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Memorandum

TO: David Laufer
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FROM: Paul Holm
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DATE: November 9, 1993

RE: California Statewide Results -- Executive Summary

The following are the key findings from the California statewide telephone survey of 1,000 registered voters. The study was fielded October 28 to 31, 1993. The margin of error is +/- 3.1%. The demographic profile of the sample matches that of the California electorate. This memo presents the aggregate findings from this research.

Early Ballot

- Initial support for the ballot is very strong, with 68% favoring, 26% opposing and 5% undecided; the strength of support -- a critical factor -- is also very high, with 55% strongly favoring the initiative. In contrast, just 16% strongly oppose it.
- Support for the initiative is driven by dislike and concerns about smoking -- bothersome, health concerns, non-smoking status, anti-smoking in general, invasion of smoke and general dislikes. Supporters see the initiative as a bona fide method of minimizing their contact with smoke in public places.
- Opposition to the initiative is driven predominantly by the right to smoke, freedom of choice and the demographic of "being a smoker."

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- The elements of the initiative are also very popular, with many receiving supermajority favorability ratings, in the aggregate.
- The elements received the following favorability ratings: posting of illegality of sales to minors (93%); doubling of current fines for sales to minors (85%); prohibitions on advertising near schools (84%); restriction on vending machine locations (83%); requiring at least 70% non-smoking seating (83%); complete ban on smoking, unless ventilation standards are met (80%); smoking allowed only if strict ventilation standards are met (78%); \$100 million annually in new cigarette tax revenue (73%); and allows smoking sections, but only upto 30% of seating (68%).
- Voters generally responded positively to some of the detailed information about the initiative. While the percentages were not quite as high as those for the elements, they are still very strong: restrictions do not apply hotel rooms (83%); smoking banned in shared office areas (76%); smoking only allowed in designated areas of work places (76%); and restrictions do not apply to private functions or conferences (64%).
- The issue of oversight was tested two ways, through a split sampling methodology. The California EPA having oversight received a 61% favorability rating, compared to 49% for the California Alcoholic Beverage Control oversight option. The level of opposition to each oversight was roughly equal, 25% and 26% respectively, but the ABC received a much higher level of uncertainty, 25%, compared to the better known EPA, 14%.
- While they favored some of the details, voters disapprove of the initiative's exemptions. Fifty one percent oppose the small business exemption (15 or fewer employees) and 60% oppose the small restaurant exemption (50 or fewer seats). The opposition to the exemptions is the strongest negative tested, in the aggregate analysis.

Middle Ballot/Tax Allocation/Exemptions

- After exposure to the elements and some detailed information about the initiative, support for the measure increased to 73%, with 57% approving strongly. Twenty-four percent remained opposed, with just 16% strongly

opposing. (Note: when a measure starts out with initial approval as high as this one did, 68%, it is difficult to see it rise significantly above such a high level.) Often exposure to elements of an initiative can cause support to falter in terms of intensity or even decrease -- as details can breed skepticism -- but in this case, the voters approved of the majority of the initiative's details.

- Most of the potential sources for allocation of the new tobacco tax funds were strongly favored. The rank order was as follows: anti-drug education (67%); law enforcement (59%); health care for the needy (56%); pre-natal care (55%); AIDS research/care (53%); and reduction of state deficit (46%).
- The issue of exemptions for small business is disapproved of by a three to one margin; 72% say the initiative's smoking restrictions should apply to all businesses compared to just 23% who say small businesses should be exempted. Among those who do favor a small business exemption, the majority favor business with 15 or fewer employees receiving the exemption.
- Attitudes toward exemptions for small restaurants are parallel to small business exemptions, with 76% saying the initiative should apply to all businesses and just 19% feeling small restaurants should be exempted. Among those favoring the small restaurant exemption, a plurality of 48% said that 50 or fewer seats should be the definition. Other definitions included: 25 or fewer seats (31%), 15 or fewer (13%); and more than 50 (5%).
- The 70% minimum non-smoking level receives close to majority support, with 49% saying that 70% is the right percentage; 14% think 70% is too much non-smoking and 33% say it is not enough. Among those that feel 70% is not enough non-smoking, a full three-quarters are ardent anti-smoking, saying that they want everything, 100% non-smoking. The remainder ranged from 80% to 99% non-smoking sections. This illustrates the hard core segment -- about 25% of the electorate who desire 100% non-smoking restaurants. (This is compared with just one percent who say that there should be no non-smoking sections in restaurants.)

Education/Push Questions

- Voters were presented with eleven additional pieces of education about the initiative; the generally responded favorably to most of the information.

Even with respect to some of the negative or opposition pieces, large segments of the electorate had already intellectually committed to the initiative, due to its initial appeal and strengthened by the presentation of elements and details. This indicates that the initiative, if written as presented in this research, has very strong potential.

- The strongest arguments include: establishments may choose to ban smoking (74% favor); it will streamline the current hodge-podge of laws (67%); it will enact one of the toughest smoking standards in the U.S. (66%); and it is stricter on smoking than 88% of current California ordinances (62%).
- The issues that were more divisive include: it does not totally ban smoking and still subjects people to second hand smoke (36% more likely to *oppose*); small business/restaurant exemptions are loopholes (42%); and tobacco companies wrote/are backing to weaken tough laws (41%). It should be again noted that these opposition arguments are somewhat deflated by the initial support for the initiative that was further increased by the facts and details. If the negative arguments were presented first, without further definition of the initiative, these opposition arguments probably would have been more powerful. In that light, the divisiveness of these issues does indicate that this initiative is subject to attack.
- The pre-emption issue was explored and voters overwhelmingly side with the uniformity and fairness arguments. They are still persuaded, but less so, by the tourism argument. The flip-side to uniformity -- prevention of tougher standards divides voters, but a bare majority still side with the initiative's uniformity.

