DISSERTATION

WILDLIFE POLICY IN THE STATES: A COMPARATIVE CASE STUDY OF POLICY CHANGE IN CALIFORNIA, COLORADO, AND OHIO

Submitted by

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WE HEREBY RECOMMEND THAT THE DISSERTATION PREPARED UNDER OUR SUPERVISION BY R. CHRISTOPHER BURNETT ENTITLED WILDLIFE POLICY IN THE STATES: A COMPARATIVE CASE STUDY OF POLICY CHANGE IN CALIFORNIA, COLORADO, AND OHIO BE ACCEPTED AS FULFILLING IN PART REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY

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ABSTRACT OF DISSERTATION

WILDLIFE POLICY IN THE STATES: A COMPARATIVE CASE STUDY OF POLICY CHANGE IN CALIFORNIA, COLORADO, AND OHIO

In the wildlife policy arena, ballot initiatives have been used increasingly over the past two decades to wrest control of policy from legislators and bureaucrats. This trend has led to dramatic changes in policy as professionals are forced to adapt to changing political winds. In this dissertation, I use a model of policy change developed in the early 1990s by Frank R. Baumgartner and Bryan D. Jones to examine how activists have used the ballot initiative to change wildlife policy arena. Case studies in Ohio, California, and Colorado are examined. Whether the wildlife establishment prevails is affected by the success of opponents in altering policy image through this unique venue.

The comparative case studies provide strong evidence that the ballot initiative is a potent tool in achieving a major policy change in the wildlife arena, particularly in California and Colorado. However, three states do not necessarily

signify a trend. More research is needed on the impact of ballot initiatives in other states and in other issue areas before e definitive statement can be made that the initiative venue is an effective way to dramatically alter the policy.

The Baumgartner and Jones model, however, proved to be of mixed use when analyzing the wildlife measures in the states. Clearly, policy change advocates can achieve success in shifting the venue to the ballot initiative. However, this success is not guaranteed when aggressive and well-funded hunting interests fight back, as occurred in Ohio in 1998. Policy image clearly is a key intervening variable. Success in generating favorable coverage in the media and spendiving more money than the opposition helps to guarantee a favorable image. The model also has a top-down focus that limits its effectiveness in analyzing the roles played by local and state policy entrepreneurs as agents of change.

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Chapter One -- Review of the State Ballot Initiative and Policy Change Literature and Its Application to the Wildlife Policy Arena

Policy change in recent years has merited lots of attention from public policy analysts (Lester and Stewart 1996, 138). This attention is well deserved, especially as it relates to rapid political change defying long-held assumptions on the incremental nature of the American political system. The growing body of literature indicates that the political system may display stability in the way issues are processed through political institutions on a year-to-year basis. However, this apparent stability masks the fact these long periods of stability are punctuated by periods of profound change, which results in creation of a sort of punctuated equilibrium in the political system (Baumgartner and Jones 1991, 1993).

The literature on policy change has largely focused on statutory shifts in Congress within the federal level of government. Whether these changes occur in a similar fashion at the state level is unclear. This is particularly questionable in states that have increasingly relied upon non-legislative forms of policymaking, notably the citizens'

initiative.[1] The purpose of this study is to assess the role of the initiative as a precipitator of policy change at the state level. Towards this end, initiatives in three states-California, Colorado, and Ohio-will be analyzed over time, using wildlife conservation as the policy vehicle.

This chapter begins with a review of the relevant literature on key components of public policy change, including agendas, political conflict and venue shopping, problem definition and policy image, organizational learning, policy entrepreneurs, and other external factors. Next, I examine ballot initiatives as a potentially fruitful means of engendering policy change. Third, I discuss the approach to be used in this study, the punctuated equilibrium model, and offer a rationale for its use. I conclude with a brief description of forthcoming chapters.

Agenda Setting

Over the past two decades, a number of scholars have argued that understanding how the agenda is set is a key element in explaining what conditions can result in dramatic changes in public policy. How agenda setting is defined has evolved over time. Two early agenda-setting researchers, Cobb and Elder, defined it as a set of political controversies that will be viewed as falling within the range of legitimate concerns meriting the attention of the polity; a set of items scheduled for active and serious attention by a decision-making body (Lester and Stewart 1996, 62). Cobb and Elder distinguish between several kinds of agendas, including systemic agendas (all issues that might be subject to action) and institutional agendas (issues under consideration by the

[1] The citizens' initiative is defined as a proposal for constitutional or statutory change submitted to the voters for decision at a special election or the next general election.

mass public or professional class) (Lester and Stewart 1996, 65). Kingdon defined agenda setting as the list of subjects or problems to which government officials...are paying some serious attention at any given time (Kingdon 1995, 3). Kingdon sees an agenda-setting process consisting of three streams: problem recognition (problem stream), policy proposals and alternatives (policy stream), and political events (a political stream) (Lester and Stewart 1996, 62). How these processes interact has a major impact on the shape of public policy.

Kingdon established an agenda-setting framework that more than earlier models captured the essence of the game of politics. His analytical framework, in examining such issues as the relative weight of the president, Congress, and bureaucracy in initiating and responding to efforts to get issues on the public agenda, is a popular and valuable framework used to examine public policy issues.

Baumgartner and Jones (1991, 1993), however, make an even greater contribution. They take the definition of agenda-setting a step further, distinguishing between policy images (how policies are understood and discussed) and policy venues (the institutions or groups that have the jurisdictional authority over the issue). The kind of distinction drawn by Baumgartner and Jones is important in getting a greater understanding of the relationship between agenda setting and policy change. It is not enough to describe how issues reach the agenda without systematically examining the relationship between how policies are understood and discussed and their relationship to institutional actors, and how those relationships move policy in new directions.

Conflict and Policy Venues

In studying politics, conflict is of the essence. The political game involves winners and losers, and players in the political game seek the best venue for their cause so they get the most favorable response to their ideas and policy proposals. However, first reformers must battle the inherent nature of the system to resist change. E.E. Schattschneider (1960), in his classic work, argued that the status quo resists change in "the form of attacks on all efforts to organized the majority, attacks on politics, politicians and political parties" (Schattschneider 1960, 102). The offspring of this system, Schattschneider said, is "a kind of monstrosity, a nonpolitical antimajoritarian democracy." Only through widening democracy through expansion of conflict can proponents of change battle the "mobilization of bias" in favor of the status quo, Schattschneider argued.

Other political analysts have expanded on Schattschneider's theme that conflict is essential to ensuring involvement of the mass public and encouraging political change. Ripley and Franklin (1984) said that while cooperation is needed in American government, conflict also is essential. Too much stress on cooperation "invites an uncritical attitude about specific public policies on the part of public officials, both elected and unelected" (Ripley and Franklin 1984, 248). [2] Thus, critical analysis by reform-minded political actors is necessary to revitalize the political process, and encourage policy change.

[2] Some policy analysts, however, have suggested that collaboration may be the best way to encourage political change. Experiments have shown that collaboration built on cooperation is the most appropriate method for effective decision-making.

Reform proponents, therefore, have a strong incentive to expand conflict and encourage more participants to encourage policy change. The environmental movement in the 1960s and 1970s grew through expansion of conflict, using existing political institutions and new laws passed to encourage new avenues of participation. In the pesticide policy arena, Bosso (1987) said environmental groups took advantage of this expansion of the political system and instituted a form of "presence politics," in which the previously uninvolved became active participants and exerted a presence in the system.

Since Schattschneider wrote in 1960, avenues of political participation through institutional frameworks have greatly expanded. The mobilization of bias Schattschneider referred to still exists, yet greater use of other institutional processes has helped make the system more open. The expanding use of the ballot initiative at the state and local level is just one form of this opening up of the political system. In the modern political era, defined as the political arena of state government post 1978, when Howard Jarvis succeeded in getting California voters to adopt Proposition Thirteen (limiting state government's ability to tax and spend), the initiative has had a renaissance.

The ballot initiative represents an understudied venue of political involvement. After falling into disfavor in the period between 1920 and 1978, initiatives are now a popular tool of interests whose views are not well represented in state legislative assemblies. Since 1978, a total of 612 ballot initiatives (both statutory and constitutional) have gone before voters in the American states and the District of Columbia that authorize their use. From 1978 through 1996, California alone put ninety eight measures on the ballot. Oregon followed with eighty six, Colorado with forty six, Washington with

thirty nine, and North Dakota with thirty four (Dubois and Feeney 1998). That total is about one third of the 1,817 ballot initiatives considered since the initiative became a popular reform tool around the turn of the Twentieth Century. (A list of wildlife initiatives is in Appendix One. The total of ballot initiatives, broken down by state, is in Appendix Two.) All of this has had an impact on the wildlife community, a target in many states in recent years for those who want to change the dominant policy structure.

The ballot initiative, the subject of the dissertation, however, is just one venue for change. The 1970s, the period when the ballot initiative was revived, witnessed the destruction of narrow avenues of policy control through subsystems. During this era, subsystems involving tobacco, pesticides, air and water pollution, airlines, trucking, telecommunications, and nuclear power were destroyed or substantially altered (Jones 1975, Derthick and Quick 1985, Bosso 1987, Campbell 1988, Fritschler 1989). The language describing subgovernments even changed during this era, from iron triangles of tightly structured systems of limited participation to issue networks (Heclo 1978) and then to advocacy coalitions, with more fluid boundaries and multiple possibilities of entry (Sabatier 1993, Baumgartner and Jones 1993).

This expansion of venues for change allowed many organizations to engage in what is called venue shopping, in which reformers seek receptive political outlets for favorable responses to their policy proposals. Ballot initiatives are one state-level venue.

At the state and federal level, however, multiple other institutional venues now exist. The diffusion of authority in the federal system creates multiple opportunities for entry (Berry 1989). Reformers seek out favorable courts for key rulings, or seek to get

legislation referred to committees or subcommittees packed with those with whom they share a policy or ideological interest.

According to Baumgartner and Jones (1993), a key to success whatever venue is explored is the policy idea. Reform proponents who are able to articulate symbols and rhetoric that gain favorable attention are able to use venue shopping to further policy change. This usage of symbols and rhetoric can help lead to success in other institutional venues as positive feedback leads to greater receptivity to the policy idea. In other words, a favorable policy image is created.

Problem Definition and Policy Image

A key element in understanding political conflict is how images and political institutions are used to expand the scope of conflict and bring about change. Conditions become problems, according to Deborah A. Stone (1989, 281), only when people see them as amenable to solution through human action. While the agenda-setting literature mentioned above (Kingdon 1984) deals to some extent on how human and natural problems convene are defined and portrayed, the study of how problems are defined is important because this process generally occurs "before" agenda-setting.
Stone's contribution to a better understanding of problem definition and policy image comes through her development of a typology of "causal stories." She argues that political actors use images to develop stories that suit their interests and push forward change.

These portrayals, Stone says, are categorized through four causal theories: intent (direct control), mechanistic cause (indirect control through an intervening agent); inadvertent cause (control mediated by intervening conditions); and accident (total

absence of human control) (Stone 1989, 299). These causal stories function either to protect the existing order, assign responsibility and blame, or to create new alliances to promote change in the existing order.

Thus, problem definition and deft image portrayal play a key role in policy change. as political actors, using natural and political forces, succeed in changing the definitions of issues in the political sphere, these new views are spread through the political system. Other political actors and institutions then change policy to adapt to the new perceived reality represented by new views (Baumgartner and Jones, 1993).

Policy Change and Learning

A number of political scientists have also focused, with a mixed degree of success, in seeing to what extent policy-based learning contributes to policy change. Conceptual difficulties in determining what policy learning is and how to measure it, however, have hindered progress in this field. (May 1992) This difficulty is especially strong in complex issue areas where it is hard to specify clear-cut evidence to demonstrate a causal connection on the role learning plays in achieving a policy change. By definition, policy-based learning must involve perceptual associations involved in issue portrayal. For example, in the nuclear policy arena, Weart (1988) said changes in nuclear policy in the 1960s and 1970s were driven by image changes in the way nuclear power was portrayed, not only by new technical facts and knowledge resulting from "learning." He described thinking about nuclear policy as "a result of experience every simple image, from direct perception to elaborate representation, which becomes connected with various other things in a web of associations" (Weart 1988, Preface).

Likewise, other analysts have found that imagery plays a critical role for members of dominant subsystems who use images to maintain control of the decision-making process and to keep unwelcome items off the policy agenda (Edelman 1988). Political image, as well, is often something ambiguous, for even when there is consensus about what "observedly happened or what was said, there are conflicting assumptions about the causes of events, the motives of officials and interest groups, and the consequences of courses of action" (Edelman 1988, 104). This ambiguity and the fact political news is irrelevant for so many people also tend to elevate the role of those from dominant subsystems in American politics. A quote from Edelman's book illustrates this perfectly:

> The definition of a claim or a statement as meaningful reflects and reinforces an ideology, a subject, and a reality. Those who accept electoral contests between Republicans and Democrats as the paramount influence upon value allocations, for example, construct a world in which class, race, sex, and other inequalities are not paramount and in which electoral promises are descriptions of the future rather than rationalizations of current inequalities (Edelman 1988, 114).

Political learning, therefore, can yield a desire for change, but more frequently learning is used to reinforce dominant images and perceptions of the way the world is structured. This limitation, however, does not mean policy learning is irrelevant to the discussion of change in policies. May (1992) says differentiating between what he describes as instrumental and social learning can help guide the debate on policy change. Instrumental learning is more limited, as from it individuals draw lessons about the viability of policy. Social learning, however, is a broader concept, allowing the inclusion of new images and the possibility of constructing alternative explanations and proposals. May's delineation builds on Kingdon's agenda-setting theory involving those policy entrepreneurs

who can emerge to shape policy change, and Stone's notion of "causal stories" as a building block for potential policy change.

Policy Entrepreneurs

The policy entrepreneur, the individual who gives voice to alternative policy ideas and takes a leadership role selling the idea to political institutions, is a key figure in much of the writing about policy change. The notion of an entrepreneur essential to change draws its roots from the agenda-setting and congressional literature. Kingdon (1984, 1995) says these advocates for proposals or for the prominence of ideas can come from any part of the policy community -- in or out of government, in elected or appointed positions, in interest groups or research organizations. "But their defining characteristic, much as in the case of a business entrepreneur, is their willingness to invest their resources -- time, energy, reputation and sometimes money -- in the hope of a future return." That return might come in form of policies in which they approve, satisfaction from participation, or a future job or career promotion (Kingdon 1995, 122).

These entrepreneurs promote change by expanding the scope of political conflict and attracting other people to the cause. Through their knowledge of the institutional structure of American politics, entrepreneurs can shift the debate to a more favorable political forum and play a key role in articulating change.

Entrepreneurs have come, in the decentralized American political system, to play a key role in Congress and state legislatures. The decentralized Congressional committee structure that followed the institutional reforms of the 1970s allowed many more

opportunities for entrepreneurs to testify and use other measures, such as issuing news releases to the media, articulating alternative viewpoints. (Dodd and Schott 1982) Likewise, the growing professionalization of many state legislatures in the last three decades has given more entrepreneurs the opportunity to voice alternative viewpoints in legislative forums. The increase in numbers of venues resulting from professionalism have given entrepreneurs more opportunity to achieve their desired goals by increasing the number of staff members subject to influence and involved in the political process. For many entrepreneurs, state politics is the ideal entry point for their political involvement, especially in states with ballot initiatives as an institutional policymaking option. Colorado's Douglas Bruce, author of a successful 1992 tax and spending limitation initiative, is an entrepreneur who has found a voice in state government and has made a profound impact in recent years in institutional decision-making. Bruce and many others, at the federal and state levels, are examples of why entrepreneurs are key ingredients in any policy change model.

External and Internal Institutional Sources of Policy Change

Agents of political change, whether they are individuals, organizations, or institutions, can come from both inside and outside the policy community. Political institutions outside the institutional framework of the policy monopoly can play a key role in initiating policy change, as can political institutions such as the judiciary and president (Baumgartner and Jones 1993). In the case of deregulation of the airline, trucking, and banking industries in the late 1970s, it was key intervention by the president and judiciary that allowed institutional change to occur in congressional committees that spurred

passage of deregulation legislation (Knott and Hammond 2000, 234). Public opinion and economic factors may have spurred these trends toward a change in policy, but it took institutional actors in the committees and in the federal government to make these changes happen legislatively.

Changes also can occur external to the policy system. Sabatier and Jenkins-Smith (1993) noted that socioeconomic conditions and technology, changes in governing coalitions, and policy decisions and impacts from other subsystems can have a major impact on policy. According to Ripley and Franklin (1991), change also is potentially stimulated by changes inside a policy subsystem. This can occur if agency personnel shift, new policies are implemented, or there are pressures from competing subsystem factions.

The Ballot Initiative as a Public Policy Vehicle

The ballot initiative is a much under studied mechanism used to explain policy change. That is not to say, however, that the importance of ballot initiatives has not caught the eye of political scientists. While the literature is full of studies that examine how initiatives contribute to voting choices, fewer examine the role initiatives play in making public policy. Some scholars have examined how public policy produced through the initiative process differs from policy achieved through legislative lawmaking.

Lascher, Hagen and Rochlin (1996) note that two arguments traditionally are made to support the initiative process in public policy making. The first argument is that the process makes government officials more responsive to citizens' interests. The availability of the initiative thus serves as a "gun behind the door," forcing reluctant

legislators to respect the peoples' will when making policy (Charles Adrian and Charles Press, quoted in Magleby 1984, 186). The second argument is that the initiative process encourages citizens to get involved in making public policy (Schmidt 1989, Jost 1990).

