” The Press Enterprise http://www.pe.com/localnews/environment/stories/PE_News_Local_H_smog01.3e43e1d.html
2700 tons of pollutants into the air daily.\textsuperscript{102} The State Assembly passed a bill in conjunction with the campaign, but the automobile industry sued, claiming the law put an unreasonable burden on their companies because national regulations are much less strict than California’s. When the case reached the Supreme Court, the Bush Administration intervened on behalf of the businesses, even though the state of California had won in lower courts, claiming that the law would not help the weakening national economy. The California law dictated that cars must have lower fuel pipe emissions, but the industry claimed it impossible to limit fuel pipe emissions without also regulating fuel efficiency.\textsuperscript{103} The Supreme Court decision prevented states from creating fuel pipe emission laws stricter than the national standard.

Proposition 87 proponents did not believe that the initiative was unreasonable because it would apply rules already imposed in other states. California oil companies pay taxes on their product, but avoid certain fees applicable in other states. They must pay a regulatory fee of 6.2 cents per barrel of oil to the Department of Conservation to support a program that oversees drilling, operation, and maintenance of oil wells. In 2006-2007, the revenue of this tax totaled $14 million.\textsuperscript{104} Oil producers must also pay local property taxes on the value of their equipment and recoverable oil. However, California is the only state that does not have a severance tax. In most states, this includes anyone who extracts oil from the ground or water, owns stock in oil, or owns or manages an oil well. Due to the lack of a severance tax, those who proposed the initiative believed that it would not be difficult to pass a law that every other oil producing state already had

\textsuperscript{103} Ibid.
\textsuperscript{104} California Attorney General, “Proposition 87.”
MEMBERSHIP CHARACTERISTICS: THE PROGRESSIVE PROPONENTS

Proposition 87 attracted the support of non-profits, politicians, and celebrities. These progressives believed that by passing a severance tax, California would become a leader among states in the movement for alternative energy. The greatest proponents of the initiative were the groups the California American Lung Association (CALA), the California Environmental Protection Agency (EPA), and the Foundation for Taxpayer and Consumer Rights (FTCR).

The CALA and the EPA supported this measure because of California’s failing air standards and high rates of asthma and the FTCR supported the measure because it favored more energy options for California consumers. They also had strong support from California Doctors and Nurses and the nonprofit Coalition for Clean Air.

Democratic politicians also provided strong support for Proposition 87, campaigning throughout the state. Former President Bill Clinton spoke at many locations in California and the campaign featured him in a television advertisement. At the University of California, Los Angeles he said, “[No on 87] is designed to slow down America’s transformation to a clear independent energy economy.” Former Vice President Al Gore also supported Proposition 87, speaking with the authority of the creator of the critically acclaimed documentary film about global warming, *An Inconvenient Truth.*

Senator Diane Feinstein (D-CA), Former Secretary of State Madeleine Albright, and the

105 California Attorney General, “Proposition 87.”
Democratic State Central Committee also joined this group of politicians.\textsuperscript{107}

The greatest support for the initiative did not come from progressive groups, but from individuals in Hollywood and venture capitalists. Such celebrities as Tom Hanks, Rita Wilson, Robert Reiner, and Warner Brothers President Alan F. Horn provided fiscal support.\textsuperscript{108} Actors Ben Affleck, Julia Roberts, Robert Redford, and Geena Davis campaigned for the Proposition.\textsuperscript{109} Venture capitalists such as Vinod Khosla, William Randolph Hearst III, and John Doerr donated a great deal to the campaign, but like the Hollywood supporters, they donated money, but not time.\textsuperscript{110} This financial support did not create a strong coalition of member organizations dedicated to spreading the Proposition 87 message. Although large organizations such as the ALA and the EPA supported the initiative, the campaign lacked a powerful grassroots presence.

It could be posited that Proposition 87 failed in California because of the state’s size or due to a lack of interest, but it seems that it was the lack of participation of state unions that led to the failure of the measure. It is not that this power structure does not exist because only a year before, a coalition of California’s largest unions, the Alliance for a Better California, defeated Governor Schwarzenegger after he called for a special election to propose four initiatives, two of which were explicitly anti-union. Proposition 74 would have extended the probationary period for teachers and Proposition 75 second would have required unions of public employees to get annual state permission to use their dues for political purposes. The alliance consisted of nurses, police officers teachers, and firefighters. The unions worked together and spent more than $100 million on media,

\textsuperscript{107} Steven Harmon, “Measures Opposed by Special Interest Defeated.”
\textsuperscript{109} Harmon, “Measures Opposed by Special Interest Defeated.”
\textsuperscript{110} California Secretary of State, “Cal-Access Campaign Finance.”
phone banking, and canvassing. The California Nurses Association (CNA) led much of the campaign, contributing to advertising with commercials during an A&E channel biopic called “See Arnold Run,” accusing him of being “driven by greed and profits.” Due to this strong on-the-ground campaigning, Californians rejected both measures by 55%-45% and 53%-47% respectively.