Trade-Offs

- A number of the key issues were traded off against each other. This was done near the end of the study, post-education on the elements, details and push questions. Most of the findings are positive indicators for the initiative, but there continue to be some warning signs.
- The pre-emption trade-off came down squarely on the side of a pre-emption or override of all local ordinances (57%) versus grandfathering in all current, local laws (31%). This is a comfortable two-to-one margin and is predicated

on the strong support for what is viewed as the initiative's tough statewide restriction on smoking in public places.

- A majority, 50% agree that the initiative is good because it balances economics and health concerns, contrasted with 32% who feel it doesn't go far enough in protecting the health of Californians. This 50% to 32% margin looks impressive in the aggregate, but just 27% strongly side with the balanced argument, indicating room for movement against the initiative on the health concern set of issues.
- The issue of a completely separate room for smokers is divisive, with 51% feeling separate rooms would not be feasible, but a strong 43% wanting smokers in separate rooms. In terms of strength of feelings on this issue, voters are very close, 34% and 33% strong support, respectively.

Late Ballot

- After being presented with the elements, details, push questions and trade-offs, voters still strongly support the initiative. Seventy three percent favor it and 23% oppose it on the third or late ballot; more importantly 53% strongly favor and only 15% strongly oppose it.

Endorsements

- Endorsement questions were asked near the end of the survey and should be analyzed in that light. Voters had been engaged in the subject and nuances of the initiative, which is a closer representation of reality than asking generic impact or endorsement questions.
- The proponents tested, listed in declining order of positive impact on the voters included: California Chamber of Commerce (54% more likely to favor/27% more likely to oppose); California Hotel and Motel Association (51%/29%); California Manufacturers Association (48%/29%); Cigarette manufacturers 41%/43%); the tobacco industry (40%/44%); Philip Morris Incorporated (40%/41%); R.J. Reynolds Tobacco Company (39%/43%). This data indicates that in an educated state, the support of the tobacco industry and individual companies is at worst divisive -- it is not debilitating to the initiative.

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- Opponents tested included: American Cancer Society (43% more likely to oppose/41% more likely to favor); American Lung Association (42%/43%); Americans for Non-Smokers Rights (37%/43%); California Medical Society (35%/46%); California Labor Federation (34%/45%); and California Restaurant Association (32%/49%).

Dual Initiatives

- The "competing initiative" scenario was briefly tested and clearly illustrates the danger of a more restrictive initiative competing with the initiative tested. Even post-education on the initiative, a second initiative which would ban smoking in all public places trails by just 44% to 46% for the initiative which places restrictions in designated areas. The closeness of this head to head vote – they are statistically even, as the margin is within the margin of error -- illustrates that a complete ban does appeal to a large number of Californians.

Demographics -- Bases and Switchers

A complete demographic and multivariate analysis was conducted and is the subject of another memo. The following are few key demographic high lights.

- Demographic groups that are more likely than the average to favor the initiative initially include: never smoked (84%); Asians (80%); non-smoking family (80%); Los Angeles county (78%); and smoked previously (76%). Post education, younger voters, 18-34 (80%) and the Fresno ADI (80%) were also more likely to favor the initiative.
- Groups that were more likely to oppose the initiative initially include: regular smokers (62%); smokers (58%); occasional smokers (49%); 45-54 year olds (37%); upper income/\$100,000 plus (35%); rural area residents (35%); Central Valley counties (32%); and Southern counties (30%). Additions by the late ballot include: Northern counties (29%) and 55-64 year olds (30%).
- A very high six out of ten voters were "Base Favor Voters" (defined as voters who favored the initiative on both the early and the late ballot).
Demographic groups that were more likely to be Base Favor Voters include:

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non/never-smokers (75%); non-smoking family (72%); smoked/quit (69%); \$60-99,000 incomes (68%); 25-34 year olds (66%); seniors/65 years plus (66%); and Los Angeles county (66%).

- Just 15% of the state's votes were "Base Oppose Voters" and the groups that were more likely to be so include: regular smokers (39%); smokers (36%); occasional smoker (28%); 45-54 year olds (23%); rural residents (23%); and Northern counties (21%).
- Thirteen percent of voters statewide switched from being undecided or opposed to the initiative initially, to supporting on the late ballot. The demographic groups that are more likely than the average 13% to be switch to favors include: regular smokers (26%); smokers (24%); upper income/\$100,000 plus (21%); occasional smokers (20%); Blacks (20%); Hispanics (19%); and Valley counties (19%). Just 8% switched to oppose between the early and late ballots and the groups more likely to do so included: occasional smokers (22%) and 55-64 year olds (15%).
- With respect to the two initiative scenario, while initiative X got 46% of the statewide vote, the following were more supportive: regular smokers (74%); smokers (73%); 18-24 year olds (59%); rural residents (54%); Northern counties (52%); \$20-39,000 income (51%); Coastal counties (51%); and Sacramento ADI (51%).
- Initiative Y drew support from 44% statewide and exceptional support from: Asians (65%); never smoked (56%); non-smoking family (54%); post-graduates (52%); smoked before (52%); \$60-99,000 income (51%); Highest turnout voters/35% level (49%); seniors/65 years plus (49%); college graduates (48%); and San Francisco ADI (48%).