However, merely because citizens are involved doesn't mean initiatives yield solid public policy that reflects public opinion. Lascher, Haglin and Rochlin (1996), in examining state-level survey and policy data, found whether a state uses the initiative process means very little as to whether public policy corresponds with public opinion. Camobreco (1998), examining the use of ballot initiatives in setting state-level fiscal policy, corroborate Lascher, Haglin and Rochlin's findings. Some rational-choice theorists, however, note that the availability of the initiative provides the citizenry with an enhanced power to veto undesired public policies. This veto power can move government policy closer to median voters (Steunenberg 1992).

For elected representatives, the presence of the ballot initiative, however, can have a profound human as well as policy impact (Lascher, Hagen and Rochlin 1996, 762). Initiative constitutional amendments, allowed in seventeen states, set policy guidelines that are difficult to change. Initiative campaigns approved by voters can establish or eliminate programs, allocate, or eliminate funds. The initiative process itself also can change the behavior of elected representatives and influence behavior indirectly. For example, a tax-cut proposal, even if it loses at the polls, may send signals to lawmakers that voters are dissatisfied and may lead to consideration of new options. In California, the initiative process has been labeled a "fourth branch of government." A 1992 report stated that "ballot initiatives have increasingly shouldered the legislative and executive

branches of government aside." (California Commission on Campaign Financing 1992, 54)

> Many of the important state public policy questions of the past decade -- involving property taxes, insurance, education, income tax equity, state lottery, transportation, environment, toxic chemicals, water, handguns, reapportionment, rent control, crime prevention, cigarette taxes, government reform and drug abuse -- have been dealt with directly by the people and not by their elected representatives.

All of this is true despite the fact that most ballot initiatives are defeated at the polls and with the exception of states such as California, Oregon and to a lesser extent Colorado, in most states citizens do not pursue ballot initiatives as a policy option. In the 1980s, for example, Ohioans did not pass a single ballot initiative, though voters there considered eight. Ohio voters turned down initiatives to establish a legislative reapportionment commission, to require a three-fifths legislative majority to raise taxes, to provide public financing for campaigns and to replace direct election of judges with an appointment system. Utah voters defeated all five initiatives they got a chance to vote on between 1984 and 1990, including measures to limit taxing and spending, provide a tax credit for private education, and exempt food from sales taxes (Ponessa and Kehler 1992).

However, looking at passage and defeat yields only half of the story. Despite the fact that state use of the initiative process means very little in correlating policy with public opinion, Lascher, Hagen and Rochlin 1993 said initiatives can spur passage of measures popular with the people but unpopular with lawmakers. One example of this is the push in the 1980s and early 1990s for term limits for elected officials. At the end of the 1994 general elections, twenty states had passed term limits for state legislators, and

twenty-two had passed term limits for members of Congress for their states. All of these were the result of initiative campaigns, with the exception of Utah, where the state legislature approved term limits in early 1994 (Term Limits Institute, Washington, D.C.).

Magleby (1998) notes that ballot initiatives are used as agenda-setting tools and as a mechanism to invigorate state government at the expense of local and national decision-making. Conservative groups have seized on the ballot initiative, Magleby writes, as a means of wresting local control much as the federal government does from the states in preemption. [3]

> One reason for this tendency to take on matters that were previously local and decide them on a statewide basis is interest-group efficiency. It is easier to restrict local tax powers, strike local rent-control laws, and eliminate ordinances protecting gays and lesbians by mobilizing a single statewide vote rather than campaigning to defeat these initiatives locally (Magleby 1998, 8).

Mattson (1998) says getting citizens more involved in political deliberations the best way to produce good public policy. Mattson argues that "we need more deliberative democracy to correct perversions of direct democracy. We should seek ways to couple public deliberation with voting on legislation" (Mattson 1998, 4). Oregon, with nonpartisan voter handbooks sent that detail proposed legislation, is taking advantage of one method of trying to involve and inform citizens. A more systematic way of getting citizens involved in policy debates is the use of what are called study circles, citizens'

[3] However, it is important to note that mobilization of the statewide vote is not always the death knell for minority rights, say Donovan and Bowler (1998). The authors, examining gay rights initiatives, said that models used to predict direct legislation outcomes "re more likely to produce pro-gay policy the larger the political jurisdiction, in this case the state. Lennon (1998), who did a case study of California's 1994 proposition denying public benefits and services to illegal "liens, said the ballot initiative in the 1994 initiative campaign failed to be racially neutral and did not achieve the goals of Progressive reforms of the liberal ideal in populist terms.

juries, national issues forums, and deliberative polling. These forums provide citizens with opportunities to learn about and express their views on ballot initiatives. Their effectiveness, however, too often hinges on the ability of the sponsoring group to make sure all voices are heard in an impartial manner, Mattson notes (1998, 4-5).

The policy literature also includes several case studies on initiative campaigns. However, since the studies are limited to a single case, policy analysts attempting to develop a theoretical framework to support broader themes get little help from these studies. For example, Dreier (1995) examined the unsuccessful 1994 campaign in California to pass a proposition that would have provided universal, affordable health care. The campaign coincided with debate in Washington over the Clinton administration's universal health care campaign, and was swamped by the same types of campaign contributions from the insurance industry that torpedoed the federal plan. Dreier blames a high turnout of the state's relatively affluent population in a strong Republican year, the superior financial resources of insurance- and health-industry lobbyists with the ability to get their message in the media, and minimal coverage from the state's mainstream media, which thought the issue had little chance of passage from the outset, with contributing to the defeat.

Perhaps the most useful study examining the link between ballot initiatives and the public policy process is Gerber's 1996 analysis of how direct legislation in the form of ballot initiatives yields a different policy output than traditional legislative politics (Gerber 1996, 263). Comparing two policies considered in the regular legislative and the direct legislation process, Gerber concludes that choice of institutions matters. Gerber finds the California case studies, a 1984 cigarette tax debate and a 1988 transportation

bond debate, show institutional factors affect policy outcomes. In particular, Gerber's research indicates political party loyalty may lead individual legislators to behave contrary to majority preference in their districts. Groups that advocate policies based on broad majoritarian support such as the cigarette tax increase may be more effective working through the initiative process. Groups advocating policies associated with major contributors of campaign finance may be more successful working through the legislative process, Gerber concluded.

Jennie Drage, a researcher with the National Conference of State Legislatures, a Denver, Colorado, based trade association that lobbies on behalf of state legislative interests, has the view that over the past decade the ballot initiative has shown itself to be a flawed public policy vehicle. A key reason for this, Drage says, is that money plays such a major role in success or failure and a full dialogue on issues is not encouraged as it is through the legislative process. "It's the ultimate irony," Drage said. "The initiative started out as a way for ordinary citizens to beat money. Instead of becoming a tool of the average citizen, it's become the tool of the special interests" (Drage 2001).

However, the initiative still can be a vehicle for public policy change in narrow issue areas, such as wildlife reform. "In terms of the ends it (the initiative) can succeed," Drage said. However, the initiative does not involve the public in the kind of rich dialogue on the issue that occurs when legislative bodies are involved, she added. "It's (the initiative is) very narrow-and single-minded in effect" (Drage 2001).

During the 1990s a dramatic upsurge of initiatives were placed on ballots in the states. Reformers' success resulted in a backlash in Utah. In 1998, Utah voters passed with a fifty six percent majority a legislative referendum requiring a two-thirds majority

to adopt by initiative a state law involving wildlife. Two years later, however, Alaska voters rejected an even stronger-worded legislative amendment involving wildlife initiatives. Only thirty six percent of voters in 2000 supported an amendment to impose an outright ban on future voter initiatives about wildlife. Whatever these elections are an aberration or a harbinger of future state legislative direction is uncertain. However, the votes in these states would seem to indicate that state agencies and traditional groups such as hunters and trappers with a stake in wildlife issues are on alert and willing to use the ballot to thwart activists' attempts to dictate wildlife policy.

Models of Policy Change and Their Relevance to Ballot Initiatives

From the above discussion, we see how the structure of the American policy process has long fascinated political scientists. Since the mid 19th century, political scientists have tried to develop theoretical models that might explain how the policymaking process works. While these models are focused on a national, rather than a state-level analysis, understanding them is important to explaining the role initiatives play in changing the political system.

Policy change models at the federal level take into account the nature of federalism, the sharing of power under the U.S. Constitution between national (federal) and state governments. Noted historian Arthur Schlesinger, Jr. (1986) has suggested that policy change is best explained on a generational basis. In approximate thirty-year cycles, the prevailing nature of the political system changes from liberal to conservative and vice versa. It was during a period of liberalism, the Progressive Era at the turn of the Twentieth Century, that initiatives became a policy alternative available at the state level,

primarily among Western states. An alternative model suggests that looking at change ideologically is off base. Instead, they argue policy changes in a zig-zag pattern, in which public policies dominant in one era are subject to backlash in a later era (Amenta and Skocpol 1989, 293-294).

Neither of these models takes into account the decentralized nature of the American political system and the role of states as policy innovators. Both the models offered by Baumgartner and Jones (1991) and Sabatier and Hank Jenkins-Smith offer superior alternatives. Sabatier's and Jenkins-Smith's policy-learning thesis, or advocacy coalition framework (ACF), next to Baumgartner and Jones, offers the best alternative. They define change as requiring three processes. The first set concerns the interaction of competing advocacy coalitions within a subsystem. The second set deals with changes external to the subsystem in socioeconomic conditions, system-wide governing coalitions and outputs from other subsystems that provide opportunities or obstacles to competing coalitions. The third set involves the effects of what the model defines as stable system parameters, like social structures and constitutional rules, on the constraints and resources of various subsystem actors. According to Sabatier and Jenkins-Smith, each of these sets contributes to policy change over time (Sabatier and Jenkins-Smith 1993).

While offering the strength of recognizing that change is a process that affects political actors at all levels, the Sabatier and Jenkins-Smith model better explains incremental change than the disruptions inherent in ballot initiative strategies. The kind of policy learning that Sabatier and Jenkins-Smith envision explains the tendency of coalitions to alter strategies or perhaps even to revise their own beliefs in response to external threats. The authors recognize, however, the limitations of a model that relies in

part on policy learning in changing views since they acknowledge that belief systems tend to be altered incrementally rather than radically changed. This is the case because, as they note, belief systems are relatively stable.

This focus on incremental change is just one limitation of the advocacy coalition model. A second limitation is the fact the advocacy-coalition model places a big emphasis on policy learning and how it changes the beliefs and perceptions of policy elites (Sabatier and Jenkins-Smith 1993). The problem is that these perceptions can and do change, although measuring this change is difficult (Bennett and Howlett 1992).

Baumgartner and Jones go about tackling dramatic changes in political subsystems more directly, and thus, this is the model that I will test in this study on state ballot initiatives. In their 1993 book Agendas and Instability in American Politics, Baumgartner and Jones formulated one of the most comprehensive frameworks to this day to explain the policy-change process in American politics. The punctuated equilibrium model takes the best of many of the other models reviewed above in this chapter, for it incorporates much agenda setting, the role of policy entrepreneurs and a recognition of the powerful role played by subsystems.

The Baumgartner-Jones model is based on what they call "the emergence and recession of policy issues from the public agenda." During periods when issues emerge, new institutional structures are often created that remain in place for decades, structuring participation and creating the illusion of equilibrium. Later agenda access can destroy these institutions, however, replacing them with others (Baumgartner and Jones 1993).

Policy monopolies, reflecting subgovernments, play a key role in the Baumgartner-Jones model. These monopolies have definable institutional structure that

controls policymaking and limits access to the issue area. Typically policymaking is concentrated in a single committee or subcommittee in each legislative house. Substantive debate rarely extends beyond the committee level, so the limited number of political players in the debate can feel confident that their monopoly control will not be threatened by outside interference. In addition, these monopolies have powerful issue images supporting them. At times when these monopolies or partial monopolies exist, the policy process is relatively stable, with little or no conflict. Eventually, a slight change in venue or image may occur. When this change in venue or image occurs, it leads to a change that is reinforcing or self perpetuating, as previously apathetic groups become involved as the issue image is transformed to include their interests. Ultimately, the issue area returns to stability, usually at a different point with a different image and venue (Baumgartner and Jones 1993).

However, Baumgartner-Jones are not the only scholars who in the past two decades have worked on extending the way we think theoretically about policy monopolies and subgovernments beyond the old "iron triangle" model of interest groups, legislators and key political actors in the executive branch executing "insider" influence on public policy.

Some (Bosso 1987, McCool 1990) have shown that policy change can occur within issue areas characterized by subgovernment dominance, while others (Buttel 1992, McFarland 1992) have shown that the countervailing power of social movements can help unravel established institutional barriers. In fact, the notion of the "iron triangle" now has largely been replaced by the idea that a number of important players

participate in a "policy network" (Heclo 1978) or an "advocacy coalition" (Sabatier & Jenkins-Smith 1993).

The Baumgartner-Jones model, however, has particular relevance because it says policy change goes beyond the nature of the issue itself or the roles played by policy elites. A central thesis of the model is that the transformation of an issue's image and venue results in competition among groups that leads to the policy change (Baumgartner and Jones 1993). The model is able to measure the efforts of grassroots groups, unlike the Sabatier advocacy coalition model that places greater weight on political elites. Further, since construction of a positive image is closely related to creating and maintaining the policy monopoly, the destruction of this monopoly is central to image change. This focus on image change allows Baumgartner-Jones to integrate the study of policy subsystems into the agenda-setting literature (Kingdon 1984, 1995, evaluating Baumgartner and Jones). New policies are not continually adopted, Baumgartner-Jones argue, because most are simply variants on themes pursued in the past. Kingdon's approach separating problem, solution and policies into separate "streams" becomes especially relevant to the Baumgartner-Jones model, for at a systems level most change is not dynamic because of policy making's incremental character. Only when new principles are under consideration does the system have a sense of punctuated equilibrium that allows policy entrepreneurs, institutional leaders who have an enduring interest in a particular issue, to help change the agenda (Kingdon 1984, 1995).

The emphasis on policy image is an important feature distinguishing the Baumgartner and Jones model from earlier policy change studies that focused mainly on political structure. The model still considers the roles played by institutional structures,

but the emphasis on image allows a greater opportunity to focus on political conflict and expansion of that conflict from one institution to another. The model also offers the advantage of measuring change longitudinally, following policy development over an extended time period. (Baumgartner and Jones 1993) This method is preferred over the cross-sectional approach because the latter only provides a snapshot of policy at one period in time. Both the Baumgartner and Jones and Sabatier and Jenkins-Smith models emphasize that studying policy change over a decade or more allow infinitely more possibilities to measure changes in governing coalitions and public opinion (Baumgartner and Jones 1993, Sabatier and Jenkins-Smith 1993).

In the past decade, a burgeoning literature has developed on how policy change occurs within decision-making arenas characterized by subgovernment dominance (Kurtz 1999, Davis and Ellison 1996, Gardner 2000). Most of these studies have involved how issues move on and off the federal, and more specifically Congress's, agenda. Generally speaking, tests of the Baumgartner and Jones model at the federal level describe how periods of stability are supplanted by periods in which issue monopolies are destroyed by the intrusion of new ideas and participants in the policymaking process. (Jones, Baumgartner and Talbert 1993; Kurtz 1999; Davis and Ellison 1996; Gardner 2001). Jones, Baumgartner and Talbert (1993) used the model to examine how committees and subcommittees maintain control over policy issues, and then lost out to other committees and subcommittees. Loss of control occurred as issue attention, measured by the number of hearings, increased. More committee hearings and expansion of the policy issue beyond the original committee translated into less favorable conditions for the policy monopoly. Inside Congress, new subcommittees gained jurisdictional footholds in the

policy realm, with similar changes occurring in the larger policymaking realm outside Congress (Jones, Baumgartner and Talbert 1993).

Relatively little of this work on testing Baumgartner and Jones, however, has been devoted to state-level policy making that occurs with ballot initiatives. Nor have social scientists attempted to determine whether changes in policy occur differently within the state rather than the federal arena.

This dissertation attempts to close the void in studies of state-level policy making by extending the application of the Baumgartner-Jones model to state environmental initiatives in the wildlife arena and looks specifically at what factors affect policy image. Previous studies testing Baumgartner-Jones' model have focused on the need for issue nationalization to assure change. This neglects the role of the states as policy incubators with political systems and subsystems of their own. Policy formulation and implementation of wildlife issues is set largely at the state, not the national, level. Wildlife advocates have frequently been frustrated in attempts to achieve change working with state agencies and wildlife agencies. This has reinvigorated the use of the initiative as a tool to achieve policy change.

Despite the growing popularity of these initiatives in the last two decades, most scholars have focused little attention on the impact initiatives in the wildlife arena have had on policy-making at the state level. This dissertation is a step toward rectifying that lack of attention. Most of the work thus far has been done by wildlife academicians and professionals from the West who have viewed with alarm the role ballot initiatives have played in subverting traditional control by wildlife managers. A 1997 symposium in Keystone, Colorado, led to the publication a year later (Summer 1998) of an entire issue

of Human Dimensions of Wildlife devoted to how wildlife managers could cope with the threat of ballot initiatives. Authors (Loker, Decker and Chase 1998; Beck 1998; Whittaker and Torres 1998; Williamson 1998) tended to view the initiative process as one involving an unwelcome threat to professional management. Whittaker and Torres (1998) state that ballot initiatives "may represent the single greatest challenge natural resource managers will face while moving into the new century." They continue:

> Ballot initiatives targeting resource management laws and regulations are deeply rooted in personal opinion, are controversial in nature, may be poorly understood by managers and stakeholders alike, may have little or no biological justification, and may have long-term impacts that reach beyond the immediate letter of the law that they are designed to change (Whittaker and Torres 1998, 1).