The Yes on 87 campaign might have been more successful if they had received the grassroots support of the CNA and other unions and community groups. The nurses, however, proposed their own message on the 2006 ballot. Each year the CNA creates a voter guide and they endorsed their measure, Proposition 89, with “Yes, yes, yes.” However, Proposition 87 received only a “Yes.” From this endorsement sheet alone, it is obvious where the CNA chose to focus their power. California also has a very large environmental community, with 165 environmental organizations listed on eco-usa.net. The state of California also has an active Environmental Protection Agency, which enforces green legislation with education and inspection.

MEMBERSHIP CHARACTERISTICS: OPPONENTS

The most adamant opposition to Proposition 87 was from the oil companies. Oil

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giants such as Chevron and Aera Energy (the umbrella company for Exxon and Shell) were the most vocal of these companies, contributing the majority of the No on 87’s campaign budget.\textsuperscript{116} The oil companies were not, however, publicly vocal. Instead, members of the coalition against Proposition 87 spoke for them, groups such as California Chamber of Commerce, Californians Against Higher Taxes, and California Small Business Alliance.

In fact, a large coalition grew in opposition to Proposition 87. The coalition of more than 350 individuals and groups had a strong presence in communities with member such as the California Coalition of Law Enforcement, the California State Firefighters Association, and the California School Boards Association.\textsuperscript{117} These organizations all worried that if Proposition 87 passed, local property tax revenues would decrease and would not be enough to pay for gasoline needed to fuel fire trucks, police cars, and school buses. Past President of the California School Boards Association Marian Bergeson wrote, “On top of the revenue impact of this initiative, the higher fuel prices that come as a result of taxing California-produced oil will place an additional strain on school district transportation budgets.”\textsuperscript{118} Bergeson, like many other public service employees, based her opinion on a study done by the California Legislative Analyst’s Office, which found that “If the measure is successful in reducing the use of oil-based fuels in the state, this would reduce the taxes paid on these fuels.”\textsuperscript{119} Although this point was only a small part of the study, it was effective in convincing California public service groups, such as

\textsuperscript{116} Steven Harmon, “Measures Opposed by Special Interest Defeated.”
\textsuperscript{117} California Attorney General, “Proposition 87.”
teachers and firefighters, that Proposition 87 could negatively influence their programs. This local coalition opposed to Proposition 87 in conjunction with a large-scale advertising campaign provided the necessary publicity to defeat the measure.

GROUP MOBILIZATION: MESSAGE FORMATION

When framing their message, Yes on 87 created a three-pronged message of saving the planet, improving national security, and creating new jobs for young people. Proponents pushed this message in advertising and on the campaign trail. Speaking at the University of California at Los Angeles, Bill Clinton repeated these three points. He said, “California is given an opportunity and obligation to do something remarkable to save the planet, improve our national security, and create the next generation of jobs for the American people.”120 Other Yes on 87 campaigners, such as Al Gore, linked national security and the end of depending on foreign countries for oil. In his first political advertisement since his presidential run in 2000, Gore spoke in favor of Proposition 87:

Here is the truth the oil companies won't tell you. Half the foreign oil they import to California is from the Middle East. As a result, California is dangerously dependent on foreign oil. Proposition 87 means more alternative fuels, wind and solar power. And that means less oil dependence. Prop. 87 is the one thing Californians can do now to clean up the air, help stop the climate crisis and free us from foreign oil. The sooner we do it, the safer we will be.121

These messages spoke to both local and national fears of terrorism and the poor state of the United States economy. But another message that ran throughout the campaign spoke directly to Californians.

The Yes on 87 campaign counted on the very high cost of oil in California to sway citizens to vote for the initiative. While campaigning for Proposition 87, Executive

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120 rsd0812, “Bill Clinton speaks at UCLA for Prop 87.”
Director of the Foundation for Consumer and Taxpayer Rights, Doug Heller said “[voters have] a lot of visceral anger at oil companies that will drive passage of the initiative… Voters’ anger will help the initiative overcome the up to $40 million that the oil companies will raise to try to defeat it. While campaigning, Former President Bill Clinton also reminded voters that although oil companies would like to tell Californians that they would have to pay for the cost of the severance tax at the pump, that this just was not so. He said, “Now, I know the oil companies trot around some economists in their ads, but let me ask you something; if they really thought you were going to pay for this, would they be spending all that money to convince you to vote against it?” However, the Yes on 87 campaign failed in promoting this message because they did not have the grassroots support to combat big money advertising campaigns.

As Bill Clinton had explained, No on 87 framed their campaign with one message: if the initiative passed, prices at the pump would increase. Having a very large budget, the No on 87 campaign could afford to flood the airways with this message. One advertisement paid for by Californians Against Higher Taxes “warn[ed] consumers that the initiative would shrink California’s oil supply and increase the state’s dependence on foreign oil. The added costs of the imported oil would be ‘lawfully passed onto the consumer.’” Advertisements paid for by the oil companies pinpointed poorer communities that would be most adversely affected by an increase in the price of oil. One such advertisement featured an African American woman filling up her car with gasoline with

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123 rsd0812, “Bill Clinton speaks at UCLA for Prop 87.”
124 Michael Burnham, “Heavy-hitting Dems Line Up for California’s Prop 87.”
a horrified look on her face. Van Jones of the Ella Baker Center for Human Rights said, “The ads were used to help bring out black votes to defeat Proposition 87… The oil companies tried to scare blacks into thinking that the tax on the companies would be passed on at the pump.” Due to the fact that little Yes on 87 grassroots work existed during election season, voters continued to believe these advertisements. Jones said, “The polluters were able to stampede the poor into their camp… I never want to see an NAACP leader on the wrong side of an environment issue again.”

