

## Voters Support Green Measures in Reduced Popular Referendum Field

**L**ittle noted amid the focus on an unprecedented presidential race were the myriad state environmental and energy ballot measures — which were overwhelmingly approved by voters this time around. Although some measures are placed on the ballot by legislatures, others are the result of citizen initiatives that require a certain number of signatures, hard to gather while also social distancing. According to the National Conference of State Legislatures, only 30 citizen initiatives appeared on the 2020 ballot, compared to 72 in the last presidential election.

Despite the small number of total ballot measures — and an even smaller pool of environmental and energy referenda — some notable wins emerged. Nevada voters approved a renewable portfolio standard that essentially doubles the amount of renewable energy utilities must provide — 50 percent by 2030. In New Mexico, voters supported a constitutional amendment that will allow the governor to appoint all three members of the Public Regulation Commission, replacing five elected members. The amendment establishes a nominating committee to vet and recommend commissioners. Environmental groups advocated for the measure in an effort to reduce the influence of political contributions to pro-industry candidates and foster the selection of commissioners who will advance clean energy, according to Ballotpedia. The green group engagement apparently indicates concerns that direct democracy does not always reflect public preferences for clean energy.

Nebraska voters strongly endorsed a constitutional amendment to foster economic redevelopment by increasing the repayment period for tax increment financing from 15 to 20 years — but only in areas with high poverty and

unemployment rates, and where more than half the property is “extremely blighted.”

Voters also embraced the vast majority of natural resources ballot measures. Colorado voters narrowly approved a measure to re-introduce the gray wolf — a species recently de-listed under the federal Endangered Species Act — and charge the Colorado Parks and Wildlife Commission with developing a management plan. The referendum passed despite state Farm Bureau opposition and provides for compensation to landowners for livestock lost to wolves.

In addition, Utah voters unequivocally approved a constitutional amendment that “forever preserves” an “individual right to hunt and to fish.” The amendment specifies that the right is subject to certain regulations, including those that “promote wildlife conservation and management” and “preserve the future” of hunting and fishing, which the amendment designates as the “preferred means of managing” wildlife. According to

Ballotpedia, prior to the election, 22 states provided a constitutional right to hunt and fish — including the early-mover Vermont, which adopted the constitutional right in 1777!

Voters also approved an array of funding measures. Michigan strongly endorsed a constitutional amendment promoted by a range of conservation groups. It will remove the cap on the state’s Natural Resources Trust Fund, which is backed by revenue from oil, gas, and mining leases on state-owned land. The amendment also makes renovations to recreational facilities eligible for grants from the fund and requires a minimum percentage of the state’s Parks Endowment Fund to be used for capital improvements. In addition, Montana voters approved a statewide

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measure that legalizes and imposes a sales tax on recreational marijuana, with about half of the anticipated proceeds dedicated to conservation programs.

In contrast, Alaskans rejected a measure to increase taxes on high-production North Slope oil and gas fields. Five oil and gas companies contributed over \$20 million to defeat the measure — in contrast to \$1.5 million raised in support. Furthermore, Wyoming voters declined to approve a constitutional amendment that would have removed the limit on the amount of debt municipalities can incur for sewer projects.

Local energy and environmental referenda around the country also won substantial support from voters. Stand-out measures include an electric aggregation program aimed at advancing local renewable energy generation (Columbus); a range of ballot measures that support carbon-reducing transit initiatives (Austin, Santa Clara, Seattle); and tax revenue allocations to climate-related programs (Denver, Long Beach).

Voters also supported local conservation funding measures — in both red and blue states. As the Trust for Public Lands observes, “Parks and public lands continue to be an essential component of coping and recovery during the COVID-19 pandemic.” Perhaps this is why it reports that voters approved nearly \$3.7 billion for land conservation and parks. Hopefully, this robust electoral support for conservation measures will survive the coronavirus.