The source of the problem facing wildlife managers is that institutional values of state fish and game agencies have not kept up with changes in public attitudes (Pacelle 1998). Most successful wildlife initiatives fall into two categories. First is the use of body-gripping, including leghold, traps. Second is the hound hunting of predators, such as bears and mountain lions. However, other subjects have faced scrutiny from voters in recent years. Trophy hunting of mountain lions and same-day airborne shooting of wolves and other predators have been targeted (Pacelle 1998).

Trapping, bear baiting and hound hunting appear especially unpopular where the practice has come before the voters (Pacelle 1998). Voters rejected the taking of wildlife for market purposes in 1994 and 1996 initiatives in Arizona, Colorado and Massachusetts. Voters in Colorado, Massachusetts, Oregon and Washington also have outlawed the practice of taking wildlife for market purposes. Hound hunting of wildlife also has met with negative scrutiny. As Pacelle noted, "shooting a bear or lion out of a tree makes a mockery of any common sense standard of sportsmanship" (Decker 1995).

Summary

In short, the wildlife policy arena has changed dramatically in some cases because of the challenges posed by ballot initiatives. The increasingly developed literature on policy change reviewed in this chapter takes into consideration many of the factors that can lead to dramatic change in the wildlife-policy agenda. Agenda-setting studies set the framework for the debate, with a focus on the role played by policy images (how policies are understood and discussed) and policy venues (the institutions or groups that have the jurisdictional authority over the issue). This agenda-setting focus is supplemented by a focus on conflict and the goal of political actors to seek the most favorable venue for action. Citizen initiatives provide an alternative venue to traditional legislative lawmaking that might be favorable to those seeking dramatic policy change. Policy entrepreneurs, individuals who give voice to alternative policy ideas and take a leadership role selling the idea to political institutions, also play a key role in shaping debate in initiative campaigns just as they do in legislative decision-making.

The remainder of this study offers a test of the Baumgartner and Jones (1991, 1993) model of policy change as it relates to state wildlife initiatives. The focus will be on explaining the difference in policy outcome from use of the initiative rather than the more traditional legislative venue. In other words, is the initiative likely to produce a different outcome than the traditional venue? In Chapter Two, I will outline the theoretical approach and variables I will use in testing and modifying the model to take into consideration contextual state factors. I will outline the research problem and discuss

how measuring factors affecting policy image is something worth exploring. I will then elaborate on the contribution this study is likely to make to theory and practice.

Chapter Three will look at how the measures explain changes in trapping policy associated with the 1992 vote banning the spring bear hunt in Colorado. Chapter Four will do the same with an Ohio initiative defeated in 1998 that would have banned mourning dove hunting. Chapter Five will look at California's debate on mountain lion hunting and why efforts in 1996 to lift a 1990 ban were unsuccessful. In Chapter Six, the study concludes with a review of the findings from the previous three chapters and an evaluation of what changes might be made in the Baumgartner and Jones model in light of this study.

Chapter Two -- Methods

How has the citizens' initiative altered the development of state wildlife policies? This chapter addresses this question with an overview of how the study will be carried out, including a description of the research design, the research questions, and the variables being tested. I then explain how the variables are to be operationalized in data collection. The chapter concludes with a description of the case studies being examined.

Research Design

The purpose of this dissertation is to examine the applicability of the Baumgartner-Jones policy-change model to wildlife policy in three states -- California, Colorado and Ohio. This will be done with the case study method. Case studies are empirical inquiries that investigate contemporary phenomena in the context of a real-life controversy. Boundaries between the phenomena selected for study are clearly not evident and the researcher uses multiple sources of evidence. The case study, like a single experiment, can be generalized to a theoretical population. However, they are not by their nature generalizable to a population or universe. Simply expressed, the case study is not a sample. Therefore, researchers can analyze the information gathered but

not expect frequency distribution of information as would be gathered doing a quantitative experiment (Yin 1984, 21-23, 39; Johnson and Joslyn 1995, 116).

As a research tool, case studies have a long and somewhat turbulent history in the social sciences. During the peak of the behavioralist era after World War II, case studies fell out of favor in social science research. Since then, however, some researchers have recognized the value of case studies because of the richness of information that is gathered. In examining the punctuated equilibria model of policy change in terms of their applicability to ballot initiatives, this research design will specify 1) basic questions and propositions, 2) units of analysis, 3) the logic linking the data to the propositions being tested, and 4) the criteria for interpreting findings (Yin 1984, 32-35).

The value of case studies from a research perspective is improved by using multiple cases. This technique, referred to as the comparative case study method, allows for contextual richness of analysis when the cases have a purpose within the scope of inquiry. In this study, the use of ballot initiatives in the three states -- California, Colorado, and Ohio-- serves a clear purpose of predicting results similar or contrary to the basic theoretical proposition being tested for predictable reasons. All three states have had long histories of using ballot initiatives. All adopted the initiative during the Progressive reform era of the early 20th century in which a number of measures, including the initiative, referendum, recall and direct election of U.S. senators, were approved at the state level. Colorado has been using ballot initiatives since 1910, and voters have considered 175 initiatives through November 1998. Californians have been even more initiative happy. California voters have considered 265 initiatives since 1911.

Ohio approved the use of the ballot initiative in 1912. Since then voters have considered sixty two ballot initiatives.

A second reason for selecting these three states is that all have competitive political systems in which rural and urban factions in the legislature often clash on wildlife policy. In Ohio, traditional user groups and policy professionals in wildlife agencies largely have maintained their predominance over anti-hunting and mainstream environmental groups. In Colorado, groups challenging the strength of professionals in state agencies and the legislature have won several victories on hunting and trapping policy in recent years that have upset rural interests favoring more restricted decision-making practices (Manfredo 1998). In California, growing urbanization and willingness to use the initiative to set state policy have greatly weakened the power of traditional user groups, who favored a more closed decision-making system.

The examples provided by these states appear to be part of a nationwide trend toward using the initiative to set wildlife policies (Manfredo 1998). In the 1996 elections, for example, seven state-level ballot initiatives decided issues ranging from permissibility of trapping (Colorado and Massachusetts), the use of bait and dogs in hunting bear (Oregon, Michigan, Idaho, and Washington), and the pursuit of game using aircraft (Alaska). In 1998, voters in six states considered ballot issues dealing with wildlife concerns. All but two -- an initiative in Alaska prohibiting trapping wolves with snares and an initiative in Ohio banning the hunting of mourning doves -- were approved. Arizona voted overwhelmingly to outlaw cockfighting, while Missourians made it a felony to bait or fight animals. Californians prohibited trapping mammals classified as fur bearing or non-game with body-gripping traps for recreation or commerce in fur, and

also prohibited any person from possessing, transferring or holding any horse, pony, burro, or mule with intent to kill or have it killed. In the March 1996 primary, voters rejected an initiative that would have repealed the mountain lion's status as a specially protected mammal. The initiative, Proposition 197, would have allowed the California Legislature to change or repeal by majority vote protections given the mountain lion by the state's voters in 1990 (See Appendix Two).

This dissertation tests the Baumgartner and Jones model in examining the events leading up over a thirty-year period to the successful 1990 mountain lion initiative in California, the successful 1992 ballot issue in Colorado that barred the spring bear hunt, and the unsuccessful 1998 Ohio ballot issue to protect mourning doves. This thirty-year examination will test changes in the political climate as these issues moved on and off the policy agenda. An examination of wildlife issues over this period also will allow me to assess in all three states whether wildlife issues represent part of a trend that critics (Broder 2000, Schrag 1998, etc.) say is weakening the power of representative democracy in favor of the politics of rampant plebiscites.

A key question is whether decision-making through the initiative process produces a different result than the traditional venue, legislative and agency decision-making. Why or why not this occurs will be examined in each case study.

In this dissertation, I also looked at the role played by political institutions such as the legislature, governor, and states' wildlife divisions to see if the weight of institutional factors had a bearing on success. Changes in public opinion were assessed, as was the growing urbanization and suburbanization of each of the states' population and coverage

in one of the state's major newspapers in each of the three states. Information also was gathered from interviews and a review of state legislative and bureaucratic records.

Research Questions

The development of policy is the product of not only national but also states' political traditions and economic conditions. In extending the Baumgartner and Jones model to state-level decision making, therefore, one must account for these factors, and bottom-up influences achieved through the initiative process. While Baumgartner and Jones consider federalism through the grants process in their model, and acknowledge the role of political parties in mobilizing change, I plan in this dissertation to expand the model to test other political variables in the wildlife policy arena.

Several findings from Baumgartner and Jones will be tested in this dissertation. Some will be tested in the legislative venue only, while others will be tested in the initiative venue, and others will be tested in both venues. These include the following hypotheses or expectations:

Hypothesis 1a) **Policy change is more likely to occur when the tone of media coverage in legislative hearings changes the policy image to a position less favorable toward the policy monopoly**. Media coverage will be examined to determine if a correlation exists between unfavorable coverage toward the policy monopoly during legislative hearings and policy change. For purposes of this dissertation, a policy monopoly is defined as "political understandings concerning the policy of interest, and an institutional arrangement that reinforces that understanding" (Baumgartner and Jones 1993, 6). These political understandings promote the minimization of political conflict

and participation by a limited number of political actors. Deference is given to the judgments of experts and the lack of interference by broader political forces in the specific policy arena. For example, before the advent of the environmental movement in the 1960s, a monopoly on policy decisions existed in the nuclear power arena, with decisions made by actors in what was then called the Atomic Energy Commission, nuclear power industry and congressional committees or subcommittees with jurisdiction over the issue. Staff members at the commission or committee were friendly to the views of industry, and had employment patterns that included substantial industry experience. These monopolies existed until the 1980s in the wildlife policy arena.

Hypothesis 1b) **Policy change is more likely to occur when the tone of media coverage in initiative campaigns changes the policy image to a position less favorable toward the policy monopoly.** Media coverage will be examined to determine if a correlation exists between unfavorable coverage toward the policy monopoly during an initiative campaign and policy change.

Hypothesis 2) **Policy change is more likely to occur when financial resources/campaign contributions challenge policy image and policy supported by the existing monopoly**. Here I propose to expand the work of Baumgartner and Jones to analyze the role played by money from interest groups and activists in achieving change through the electoral process.

Hypothesis 3) **Policy change is more likely to occur when interest groups and activists challenge the policy monopoly's issue image at legislative hearings and in initiative campaigns**. This will test a key finding of Baumgartner and Jones, that those excluded from the policy subsystem constitute "slack resources" that can be mobilized by

policy entrepreneurs. Baumgartner and Jones concluded that mobilization typically occurs through a redefinition of the prevailing policy image.

Hypothesis 4a) **Policy change is more likely to occur when pro-change interest groups challenge policy monopoly interest groups' policy image at legislative hearings and in initiative campaigns**. Here I look at the role elite interest groups play in reinforcing the role played by grassroots policy agents, those interest groups and activists working at the local and state level to bring about change.

Hypothesis 4b) **Policy change is more likely to occur when pro-change agency officials challenge the policy image of agency officials in the policy monopoly at legislative hearings or in initiative campaigns**. Here I look at the role elite groups represented by agency officials play in reinforcing the role played by grassroots policy agents.

Hypothesis 5) **Policy change is more likely to occur when issues are expanded to additional venues such as new legislative committees and initiatives that are not associated with an existing policy monopoly**. The many venues of politics, Baumgartner and Jones note, work against conservatism. Therefore, expansion of the issue to legislatures and the initiative process should have the impact of leading to policy change. An increase in the number of hearings during a legislative session, or the mere fact that the ballot initiative is used, should have the impact of breaking the policy monopoly.

The Variables

Policy change is the **dependent variable**. Policy change is defined as a major shift (as distinguished from an incremental shift) in public policy reflected in the enactment of new measures in wildlife policy. a major shift involves distinguished from an incremental shift in that it involves a paradigm shift in policy expectations reflected in statutory, administrative or constitutional law. For example, a statutory shift to ban a practice such as allowing hunting of bears in the spring is a major shift, whereas a policy change to change the dates of the season to control hunting levels is an incremental shift in policy. The following are **independent variables** that affect the **intervening variable**, policy image, which in turn affects policy change. This change may occur in the **policy venue**, which can be either the legislature or the ballot initiative.

The following is a list of the independent variables and how they are to be operationalized in this study.

1) **Media coverage** analyzed through the examining the tone of stories and headline indexes of stories in major newspapers in each of the three states. Stories are coded as positive, neutral or negative in tables, and thus can be compiled and assessed to see if coverage is reflected in the outcome of the legislative process and the initiative campaign. *The Denver Post* is used in examining Colorado, the *Sacramento Bee* is used in examining California, and the *Columbus Dispatch* is used in examining Ohio. All are state capital newspapers, and all are considered papers of record concerning state political coverage. Access to older newspaper articles in these papers on these issues was obtained through paper indexes or actual perusal of newspaper archives.

This criterion is used to assess the effect media framing and agenda setting has on change in the policy subsystem. The approach is consistent with techniques used by Baumgartner and Jones (1993) that focus on long-term trends in interest and discussion. They found that media coverage corresponded with public concern with nuclear power, pesticides, and smoking. Likewise, communications-effects researchers have found that media attention to a problem or issue can affect public opinion. In framing social and political issues, news organizations go one step further and declare likely consequences of a problem and they establish criteria for evaluating potential remedies (Iyengar 1991). These can either be episodic, based on individual cases, or thematic, focused on broader social trends. In this dissertation, it is assumed that expanded news coverage reflects a heightened awareness of the issue and would contribute to breaking the existing policy monopoly.

2) **Political contributions**. The proportion of political contributions collected from those seeking to break the policy monopoly are compared to total contributions in the initiative campaign. Records of interest groups and citizen committees supporting and opposing the initiative campaign will be examined, using databases available either through state Secretary of State offices or private-sponsored databases, to assess the role played by campaign money in achieving success or failure in the three initiative campaigns.

3) **Citizen activists'** participation. Participation is defined as the number of nonaffiliated citizens who testify at legislative hearings. They are neither agency officials nor members of interest groups. While the diversity of citizen activists is too great to allow categorization, inclusion of this information will allow qualitative discussion of

individual citizen actors as relevant. Citizen activist testimony is categorized as supporting or opposing the policy monopoly, with the presumption that a higher proportion of those testifying against the monopoly will lead to policy change.

4a) **Interest group testimony at legislative hearings**. A key ingredient in achieving policy change is increased activity among interest group representatives in each state. This variable is measured through (1) the number of interest-group representatives giving testimony, (2) the number of agency officials giving testimony, (3) the interest group representatives' position on the bill, and (4) the type of interest group. If a greater proportion of those testifying favor change, the presumption is that established policy is likely to be altered. This information in one and two is presented in tabular form, while information on three is summarized in text form in each chapter. Lists of lobbyists from state agencies are examined, where available, to descriptively tell how environmental lobbying has increased over the years. To make this comparison, current lists of legislative lobbyists are compared with lists from the earliest year available in the 1970s and 1980s.

Interest groups may include economic groups backing the benefits of hunting or ideological groups on either side of the issue, but more frequently opposing hunting interests. The groups may either be permanent organizations in the state or temporary groups, formed as a coalition of interests supporting or opposing the legislative or ballot measure.

Interest group testimony in legislative-sponsored hearings is distinguished by coding CI for change in wildlife policy in favor of protection by an ideological group, CE for change in wildlife policy in favor of protection by an economic group, HI for wildlife

policy supporting hunting by an ideological group or HE for wildlife policy supporting hunting by an economic group. The coding O will distinguish other testimony.

4b) **Agency official testimony at legislative hearings**. A key ingredient in achieving policy change is increased activity among agency officials representing federal, state or local bureaucratic agencies. This variable is measured through (1) the agency officials' position on the bill and (2) the type of agency. If a greater proportion of those testifying favor change, the presumption is that established policy is likely to be altered. This information is summarized in text form in each chapter.

Participation by agency officials in legislative-sponsored hearings will be coded in dissertation data using F for a federal official, S for a state official, and L for a local official.

5) **State legislative committee hearings**. This refers to the actual number of issue-related hearings and the number of committees holding hearings in each state. The first count will consist of "number of hearings," identifying the number of issue-related hearings for a given calendar year. The second count, labeled "committees," refers to the actual number of committees within both houses holding hearings within a calendar year. This is an extremely important independent variable in that they refer to venue, which is key to interpreting the effectiveness of applying the model at the state level.

All of these factors have an impact on the **intervening variable**, policy image, the key ingredient in whether dramatic policy change will occur. Policy image is defined as the perception the general public and policymakers have of a public issue, and it is operationalized through measures such as scientific public opinion polling and the analysis of committee hearings and media coverage. While it is perhaps possible for

policy change to occur without a change in perceptions about an issue, it is unlikely. According to Baumgartner and Jones (1993, 25), policy change is most likely to occur if awareness of an issue is expanded beyond the people who specialize in the issue. The possibility of perceptions changing is most likely to occur if more people are involved because different people can hold different images of the same policy." They continue:

> The creation and maintenance of a policy monopoly is intimately linked with the creation and maintenance of a supporting policy image. In those cases where monopolies of control have been established, there tends to be a single understanding of the underlying policy question. So policy monopolies are often supported by the acceptance of a positive policy image and the rejection of possible competing images (Baumgartner and Jones 1993, 26).

Baumgartner and Jones also argue that images are a mixture of empirical information and emotive appeals. The evaluative component of image is referred to as tone. As a result, as stories in the mass media change in tone from positive to negative, the evaluative framework that is rooted in the empirical tends to change from positive to negative and opponents of the policy have the opportunity to change the existing policy arrangement (Baumgartner and Jones 1993, 26).