ORGANIZATIONAL RESOURCES: CAMPAIGN SPENDING

Proposition 87 was the most expensive ballot initiative campaign in the history of direct democracy in the United States. With contributors from the oil industry, venture capitalism, and Hollywood, the two campaigns spent $153,178,162. The wealthiest donors to this campaign contributed $110 million. Oil companies spent over $60 million on No on 87 and amongst venture capitalists and Hollywood insiders gave nearly $50 million to the Yes on 87 campaign.

The two largest donors to the Yes on 87 campaign were Hollywood producer Stephen Bing and venture capitalist Vinod Khosla. Bing donated $49,762,610 in addition to providing numerous loans to the campaign. Bing first became involved with the proposition when Hollywood screenwriter and producer Anthony Rubenstein called him...

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126 The second most expensive campaign also occurred in California in 1998 when campaigns spent $93 million on a proposition to legalize casinos on Native American reservations.
128 California Secretary of State, “Cal-Access Campaign Finance.”
to tell him about the cause.\textsuperscript{129} Vinod Khosla was the second largest donor, giving over $1 million. He is a co-founder of Sun Microsystems and a partner both in the venture capital firm Kleiner Perkins Caulfield & Byers of Silicon Valley, and in his own firm, Khosla Ventures.\textsuperscript{130} Although Khosla has strong interests in ethanol and alternative energy companies that would receive grants as a result of Proposition 87, he said in an interview that he would “donate 100-percent of all profits I personally get from any company that receives any funding from Prop. 87 and I will donate 100 percent of my personal profits from that company to charity.”\textsuperscript{131} Other major fiscal supporters include Khosla’s partner at Kleiner Perkins, John Doerr, who donated $950,000, in addition to making loans, and Google Co-Founder Larry Page, who donated $1 million.\textsuperscript{132}

A progressive campaign cannot defeat a well-funded conservative campaign if it does not have strong grassroots support. Although such a coalition against Proposition 87 existed, the majority of the donations came from large oil companies and this large budget became a deciding factor in the outcome of the election. In fact, three companies donated 88% of the campaign’s budget. Aera Energy Inc. donated $26,066,152, the Chevron Corporation donated $41,550,000, and Occidental Oil and Gas Corporation donated $6 million. These oil companies outspent the entire Yes on 87 campaign by more than $20 million, which allowed them to flood the airwaves with their message and convince Californians to vote no. In 2006, the three propositions on the California ballot that challenged large corporations all failed. Jamie Court, campaign and President of

\begin{footnotesize}
\textsuperscript{129} University of California at Berkeley: Institute of Governmental Studies Library, “Election Results Update,” http://www.igs.berkeley.edu/library/election2006/Prop87.html.
\textsuperscript{130} Ibid.
\textsuperscript{132} California Secretary of State, “Cal-Access Campaign Finance.”
\end{footnotesize}
Santa Monica-based Taxpayer and Consumer Rights said, “Every initiative with money against it went down. It was the money that spoke. Right now, it’s a process unusable for anyone except people that have money. That’s not democracy, that’s a market.”¹³³

¹³³ Steven Harmon, “Measures Opposed by Special Interest Defeated.”
Case Study: Minimum Wage Increase.

BACKGROUND

Many Missourians are employed in minimum wage jobs or in service industries in which their pay scale is based on minimum wage. Before the passage of Proposition B, an initiative to increase minimum wage in Missouri, the state followed the national rate (set in 1997) of $5.15 per hour. The national minimum wage was not readjusted until 2007, even though the cost of living increased by 26 percent. When adjusted for inflation, the minimum wage was at its lowest purchasing power since 1955. In 2006, the authors of Proposition B proposed to raise the minimum wage to $6.50 on January 1, 2007 per hour, and to annually readjust it for inflation and cost of living increases. The initiative passed with 76 percent support from Missourians. The existence of Proposition B on the ballot was part of a trend in U.S. ballot initiative campaigns, as Missouri joined five other states to vote on minimum wage increases, including Arizona, Colorado, Montana, Nevada, and Ohio. These six states followed 22 states and the District of Columbia in increasing the minimum wage. This was not only a signal from the American public that Congress needed to reassess the 1997 minimum wage standards, but it was also the first time since the anti-nuclear proliferation ballot initiatives in 1981 that progressives had launched a multi-state ballot initiative strategy.

