

The People vs. Preemption

Nationwide Voter Perspectives on Local Control

March 23, 2018

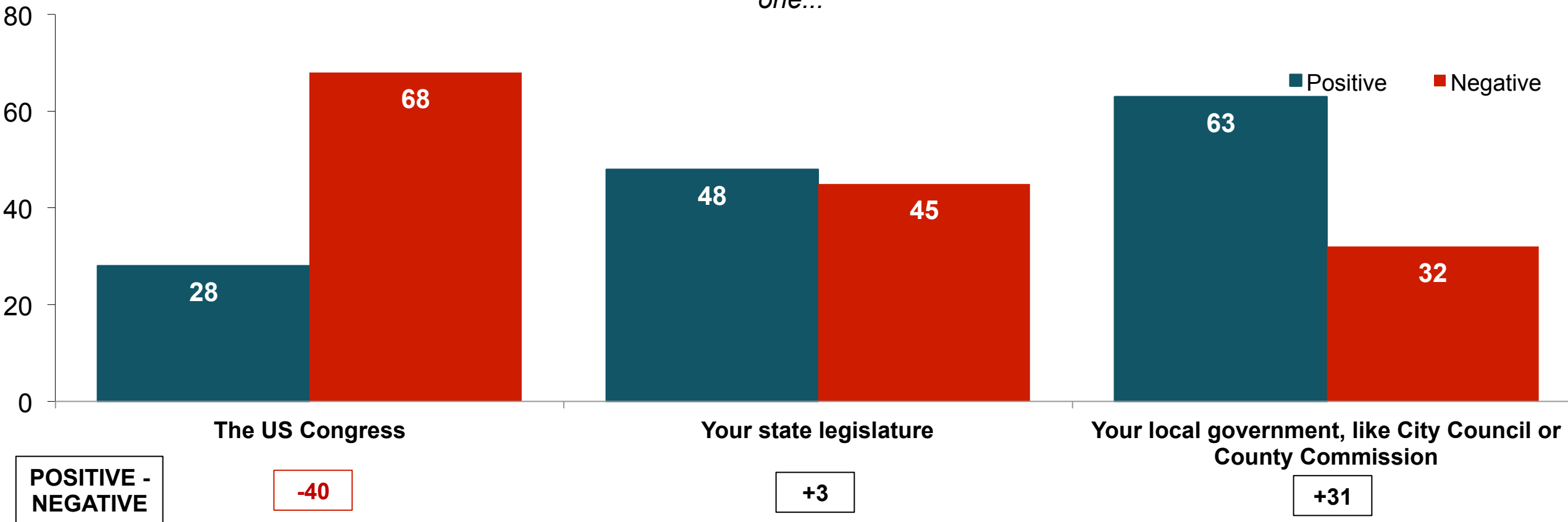


INITIAL PERCEPTIONS OF PREEMPTION

Voters have a high opinion of their local government, and are divided in their feelings towards state government

Congress receives incredibly negative reviews.

Now, you will see a list of different organizations and institutions. Please indicate whether you believe each is doing an excellent, good, not so good, or poor job of working on the issues that matter most to you. Here is the first one...