The policy venue, defined as institutions or groups in society who have the authority to act in a particular issue area, is also a key intervening variable. A venue is a political institution, such as the initiative process or legislative body, in which the decision-making on policies occurs. Whether a change in policy image will be activated that will lead to a change in perception can be a factor of how the venue of action is defined, Baumgartner and Jones (1993, 31) argue. For example, if that issue is something left to the professional in an agency for decision-making and the issue is confined to a

single committee or subcommittee, a different policy result is likely than if the issue consideration is expanded to say, an entire legislative body. Expanding the venue to the entire voting electorate of a state thus raises the odds tremendously that people will hold many different views of the appropriate policy image.

However, the initiative vote is not always the key turning point and other institutional venues must be considered. Dramatic policy change can result as a result of deliberation in the legislature or agency itself. Consequently, this dissertation examines whether the key policy change occurred within the legislature, or as a result of the ballot initiative vote.

Interpretation of all this data will be cross-checked by another individual who will verify my accuracy in categorizing data, such as positive, neutral and negative headlines on news stories. The cross-checking will also include the categorization of interest-group testimony and tabular data presented in the dissertation.

This study is just the latest in a long tradition of inquiry on institutional policy change. The importance of policy image and institutional venue was underscored by E.E. Schattschneider forty years ago in the classic work *Semisovereign People*. Schattschneider (1960) argued that losers in a policy debate have the motive to change the roster of participants by appealing to those not currently involved. Since losers, the people who in initiative campaigns have the incentive to go about collecting petition signatures to get their issue on the ballot, are most likely to appeal to a new venue, the initiative becomes a valuable tool for them to get an opportunity to win the next round. "This interaction of image and policy interaction allows for rapid changes in policy outputs during some periods and for prolonged stability in others," Baumgartner and

Jones note (Baumgartner and Jones 1993, 39). Using techniques that both measure cross-sectional (a comparison of studies at a given point in time) and longitudinal (a comparison of changes over time in a single issue), the Baumgartner and Jones model uses a richness of data collection techniques that allows a thorough examination of whether and/or when these changes will occur.

A Description of the Case Studies

The next three chapters will analyze, using measures representing the above independent variables, how well the Baumgartner and Jones model explains the presence or lack of dramatic policy change. Information will be presented in tabular form in each chapter. Chapter Four deals with Colorado, Chapter Five deals with California, and Chapter Six deals with Ohio. The analysis begins with a brief historical account of the issue area in the context of that state's institutional arrangements, and then the results of data collection on each of the six independent variables will be reported. Each chapter concludes with an analysis of why rapid and dramatic change did or did not occur in existing institutional arrangements due to the initiative process, based on whether the data supported a change in public perception based on how people voted. Where available, polling data are examined as part of the description of the campaign in each state. A single issue area, rather than an assessment of all policy issues brought up for ballot consideration, is examined as I employ the case study method. Before proceeding to the individual case studies, I will briefly review each of the cases to be analyzed.

1. **Colorado**. Colorado presents an interesting contrast between rural interests and urbanization that makes for sharp policy debates. The passage of the initiative in

1992 banning the spring-bear hunt was the product of this debate, and as we will see the discussion had a sharp urban-rural tone. The issue of the spring bear hunt and awareness of wildlife management issues in general gained prominence beginning in the late 1980s as accelerating population growth changed the political climate (Sikorowski and Smeltzer, Manfredo 1998, 257). Wildlife professionals have traditionally opposed the use of ballot initiatives to resolve policy disputes. They see them as a threat to the "well ingrained principles that wildlife decisions should be based upon deliberation of scientific information" (Manfredo 1998, 3).

Professionals also see initiatives as challenging the interests of traditional user groups (hunters, anglers, trappers, agriculturalists) that have formed strong political alliances with wildlife agencies (Manfredo 1997, 3). The Division of Wildlife, the state's research and wildlife policy-implementing agency, in 1990 and 1991 refused to phase out the spring bear hunting season, despite polling information that revealed that ninety percent of those surveyed disapproved of the spring bear hunt, as well as the use of hounds and bait stations in hunting bear. The result was an initiative campaign in 1992 that resulted in Colorado voters barring the spring bear hunt. The 1992 initiative passed 69.7 percent to 30.3 percent.

2. **California**. Few issues have been as contentious in California wildlife politics as the fight to make the mountain lion a specially protected mammal. In 1990, the passage of Proposition 117 by a narrow fifty two to forty eight percent margin codified an unofficial seventeen-year state policy banning the sport hunting of mountain lions. Part of a wider package of environmental measures and funding, the 1990 initiative gave the lions a unique "specially protected" designation. Backers of mountain lion hunting

turned to the ballot initiative following extensive debate in the state wildlife agency and legislature over mountain-lion hunting policy. The initiative vote in 1990 appears to have settled the issue today, however there was more debate in the mid 1990s and an unsuccessful initiative campaign to restore lion hunting in 1996. After lions killed two women in 1994, hunters joined conservative legislators to draft a bill asking the public to reverse the 1990 vote and giving the power to manage the hunt back to the California Fish and Game Commission. Supporters of allowing limited hunting argued unsuccessfully that the mountain lion population had outgrown its habitat. They also said the "specially designated" status has no basis in biological science. Opponents of the initiative called the measure a "veiled attempt to overturn the ban on hunting mountain lions." They successfully argued that the Fish and Game Commission already had the power to relocate or kill lions that endanger public safety. Sport hunting was therefore unnecessary. The 1996 initiative campaign failed in a vote in March 1996 by fifty eight to forty two percent margin (California Journal 1999, http://www.webcom.com/cvf/96pri/props/197.html)

3. **Ohio** -- The mourning dove, a bird whose soft coos are a common sound throughout much of the Eastern and Central parts of the country and in cities as well as the countryside, would at first glance be an unlikely subject of a major initiative campaign pitting hunting versus environmental groups. Yet that is exactly what occurred in the fall of 1998. Bolstered by a million-dollar ad campaign that accused supporters of a hunting ban as being animal-rights extremists," hunting groups succeeded in defeating the initiative brought by the Save the Doves campaign. Mourning dove hunting had been banned in Ohio from 1917 to 1975, allowed in 1975-1976, banned again from 1976-1995

and then allowed again from 1995 onwards. Supporters of the ban argued that most doves are shot for target practice, not for food, since it yields only about two ounces of edible meat. Also, mourning doves are gentle birds and do not damage crops or livestock, supporters said. Opponents of the ban successfully argued that hunting has had no impact on dove populations, is hardly unusual since thirty eight states allow the shooting of doves and does not jeopardize species survival since mourning doves are the most abundant game bird in the country. Assaulted by a television spending blitz financed by hunting groups, supporters were overwhelmed at the polls by a 59.5 percent to 40.5 percent margin in voting on November 2, 1998 (League of Women Voters of California Education Fund 1998, http://sunsite.berkeley.edu/smartvoter/1998nov/oh/state/issue/).

Summary

This study will test the punctuated equilibrium model using a comparative case study approach. In chapters three through five, which present information gathered on wildlife issues from the three states (Ohio, Colorado, and California), I first present an historical overview of the evolution of the wildlife policy issue up to the time of the ballot initiative. This is followed by a presentation of the findings and an analysis of each of the five independent variables. The chapters conclude with an analysis of how well the Baumgartner and Jones model explains the development of policy in the state.

Chapter Six will present a discussion and overall analysis of the findings. The chapter will review the evidence presented in chapters three through six to draw conclusions about the hypotheses and propositions presented in this chapter. The

presentation of these results will be followed by an analysis of the explanatory power of the punctuated equilibrium model. The chapter will conclude with suggestions for future research, and possible modifications to the model based on this study's findings.

Chapter Three-- Colorado: Bear Hunting, Anyone?

Introduction

As Colorado urbanized and suburbanized in the last few decades of the Twentieth Century, a profound change occurred in the way wildlife issues were handled. The process of decision making on wildlife issues, previously the domain of the Colorado Division of Wildlife and the politically appointed State Wildlife Commission, which sets agency policy on wildlife issues, began to break down as wildlife activists demanded a greater role. Although the Division of Wildlife made efforts in the 1980s and 1990s to keep control over wildlife issues and adapt to changing times, as will be seen in this case study, these efforts were unsuccessful and policy making underwent a dramatic shift when activists took the issue of the spring bear hunt to voters in November 1992.

This chapter, the first of three case studies examining wildlife policy at the state level, is organized in the following manner. First, I examine the role the ballot initiative has played in the state's history to put into context its significance in state policy making. Second, I examine the roots of the black-bear hunting controversy from an historical perspective. Third, I report and analyze the results of data collection on each of the variables outlined in Chapter Two, and see if expectations hypothesized are backed up by actual data collection. Finally, I will evaluate the overall ability of the Baumgartner and Jones model to predict state policy in Colorado in this particular case.

The Colorado Initiative Process

Supporters of banning the spring bear hunt took the less popular ballot initiative route – writing the hunting ban provision into state law. Only twenty-eight of the 137 ballot proposals submitted to voters since 1970 have been statutory proposals (Elofson 2001, 2). Another 108 were submitted as amendments to the Colorado Constitution, with the other one being the 1992 Taxpayer Bill of Rights (TABOR) for voter approval of debt.

Before discussing the particulars of the case, I will briefly review Colorado's expanding use of the ballot initiative in the last three decades. In the elections of the 1990s, a total of thirty eight initiatives were on state ballots, compared with a total of thirty four for the decades of the 1970s and 1980s combined. Charlie Brown, executive director of the Office of Legislative Counsel, the Colorado legislature's nonpartisan research arm, said this growing use of the initiative is "borne out of frustration with the incrementalism of the legislative process. The legislative process is not one that accommodates big changes" (Brown 2001, Interview).

Wildlife policy, Brown noted, is one that is geared for the initiative in Colorado but not the legislative process and Colorado's predominantly Republican-controlled General Assembly. In 2000, Democrats captured a one-seat majority in the state Senate. That was the first time Democrats controlled the Senate in thirty six years, the last time being in 1965-1966. Republicans have controlled the House since 1976.

"I'm not sure that the environmental concerns and wildlife animal issues are typical Republican issues," Brown said. "They don't tend to fare as well in the legislative

process as they do in the arena of public opinion. Groups that feel disenfranchised by the prevailing process in the legislature just naturally assume they have to go around the legislature and go right to the people."

Going directly to the people, however, is not an easy thing. For instructions on placing an initiative on the ballot, supporters of change must look at a thirty six-page manual written by the Secretary of State's office. The ballot proposal is then submitted to legislative lawyers for review, then turned over to the state Title Board to finalize language. Rehearings and protests, which can include review by the state Supreme Court, can stretch the review process to several years. After the board gives its approval, backers then begin circulating petitions to gather the necessary signatures. They must gather enough valid signatures to make up five percent of the total number of voters who cast ballots in the previous Secretary of State's race. That amounts to collection of more than 50,000 signatures (Sarche 2000, A9)

Even when required signatures are gathered, however, signature verification can be capricious. Critics have charged that the Secretary of State's office in the past has thrown out signatures on technicalities, such as use of an incorrect abbreviation in an address. State legislators also are not huge fans of initiatives, and have tried to block what they see as an overuse of the initiative venue. After ten proposals were on the ballot in 1992, the year of the black bear initiative, the General Assembly passed legislation requiring people who circulate petitions to be registered voters, requiring petition circulators to wear identification badges, and requiring backers to file reports identifying paid petition circulators and how much they earned. In 1999, the U.S. Supreme Court struck down the state requirements as an unconstitutional violation of free speech. Brown

said he now sees lawmakers reluctant to tackle further with the right of the people to vote directly on legislation because the initiative has been demonstrated to be popular with voters.

Despite the procedural hurdles, backers of wildlife and other initiatives have had no reluctance to attempt to bypass representative government and give voters a direct say. How activists bypassed the legislative venue and went directly to voters in 1992 is described in the remainder of this chapter. First, I will provide a description of the case. Then I will review each of the variables to see what kind of explanatory power they provide for this situation.

The Black Bear and Colorado Wildlife Policy: Description of Case

In November of 1992, Colorado voters overwhelmingly approved an amendment to ban three black-bear hunting practices: hunting in the spring, the use of bait, and the use of dogs. The two- to- one voter approval of a moratorium on these traditional bear hunting practices caught the attention of the wildlife management community in Colorado and across the country. The following is description of the history that led up to the 1992 vote.

The first period reviewed in depth covers the period from 1975-1980, when hunters could hunt black bears from the time they exited their dens in the spring to the time they re-entered them in the fall. A second period is from 1980-1985, when downward trends in bear populations began to focus concern on what some saw as inhumane hunting practices. The third period, from 1985-1990, involved rising concerns over inhumane hunting practices leading to examination of the issue by the Colorado

Wildlife Commission. Finally, in the fourth period, 1990-1991, it became apparent that public concern had risen so high that if placed on the ballot, an initiative banning the spring bear hunt and hunting with bait and dogs would pass if put before the voters. In response, the wildlife commission tried to head off a vote by proposing to reduce but not ban spring hunting and the use of bait and dogs. However, wildlife advocates got the issue on the ballot anyway, and it passed by an overwhelming seventy to thirty percent margin.

Loker and Decker (1994) and Gill (1996) note that the black bear hunting controversy exemplifies a paradigm shift for wildlife management in the past twenty years. Increasing emphasis on wildlife management decision-making has come about due to heightened public interest in wildlife and natural resource issues, they say. Instead of reflecting the values of hunting and agriculture interests, the 1980s and early 1990s saw a greater focus on the desires of the general public.

History of Bear Management in Colorado

Bear management in Colorado has a complicated history, made so for several reasons. First, the Colorado Division of Wildlife, the agency with the responsibility for managing bear populations, has had a desire over the years to improve bear hunting practices but has faced conflicts in satisfying wildlife protection and hunting advocates at the same time. Second, the agency has had an interest in making sure that bear populations are managed effectively, both to limit bear damage and over harvesting. Third, over the years the agency has had concerns about too many females being shot, particularly those with dependent cubs.

As a result, policies involving bear management have tended to change about every four or five years (Gill and Beck 1991). Attempts were made in 1899 and 1916 to classify black bears as game animals, but the species received no legal protection until 1935 (Gill and Beck 1990). The earliest statutory reference to bears appeared in 1933, when landowners were authorized to kill grizzly bears and black bears found on grazing lands. The only condition was that the landowner had to report the bear's death within thirty days. In 1935, bear management began when the Legislature declared them game animals and gave them the protection of a temporary hunting moratorium. The killing of cubs or females with cubs was declared illegal.

From 1935-1955, bear hunting season coincided with elk and deer-hunting season. Anyone with a big-game license could hunt black bear. In 1955, a separate bear license was created, and the first bear-hunting season, running from August 15 through the first of October, was established. The season was expanded in the 1960s in certain parts of Colorado, and the state allowed bear hunting from the time the animals left the den to the time they re-entered. The season was lengthened to run from April 1 through September 15. In 1965, this season was extended to September 30.

In the 1970s, a separate bear-only hunting season was established (in 1970) from April 1 through June 30. Hunting also was allowed in some parts of the state during the summer months of July, august, and September. By 1975, bear hunting was allowed statewide again, though that year saw a separate bear-only season once again established, from July 1 through September 30.

In the late 1970s and early 1980s, concerns that the state's increasing human population would make black-bear management more difficult came to the Division of

Wildlife's attention. In 1978, the division launched an eight-year study to examine the impact of bear hunting. During this period, it first became apparent that concern about black bear management was not limited to hunters. In 1983, the Colorado Wildlife Commission directed the Division of Wildlife staff to do a comprehensive analysis of black bear management. With that analysis unfinished, in February 1984 the commission went ahead and created a citizens' bear management advisory task force to offer views on how to arrest the apparent decline in the black bear population. Commodity interests dominated the task force, with members from the following groups: American Wilderness Alliance, Colorado Cattlemen's Association, Colorado Audubon Society chapters, Colorado Bowhunters' Association, Colorado Guides & Outfitters, Colorado Woolgrowers' Association, Federation of Colorado Houndsmen and Colorado Houndsmen associations, Great Bear Foundation, and the United Sportsmen Council.

In November 1984, the task force issued a report that said bears were a valuable resource and steps should be taken to reverse their apparent decline in Colorado. The report recommended several regulatory changes including limiting the packs of hounds that could be used to hunt bears, requiring mandatory inspections of each bear killed by individual hunters, restricting some baiting practices and implementing some experimental management programs to test population or hunter response to restrictions on bear take in specified areas of the state or times of the year (Loker and Decker 1994).

The report, however, did little to quiet the growing controversy. The issue of black-bear management surfaced again at the November 1988 Wildlife Commission meeting. At that time, the commission agreed to shorten the 1989 spring hunting season by fifteen days, from April 1 through June 15 to April 1 through May 31. The

commission also asked the Division of Wildlife staff to draw up a comprehensive black bear management plan, including recommendations for hunting regulations for 1990 through 1992. The Division of Wildlife staff attempted to reach a consensus by involving outside stakeholders representing groups such as Wildlife 2000, a non-consumptive wildlife interest group, Safari Club International and the United Sportsmen's Council. They organized meetings involving stakeholder groups to review drafts of the management plan. Groups the Division of Wildlife considered extreme, such as some animal rights and sportsmen's groups, however, were excluded so it would be easier to reach a consensus.

Nonetheless, these efforts to reach consensus failed. When stakeholders representing hunting, outfitting and livestock interests found out that Wildlife 2000 was getting money from animal rights groups for a campaign to stop spring-bear hunting, they broke off negotiations in 1989. Meanwhile, opponents of spring bear hunting were becoming disinclined toward negotiation. In October 1989, Wildlife 2000 launched a survey of non-hunters to gauge public reaction. The survey revealed a majority of Coloradans would vote to end the spring black-bear hunt and would financially support an organization supporting this outcome (Mallett 1991).

