

Winner & Mandabach Campaigns Unbeaten in 2008

In 2008, Winner & Mandabach (W&M) continued its record as the nation’s leading ballot measure consulting firm by winning all of the campaigns in which it was involved, a total of five campaigns involving nine individual ballot measures.

The firm’s latest wins involved a variety of issues, including land use laws in California, mining laws in Alaska, and gaming measures in Missouri, Ohio and California. During 2008, the firm also managed a successful communications effort to help deter the filing of a tax measure in Nevada.

W&M has handled more ballot measures than any firm in the country – over 150 state and local measures in 28 states, and has a win record of over 90%. These measures have included many “Yes” campaigns, which are generally more difficult to win than “No” campaigns.

In fact, since 1990, W&M has won 50 “Yes” campaigns, significantly more than any other firm in the nation. The firm’s wins have covered a wide range of issues, including energy, water resources, the environment, health care, land use, taxation, transportation, gaming, biotechnology, telecommunications, agriculture, and stem cell research.

Brief descriptions of the firm’s 2008 campaigns are provided below.

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CALIFORNIA – Defeat of Prop 98 & Passage of Prop 99 – Land Use Laws



W&M was hired by a coalition of local government, environmental and business leaders to defeat Prop 98, a measure that would have restricted eminent domain, phased out rent control and potentially affected a number of local zoning laws. Prop 98 was designed to appeal to public outrage over a controversial U.S. Supreme Court decision on eminent domain, which meant that defeating the measure could be a major challenge. After careful consideration, an alternative eminent domain reform initiative was filed by the firm’s clients. This alternative measure, Prop 99, effectively addressed the eminent domain issue without 98’s adverse consequences. W&M worked with the campaign team to develop a strategy that addressed the complications of a NO/YES campaign. Initial advertising featured intrusive 15-second spots against Prop 98, which drove down support for the measure despite an initial funding advantage for 98’s sponsors that allowed them to start advertising first. Then, utilizing mail and a final 30-second TV ad, the campaign delivered a No 98/Yes 99 appeal. On election day, Prop 98 was defeated, 62% No to 38% Yes, while Prop 99 was passed by a similar margin.

MISSOURI – Passage of Prop A Gaming “Loss Limit”



Since 1992, Missouri had been the only state in the nation with a law prohibiting a casino patron from spending more than \$500 at a casino during a two hour period. This so-called "\$500 loss limit" was enforced with intrusive player ID and tracking regulations that many casino patrons disliked, and the dollar amount was never adjusted for inflation. As a result, Missouri casinos had increasingly lost patrons to the growing number of casinos in neighboring states. For years, attempts to remove the “loss limit” regulation had failed. W&M advised on the design of a measure to take the needed regulatory changes directly to voters and directed the campaign to qualify and pass the proposal. The campaign included a successful grassroots recruitment effort and a late-breaking advertising campaign that helped achieve a 56-44 victory.

ALASKA – Defeat of Measure 4 Mining Regulations

Alaskans Against the MINING SHUTDOWN

In 2008, the metal mining industry in Alaska faced well-funded opposition by Alaska and out-of-state groups that sought to use one or more ballot measures to restrict mining in the state. They succeeded in qualifying Measure 4, a cleverly-packaged measure that was designed to gain maximum public support for new regulatory restrictions. W&M was retained to oversee the campaign strategy and direct the media campaign against Measure 4. The firm designed credible advertising that explained that Measure 4 would undermine Alaska’s existing regulations and replace them with ambiguous language that could have major negative consequences for the state. On election day, Measure 4 was defeated by a vote of 56% No to 44% Yes.

OHIO – Defeat of Issue 6 Casino Proposal



Issue 6 was a statewide measure to allow a casino in Clinton County, Ohio. In late summer, when W&M was hired to defeat it, initial public polling showed that the measure was ahead by more than 30 points and that a solid majority of Ohioans supported bringing casino gambling to the state. The proponents of the measure had already run an initial public relations and advertising campaign, and went on to spend over \$20 million on their election campaign. To overcome these challenges, the firm designed a layered advertising and mail campaign that succeeded in undercutting the proponents’ revenue projections and fending off millions of dollars in attack ads leveled at the firm’s client. The campaign revealed the flaws in Issue 6 and helped reverse the strong initial polling numbers for the measure, defeating it 63% No to 37% Yes.

CALIFORNIA – Passage of Props 94-97 Indian Gaming Agreements



Propositions 94, 95, 96 and 97 were referendum votes on new gaming agreements between the State of California and four Indian tribes. The Yes campaign managed by W&M faced a tough onslaught from rival gaming interests that spent heavily on ads portraying 94-97 as “unfair deals” that would allow the “largest expansion” of casino gaming in state history. The firm produced ads focused on the major fiscal benefits the agreements would provide to California, while also pointing out the self-serving motivations of the gaming interests opposing the agreements. The effectiveness of the campaign to approve the agreements was demonstrated by the fact that, in contrast to most ballot measure campaigns, the majority of voters identified as “undecided” in late polling ultimately voted Yes on election day. All four measures passed by a 56-44 margin.

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