The coalition supporting the raise in minimum wage convinced such a large percentage of Missourians supported Proposition B because a great number of the state’s citizens are minimum wage workers. In fact, 42,000 Missourians work for minimum

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136 Blouin, 1.
wage, 71 percent of whom are 20 or older and 44 percent of whom are full time minimum wage workers. Additionally, 36 percent of minimum wage earners work half time (20-34 hours per week). The pay scales of many jobs are proportional to the minimum wage. Many of these jobs are in the largest occupational groups in Missouri, such as retail salespeople, cashiers, and food preparation and serving workers (including fast food). Overall, this accounts for 256,000 people, approximately 10 percent of employees in Missouri, who in addition support their 120,000 child dependents. This means that many Missourians depend on minimum wage for their annual income. However, with an annual income of $10,712, fulltime minimum wage workers made nearly $6,000 below the poverty level for a family of three. For the families of 46 percent of these workers, a minimum wage job is their sole source of income.

The high level of support for the initiative shows a broad understanding of wage difficulties in state. In fact, many Missourians receive less pay than most Americans. The median household income for Missouri in 1999 was $37,934 which, according to the 2000 U.S. Census, was $3,500 less than the national average. Although this median salary is higher than the yearly income for a minimum wage worker, it reflects pay that many workers receive in which wages are often proportionate to minimum wage, i.e., a dollar or two more than the set minimum wage. The Missouri Budget Project projected that the number of workers affected by a minimum wage increase would be much higher.

137 Blouin, 2.
139 Fox and Bernstein, 1-2.
140 Blouin, 2.
141 Fox and Bernstein, 2.
than merely those who received the $5.15 per hour. Essentially, the median Missouri salary was lower than the national average because spillover pay in Missouri was still lower than the average national spillover wage and because Missouri has a high percentage of minimum wage earners.

Essentially, the median Missouri salary was lower than the national average because spillover pay in Missouri was still lower than the average national spillover wage and because Missouri has a high percentage of minimum wage earners.

Proposition B and the other 2006 minimum wage ballot initiatives evidence the power of citizen-proposed legislation to draw national attention. In addition to the six states that considered minimum wage question, a ten-year high of eleven similar bills passed in state legislatures across the country in 2006. In fact, “in the past two years, more states have raised their minimum-wage rates than in the 68-year-history of the federal minimum wage law.” After the passage of the six ballot initiatives and national polls showing strong bipartisan citizen support, Representative George Miller (D-California) introduced H.R. 2, the “Fair Minimum Wage Act of 2007” into a newly elected Democratic Congress. When introducing the bill to the House of Representatives, Rep. Miller said it was “an up-or-down vote saying whether the poorest people working in the country deserve a raise.” The bill passed, increasing the minimum wage to $5.85 an hour, to be incrementally increased over two years and two months to $7.25 an hour. According to a study done by the Economic Policy Institute, 5.6 million Americans earning minimum wage were directly affected by the passage of H.R. 2.

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143 Blouin, 2.
144 “Spillover pay” is a phenomenon by which salary is proportionately based on the minimum wage. For example, if the minimum wage is $5.85/hour, someone who is paid by spillover might make $2.00 more than the minimum wage. Their salary would thus be $7.85/hour. See footnote 30 for more information.
148 Zappone, “House passes minimum-wage hike bill.”
The passage of H.R. 2 was the result of direct democracy.

Unique to Proposition B is the effect that occurred in the Missouri Senatorial race; voters who turned out for progressive ballot issues also voted for progressive candidates. This trend, known as a spillover effect, garnered extra support at the polls for Democrat Claire McCaskill, who won a Missouri Senate seat in 2006. Minimum wage worked as other “hot-button” ballot questions have in the past. Initiatives such as gay marriage and abortion have brought conservative voters to the polls. One such example was the 2004 Missouri ban on gay marriage, which passed 71 percent to 29 percent by attracting 1.5 million voters to the polls. In November 2006, many projected that the minimum wage proposition, in addition to a ballot initiative supporting stem cell research, would increase the number of progressives at the polls. As Oliver Griswold at the Ballot Initiative Strategy Center said, “that kind of effort can really draw voters out to not only support the minimum wage, but to support the candidates who support the minimum wage.”

John Hickey of Missouri Progressive Vote Coalition, a coalition of unions and community activist groups agreed, saying, “I think it’d be a reasonable assumption that voters [motivated by the minimum wage initiative would] vote for McCaskill.”

50 percent of Missourians voted for Claire McCaskill, 70 percent of whom were union members, who likely voted to increase the minimum wage as well. Because the race for Senator was very close, had minimum wage and stem cell research not been on the ballot, it is probable that McCaskill would not have had the necessary support to beat her opponent.

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151 Leading the News, “Missouri Dems count on minimum wage, stem cells to topple Talent.”
Republican opponent.