Another survey, commissioned by the Division of Wildlife in June 1989, revealed similar opinions. A focus group consisting of bear hunters, other hunters and non-hunters suggested that ethical questions about black bear hunting would result in an emotional reaction (Gill 1993). A telephone survey by Standage accurach, Inc., of 612 Colorado residents in November 1989 showed a strong aversion among Coloradans to spring black bear hunting. This opposition was due, the survey noted, to fears about killing females

with nursing cubs. The survey also revealed an aversion to use of bait and dogs in hunting black bears, but support for hunting in general and the Division of Wildlife's ability to manage wildlife.

The immediate result of this survey, presented to the Wildlife Commission in November 1989 along with the plan on black bear management, was a move to reduce the length of the spring hunting season and to establish ethical standards regarding black bear hunting. A 1990 update of the Division of Wildlife's long-range plan resulted in the commission adopting a provision pledging to "establish regulations and schedule timing of black bear hunting seasons to protect females with dependent nursing cubs." The meaning of this language, however, was still subject to controversy. Over the next two years, as the drive to get an initiative on the ballot was achieved, the commission was to back off the idea that the statement was a pledge to draft regulations establishing ethical standards. The commission would later suggest the objective was to reflect concern about biological implications of cub mortality, not any ethical concern.

Another policy result in this period was a move by the Division of Wildlife to increase public participation in policy making. In May 1991, the commission got public input and learned about concerns with hunting black bears in spring, hunting with bait and hunting with dogs. a 1991 survey by Standage Accureach, Inc., and Ciruli Associates, Inc., in June 1991 of 300 licensed black bear hunters and 600 registered voters revealed widespread anti-hunting sentiment. The survey revealed that while the voting public was not well informed about hunting issues (fewer than ten percent said they had heard any significant information), about seventy five percent had a view on black bear hunting. A majority (fifty four percent) opposed spring bear hunting, with

strong opposition to hunting with bait or dogs (Standage Accureach Inc., and Ciruli Associates 1991).

Sportsmen's groups, rather than reacting to this information and moving to compromise, began to draw a line in the sand. In the summer of 1991, a meeting of local and national sportsmen's groups was called to hear a representative of the Wildlife Legislative Fund advise them on strategies for responding to the black bear hunting controversy. The Wildlife Legislative Fund expressed confidence that despite the polling data a ballot initiative would fail. Opposition was encouraged because efforts to restrict bear-hunting practices would represent a victory for anti-hunting organizations such as the Fund for animals and the Humane Society of the United States. In the fall of 1991, polarization intensified. By November 1991, the Division of Wildlife's fears that the issue would involve out-of-state animal rights groups pursuing an anti-hunting agenda had been realized (Loker and Decker 1994). A commission meeting in November at the Division of Wildlife's Denver headquarters drew a standing-room only crowd, widespread media coverage and 120 people wanting to present public testimony. The result of that meeting satisfied neither animal rights nor pro-hunting advocates. Instead of eliminating the spring season, the commission voted five to three to add two weeks, to May 31, to the spring season closing date, but reduce the number of licenses for the spring hunting season.

This decision ignored the Division of Wildlife's recommendation to eliminate the spring bear hunt entirely and was cited by Mike Smith, then president of Boulder County Audubon and a spearheading force in the campaign to eliminate the spring-bear hunt, as the turning point in the drive to take the decision out of the commission's hands. The

decision also ignored the public's views, expressed in letters to the commission prior to the vote. Comments in the commission at the time ran sixteen to one against spring hunting and 122 to one in opposition to using bait and hounds (Peterson 1995, 193).

The next action came in the courts. Dissatisfied with the commission's decision to phase down rather than eliminate the spring hunting season, Boulder County Audubon filed a request for an injunction in March 1992 in an attempt to halt the spring bear hunt. Although this effort was unsuccessful, with the judge ruling that Audubon had not made a case that the commission's decision was biologically detrimental to the bear population, the result was further polarization and a decision by Smith and his supporters to turn to the ballot initiative.

Smith and others formed Coloradans United for Bears (CUB) and began collecting signatures. Using primarily volunteers, CUB collected 76,360 signatures (50,000 valid signatures were needed) and got the Secretary of State to place the issue on the November 1992 ballot as a legislative amendment. Pro-hunting activists formed their own group, Coloradans for Wildlife Conservation (CWC). Pro-hunting groups were endorsed and supported financially by well-known national sportsmen's groups such as the National Rifle Association, the Colorado Guides and Outfitters Association and Colorado Woolgrowers Association.

The two groups adopted different strategies in appealing for votes. CUB used flyers and the news media, with newspaper interviews and one television interview, while CWC distributed brochures, wrote letters to editors of newspapers, and had a press conference in Grand Junction. As polls showed the initiative had broad public support, CWC blamed lack of national support from sportsmen's groups and the neutral stand by

the Division of Wildlife with causing difficulty in getting its message out. Denny Behrens, coordinator of CWC, said his organization was not able to raise the $800,000 to $1 million needed to run a successful campaign because of lack of support from the commission and Division of Wildlife. Another reason cited for the lack of support was greater concern among sportsmen's groups in defeating an Arizona initiative that would end trapping on public lands in that state.

The campaign, however, was not without vitriol, as told in David Peterson's 1995 book *Ghost Grizzlies*.

> The hunters' rights lobby -- fueled in largest part by industry contributions and given voice by hook-and-bullet magazines, the National Rifle association, the hunting industry's political action, the Wildlife Legislative Fund of America, and kindred organizations -- responded predictably. Employing a paranoid mentality that equates to a let them have our assault rifles today, and they'll be back after our BB guns tomorrow," the hunting lobby charged that Amendment Ten was the work of a tiny coterie of animal rights fanatics and represented but the first skirmish of a war to end all hunting in Colorado (Peterson 1995, 194-195).

The Colorado campaign, however, remained remarkably local. When Wayne Pacelle, national director of the Washington, D.C., lobby group Fund for Animals, overstated its case he was "sent packing." by the Wildlife Commission (Peterson 1995, 195). Pacelle had petitioned the Wildlife Commission to ban bowhunting for bears, claiming the archery equipment was ineffective and cruel. This claim, said Peterson, was untrue. In fact, bowhunters made an easy target, since their numbers are relatively few (Peterson 1995, 195). The Colorado Wildlife Commission refused to consider Pacelle's proposal.

Another reason cited for the margin of defeat was widespread publicity given a statement made by then State Wildlife Commissioner Elden Cooper by Denver Post

columnist Bob Ewegen (Kahn 2001, personal interview). On September 17, 1992, Cooper had told reporters: "If you believe in the Bible, you must vote against this amendment." Ewegen in his column called Cooper's comments "the stupidest statement of 1992."

> Amendment Ten is so reasonable that it closely resembles the recommendations of the Division of Wildlife's own professional staff, who oppose killing mother bears in the spring. Unfortunately, the brain-dead political hacks who dominate our politically pandering Wildlife Commission have rejected the advice of their professional staff....If you believe the bleatings of the brain-dead political hacks, they are the font of all wisdom and can kill bears at any time they want, and we stupid citizens should shut up, pay our taxes, and stop telling them how to run the Wildlife Commission (Ewegen 1992, Sept. 7, 1992).

Following passage of the initiative, CUB disbanded while CWC formed a nonprofit organization, the Western Traditions Coalition, to provide information presenting views counter to animal rights advocates. In January 1993 the commission set up a new bear season in compliance with Amendment Ten. The season was set for September 2 through 30, with 1,000 bear licenses to be sold. Use of bait and dogs was prohibited.

Since that time, the bear-hunting issue has subsided as a topic of concern. Since 1992, some 800 bears a year have been killed in Colorado during the fall season, according to Rick Kahn, wildlife management supervisor in the Division of Wildlife's Fort Collins office (Kahn 2001, Personal Interview). Kahn, who was in the division's Denver office in 1992, said in an interview that the struggle that led to the initiative was "a fight going on for the soul of the Division of Wildlife." The division in the 1980s had still been primarily a hunting and fishing agency, with attention on maintaining the status quo, Kahn said. The passage of Amendment Ten in November 1992 lost the division

support from sportsmen's groups, which regarded the agency's neutral stance as a form of betrayal. "There still are strained feelings to this day about our role in this," Kahn said. "The bear initiative should have been a wakeup call," Kahn said. "If you implement bad policy, you can expect it to be challenged." (Kahn 2001) Instead, the division went on to lose an initiative fight over trapping in 1996, and suffered further erosion of its control in setting public policy on wildlife issues.

The Variables

How well does the Baumgartner and Jones model predict dramatic policy change in the Colorado case of the black bear initiative? Was it legislative action in the General assembly or factors more directly attributable to the initiative process that spurred the change? In this section, I examine each of the variables and analyze whether the corresponding hypothesis is supported.

Hypothesis 1a: **Policy change is more likely to occur when the tone of media coverage in legislative hearings changes the policy image to a position less favorable toward the policy monopoly.**

Hypothesis 1b: **Policy change is more likely to occur when the tone of media coverage in initiative campaigns changes the policy image to a position less favorable toward the policy monopoly.**

These hypotheses correspond to the first independent variable, media coverage, that is measured. Stories in the *Denver Post* index from 1963 through 2000, with the tone of headline descriptions categorized as to whether they favored a change in the policy monopoly, whether they appeared neutral in tone, or whether they appeared to support the

existing policy monopoly held by hunting interests. The keyword is "bears" and "hunting," with hunting used as a cross check to ensure that any stories dealing with the issue of bear hunting in any given year were not overlooked. Stories that appear from the headline description to be a dispassionate discussion of policy affecting bear hunting are coded as neutral. Story descriptions are coded as favoring policy change/anti-hunting if they discuss new policies or give views favoring new policies; similarly, stories that appear to be backing hunting interests and the interests of keeping control of policy at the Division of Wildlife are coded as favoring the status quo/pro-hunting.

The following table summarizes the categorized data. (The *Denver Post* Index was reviewed back to 1963. No stories involving bears and hunting were found, however, prior to 1979.) The data is reported in approximate five-year intervals, with an explanation following of specific years where appropriate.

Table 3.1 Media Coverage of Bear-Hunting Policies in Colorado, 1979-2000

Year	Total Stories	Favor Change/anti-hunting	Neutral	Favor Status Quo/Pro-hunting
1979-1985	**4**	**1**	**1**	**2**
1986-1990	**12**	**4**	**2**	**6**
1991-1995	**32**	**14**	**9**	**9**
1996-2000	**4**	**3**	**0**	**1**

As expected, there is a sharp increase in numbers of stories late in the 1980s, peaking in the early 1990s. In 1992, the year of the successful initiative, the number of stories peaked at twelve, with eight stories favorable to change/anti-hunting, one story

neutral and three stories favoring the status quo/pro-hunting. The previous year, 1991, a total of nine stories appeared, with three favoring change/anti-hunting, two neutral, and four favoring the status quo/anti-hunting. The tone of stories, mixed in earlier years, became strongly positive in 1992. This reflects the fact, as mentioned in the earlier historical narrative, that supporters did a better job of framing the issue. It is worth noting, however, that at no time, not even during the campaign, was coverage of Amendment Ten extensive. Only in 1992 were there a substantial number of anti-hunting stories (eight) compared with pro-hunting (three). Most years there were a few more pro-hunting stories. Also, in 1992 a record number of initiatives were on the Colorado ballot. Two other issues -- taxpayer-rights advocate Douglas Bruce's tax and spending limitation amendment (TABOR), and Amendment Two, a successful amendment denying equal protection for gays, were far more controversial and garnered more press attention. Thus, the data provide only weak support for hypothesis 1b. However, in 1992 at least, the issue of whether to ban the spring bear hunt moved beyond being the province of the wildlife columnist and became mainstream news. Since no legislative hearings were held before the initiative campaign, it is impossible to affirm or deny Hypothesis 1a.

Hypothesis 2: **Policy change is more likely to occur when financial resources/campaign contributions challenge policy image and policy supported by the existing monopoly.**

To test this hypothesis, I compare the proportion of campaign contributions in the initiative campaign from those seeking to break the policy monopoly to total contributions. The political committee in the 1992 initiative campaign that sought to break the monopoly was Coloradans United for Bears. The committee reported raising

$72,960.77 and spending an identical amount in 1992 and 1993 in the campaign, according to campaign finance records compiled by the Colorado Secretary of State's office (http://www.sos.state.co.us). A much larger sum was raised and spent by hunting interests through their political committee, Coloradans for Wildlife Conservation. The anti-Amendment Ten committee reported raising and spending $114,439.09 on the campaign, according to the Secretary of State's office. Thus, a total of $187,399.86 was spent on the campaign. Only 38.9 percent of the total was spent, however, by the committee, Coloradans United for Bears, that backed the winning side. Therefore, Hypothesis Two cannot be supported.

Hypothesis 3) **Policy change is more likely to occur when interest groups and activists change policy image through testimony at legislative hearings.**

Hypothesis 4a) **Policy change is more likely to occur when external interests, defined as interest groups involved in either legislative hearings or initiative campaigns, challenge policy image through questioning the prevailing perspectives of interest group representatives operating within the established policy monopoly.**

Hypothesis 4b) **Policy change is more likely to occur when external interests, defined as agency officials involved in either legislative hearings or initiative campaigns, challenge policy image through questioning the prevailing perspectives of agency officials operating within the established policy monopoly.**

Hypothesis 5) **Policy change is more likely to occur when issues are expanded to additional venues such as new legislative committees and initiatives that are not associated with an existing policy monopoly.**

In this case study, I am merging the discussion of these three hypotheses because of the nature of the Colorado initiative campaign. Activists seeking to break the policy monopoly at the Division of Wildlife and Colorado Wildlife Commission made no attempt to turn to the General Assembly for a legislative solution through representative government. Michael Smith, chairman of Coloradans United for Bears, explained that the reason for this is simply that the legislative venue appeared to be an unpromising route for reform. Legislation involving hunting typically is referred to the Senate and House agriculture committees, dominated by rural legislators with a pro-hunting bias, Smith said (Smith 2001, interview). Boulder County Audubon, of which Smith was president, did turn to the judiciary in March 1992 in an attempt to get an injunction to invalidate the Colorado Wildlife Commission's decision to change the dates of the spring bear hunt. However, when this was unsuccessful, Coloradans United for Bears quickly was formed and the initiative campaign was launched.

A review of the list of lobbyists who have registered with the Colorado Secretary of State's office provides evidence that environmentalism and animal rights are under represented compared with hunting and resource-consumptive interests. In 1982, the first year paper lists were kept, the only environmental groups with legislative lobbyists were the Colorado Public Interest Research Group (two lobbyists), the Colorado Council of Trout Unlimited (one lobbyist), the Environmental Defense Fund (two lobbyists), and the Nature Conservancy (one lobbyist). In contrast, twenty resource-consumptive companies or organizations had lobbyists in Denver.[4]

[4]These included Consolidation Coal Company, the Colorado Mining Association, Homestake Mining Company, Gary Energy Corporation, Public Service Company, the Colorado Water Congress, the Rocky

By April 2001, the numbers of lobbyists had mushroomed, but the proportion still favored consumptive uses. However, as can be seen in Appendix Three, the environmental movement had definitely come of age in the Colorado General assembly as a lobbying force. A total of twenty-one environmental and wildlife preservation organizations employed lobbyists, some more than one. The Colorado Public Interest Research Group, the most visible and most liberal of the environmental organizations, was up to eleven lobbyists, and environmental interest groups, like the Sierra Club and Audubon Society, have a presence in Denver. However, these organizations are still outnumbered by consumptive or water resource groups whose focus is on using resources. A review of the 182-page list compiled by the Secretary of State's office and posted on the Internet indicates more than fifty of these groups have Denver lobbyists. Despite this increase in sheer numbers, however, environmentalism and wildlife preservation still takes a back seat in the Legislature (Smith 2001, personal interview).

A survey of records on legislative committee hearings at the State Department of archives and Public Records found only two hearings on an issue involving bear hunting since 1975, the year recording of hearings began. No records of hearings are available prior to 1975. Those hearings in 1977 involved HB1435, legislation that made the state totally liable for damage caused by bears and mountain lions. The legislation also decreased the resident and nonresident mountain lion hunting fees to encourage a

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Mountain Oil and Gas Association, the Colorado Petroleum Association, CF&I Steel Corporation, the Colorado Petroleum Marketers, Exxon, amax, Cache LaPoudre Water Users Association, the Jackson County Water Conservancy District, the Northern Colorado Water Conservation District, "RCO, Marks Butte and Frenchman Ground Water Management District, Rio Blanco Oil Shale Company, the Denver Water Department, Colorado-Ute Electric Association, Bird Oil Company, Phillips Petroleum, and Standard Oil Company.

reduction in the population. The legislation got its impetus from problems at the time with an overpopulation of mountain lions in the Canon City area in Fremont County, in Southern Colorado. The tape of the hearings revealed that most of the focus was on mountain lions, with little attention to bears.

A March 22, 1977 hearing of the House Game, Fish and Parks Committee drew four witnesses, all of whom supported the legislation. They included the sponsor, Representative Robert Shoemaker from Fremont County, two citizen activists (Red McCail and Nate Patton) from Fremont County, and Bob Elliott, representing the Division of Wildlife. The Senate Agriculture Committee hearing on April 20, 1977, drew six supporters. Elliott of the Division of Wildlife testified again, as did Senator Tillie Bishop and Representative Shoemaker. Elliott from the Division of Wildlife represented the agency again, and Richard McHale represented the Fremont County Cattlemen's Association. Another citizen activist, Amle Movady, a Fremont County outfitter who organized mountain-lion hunting trips, also supported the legislation.