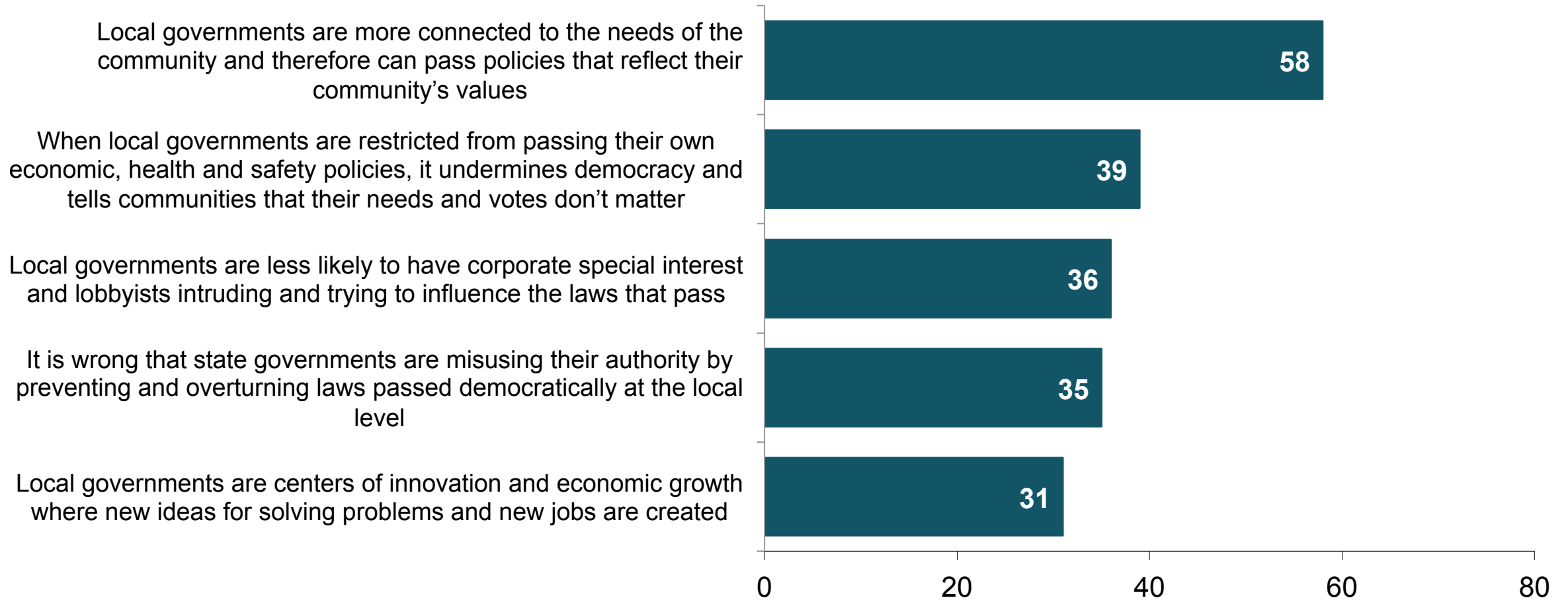
Voters believe preemption happens most frequently due to the influence of special interests.

| Reasons for Preemption | %Frequently | %Frequently +sometimes | %Unsure |
|---|-------------|------------------------|---------|
| Corporate special interests and lobbyists convince state legislators to block a local law because it would hurt their profits. | 30 | 70 | 12 |
| Conservative state legislators vote to block a local law passed by a progressive city because they disagree with it. | 18 | 59 | 12 |
| State legislators vote to block a local law as a check and balance to ensure that local laws do not contradict or violate state laws. | 13 | 59 | 18 |
| Progressive state legislators vote to block a local law passed by a conservative town because they disagree with it. | 12 | 52 | 17 |
| State legislators vote to block a local law to avoid creating a patchwork of laws where cities across the state have different laws. | 11 | 53 | 22 |
| State legislators block a local law because local regulation can be oppressive and violate personal liberty and individual freedom. | 10 | 48 | 16 |

REACTIONS TO PREEMPTION

Voters agree that “local knows best.”

Below is a list of reasons that some people have given as to why it is important to protect local governments’ ability to make their own laws. Please select the TWO most important reasons for you personally.



“Local knows best” is also strongest across party lines.

In fact, there is very little distinction by partisanship as to the most important reasons to protect local government’s ability to make its own laws.

| Reasons to Protect Local Govt’s Self-Determination | Democrat | Republican | Independent |
|---|----------|------------|-------------|
| Local governments are more connected to the needs of the community and therefore can pass policies that reflect their community’s values. | 57 | 58 | 60 |
| When local governments are restricted from passing their own economic, health and safety policies, it undermines democracy and tells communities that their needs and votes don’t matter. | 39 | 39 | 37 |
| Local governments are less likely to have corporate special interest and lobbyists intruding and trying to influence the laws that pass. | 34 | 37 | 38 |
| It is wrong that state governments are misusing their authority by preventing and overturning laws passed democratically at the local level. | 39 | 34 | 34 |
| Local governments are centers of innovation and economic growth where new ideas for solving problems and new jobs are created. | 30 | 33 | 31 |