MEMBERSHIP CHARACTERISTICS: THE PROGRESSIVE PROONENTS

Proposition B is the perfect example of direct democracy because a coalition of citizens created and campaigned for its passage. The Missouri Progressive Vote Coalition, also known as Pro-Vote, is a statewide coalition consisting of forty labor unions and community groups. Missourians founded the group in 1992 “to give grassroots organizations the tools to engage their membership in the public policy process.”153 From March to May 2006, Jim Kottmeyer led the Missouri Progressive Vote Coalition, which organized signature collection for a minimum wage increase in St. Louis, Kansas City, Springfield, and Mid-Missouri. They later created a larger coalition, Give Missourians a Raise, with faith groups, community organizations, and the unions UAW, SEIU, AFL-CIO, and UNITE-HERE. Kottmeyer commented on how to create a coalition: “You put together a convincing argument like putting a business together. You have to find investors and partners.”154 The Missouri Progressive Vote Coalition collected over 210,000 signatures to qualify Proposition B for the ballot, which is double the number of necessary signatures.155

Although a progressive coalition created the initiative, Proposition B united citizens across party lines. The minimum wage had not been raised since 1997 and so inflation, gas prices, and a increased cost of living had worn away at bank accounts. As Bob Soutier, secretary-treasurer of the ALF-CIO Greater St. Louis Labor Council said, “This

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154 Jim Kottmeyer, Minimum Wage Campaign Manager and Pro-Vote Member, personal communication by phone, March 4, 2008.
155 Missouri Pro Vote, “Minimum Wage Petition Drive Successful.”
is an issue of human dignity and common sense. We’re not a third world country.”

Coalition member faith groups on both sides of the aisle agreed too. The conservative Roman Catholic archbishop of St. Louis endorsed it, and progressive minister, Jack Schuler said, “There are too many families in Missouri who are living in poverty, struggling just to put food on the table. Raising the minimum wage will make a profound difference in the lives of these families and our community as a whole.” Minimum wage became an issue that could bring together Missourians for a common cause.

Give Missourians a Raise had a great deal of grassroots support, which they used to attract voters on Election Day. The member unions, faith groups, and community groups worked together to convince their members, friends, and neighbors to vote. Their ultimate goal was to register 100,000 new voters. They also created strategy to pinpoint “drop-off voters,” people who vote in Presidential cycles, but not in off years. The organizations made themselves very visible, even holding a protest outside of Republican Jim Talent’s fundraising event. He opposed a raise in the minimum wage and this protest received a great deal of media coverage convincing voters not only to support his opponent, Claire McCaskill, but also the minimum wage increase. This local organizing worked well and Proposition B passed with overwhelming support.

**MEMBERSHIP CHARACTERISTICS: OPPONENTS**

The most vocal opponents of Proposition B were those who did not want to pay a

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158 “Leading the News, Missouri Dems count on minimum wage, stem cells to topple Talent.”
159 Missouri Pro Vote, “Minimum Wage Petition Drive Successful.”
higher minimum wage to workers; they formed a small coalition called Save Our State’s Jobs. The member groups were small businesses and restaurants, but especially vocal in the opposition campaign were the Missouri Restaurant Association and the Associated Industries of Missouri. One such opponent was Mike Wiggins, owner of Continental Catering and Granny Shaffer’s restaurants in Joplin and Webb City, and chairman of the Missouri Restaurant Association, who noted that the restaurant industry was one of twelve groups that contributed to the opposition.\(^{160}\) Many restaurant and small business owners believed that if they had to increase wages for their employees and did not decrease the number of workers, they would go bankrupt. Gary Marble of the Associated Industries of Missouri said, “Would [low-wage workers want a raise] if they knew that two to three of them wouldn’t have a job in three years, or that, in five years, potentially the restaurant wouldn’t exist at all?”\(^{161}\) The businesses believed the only option would be to eliminate jobs or close their doors.

However, the conservative coalition was not run at a grassroots level, as was Give Missourians a Raise. In fact, they received much of their funding from out-of-state organizations, especially from the National Restaurant Association. They also received a great deal of support from national franchise restaurants that worried that a minimum wage raise could lead to new national policy. Save Our State’s Jobs received such support from McDonald’s, Applebee’s, and GMRI Inc. (Red Lobster, the Olive Garden, and other restaurants).\(^{162}\) It seems evident that it was this lack of local grassroots support

that allowed for the passage of Proposition B. It would have been impossible for Save Our States’ Jobs to defeat minimum wage without ground organizers to combat the Give Missourians a Raise campaign’s powerful message.

**GROUP MOBILIZATION: MESSAGE FORMATION**

The progressive coalition message promoted an increased minimum wage by highlighting the economic difficulties faced by low-wage workers in their state. Give Missourians a Raise asserted that Missourians just could not survive and certainly could not get ahead on the little money they made. The coalition formed and spread the message that with inflation and a rising cost of living, low-wage workers were not making enough money to survive. Jim Kottmeyer said that there really was not a need to create a strong message because an increase in minimum wage appealed to most Missourians, but that the campaign spread the message that “morally it was the right thing to do to help some of the most distressed communities that the national government ignored.”

Hugh McVey, President of the AFL-CIO, confirmed this message, “If we are truly going to value work and the workers who keep our economy going, we need to reward that work with a wage that they can support their families on.” When speaking with the media, coalition spokesperson Sarah Howard appealed to the traditional American idea of the self-made man. She said, “the moral argument that, if you work hard and you play by the rules, you ought to be able to support your family and hopefully build a better life for your kids, I mean, that’s the American dream. That’s a community value we all share.”