These two hearings exemplify the apparent lack of need for hunting backers to take their issues to the General Assembly unless specific legislative approval was needed, as was the case with the 1977 legislation that sailed through the legislature. McHale, representing the Cattlemen's Association, supported hunting on primarily an economic point of view (HE). The citizen activists were backing the Division of Wildlife in their pro-hunting stance.[5]

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[5]A search of records in the House and Senate Journals back to 1965 revealed three other bills involving bear hunting. Two were in 1971, before hearing records were kept, and dealt with non-game and predatory animals, and banning grizzly bear hunting in the state. A 1994 bill sponsored by State Representative Lou Entz from the San Luis Valley in South Central Colorado would have reinstated the spring bear hunt. The

Analysis

This case study provides strong evidence that the initiative arena resulted in a sharp policy shift, weakening the power of the Wildlife Commission, Division of Wildlife, and hunting interests. The variables measured under the Baumgartner and Jones model, however, only provide a partial explanation for the policy change. News coverage, measured in tone and number of stories, reflect a sharp increase in positive coverage for a change in policy during the 1992 campaign. However, the limited number of stories provide little evidence to support Hypothesis 1a and 1b and that the media was leading a drumbeat for change.

Similarly, spending by campaign committees on the initiative campaign refute Hypothesis 2, that the side with the most money wins. Here, policy change occurred despite the fact Coloradans United for Bears was outspent. But again, spending on both sides was relatively light, and the ballot was crowded with a presidential contest, a U.S. Senate race, local contests, and a record number of other initiatives.

No support is available that the legislative venue played any role in shifting policy. Supporters of new wildlife policy concerning the spring bear hunt deliberately bypassed the legislature, figuring its chances for passage were especially bleak in the House and Senate Agriculture committees.

What seems the most logical explanation is that increased news coverage in the initiative campaign of 1992 reflected public opinion, from surveys done in previous years,

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bill was reported to the floor without a hearing by House Agriculture, and died in the House Finance Committee.

that the public opposed the spring bear hunt. The margin of victory indicates that supporters of policy change merely had to reinforce their message. Activists may not have had to change opinions, but they did succeed in getting their issue in the news. This is different from a majority of initiative campaigns, where voters are inclined to vote no unless a compelling case is made. Instead, control of wildlife policy appears to have been wrested from the state's Wildlife Commission because the commission chose to ignore evidence that the public was against its policy of still allowing, albeit with modifications, a spring bear hunt.

This conclusion is strongly supported by a post-election voter analysis conducted by the Human Dimensions in Natural Resources Unit at Colorado State University after the 1992 election. This study confirmed pre-election polling that showed strong support for eliminating a spring bear hunt and the use of dogs. The post-election analysis concluded:

* Sharp differences existed between hunters and non-hunters. Seventy-three percent of those surveyed who were non-hunters opposed the spring bear hunt, while fifty-six percent of hunters supported it.

* A majority of hunters supported retaining the policy of the spring bear hunt and continuing to use bait and dogs. A majority of non-hunters opposed all three practices. However, ninety percent of non-hunters said they were not opposed to hunting per se. Their support for Amendment Ten was directed at the issue of the specific bear hunting practices addressed in the initiative.

* Mass media was the source of most information for hunters and non-hunters.

*Hunters more than non-hunters were interested in the issue of who should have control over bear hunting policy. However, a majority of both groups preferred that the Colorado Division of Wildlife make management decisions about bear and other wildlife. Among hunters this figure was seventy four percent; among non-hunters this figure was sixty four percent (Decker, Loker and Baas 1993).

In this instance, then, it appears that voters simply decided that the merits of the issue backed a major policy change from that followed by the Colorado Wildlife Commission. Unable to keep up with public opinion, the agency and commission suffered a defeat. Later in the decade of the 1990s, the agency and commission would face another test of their authority. In 1996, voters approved an anti-trapping initiative backed by animal-rights supporters. The success of back-to-back initiatives four years apart only reinforced the image that the Division of Wildlife had lost control over wildlife policy. This shift was demonstrated most clearly in the 1992 bear-hunting campaign.

Chapter Four -- The Battle Over Mourning Dove Hunting in Ohio: Fewer Coos to be Heard?

Policy Setting

In the previous chapter, we saw how citizens in 1992 in Colorado used the ballot initiative to bypass the General Assembly and break the policy monopoly held by the state's hunting interests. In Ohio, the fight over the right to hunt mourning doves was very different. The statutory right to hunt mourning doves did not exist until 1994, when the Ohio General Assembly granted its approval in a lame-duck session. The approval set off a firestorm of criticism from anti-hunting forces. If polls were to be believed, hunting the mourning dove was contrary to public sentiment. Four years later, in 1998, however, those anti-hunting forces suffered a crushing defeat when they brought the issue to statewide vote by way of the ballot initiative.

The reasons for this defeat, however, could be predicted. The defeat was rooted, as I will show in this chapter, both politically and institutionally. This chapter first provides an overview of Ohio's political structure with respect to the use of the initiative, then traces the development of the mourning dove issue, explaining how availability of venue and shaping of policy image were key in blocking efforts by those who opposed dove hunting. This chapter will cover the twenty-five-year period from 1975 to the present, although historical references will be made to earlier periods.

Ohio's Political Structure and the Use of the Initiative

Ohio's use of the initiative is more limited than in the two other states --California and Colorado -- that are case studies in this dissertation. Since 1912, when a constitutional convention added the initiative as an electoral venue, the states' voters have used the initiative only sixty two times, ranking the state eleventh overall among the twenty four states that offer ballot initiatives as a venue option. Further, the state has a strong two-party tradition and a full-time General Assembly, with a preference for letting representative government have its way. Since 1977, only two wildlife initiatives -- one in 1977 that would have banned trapping, and one in 1998 that would have banned mourning dove hunting -- have made it onto the ballot, and both were soundly defeated.

However, the state is not a reform backwater. Ohio is one of only seven states east of the Mississippi River to have adopted the citizen initiative. And among those seven states, it has used the initiative the most frequently. Only neighboring Michigan, which has used the ballot initiative fifty nine times through 2000, comes close. During the Progressive Era of the early Twentieth Century, a number of political reforms were championed in Ohio. Under Democratic governor and 1920 presidential candidate James M. Cox, the state was one of the leading backers of progressive reforms such as the initiative and referendum, home rule municipal government, and direct election of senators (Roseboom and Weisenburger 1964). For years the state has been a political battleground between Republicans and Democrats, and if the state now appears to have a Republican tilt, this is most likely because Republicans have been more adept at fielding appealing candidates. Also, as population growth has swung to the state's south and

west, with more liberal and Democratic Northeast Ohio losing population relative to Republican strongholds such as Columbus and Cincinnati, the GOP has gained strength.

Another reason for the relative lack of use of the initiative in Ohio, however, is institutional. Part of this unpopularity is due to the two-step process required to get ballot consideration for legislative changes. An initiative may qualify for the ballot directly if signatures from ten percent of voters in the last gubernatorial election petition for a proposed amendment to the state constitution. This direct method, however, is less popular than the easier signature-gathering task of changing state law. This requires a two-step process. Ordinary legislation can be proposed to the state General assembly by gathering signatures from three percent of the state's voters. In the event the General Assembly fails to act on the proposed legislative change in four months, backers of the initiative can bring the issue to the ballot by gathering signatures from another three percent of voters (Roseboom and Weisenburger 1964, 323). The fact the initiative process in Ohio gives legislators an opportunity to head off ballot activity indicates even in 1912 during the height of the Progressive Era that reformers in Ohio had a deference to political parties and legislative process not seen in the weaker party states of California and Colorado.

The Evolution of the Mourning Dove Issue into an Initiative Campaign

The punctuated equilibrium model assumes that a policy monopoly has two key characteristics. First, a definable institutional structure for policy making must exist and with a structure that limits access to the policy process. The structure is made up of administrative and decision-making organizations that have authority in a given policy

area, as well as laws and rules defining the policy's mission. The monopoly on policy authority exists because political players with a vested interest attempt to exclude real or potential political opponents by developing and maintaining rules that limit access to the decision-making structure.

The second characteristic of the policy monopoly is a powerful supporting idea, or set of ideas, backing up the institutional structure. The supporting ideas are communicated through images and rhetoric and may also play an important role in monopolizing the policymaking authority by excluding real or potential opponents who may lack the proper professional credentials and expertise (Baumgartner and Jones 1993). In the mourning dove debate in Ohio, backers of the policy monopoly -- hunting groups such as the Ohio Sportsmen's League, the Ohio Division of Wildlife, and the Wildlife Legislative Fund of America -- used policy images communicated through rhetoric in pamphlets and books, and advertising campaigns, to maintain the right to hunt mourning doves following passage of the 1994 legislation. The Ohio Division of Wildlife, an arm of the state's Department of Natural Resources, regularly issued pamphlets supporting hunting rights and touting the benefits of professional expertise. One its tools is Wild Ohio, the department's free quarterly picture magazine. In its summer 1995 edition, the division draws this picture of the benefits of mourning dove hunting:

> With a range that extends from Mexico to Canada, and from coast to coast, the mourning dove is the most popular, abundant and widespread game bird in North America. It flourishes in agricultural and rural areas due to its adaptable lifestyle and high reproductive rates. The mourning dove is one of the most common birds in Ohio, with biologists estimating at least four million doves in the state each fall. Population hits a peak in the fall hunting season, with many doves migrating from more northern climes (Abel 1995, 12).

This description on the abundance of the mourning dove was written in 1994, the year that dove hunting finally won legislative approval in the Ohio General Assembly. The legislative route was one that hunting advocates took only reluctantly. In fact, if hunting advocates had their way, the General Assembly never would have tackled the issue. The agency would have preferred that the issue stay within the Division of Wildlife's purview for administrative decision-making.

The issue first made it to the legislative agenda in the mid 1970s after the Ohio Division of Wildlife ruled in 1974 that hunters could kill mourning doves. The agency's action enraged many bird lovers, including then freshman State Representative Eugene Branstool, a rural Democrat from Licking County in East Central Ohio. Branstool, despite his aw-shucks down-home style, was a cagey political player and a key policy entrepreneur in the mourning dove fight. Ultimately, however, his efforts to protect the dove from hunting would prove unsuccessful.

The agency's attempt to revive dove hunting was in keeping with the times of the early and mid 1970s. While the 1970s are regarded as a relatively liberal decade and a high water mark of the environmental movement, pro-hunting forces also were activated and began to flex their muscle. In the late 1960s, after being banned in most states the previous half century, dove hunting began to make a comeback. Dove hunting had been banned earlier because of concern about extinction of the passenger pigeon, and the rise around the turn of the Twentieth Century of the first environmental and conservation movements (Sexton 2001) Now, thirty nine of the fifty states, including Ohio, allow dove hunting.

In the 1970s, dove hunting became a focal point of the hunting movement and its adversaries in the fledgling animal rights movement. Ohio was to be a battleground for both sides. Branstool and urban allies such as State Senate President Oliver Ocasek, a Democrat from Akron, and Democratic Governor Dick Celeste, in office from 1983 to 1991, were to fight for two decades to prevent Ohio from joining the growing list of states that allow dove hunting. Their chief adversary was to be the Wildlife Legislative Fund of America, a Columbus-based national trade association that has fought pro-hunting campaigns across the country. The late Dan Galbraith, a wealthy Columbus area industrialist with interests in horse racing and sports teams, set up the WLFA in the late 1970s to defeat an Ohio initiative that would have banned trapping in the state. His ally in coming fights would be James Glass, a former Rockwell Corporation executive who Galbraith recruited to be WLFA's president. The WLFA's victory in the trapping campaign in 1977 encouraged the trade association to keep up the fight to allow dove hunting in Ohio. The group's argument, and the argument of a receptive Ohio Division of Wildlife, was that the mourning dove is a plentiful bird whose management could be safely handled by the professionals at the division office (Laymon 2001 interview). In fact, said Ritchie Laymon, a leading adversary of WLFA's, "This (Ohio) campaign was Pearl Harbor for them. That's how they see it. Their fortress was attacked. They went into overkill mode."

The fight began in earnest in 1975, the year after the Division of Wildlife administratively set up a dove-hunting season. In that year, Branstool got a bill passed in the Democratic-controlled House to do away with the mourning dove season. However,

the bill lost in the Senate a month later and mourning dove hunting continued in the state during 1975 and 1976.

Dove lovers, however, won a key victory in 1976, when they took advantage of the venue of the courts to get the Lucas County Appeals Court in Toledo to rule that the state wildlife agency did not have the authority to establish a dove-hunting season on its own. Instead, the court ruled that the General Assembly must first approve the season. The Ohio Supreme Court later backed the appeals court's decision prompting the legislative leadership, who had been besieged by letters and phone calls from hunters and bird lovers, to hope that the issue would go away (Robert Ruth, "Mourning Dove Back in Assembly Spotlight," *Columbus Dispatch*, p. B-10, March 21, 1978).

Legislators, however, were forced to deal with the issue again in 1978, when State Representative Ron James, a Democrat from Proctorville in Southern Ohio, introduced legislation to allow the Division of Wildlife to set up a dove hunting season. James' legislation passed the House, sixty-two to eighteen, in April of 1978 and cleared the Senate Conservation and Environment Committee in June of 1978. However, State Senate President Ocasek used his influence with the Senate Rules Committee to prevent the legislation from making it to the floor for the rest of the legislative season, thus killing it.

In 1981, hunting advocates once again came close to victory, yet were thwarted in procedural maneuvers in the Ohio House of Representatives. Backers of hunting legislation fared better in the Senate than they had three years earlier, since Republicans took control of the chamber in the 1980 election. No longer did pro-hunting forces have to contend with Speaker Ocasek. In March 1981 the Senate overwhelmingly passed,

twenty seven to six, legislation by Representative Ben Gaeth of Defiance in Northwest Ohio to add mourning doves to the game bird list and allow the chief of the Ohio Department of Natural Resources authority to regulate dove hunting. The real fight was to come, however, once again in the Democratic-controlled House. Two attempts to get the bill approved went awry, the first in April 1981, the second in May 1981. In April, the vote was forty nine to forty five against dove hunting, and in May the vote was forty eight to forty seven. In the May vote, defeat was snatched from the jaws of apparent victory when two Columbus African-American lawmakers, Democrats Ray Miller and Otto Beatty, switched from their April votes to oppose the bill. Miller told the *Columbus Dispatch* that he did not consider the legislation "vital" and that voters in his primarily African-American district opposed dove hunting (*Columbus Dispatch*, May 14, 1981, B-1).

After this narrow defeat, hunting interests' efforts to revive the dove season went into hiatus for the rest of the decade, as liberal Democrat Richard Celeste occupied the governor's chair from 1983 to 1991 and vowed to never sign dove-hunting legislation. In 1993, however, hunting advocates finally got their opportunity, and the legislative campaign ended with victory in 1994. Two key events were precursors to this victory. In 1990, successful Republican gubernatorial candidate George Voinovich, the former Cleveland mayor, had declared his support for dove hunting. In fact, he said legislation allowing dove hunting would be the one bill he would be sure to sign if elected governor (Laymon interview, 2001). In addition, House Speaker Vernal Riffe Jr. of New Boston, a conservative Democrat nearing the end of a 20-year tenure as speaker, told the WLFA that he would try to create a favorable time for the dove bill to come up in the House.

That time came in May 1993, when the dove bill cleared the House by a narrow fifty one to forty five margin. The bill then went to the Republican-controlled Senate, where no action was taken until a lame-duck session in November 1994. On November 15, 1994, the Senate passed dove hunting legislation seventeen to fifteen, and eight days later, on November 23, Governor Voinovich signed the bill into law.

Let The Voters Decide

After the defeat in the General Assembly, pro-dove and pro-hunting advocates carried the next fight to a new venue -- the initiative process. A political committee called Save the Doves was formed, and backers collected signatures to get the initiative on the ballot. Not enough signatures were gathered to qualify the issue in 1997, but enough were gathered to bring it before the General assembly and voters in 1998. The Republican-controlled General Assembly recommended against the issue in 1998, but backers went back to the streets, and with the aid of paid signature gatherers, qualified the issue for the November 1998 ballot.

What followed was a vicious and free spending campaign, with pro-hunting forces mobilizing a grassroots effort throughout the state to fight the initiative. A key to victory for pro-hunting forces was organization. According to Sexton, the Wildlife Federation of America (WLFA) in January of 1997 began to organize sportsmen, forming five-member steering committees. WLFA also put county coordinators in every state hunting district, and recruited these coordinators from sportsmen's clubs. A big kickoff dinner was held in Columbus in November of 1997 called "Save Our Heritage." The potency of the grassroots effort was demonstrated by the fact members of the General Assembly paid to

attend the event so they could be there with their pro-hunting constituents (Sexton interview, 2001) . The banquet raised $55,000, and 900 sportsmen attended. At the end of 1997, while pro dove forces were still out getting signatures, WLFA had recruited county coordinators in eighty of Ohio's eighty eight counties, had grossed $760,000 and had $600,000 cash on hand to begin the campaign (Sexton interview 2001).

This movement continued in 1998, with sportsmen organizing more special events throughout the state. Local groups had raffles, and the group had a grassroots character, Sexton said. As in 1997, a sweepstakes was organized, and another $275,000 was raised from sportsmen's groups through direct mail. In the campaign the single largest contribution, $15,000, came from the Ohio chapter of the National Turkey Fund. A total of 325 separate contributions were collected in the campaign, with the average contribution being $7.25. Hunting groups raised a total of $2.6 million, with $1.6 million of it coming in small donations of sweepstakes tickets (Sexton interview 2001).