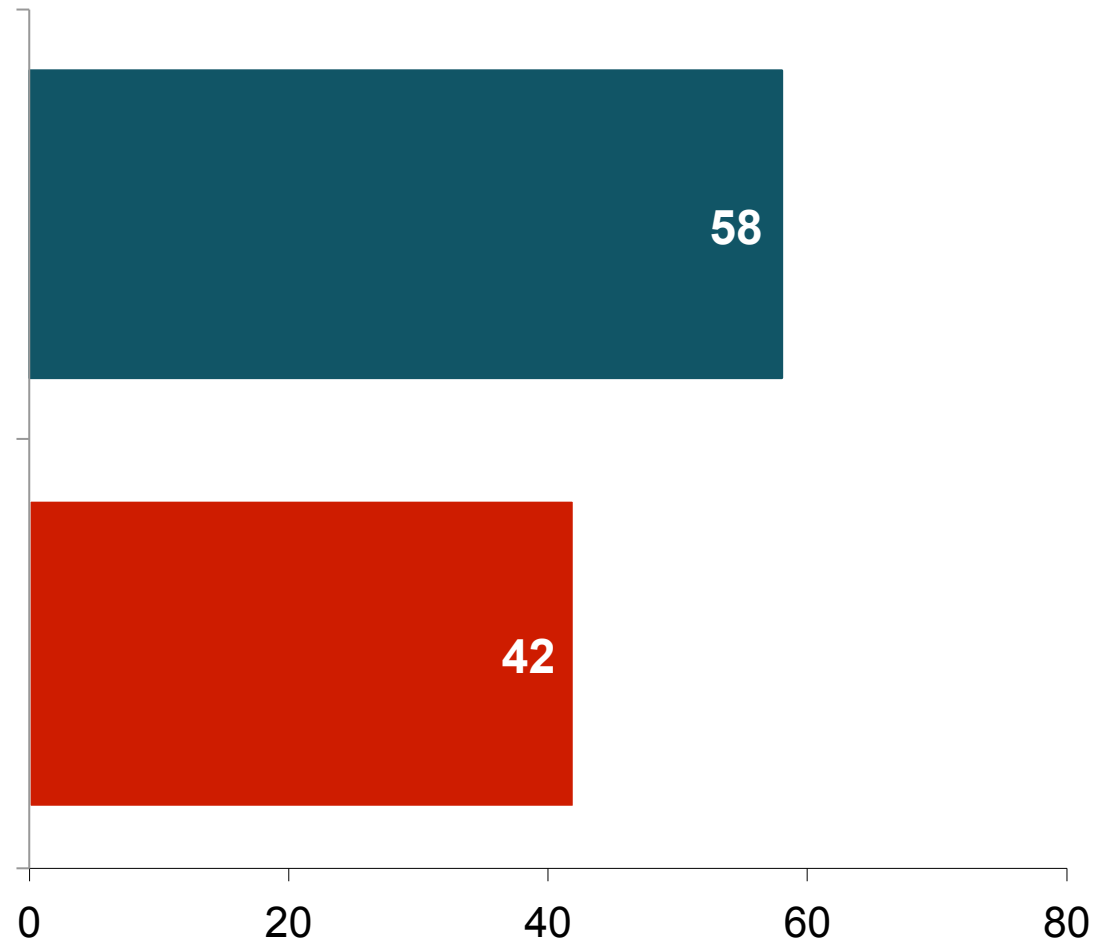
By a 16-point margin, voters believe that when state legislators preempt, they threaten local democracy.

Only 42% believe that they are using checks and balances.

Which statement comes closer to your own view?