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163 Jim Kottmeyer.
164 The Online Newshour, “Missouri Debates Increasing Minimum Wage on November Ballot Initiative.”
Influential economists gave strong support to the Proposition B coalition, by arguing that a wage increase would not negatively affect the business community. The Economic Policy Institute released a statement signed by 526 economists, including four Nobel Prize winners and three past presidents of the American Economics Association, which stated, “A modest increase in the minimum wage would improve the well-being of low-wage workers and would not have the adverse effect that critics have claimed.” Furthermore, Princeton University economist Alan Krueger said that a price increase would be unnoticeable to consumers and that a wage increase would lower employee turnover. “If workers are paid more, they tend to have lower turnover. Turnover is costly for employers, especially when they have to train new workers coming in, when they have to search for workers. So the higher wages help to increase productivity in that way.”

Economists also promoted the idea that a minimum wage increase would create a great deal of profit for Missouri. They believed that by raising the wage, businesses would benefit from increased spending. The Missouri Budget Project added that the raise in wage would create significant profit for the state due to taxable wages and sales tax on items bought with higher wages. They estimated that the state tax revenue would increase, experiencing an $85.5 million income growth per year. They estimated that $21.4 million of earnings would be spent on Missouri goods. Ultimately, economists offered great credibility to the progressive coalition message that not only workers, but also business owners, would benefit from a wage increase. With the help of economists, they were able to argue credibly that the state of Missouri would experience economic

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165 Fox and Bernstein.
166 The Online Newshour, “Missouri Debates Increasing Minimum Wage on November Ballot Initiative.”
167 Amy Blouin.
growth if voters approved Proposition B.

The conservative Save Our State’s Jobs coalition put their message in their political action committee name. The message that they most strongly promoted was that if minimum wage were raised, businesses would make less profit and would have to cut jobs. As Restaurateur Forrest Miller said, “We have to keep the product cost in line with what the customer’s willing to pay. When the customer says, ‘You’re charging me too much,’ we do less business, we have less money to give people, and we have fewer jobs.” The coalition underlined in nearly every media quotation that many low-wage workers would quickly lose their jobs if Proposition B passed.

Save Our State’s Jobs also argued that in the face of a poor economy, a raised minimum wage tied to inflation would cripple businesses. Some, such as John Mehner of the Cape Giradeau Chamber of Commerce, argued that a ratchet effect, or “automatic escalator clause” would continue to increase wages to an unaffordable point. “If a company has bad years, which they do, [Proposition B] doesn't take that into account. Those are unforgiving escalating costs that will end up taking away jobs.” The coalition used of fear of an unstable market to try to prove the faults of Proposition B.

**ORGANIZATIONAL RESOURCES: CAMPAIGN SPENDING**

Spending in Missouri pales in comparison to the California and Maine initiatives. Combined, the two Missouri campaigns spent $1,989,796 with Save Our State’s Jobs

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168 The Online Newshour, “Missouri Debates Increasing Minimum Wage on November Ballot Initiative.”
spending a mere $149,900 and Give Missourians a Raise spending $1,839,896. The largest contributors to Give Missourians a Raise were labor unions that donated a total of $705,075. Nearly 95% of donors for the Save Our State’s Jobs coalition were in the food and beverage sector, donating $144,700. Out of state funding is an especially interesting element of the campaign spending for Proposition B. Both campaigns received the majority of their contributions from out of state, with Save Our State’s Jobs receiving $98,200 and Give Missourians a Raise receiving $1,356,400.

Although some may see this strong fiscal support as a broad national interest in the minimum wage issue, others believe that it was actually about winning a Democratic majority in Congress. Some involved in the campaign say that they would not have received similar fiscal support had Claire McCaskill not had a chance of defeating Jim Talent. They believe that national unions only participated because it was in their members’ interest to have a Democratic majority. One organizer, who wished to remain anonymous, said that the only reason national organizations donated to the Give Missourians a Raise campaign was to help Claire McCaskill win: “Why would a group like the AFL-CIO get involved? Claire McCaskill. Every nickel spent was to win the U.S. Senate majority.” This organizer posited that it is not always about the issue at hand, but about larger political implications. In the coming years, we may see greater contributions to ballot question campaigns as both political parties use spillover votes

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172 Follow the Money, “Contributions to Save Our States Jobs,” Legislative Committee Analysis Tool, http://www.followthemoney.org/database/StateGlance/contributor_details.phtml?c=2093&t=1&i%5B%5D=Y0000&b%5B%5D=Z2400
173 Follow the Money, “PROPOSITION B: Increase in State's Minimum Wage.”
174 Anonymous interview.
from ballot initiatives to candidates to win a precariously balanced Congress.
CONCLUSION

In these case studies, I have offered varying perspectives of ballot question campaigns. There is the story of Amy Thompson of the Maine People’s Alliance, who stressed the importance of knocking on doors and speaking to your neighbors. Jim Kottmeyer’s story is also important. He believed that Missourians needed a raise and took the necessary action to place the measure on the ballot. What lessons can we learn from the achievements of these coalitions?

