

State Battlegrounds Are Heating Up

Everything From Health Care To 'Humane' Treatment Of Farm Animals On The Ballot

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While most national headlines are focused on whether or not Sen. Barack Obama or Sen. John McCain will be the next president of the United States, there are thousands of other crucial ballot box choices coming up on the state level.

The topics range from health care to immigration and even farm animal welfare.

A whopping number of state seats are "in play." Voters will decide 80 percent of the 7,382 total state legislative seats in the United States on November 4th as well as 11 state governors, according to the National Conference of State Legislatures (NCSL).

"Because there are only a small number of governor races in 2008, legislatures are the main battlefield for control of the states," said Tim Storey, an elections expert with the National Conference of State Legislatures.

Party control of states is sharply divided. Democrats control 14 state governments, and Republicans have 10 states. In 25 states, the power is divided between the two major parties. (The Nebraska Legislature is both nonpartisan and unicameral.) Democrats hold just under 55 percent of all seats.

Storey says this represents the high mark for Democrats since Republicans crushed them in 1994 and brought partisan parity to legislatures for the past 14 years. At least 28 of the 84 legislative chambers with elections this year can be called battlegrounds with either party having a chance to emerge with a majority. The National Conference of State Legislatures says some of the top battleground states include:

Indiana – Democrats have a two-seat advantage over the Republicans in the House. The chamber has switched party control 15 times in the past 80 years.

Montana – The most competitive legislature in the country. Republicans currently control the House by just one seat. In the Senate, Democrats hold a two-seat advantage.

Nevada – Republicans enter the election with a razor thin 11-10 edge in the Senate.

Ohio – Term limits hit Republicans disproportionately hard in the Ohio House offering Democrats their best shot at winning back control since they lost it in 1994.

Oklahoma – The Oklahoma Senate is tied, with an equal number of Republicans and Democrats.

Wisconsin – Democrats need to win back just three seats to get control of the Assembly for the first time since 1994. Republicans need only two Senate pick-ups to win back control.

"Other states to watch are Arizona, Maine, Michigan, North Dakota, Oregon and South Dakota," said Storey.

There are no legislative elections this year in Alabama, Louisiana, Maryland, Mississippi, New Jersey and Virginia. In Michigan and Minnesota, there are no senate elections, but all house seats are up. Governor races will be held in Delaware, Indiana, Missouri, Montana, North Carolina, North Dakota, New Hampshire, Utah, Vermont, Washington and West Virginia.

Presidential Coattails?

"History suggests that success for either Senator John McCain or Senator Barack Obama will produce a coattail effect," said Storey. That's another reason why so many people are focused on the so-called "swing states" like Missouri, Pennsylvania and Ohio, that could go for either candidate this year.

Since the 1940 election of Franklin Roosevelt, the party winning the presidency has gained legislative seats in 11 of 17 elections, says Storey. That trend, however, did not hold in 2004 when Republicans suffered a net loss of

25 seats despite George Bush's reelection. On average, the party that wins the White House adds more than 125 legislative seats to its column.

State ballot initiatives

In addition to statehouse races, a total of 151 questions have qualified for statewide ballots. Ballots in Colorado, Oregon and California have the most measures – a total of 18 in Colorado and 12 each in Oregon and California.

Colorado voters will consider whether the state's initiative process ought to be tightened up a bit. Referendum O, referred to the ballot by the legislature, would slightly increase the number of signatures required on a petition for a constitutional amendment and require that they be gathered from all of the state's seven Congressional districts. At the same time, it would slightly decrease the signature threshold for qualifying a statutory initiative, in hopes of providing some incentive to proponents to present their proposal as a statute, rather than a constitutional amendment.

Labor will be a big issue on ballots around the country this year. In 2006, six states passed initiatives increasing the minimum wage. This year, there are labor issues coming from both ends of the political spectrum. In Colorado, there are five labor initiatives on the ballot. On one side of the issue are a right-to-work amendment and a measure prohibiting the use of union dues for political purposes. Three pro-labor initiatives submitted for signature verification have also qualified – one would require employers to provide health insurance, a second limits the reasons an employer may cite to fire or suspend an employee, and the third permits an injured employee to sue an employer in cases of injuries resulting from an unsafe workplace. A revamp of the state's workforce safety agency has qualified for a vote in North Dakota.

A number of conservative-leaning social issues are represented on statewide ballots this year, according to NCSL, and these can often stimulate voter turnout. Some of the most controversial issues include abortion (CA, CO and SD), anti-affirmative action (CO and NE), immigration (AZ, MO and OR), and same-sex marriage (AZ, CA and FL, and a ban on adoption by gay couples in AR). Other issues on the ballot in multiple states include environmental protection and land/water conservation (AK, AR, FL, GA, MN and OH).

Animal welfare.

Livestock interests are paying close attention to a ballot initiative in California that sets strict new standards on the way hogs, veal calves and egg-laying hens can be housed. In April, a coalition of humane organizations gathered more than the necessary 433,971 signatures to put Proposition 2 on the California ballot. The Humane Society of the United States has been investing millions to support passage of the measure.

If approved, Proposition B would require that these animals must be allowed to turn around freely, lie down, stand up, and fully extend their limbs by January 2015. Under the measure, any person who violates this law would be guilty of a misdemeanor, punishable by a fine of up to \$1,000 and/or imprisonment in county jail for up to six months.

The state's poultry industry, home to more than 19 million egg-laying hens and the fifth largest egg-producing state in the country, would feel the most impact. California is not a major veal producer and gestation stalls are already being phased out by the state's largest pork producer. But if successful, livestock groups fear this type of ballot initiative will soon be coming to other states near you. Δ

Editor Sara Wyant publishes a weekly e-newsletter covering farm and rural policy called *Agri-Pulse*. For a four-week free trial, go to www.Agri-Pulse.com