When state legislators prevent local communities from passing laws or strike down local laws, they threaten local democracy and silence the voices of the people

When state legislators prevent local communities from passing laws or overturn election results, they are using checks and balances to make sure our system is fair

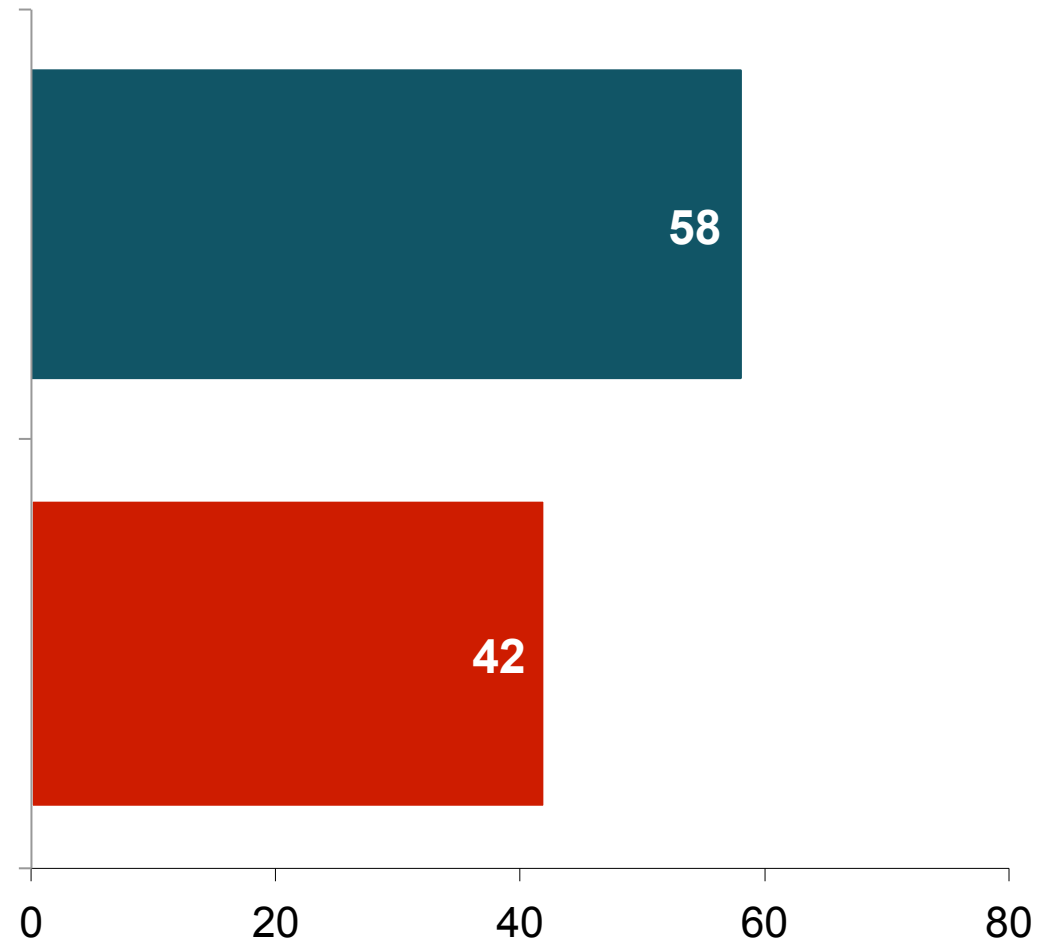


Likewise, voters believe that if a community has come together to pass a law, the state should not be able to overturn the law.

Which statement comes closer to your own view?

If a local community has come together to pass a law through an election, state legislators should not be allowed to overturn the election or the law

State legislators have a responsibility to establish uniform state standards, even if that means overturning a law passed by voters through an election