In each case study we learn a different lesson about the necessity of coalitions and grassroots support in ballot initiative campaigns. In Maine, national donors did not support the anti-TABOR campaigners until the coalition of Citizens United rallied enough in-state support to gain out-of-state attention. This tell-your-neighbor grassroots organizing enabled the campaign ultimately to receive enough contributions to outspend the pro-TABOR camp at a ratio of 5:1 and win the campaign. Proposition B, which also promoted their message with a strong coalition of unions and community members won by an overwhelming 76% of Missourians in support of the measure. The campaign believes that the measure would not have passed if it had not been for the strong bonds between the member organizations. It is clear that volunteers committed to grassroots organizing can make a difference by speaking to their neighbors. Garnering this local support can lead to large contributions from donors convinced of the likelihood of success.

However Proposition 87 is a very different story, it is a story of failure that includes neither a progressive coalition nor grassroots activity. It is important to recognize that this campaign, although funded by some of the deepest pockets in
Hollywood and investment banking, lacked citizen support. Although the list of supporters for Proposition 87 included the California Federation of Teachers, the California Labor Federation, the California League of Conservation Voters, there is little evidence that these groups worked together to form any sort of grassroots campaign and so Californians were not convinced that they should support Proposition 87.175 Perhaps the California Nurses Association would have contributed their time to the campaign had they not been supporting their own ballot measure, but it is unlikely that this would have changed the outcome of the election, as the Yes on 87 campaign seemed not to encourage any neighbor-to-neighbor campaigning, while No on 87 had local support of firefighters, police officers, and teachers.

These three stories give credence to my belief that a coalition using grassroots campaigning to spread its message is imperative to a progressive ballot question campaign. I believe that without this early local backing, ballot questions will not gain the necessary support to convince sympathetic citizens to vote. Of course, money is necessary to win a ballot campaign, but campaigns will not receive these funds without proof that they have the support of constituents. As with TABOR, many national groups did not at first believe that the anti-TABOR campaign had a chance, even a few months before Election Day. However, the amount of local support garnered by literature drops, phone calls, and simple neighbor-to-neighbor discussions proved that the campaign had a chance, which attracted national donors. Because the margin of victory was so small, if groups such as the Maine People’s Alliance had not done this important work, the election would have likely turned out starkly different results.

Unions played an important fiscal role in both the TABOR and Proposition B campaigns. Without their donations, neither campaign would have had the necessary funding to win their campaign. This is especially true for the anti-TABOR campaign. Due to the small margin of victory for the anti-TABOR campaign, the measure would have passed if unions had not donated money to the opposition campaign. That said, I believe that it is necessary for the Left to strongly consider options to aid unions and keep jobs in our country. If outsourcing continues at the current rate, I predict that unions will completely dissemble and progressive ballot campaigns will lose their main source of funding. This would be disastrous for progressive activists and politicians.

To create a powerful progressive presence in this country, it is essential for national and local organizations to support the work of progressive coalitions running grassroots campaigns. Over the past fifteen years, the Right has enjoyed a strong voice on the ballot, using hot-button issues not only to create policy, but to bring voters out who will also support conservative officials. To maintain a Democratic Congress and to promote a progressive legislative agenda, it is imperative for progressives to persevere and work cooperatively. I would suggest a strong investment in the creation of long-term coalitions that can learn from their mistakes, can create progressive legislation, and who will be ready to fight and defeat conservative propositions at a moment’s notice. The progressive community should take this moment of deep dissatisfaction with the Right to build their base and attract voters to organizations that could become member groups of coalitions. In this way, the Left could use progressive ballot measures to their advantage to create the change they wish to see. As Amy Thompson of the Maine People’s Alliance
said, “I believe it has a lot to do with grassroots organizing. That’s how you really change people’s minds.” ¹⁷⁶

¹⁷⁶ Amy Thompson.
### Appendix 2

**TABLE 1: IMPORTANT CHARACTERISTICS OF THE CALIFORNIA, MISSOURI, AND MAINE CASES**

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>California</th>
<th>Missouri</th>
<th>Maine</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>36,457,549</td>
<td>5,842,713</td>
<td>1,321,574</td>
</tr>
<tr>
<td>Population Rank</td>
<td>1</td>
<td>17</td>
<td>40</td>
</tr>
<tr>
<td>Party Competition</td>
<td>Competitive, Leaning Democrat</td>
<td>Traditional Democratic Advantage</td>
<td>Competitive</td>
</tr>
<tr>
<td>Requirements to Qualify an Initiative</td>
<td>- No subject matter restrictions - Financial Contributions Reported - 5% or 8% of votes for governor in last election needed for statute and amendment</td>
<td>- Restrictions on subject matter - Financial Contributions Reported - 5% or 8% of votes for governor in last election needed for statute and amendment and 5% or 8% each from 2/3 of congressional districts for statute and amendment</td>
<td>- No subject matter restrictions - Financial Contributions Reported - 10% of votes for governor in last election needed for statute and amendment</td>
</tr>
<tr>
<td>Measures allowed in mid-year elections?</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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179 Alexander, 40.
TABOR is a one-size-fits-all formula that takes away local control. It would create a chaotic mess for many communities, forcing numerous and costly local referendums for even minor increases in fees or expenditures. Good Maine common sense tells us this isn’t how we run government.