The hunting groups had to be organized to fight strong support for the dove initiative. In December of 1996, Bob Dykes, a Cleveland pollster with a long history of polling in Ohio political races, did a survey for the Wildlife Federation and found fifty six to twenty four percent support (with the rest undecided) for the idea of getting rid of dove hunting. Moreover, the poll revealed that "people just didn't care about dove hunting" (Sexton interview 2001). In other words, the issue had little salience with the electorate. Sexton said the fact people did not care about the hunting issue per se forced a change in strategy. Instead of focusing on the merits of letting the Division of Wildlife as wildlife professionals manage hunting, hunting interests had to become more creative. Instead, WLFA and sportsmen's groups challenged the pro-dove movements' leaders roots in the

animal rights movement. WLFA researched the pro-dove movement and found seventy percent of the Save the Dove Committee's money came from animal rights groups. Overall, WLFA spent $15,000 on research on animal rights, and catalogued the positions advocates of animal rights were taking in a fact book .

The result of this was a sophisticated media campaign in which hunting groups spent $2.1 million on television time, $200,000 on television production and $300,000 on expenses for direct mail in fund raising, polling and lawyers. "It was our life for twenty months," Sexton said. "It cost us $2.6 million to defend something we already had," the right to hunt doves.

In contrast, the Save the Doves Committee used a more straightforward approach in its campaign. Despite the strong public relations advantage, those who opposed dove hunting faced numerous challenges, legal and logistical. Ritchie Laymon, a Brooklyn, New York, native and Columbus animal rights activist, cited three reasons for the initiatives' defeat. "Most people if they're not sure, they're likely to vote no," Laymon said in a 2001 interview.

Second, a lot of people were unaware that a season had been placed on the dove, so "yes" vote was needed to save the dove. This was a harder task than getting a "no" vote. Third, and perhaps most importantly, the Save the Dove Committee was literally outgunned on the advertising front. Wildlife groups had the benefit of a late influential ad from Jack Hanna, well-known former director of the Columbus Zoo, in which Hanna said "let the Division of Wildlife decide for wildlife" (Laymon interview 2001). "We had to get 400,000 signatures," Laymon said. "They just had to run an ad campaign."

To get the initiative on the ballot in Ohio's qualifying system, the Save the Doves Committee had reluctantly turned to signature gatherers. The hunting advocates also threw up numerous legal challenges to try to keep the issue off the ballot, and that cost attorney time. (*Columbus Dispatch*, "Dove-Hunting Foes Meet Signature Requirement," p. 3-C, July 21, 1998). According to Laymon, it was difficult to demonstrate how hunting advocates twisted the issue. Challenges are expensive and unless someone comes out with a "boldface lie," the Ohio Ethics Commission, which hears challenges of campaign law, is likely to err on the side of free speech rights (Laymon 2001).

The Save the Doves Committee had advertisements featuring hunters shooting doves as targets. However, that campaign was frustrated in part by the Division of Wildlife's attempts to discredit it. The division, said Laymon, was promoting a vote to continue allowing dove hunting, though agency officials denied taking a public stand. However, the division handed out literature at county fairs and helped confuse the message the Save the Doves Committee was promoting. That message, Laymon said, was that hunting doves was unnecessary and violated animal rights. Hunting interests at the time promoted the idea that violence was part of the animal rights movement. At the time, however, there had only been protests, not violence. But it was these protests that the Ohioans for Wildlife Conservation, the pro-hunting campaign committee, showed in their ads, and the message worked (Laymon 2000).

"They were able to twist the issue," said Jennifer Brunner, a lawyer for the Save the Doves Committee who argued the pro-dove cause before the Ohio Ethics Commission. "The other side had to spend a ton of money, millions, to turn the issue on its ear" (Brunner 2001 interview)

Sexton agrees money helped, but he credited grassroots organization with helping achieve victory. "You know we worked very, very hard," Sexton said in an interview (Sexton 2001). "We had a grassroots committee in every single county." Unlike Western states, where sparsely populated rural areas makes grassroots organizing more difficult, in Ohio the wide base of sportsmen's clubs was an asset, both in winning legislative victory in 1994 and in defeating the initiative challenge (Sexton 2001).

In its coverage, the *Dispatch* viewed the contest at times with a sense of amusement. A column by political reporter James Bradshaw typifies this mood.

> Mourning doves have a seventy percent mortality rate; hunted or not, seven out of ten die each year. The point here is that there are no logical reasons to favor or oppose the hunting. The passions of the hunters say yes and those of the animals' lovers say no. But the majority, those who have given the birds little thought one way or the other, probably will be asked to decide the controversy (Bradshaw 1998, "Dove Action Isn't One of Life or Death," *Columbus Dispatch*, February 13, 1998, p. 15-A).

The Department of Natural Resources' Division of Wildlife was a key ally in mobilizing support from hunting groups in opposing the initiative. The division played its cards skillfully by organizing public hearings and enlisting favorable coverage from writers sympathetic to hunting rights. In the spring of 1998, the Division of Wildlife held five open houses around the state to "acquaint the public with 1998-1999 hunting regulations" and in the process informally answer questions about hunting issues. Hunting rights drew favorable coverage from outdoor writers such as the *Dispatch*'s Tom Porch, who started a March 15, 1998, story about a vote on dove hunting in a Senate committee with the lead, "Voters likely will decide whether Ohio remains among the thirty eight states that have dove hunting or rejoins the minority" (Tom Porch, "Voters

Likely to Decide on Dove Hunting," March 15, 1998, p. 15E). In the summer, the paper helped publicize the effort of Ohioans for Wildlife Conservation, the political committee opposing the initiative, to raise money to defeat the ballot issue. In August 1998, opponents of the initiative to outlaw mourning dove hunting announced that more than 2,000 supporters were expected at an August 29 Save Our Heritage banquet in Columbus (Bradshaw 1998, "Opponents of Issue One Will Host a Fund-Raiser August 29," *Columbus Dispatch*, August 18, 1998, p. 2-D).

However, the most important battle shaping public perception came in the fall of 1998 when both sides launched advertising campaigns. In late September, opponents of State Issue One, the proposed ban on mourning dove hunting, began airing a series of eight commercials that argued supporters of the initiative were animal-rights activists with a broader agenda than stopping mourning dove hunting. Supporters of the initiative, opponents argued, also favored banning the use of animals for medical research and eliminating meat from human diets (Bradshaw 1998, "Issue One Opponents Try Commercial Campaign to Sway Voters," *Columbus Dispatch*, September 22, 1998, p. 4-D). One commercial would feature Jack Hanna, the Columbus Zoo's emeritus director and a popular television host, appealing to state residents to vote against the initiative to help support game-management practices of the Ohio Division of Wildlife. Other advertisements would feature Bob Teater, a former Natural Resources director; Bill Griffiths, a Fairfield County dairy farmer; Dr. Diane Veale, a veterinarian in Ashtabula County; Dr. Allen Jackson, a Columbus pediatrician, and Pam Howard of Circleville, who credited animal research with saving the lives of her twin sons. The advertisements

featured actors in animal costumes "depicting extremists of the animal-rights movement." (Bradshaw 1998, Ibid.)

In response, mourning dove defenders ran television advertisements showing mourning doves at first quietly eating at a bird feeder, and then being shot and having its head twisted off. Laymon acknowledged that the Save the Doves campaign was drawing an unspecified amount of support from animal-rights groups, but said most of its money would come from volunteers and 300,000 state residents who signed petitions to get the issue on the ballot (Bradshaw 1998, "Pro-Dove Forces to Start Ads, Commercials Show Birds Being Killed," *Columbus Dispatch*, September 16, 1998, p. 3-C).

Environmental groups did not help initiative backers. The *Dispatch*, in a column by Randall Edwards about a week before the election, attributed this reticence to get involved to the fact "both sides in the dove debacle make mainstream environmentalists nervous" (Randall Edwards 1998, "Environmentalists Won't Be Flushed Over Dove Hunting," *Columbus Dispatch*, October 27, 1998, p. 9-A). These environmental organizations, such as the Sierra Club and Audubon Society, included hunters and others who might not hunt but who "respect the conservation ethic embraced by many, if not all, hunters" (Edwards, Ibid.) Also, Edwards noted that many environmentalists were suspicious of the "animal-rights agenda." However, initiative backers were not eager to embrace the tactics of the opponents.

> Environmental activists don't want to come down on the pro-hunting side, especially after the series of alarmist television commercials aired by the 'vote no' side." (Edwards, Ibid.)

On election night in 1998, initiative opponents prevailed by a three to two margin, with 1,945,772 voting to continue to allow dove hunting (a "no" vote), and 1,318,000 opposing it (a "yes" vote) (*Columbus Dispatch*, November 10, 1998, 11A). The hunting rights organizations had gotten their way, and the Division of Wildlife would continue a policy -- dove hunting -- that it had advocated for three decades.

The campaign had featured a lot of hyperbole on both sides, but according to *Dispatch* political columnist Bradshaw, the voting public had weighed the pro and con arguments and found initiative supporters' arguments lacking.

> Stripped of all the hype, the issue the Save the Doves Committee petitioned to have the voters decide was a proposed change of law to remove mourning doves from the state game list, but proponents failed to give good reasons for doing so. The argument that doves are harmless creatures many people enjoy seeing in their backyards ignores the fact that many people regularly enjoy watching squirrels play in their yards or geese and ducks visiting a nearby pond without suggesting hunting bans. So long as a species is not endangered B and the doves are not B there is no overriding reason to "save" it from hunters (Bradshaw 1998, *Columbus Dispatch*, Nov. 10, 1998, 11a).

The Variables

How well does the Baumgartner and Jones model predict dramatic change in the Ohio case of the mourning dove initiative? Was it legislative action in the General assembly or factors more directly attributable to the initiative process that spurred the change? In this section, I examine each of the variables and analyze whether the corresponding hypothesis is supported.

Hypothesis 1a: **Policy change is more likely to occur when the tone of media coverage in legislative hearings changes the policy image to a position more unfavorable than favorable toward the policy monopoly.**

Hypothesis 1b: **Policy change is more likely to occur when the tone of media coverage in initiative campaigns changes the policy image to a position more unfavorable than favorable toward the policy monopoly.**

These hypotheses correspond to the first independent variable, media coverage, that is measured. Stories in the *Columbus Dispatch* from 1975 through 2000 were examined, with the tone of headline descriptions and a brief review of story content examined to determine whether the stories appeared to favor a change from the policy monopoly, whether the stories appeared neutral in tone, or whether the stories appeared to support the existing policy monopoly. The keywords are "mourning doves" and "hunting." Stories that appear from the headline description to be a dispassionate discussion of policy affecting mourning dove hunting at the state level are coded as neutral. Story descriptions are coded as favoring change/anti-hunting if they favor the cause of policy change toward an anti-hunting position. Similarly, stories that appear to be backing hunting interests and the interests of keeping control of policy at the Division of Wildlife are coded as favoring the status quo/pro-hunting.

The following table summarizes the categorized data. The *Columbus Dispatch* was examined with stories printed out from a computerized index back to 1984, and were viewed in print form back to 1975 using ***Dispatch*** Library databases. No stories were found prior to 1975 in these databases. A cross-check was done reviewing stories on microfilm at the Columbus Public Library to see if the databases missed stories that

appeared around dates when legislative hearings and floor action was scheduled. Data is reported in five-year increments, with a discussion of specific years following.

Table 4-1. Newspaper Coverage of the Mourning Dove Hunting Issue in Ohio, 1975-2000

Year	Total Stories	Favoring Change/Anti-Hunting	Neutral	Favoring Status Quo/Pro-Hunting
1975-1980	8	3	2	3
1981-1985	3	1	0	2
1986-1990	15	3	1	11
1991-1995	51	14	13	22
1996-2000	85	32	14	39

As the chart indicates, the number of stories peaked in the five years between 1996-2000. This period coincides with the petition-gathering stage and the actual initiative campaign. The highest total stories were in 1993, the year before mourning dove hunting was legalized, and in 1998, the year of the ballot initiative. Stories by outdoor writers Tom Porch and, later, Ken Gordon, tended to reflect hunting interests.

The *Dispatch* also editorialized against the dove initiative in 1998, though the tone of articles that year reflected the fact that backers were pushing the issue and therefore the tone overall was relatively pro-change. The *Dispatch* has a reputation in Central Ohio of providing thorough, balanced coverage on political issues on its news pages and taking a conservative editorial stand. This was reflected in the dove campaign.

A more specific look at individual years when coverage provides evidence of this balance, with one notable exception. In 1987-1988, *Dispatch* outdoors writer Tom Porch, a supporter of dove hunting, devoted seven of his outdoors columns to reporting on the revival of the issue after several years' dormancy. A story appearing on August 28, 1988, that begins "Ohio hunters and Ohio farmers are missing out on a fall harvest." (Tom Porch, "Hunters, Farmers Love Doves," August 28, 1988)" typified Porch's message. The political alignment, however, was not in place for change to occur, whatever Porch's pleadings. Although hunting organizations were upset that Ohio was not allowing hunting, and they were speaking out at local game management meetings, Democrats still controlled the governor's office, and Democratic Gov. Richard Celeste opposed dove hunting. It wasn't until a pro-hunting Republican, George Voinovich, captured the governorship in November 1990 that hunters' political fortunes could change. In the successful legislative campaign of 1993-1994 the number of pro-hunting stories was slightly higher than anti-hunting stories, reflecting the drift of legislation, yet still providing fairly balanced coverage. During the initiative campaign of 1997-1998, the balance was clearly reflected, with thirty anti-hunting stories to twenty-nine pro-hunting stories. This data is summarized below.

Years	Total Stories	Favoring Change/Anti-Hunting	Neutral	Favoring Status Quo/Pro Hunting
1987-1988	12	3	0	9
1992-1994	45	13	14	18
1997-1998	72	30	13	29

Overall, then, the data provide little support for the idea, expressed in hypotheses 1a and 1b, that any sort of pro-change coverage was taking place. In all years but one, 1998, the number of pro-hunting stories exceeded the anti-hunting stories. The paper, which editorialized in favor of hunting rights, overall provided balanced coverage reflecting the sharp divide in the state on the issue of animal rights and hunting rights.

A sharp increase in the number of stories occurred in 1993, the year before the General Assembly legalized dove hunting, and 1998, the year of the ballot initiative. In 1993, twenty- eight articles mentioned dove hunting, with eight opposing hunting and eleven supporting it. In 1998, the number of stories peaked at sixty-four, with twenty eight stories opposing hunting and twenty five supporting it. The balance of stories in both years were coded neutral.

This balance of coverage came despite the paper's editorial policy, which sided with hunting interests. The *Dispatch*'s traditional conservatism was reflected in the fact that the paper editorialized against Issue One, the Dove Initiative, in 1998. In 1998, according to Sexton, the pro-hunting side also picked up support of papers in the state's two other major cities, Cleveland (*Plain Dealer*) and Cincinnati (*Enquirer*).

Hypothesis 2: **Policy change is more likely to occur when financial resources/campaign contributions challenge policy image and policy supported by the existing monopoly.**

To test this hypothesis, I compare the proportion of campaign contributions in the initiative campaign from those seeking to break the policy monopoly to total contributions. According to spending reports obtained from the Ohio Secretary of State's office, Ohioans for Wildlife Conservation, the political committee of opponents, reported raising $2.5 million, while the Save the Doves Committee, which backed Issue One, reported raising $1 million. Therefore, the Save the Doves Committee had only twenty eight percent of the total contributions

This overwhelming spending advantage for the pro-hunting coalition was cited by supporters and opponents of Issue One as a huge advantage for those seeking no policy change. Sexton of the Wildlife Legislative Fund of America said his organization's fund-raising ability provided an ability to finance a sophisticated media campaign that turned the tide and led to a fifty nine to forty one percent victory on November 3, 1998. Hypothesis 2, therefore, is supported.

Hypothesis 3) **Policy change is most likely to occur when interest groups and activists change policy image through testimony at legislative hearings.**

To test this hypothesis, the number of non-affiliated citizens testifying at committee hearings was tabulated. These citizens are neither agency officials nor members of interest groups. The number of citizen activists testifying opposing the policy monopoly backed by the Division of Wildlife should increase if policy change is to occur.

In the following table, positions are recorded of citizen activists who testified at legislative hearings in each of the sessions mourning dove legislation was considered.

Table 4-2. Citizen Activists' Comments on the Mourning Dove Hunting Issue at Legislative Hearings

Year	Oppose Hunting	No Position	Support Hunting	Legislation Opposes or Supports Hunting	Legislation Pass/Fail?	Support Hypothesis ?
1975-1976	3	0	3	Opposes	Fail	Yes
1977-1978	8	0	0	Supports	Fail	Yes
1981-1982	18	0	0	Supports	Fail	Yes
1993-1994	37	0	4	Supports	Pass	No

In the 1975-1976 session, when the General Assembly was considering Branstool's legislation to bar the Division of Wildlife from establishing a hunting season for mourning doves, the number of activists was split evenly between those favoring pro hunting policies and those seeking change. Also, few citizen activists were mobilized. The legislation failed, supporting the hypothesis.

This situation changed in subsequent campaigns. In 1977-1978, dove-hunting opponents increased their mobilization of citizen activists in their successful campaign to block pro-hunting legislation. In 1981-1982, the number of activists increased again, with those seeking to abort pro-hunting efforts adopting the tactic of having citizens from all walks of life, including schoolchildren, appear at hearings to testify in opposition. In both sessions, the number of anti-hunting activists aided in blocking legislation, thus supporting the hypothesis.

These anti-hunting efforts escalated again in 1993-1994, when thirty seven citizen activists packed hearings to oppose dove hunting legislation. Only four activists spoke

out in favor of hunting. The pro-hunting cause that year, however, was bolstered by institutional support from the Republican governor, George Voinovich, and tactical maneuvering by legislative leaders, the late Speaker Vernal Riffe Jr., and then Senate President Stanley Aronoff. Aronoff brought the bill up in a lame duck session and it passed narrowly. Thus, it appears that institutional support, rather than citizen activists' views expressed to the General Assembly, played the key role in explaining the passage of pro-hunting legislation.