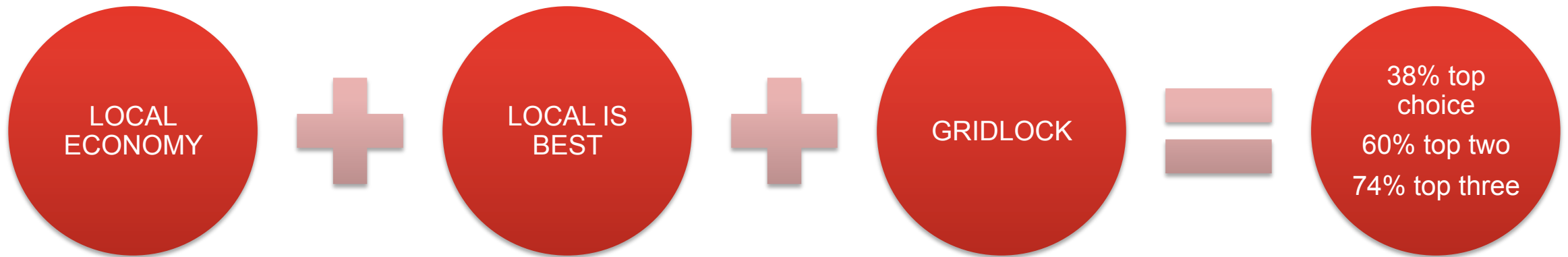


PREEMPTION AND VALUES

Voters resonate most with values of local control and government that works

| Preemption Negatives: Top Tier | Top 3 Choices | Top 2 Choices | Top Choice |
|---|---------------|---------------|------------|
| <p>[LOCAL ECONOMY] Local communities pass policies to help their local businesses thrive and create an economy that works for the people who live there. When state lawmakers prevent communities from passing economic policies that work for them, they hinder economic growth and development.</p> | 42 | 32 | 16 |
| <p>[LOCAL IS BEST] Local communities know best how to meet the needs of the people living there. It is wrong for the state government to come in and dictate to local people what is best for them.</p> | 34 | 24 | 13 |
| <p>[PARTISAN] Our country has become more polarized and partisan than ever before, lawmakers of both parties are taking advantage of their power to check local governments and using it to block agendas they oppose politically</p> | 26 | 19 | 10 |
| <p>[GRIDLOCK] It is sad to say, but political gridlock and corporate special interests have made it hard to get anything done at the state level. At least at the local level, we can make our voices heard and demand change and accountability.</p> | 26 | 17 | 9 |

When combined, these top three values reach into three-quarters of the electorate.



Democrats: 75% top three
Independents: 73% top three
Republicans: 77% top three

CONSEQUENCES OF PREEMPTION

Voters are deeply concerned about the consequences of preemption, especially on workers/workplace, public health, and stripping away any protections.

| Consequences of Preemption: Top Tier <i>%Concerns a great deal</i> | Overall | Move to Negative Impact | Move to threaten Democracy | Conflicted Voters |
|---|----------------|--------------------------------|-----------------------------------|--------------------------|
| <p>State legislators are undoing workplace policies that protect workers from wage theft and employer abuse, allow workers to earn paid sick time, and raise the local minimum wage. In one state, state legislators REDUCED a local minimum wage by almost \$3 an hour. Without these policies, workers risk being taken advantage of and losing the opportunity to earn their way out of poverty</p> | 58 | 64 | 65 | 59 |
| <p>Several state legislatures are passing laws that ban all local governments in their state from passing ANY policies that address economic issues, meaning that local communities are powerless to do anything that might help their local economy or protect workers.</p> | 54 | 60 | 51 | 53 |
| <p>State legislators in several states have voted to prevent local communities from passing protections that keep the community healthy, including clean air and water protections, and passing a ban on natural gas fracking even though a recent study came out that found that babies born in communities near fracking sites experience lower birth weights, and fracking is also known to cause lung damage and seizures</p> | 53 | 55 | 54 | 50 |

Voters are also troubled by retribution and preemption causing local governments to become irrelevant.