TABOR makes it difficult for our elected officials to make important decisions quickly and easily because it requires a cumbersome budget referendum process.

When Maine is hit by floods, ice storms, hurricanes, and other emergencies, our state and local governments will be unable to respond to the urgent needs of our neighbors and communities.

And on top of making it harder for government to act quickly, local police, fire chiefs and crisis response people have said they believe TABOR will erode their ability to respond to emergencies. And that’s under normal circumstances!

Maine can do better. For more information or to find out how you can help the campaign to defeat TABOR, call: (207) 797-0967 in Portland, (207) 782-7876 in Lewiston, or (207) 990-0672 in Bangor; or go to: www.mainepeoplesalliance.org

Vote NO on Question 1
Vote NO on TABOR!

TABOR is an initiative to impose a rigid budget formula for local communities and the state that will appear on the Maine ballot Tuesday, November 7th.

It would force across-the-board limits in state and local budgets that become more severe over time. TABOR will require cuts to important local services including public safety and road maintenance. It will result in cuts to nearly a third of Maine’s schools and will harm important state-funded programs such as health care for the elderly and children.

TABOR didn’t work in Colorado:
In 1992, Colorado voters passed TABOR. Here’s what they got:
• By 2000, Colorado had fallen to 50th in spending on public education and now rates near last among states in high school graduation rates;
• Colorado now has the highest rate of uninsured low-income children in the nation;
• Colorado unemployment has more than doubled since 2000;
• The Colorado legislature was forced to eliminate the state’s Homestead exemption for property tax reduction.

By 2005, Coloradans had had enough and voted to suspend TABOR—but the damage was already done. Maine’s version of TABOR is even more harmful.

It didn’t work in Colorado and it won’t work here.
TABOR Won’t Work!

Real tax fairness needs to be achieved through thoughtful and careful reforms.

Our community and state priorities cannot be achieved using TABOR’s one-size-fits-all formula. An across-the-board cap on how much our state and local governments can spend ties the hands of our elected officials to make the decisions we elected them to make. Government budgets and taxes reflect our moral priorities and community needs, and should be determined by Maine’s citizens and the people we elect—not a flawed and rigid formula imported from Colorado.

TABOR won’t cut taxes, close a single loophole or eliminate any exemption.

A careful look at Maine’s tax system shows the real problem is one of tax fairness. The reality is that the rich are getting richer while the rest of us are struggling to get by. TABOR will only make things worse. It is critical that the democratic process be trusted to determine the direction of tax reform in Maine. TABOR undermines that process by requiring a 2/3 majority to override any budget restriction. This means a minority of 1/3 gets to control budget decisions, enabling this minority to achieve what they failed to convince a majority of Mainers to go along with before TABOR!

TABOR will hurt schools, seniors and families.

If TABOR had been in effect last year, over 30% of all Maine school districts would face budget cuts this year due to TABOR’s one-size-fits-all formula. Ordinary people who can’t afford expensive private schools will be hurt the most if Maine’s schools fall from some of the best in the nation to some of the worst, like in Colorado.

What's more, TABOR would force the Community College and University of Maine systems to raise tuition, making out-of-state schools more attractive. This would hurt the Maine economy by reducing our investment in a skilled workforce and future job growth.

Faster than you think, TABOR will go too far and hurt Maine families.

If passed, TABOR will soon begin to hurt all Maine families by cutting funding for health care, public safety programs, road maintenance, libraries, and vital public services like police and fire protection.

And worst of all, TABOR fails to protect our most vulnerable citizens—children, the disabled and the elderly—by putting at risk the important programs they depend upon, like childhood immunizations, home health care and Meals on Wheels, to name just a few.

Let’s not forget, taxes are the way we pay for things together that we have decided our community needs, but which most of us can’t afford on our own.
Acknowledgements

I would not have been able to complete this thesis without the support of the following people. I offer them my sincere thanks;

To Professor Margaret McFadden who changes my worldview nearly every time I walk into her office or classroom, for her hearty laughter and love of mischief, and for teaching me what it means to be a strong woman in an often-challenging world;

To my American Studies friends, for their apt insight into American life and my life, for our raucous debates, and for being the best dinner dates at Colby;

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To Professor Tracy Carrick, for helping me to believe that I am a good writer;

To all of my teachers at Colby, for imparting your wisdom and for giving me the tools I need to analyze and change the wrongs I see;

To all of my friends who are not political, for listening to me talk nonstop about ballot initiatives;

To all of my friends who are, I am truly going to miss making Maine a better place with you. It’s the good fight;

And most importantly, to my parents. Without you I would never have discovered who I am or what I can accomplish. I care about politics because you have always taught me that I can do amazing things, even in the face of apathy or pessimism.
Works Cited

Chapter 1


Chapter 2

TABOR


*The Real Story Behind TABOR.* DVD. Directed by Lu Bauer. 2006; -. The Center on Budget & Policy Priorities.


PROPOSITION 87


PROPOSITION B


Chapter 3