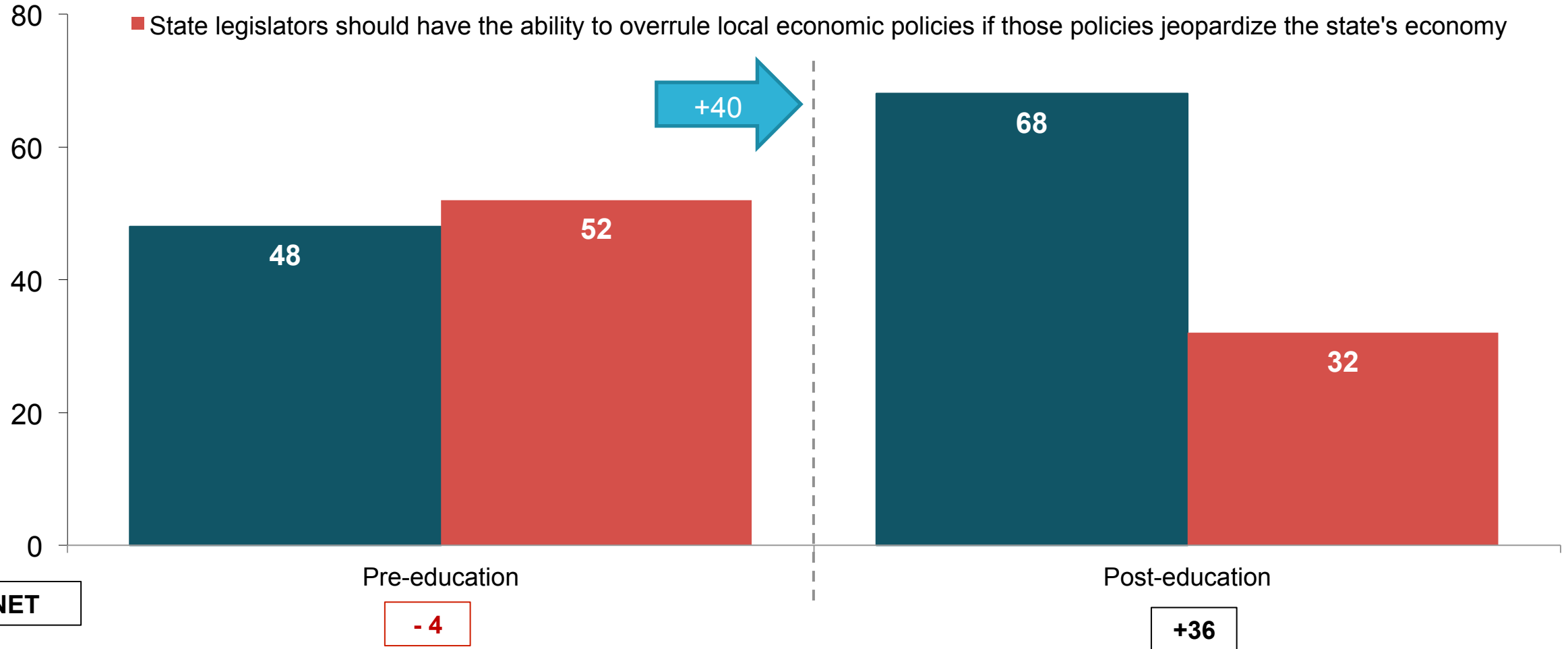
| Consequences of Preemption: 2nd Tier <i>%Concerns a great deal</i> | Overall | Move to Negative Impact | Move to threaten Democracy | Conflicted Voters |
|--|----------------|--------------------------------|-----------------------------------|--------------------------|
| <p>State legislators are doing more than preventing local governments from passing laws - they are punishing local communities and lawmakers who pass policies they disagree with. In many states, when state legislators disagree with a local law, they not only prevent it from taking effect, but they have threatened to fine, jail or fire local officials who passed the law.</p> | 51 | 58 | 51 | 51 |
| <p>Several state legislators are passing laws that ban all local governments from passing laws that address a range of issues from the environment to discrimination to economic policies and beyond. They are making local government irrelevant and that makes it easy to ignore and override the unique needs and values of our community.</p> | 51 | 59 | 56 | 47 |
| <p>Our country was designed to have three levels of government -- federal, state, and local. But in many states, state legislators are cutting off local governments' ability to set their own laws and policies, simply because they do not agree with the laws. They are violating the way our country was designed.</p> | 49 | 54 | 42 | 44 |

IMPACT OF EDUCATION

When educated, voters strongly agree that localities should determine their own economic policies.

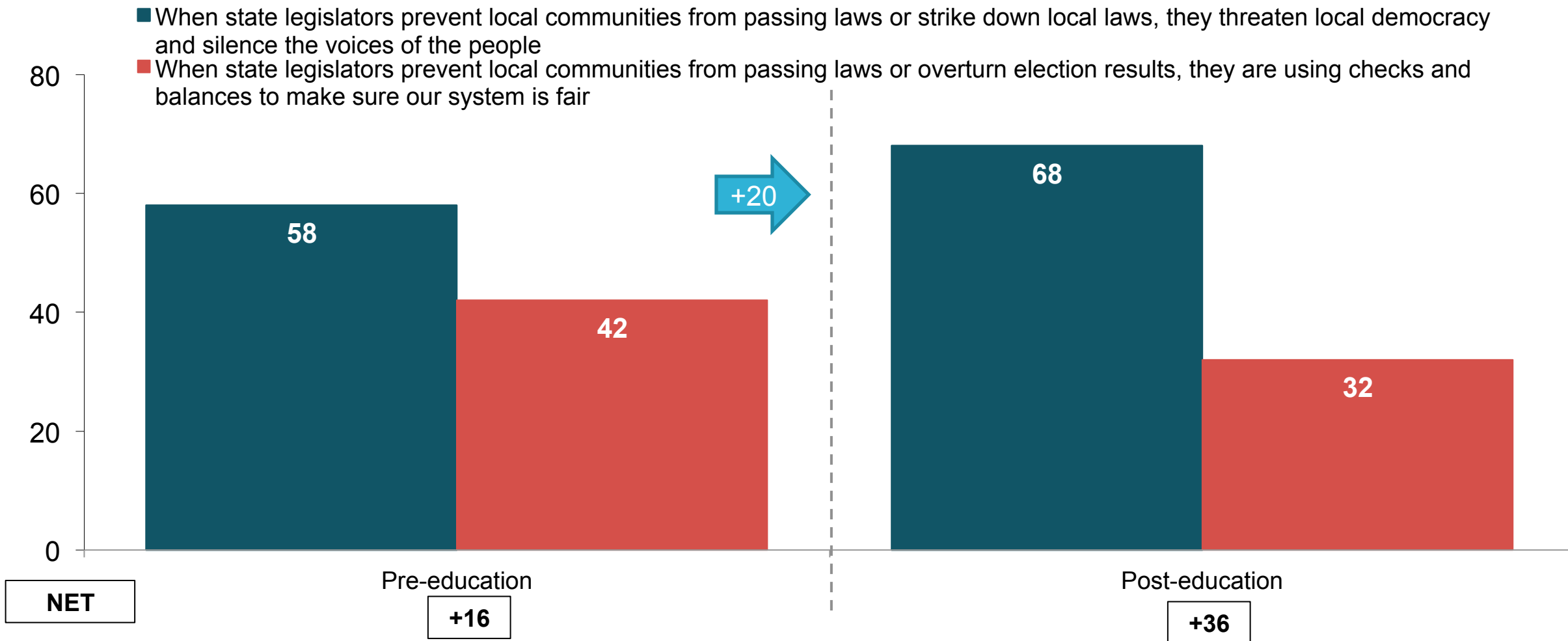
Please read the following statements and select the statement that comes closer to your own view, even if neither is exactly right.

- Local communities should have the ability to determine their own economic policies and regulations without state intrusion
- State legislators should have the ability to overrule local economic policies if those policies jeopardize the state's economy



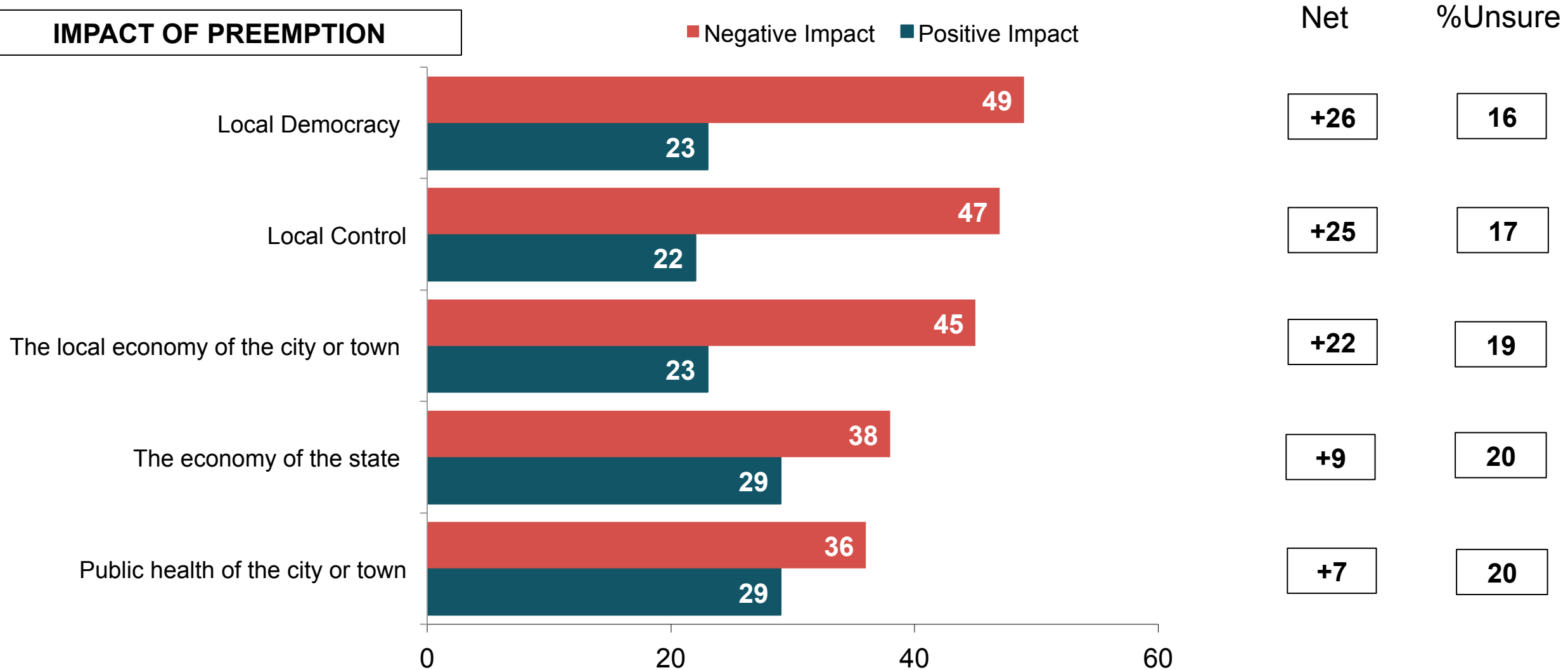
By same 40-point swing, voters strongly agree, when educated, that state legislators threaten local democracy with preemption laws.

Please read the following statements and select the statement that comes closer to your own view, even if neither is exactly right.



Once educated, voters believe preemption negatively impacts local democracy, local control, and their local economy.

IMPACT OF PREEMPTION



Research Conducted

Phase 1: From December 12-14, 2017, we conducted three-day online focus groups, known as QualBoards. The audience was likely 2018 voters living in the following states: Arizona, Florida, Georgia, Louisiana, Michigan, Minnesota, North Carolina, and Tennessee. The states were selected based on frequent state legislative preemption. Participants were also recruited based on not personally identifying as a member of either major political party.

Phase 2: Anzalone Liszt Grove Research and Moore Information partnered to conduct an n=811 online poll with registered 2018 voters nationwide between January 9-11, 2018. Interviews were apportioned geographically and demographically based on Census data. Because the survey was conducted online, all respondents owned a computer and had internet access. As the survey was conducted online, there is no margin of error.