In the end, then, it is difficult to see any support for the idea that an increase in legislative testimony by nonaffiliated activists led to policy change opposing hunting in the mourning dove campaign. At best it helped block pro-hunting efforts in the 1970s and 1980s. Sexton said he believes the citizen activists' lack of influence was due to who they were. "This is kind of a slam, but they (activists) tend to bring a lot of young college activist kids and senior citizens and schoolchildren," Sexton said. "What's the common element of all three of those people? They don't have jobs." Also, said Sexton, young people do not vote. In contrast, pro-hunting lobbyists tended to be working-class voters who may not have time to attend a hearing but they do telephone and send mail to legislators (Sexton 2001, interview).

Hypothesis 4a) **Policy change is more likely to occur when external interests, defined as interest groups involved in either legislative hearings or initiative campaigns, challenge policy image through questioning the prevailing perspectives of interest group representatives operating within the established policy monopoly.**

The role played by interest group representatives in changing policy image through legislative lobbying is another measurable factor that should impact success in

changing policy image and achieving change. The state has a large and mature lobbying cadre in the environmental arena, with consumptive and pro-hunting forces especially well represented. The number of lobbyists in the environmental arena has grown only slightly in the last decade and a half, since the state began keeping records in 1987. (See Appendices 4-1 and 4-2) In Ohio, lobbyists are the political actors with the greatest perceived clout, and in the game of inside politics they have mastered should be able to deliver.

On the mourning dove issue, however, no pattern is apparent showing a questioning of the prevailing wisdom of groups favorable to hunting interests. In the four bienniums in which the legislation was debated, pro- and anti-hunting groups played an equal role in the legislative hearing debate. Opponents of dove hunting tended to rely more on citizen activists than organized lobbyists. During the climactic debate in 1993-1994, however, anti-hunting forces used paid lobbyists to help mobilize the citizen activists. This broad strategy was ultimately unsuccessful because, as explained earlier, pro-hunting forces had better clout with legislative and executive branch leadership.

The following tables illustrate the record of hunting and anti-hunting forces in testifying before legislative committees on dove legislation. A discussion of the results in Table 4-3 follows Table 4-4.

Table 4-3. Number of Interest Group Representatives Giving Testimony, and Support and Opposition for Hunting, Percentage Opposed and Supportive of Hunting, Legislative Position, Support or Opposition to Model

BIENNIUM	Total Testifying	Oppose Hunting	Support Hunting	Percent Opposing v. Supporting Hunting	Legislation Opposes or Supports Hunting?	Support Model?
1975-1976	11	4	7	36.3% - 63.7%	Oppose	Yes
1977-1978	11	8	3	72.7%- 27.3%	Support	Yes
1981-1982	9	1	8	11.1% - 88.9%	Support	No
1993-1994	19	13	6	68.4% - 31.6%	Support	No

In all cases, ideology was the chief motivating factor fueling interest group representatives' testimony. Hunting is an issue that stimulates an ideological passion in both advocates and opponents rather than a concern mainly with economic self interest. The testimony of interest group representatives provides scant support for the model. Only in 1977-78, when pro-hunting legislation failed, does the model provide evidence that interest group representatives' testimony opposed to hunting helped defeat the bill. In 1975-1976, organized interests were unsuccessful in mobilizing legislators to pass legislation banning dove hunting. In 1981-1982, organized interests were unsuccessful in mobilizing legislators to defeat legislation allowing dove hunting, as only one interest group representative testified in opposition to hunting, versus eight in support of hunting. In 1993-1994, legislation allowing dove hunting passed even though 68.4 percent of those testifying in committees opposed the measure.

Table 4-4. Type of Interest Group Represented among Lobbyists, Percent Opposed Versus Supportive of Hunting, Legislative Stand on Hunting, Support or Oppose Model

BIENNIUMS	Anti-Hunting Ideological	Pro-Hunting Ideological	Percent Opposing v. Supporting Hunting	Legislation Opposes v. Supports Hunting?	Support Model?
1975-1976	7	4	63.7%-36.3%	Opposes	Yes
1977-1978	8	3	72.7%- 27.3%	Supports	Yes
1981-1982	1	8	11.1% - 88.9%	Supports	No
1993-1994	13	6	68.4% -31.6%	Supports	No

No pattern exists to support the hypothesis that testimony by interest group representatives questioning the prevailing order contributed to legislative policy change. In fact, the equilibria between the two sides in legislative debate may have contributed to hunting groups' success.

Hypothesis 4b) **Policy change is more likely to occur when external interests, defined as agency officials involved in either legislative hearings or initiative campaigns, challenge policy image through questioning the prevailing perspectives of agency officials operating within the established policy monopoly.**

Likewise, the role played by agency officials in changing policy image through legislative lobbying is another measurable factor that should impact success in changing policy image and achieving change. At the state and federal level, agency officials carry political clout through their professional reputations and expertise. Agency officials challenging the policy monopoly should carry a lot of weight in the policy

debate. However, an examination of legislative records revealed that officials did not tend to challenge the status quo. Rather, agency officials' testimony overwhelmingly supported pro-hunting views held by the Division of Wildlife. The table below shows that in every instance when a state agency testified, officials took a pro-hunting stance. The only exceptions to this occurred when U.S. Fish and Wildlife Service officials took no formal position. Federal officials would indicate they were providing only technical expertise and would not take a side on pending state legislation. However, their testimony tended to add professional credibility to state officials' views.

Table 4-5. Number of agency Officials Giving Testimony (State and Federal), State Position on Legislation, Federal Position on Legislation

BIENNIUMS	State	Federal	State Position on Legislation	Federal Position on Legislation
1975-1976	5	1	Support 4, No Position 1	No Position 1
1977-1978	2	2	Support 2	No Position 2
1981-1982	2	1	Support 2	Support 1
1993-1994	6	1	Support 6	No Position 1

Hypothesis 5) **Policy change is more likely to occur when issues are expanded to additional venues such as new legislative committees and initiatives that are not associated with an existing policy monopoly.**

This hypothesis is tested by counting the number of committees holding hearings on the mourning dove issue in a given year. No issue expansion was apparent. In all four bienniums when mourning dove legislation was considered, the same committees -- Agriculture in the House and Natural Resources in the Senate -- held hearings.

Thus, it is apparent that venue expansion was not occurring, and policy consideration was centered in committees with jurisdiction over agriculture and natural resources issues. These panels traditionally favor consumptive and hunting interests, and therefore it is unsurprising that in every General Assembly except the 1975-1976 sessions legislation cleared committees in both houses and was reported to the floor. (The 1975-1976 session dealt with legislation by then Representative Eugene Branstool opposing dove hunting.)

The number of hearings varied from one General Assembly to another without demonstrating a pattern, and appeared to have no relationship on whether legislation was adopted. The 1993-1994 General Assembly, when mourning dove legislation passed, featured only five committee hearings. (The 1976-1976 biennium featured four hearings, the 1977-1978 biennium featured seven hearings, and the 1981-1982 biennium featured eight hearings.) It is not surprising, then, that hunting interests prevailed because no venue expansion was occurring during this period.

The following table summarizes data both on the number of hearings and the number of committees holding hearings.

Table 4-6. Hearings on Mourning Dove Legislation

1975-1976 General Assembly. Number of Hearings -- 4 (3 House, 1 Senate)
Number of Committees Holding Hearings -- 2

1977-1978 General Assembly. Number of Hearings -- 7 (4 House, 3 Senate)
Number of Committees Holding Hearings -- 2

1981-1982 General Assembly. Number of Hearings -- 8 (5 House, 3 Senate)
Number of Committees Holding Hearings -- 2

1993-1994 General Assembly. Number of Hearings -- 5 (3 House, 2 Senate)
Number of Committees Holding Hearings -- 2

Summary

Little support was found for hypotheses 1a and 1b, the idea that policy change is more likely to occur either when the tone of media coverage in legislative hearings or initiative campaigns changes the policy image to a position more favorable than unfavorable toward the policy monopoly. Instead, measures of stories in the *Columbus Dispatch* indicated balanced coverage that reflected the sharp divide between supporters and opponents of animal and hunting rights. On the other hand, strong support was found for Hypothesis 2, that policy change is more likely to occur when financial resources/campaign contributions challenge policy image and policy supported by the existing monopoly. Hypothesis 3, that policy change is most likely to occur when interest groups and activists change policy image through testimony at legislative hearings, found little support. Hypothesis 4, that policy change would occur when external interests (defined as interest groups or agency officials involved either in legislative hearings or initiative campaigns) challenged policy image through questioning prevailing perspectives, also found no support in the data. No pattern emerged showing a questioning of the prevailing wisdom of groups favorable or unfavorable to hunting interests. Similarly, Hypothesis 5, that policy change is more likely to occur when issues are expanded to additional venues such as new legislative committees and initiatives not

associated with the existing policy monopoly, found little support. The number of committees holding hearings did not increase in any of the legislative bienniums when mourning dove legislation was considered. The number of hearings varied from one General Assembly to another without demonstrating a pattern, and appeared to have no relationship on whether legislation was adopted.

Thus, money poured into the 1998 initiative campaign appeared to be the major difference. The fact other measures provided little support might lie in the fact that more than California and Colorado, Ohio is a very traditional state with well-established voting and lobbying patterns. The tradition of working issues through the General Assembly is well established. However, government by initiative is not a feature of everyday politics in the Buckeye State. Despite the fact that public opinion initially might have indicated support for an initiative opposing dove hunting, the defeat of the issue by a well-financed opposition should come as no surprise. Previous initiatives, most notably the one in 1978 opposing trapping, met similar fates.

The strength of outdoors organizations in Ohio must also be a considered a factor. The fact the Wildlife Legislative Fund of America, the nation's top lobbying group backing hunting rights, is headquartered in Central Ohio gave pro-hunting forces a huge organizational lift. The WLFA, from its offices in suburban Columbus, was able to mobilize a veritable army of fund-raising support from the many gun and fishing clubs in the state. This kind of campaign is impossible in the West, where support for hunting is strongest in rural regions with relatively small voting clout. The clout of the WLFA, both in the General Assembly and in the electoral arena in terms of a masterful political campaign in fund raising and advertising, is what appears to have made the difference in

Ohio. In an era when pro-hunting forces were losing in states such as California and Colorado, traditional forces backing hunting interests both succeeded in legislating pro-hunting policy in 1994 and in fending off attempts through the initiative to deny that right.

The reasons why the outcome was different in Ohio than in California and Colorado will be expanded upon in Chapter Six, the concluding chapter of this dissertation.

Chapter Five: California Cats: Nuisance or State Treasure?

Policy Setting

In the previous chapter, we saw how Ohio citizen activists in 1998 were thwarted in efforts to reinstate a ban on mourning dove hunting by the strength of the state's hunting lobby. Activists turned to an initiative campaign after failing two years earlier to block passage of state legislation allowing dove hunting. The wounds of that defeat were fresh, and activists operated with a sense of outrage. However, anti-hunting activists were outmaneuvered by the hunting lobby's better organization and resources.

The debate in California over trophy hunting of mountain lions in 1990, and again in 1996, however, was very different. It was the activists, not the hunting lobby, who had superior resources and organization. The 1990 campaign on Proposition 117, the focus of this chapter, was a victory that firmly established the ascendancy of those who favored mountain lion preservation after a long legislative debate that had favored activists' interests, but had not firmly established their dominance. The chapter first provides an overview of California's institutional structure with respect to use of the initiative, then traces the development of the mountain lion issue, explaining how availability of venue and shaping of policy image were key in supporting efforts by those who supported sport

hunting of mountain lions. This chapter will primarily cover the period from 1970 to the present, although historical references will made to earlier periods.

The Initiative Process and California

Initiatives are mother's milk to California politics. More so than Colorado and Ohio, the initiative or ballot proposition as they're called in the Golden State has a sweeping impact on the political landscape that transcends the outcome of initiative campaigns. Initiative campaigns are run in primary and general elections, and a highly profitable industry specializes in attacking and defending ballot propositions. A legion of professional signature-gathering firms, fundraisers, media consultants, pollsters, campaign strategists, accountants and even lawyers specialize in initiatives (Block and Buck 1999, 528). Elected officeholders and both liberal and conservative activists work to craft initiatives that will fit their political needs. For example, State Senator Tom Hayden, a former anti-war radical, was the force in 1986 behind an anti-toxics initiative, Proposition 65. Republican Ross Johnson, a conservative state senator and Republican minority leader, co-sponsored a campaign finance reform initiative, Proposition Seventy Three, approved by voters in 1988 (Block and Buck 1999, 529).

In other words, the initiative industry in California has come a long way since 1978, when outsider activists such as Howard Jarvis and Paul Gann, sponsors of tax limitation Proposition Thirteen in 1978, demonstrated the power of the initiative as a tool of reform outside the process of going through the Legislature. This fluidity is made easier by the weak party system that rules in the state, and a political culture that ritualizes political independence. Congressional and statewide candidates are nominated in primary

elections, in which candidates develop personal campaigns independent of a party slate. Party activity at the local level is discouraged, and split-ticket voting is commonplace with voters regularly calling themselves independents (Lee 1978, 87).

It is probably no exaggeration to state that the initiative process has replaced the legislature as the state's primary policy arena. Taxation and spending limits, toxic waste protections, political reform, education funding, auto insurance rates, crime and punishment and illegal immigration are a few of the very big policy areas that have been addressed over the last ten years by ballot initiatives (DeBow and Sayer 1997, 124)

This has not always been true. As in other states, the initiative was widely used early in the century, but then declined in use during the period between 1940 and 1980. For example, between 1912 and 1939, 102 initiatives qualified by way of petition for the ballot. However, between 1940 and 1979, this number declined to just sixty-two. The decade of the 1960s was a low-water mark, with only nine initiatives qualifying for the ballot via petition. Since 1980, the pace has picked up considerably, with 108 initiatives on the ballot through 2000 (DeBow and Sayer 1997, 125).

The Wildlife Policy Arena

This explosion of initiative activity has not been as evident in the wildlife policy arena. Only three initiatives, one each on mountain-lion hunting in 1990 and 1996, and one on trapping, have made it to the ballot in the 90-year history of the initiative process in California. For advocates of policy change, however, the result has been a tremendous success. Both the 1990 and 1996 initiatives ended in defeat for hunting interests, and the 1998 anti-trapping initiative passed with 57.5 percent of the vote.

The rest of this chapter will be devoted to analyzing 1990's Proposition 117, which statutorily outlawed mountain lion sport hunting. The vote was relatively close, with fifty two percent of those voting in favor, but the vote set the tone for future wildlife fights in the 1990s. A final section will tie the debate on Proposition 117 to the 1996 debate on Proposition 197, which seemingly has ended the discussion for now on mountain lion policy in the Golden State.

The Road to Proposition 117

To understand the emotion that went into the initiative campaign of 1990 (and later 1996), one must examine two factors. The first is the role mountain lions have played in California's ecological history. However, a second factor -- policy conflicts about the role the Department of Fish and Game, the state's wildlife management agency, was to play-- also must be examined. This section looks at both the ecological role the mountain lion has played in the state's history and the role played by legislative intervention in Fish and Game policy leading up to the 1990 proposition.

Mountain lions play a key role in the state's ecosystem. They are found throughout most of California, and they have been able to adapt to many habitats, from deserts to humid forests along the Pacific coast. Mountain lions are the second largest carnivore in the state, exceeded only by the omnivorous black bear. They live at different elevations, from sea level to more than 10,000 feet. The only parts of the state where they are uncommon are the southeastern Mojave and Sonoran deserts, and in the broad flat Central Valley (Torres and Bleich 2000, 5).

While mountain lions are most common in the foothills of the Sierra Nevada, the fact that their habitat includes the coastal ranges with a growing urban population has placed them in the path of humans. This, plus their relative abundance (a Department of Fish and Game survey in the late 1980s estimated that there were about 5,100 mountain lions statewide), has led to attacks throughout the state's history on humans and more commonly, on smaller game. The recording of these attacks on humans escalated in the two-decade period leading to the mid 1990s, and flamed public passion leading to the initiative campaigns of 1990 and 1996. In the last few years these attacks appear to have subsided, a factor that Fish and Game wildlife biologist Steve Torres suggests may indicate a leveling or decline in the population. However, it may be too early to discern a general trend as ecological systems and human impacts vary dramatically throughout California and any statewide generalizations must be interpreted in that context (Torres 2000, 7).

Mountain lion attacks on humans in the state have been relatively rare, though they tend to garner the most publicity. A scientific review of records on mountain lion attacks in the United States and Canada from 1890 through 1990 indicated there had been fifty three human attacks, forty four of them non-fatal and nine of them which resulted in ten human deaths. The Department of Fish and Game in California has documented only twelve injuries to humans in the last 111 years. The first three injuries, all leading to deaths, resulted from two incidents that occurred in 1890 and 1909. Between 1909 and 1986, no human injury accidents resulting from mountain lions were verified. The other nine injuries or deaths occurred in the ten-year period from 1986 to 1995. Two of the attacks came in Northern California, in Mendocino County in the coastal range north of

San Francisco and in Eldorado County in the Sierra Nevada foothills east of Sacramento. The other attacks occurred in Southern California-- in Santa Barbara, Los Angeles, Orange, and San Diego counties.

A second factor, that of erosion of control over wildlife policy in the Department of Fish and Game and the appointed Fish and Game Commission, was a contributing factor leading to the 1990 initiative campaign. The commission began to come under attack in the 1960s. As would prove to be the case in the future, legislators from urbanized counties in the San Francisco Bay and Los Angeles areas tended to lead the attack on the powers of the agency and commission, locking horns with rural legislators. In 1961, Assemblyman Alan G. Pattee of Monterey County proposed legislation calling for a ten-member joint Senate-Assembly committee to take over the powers enjoyed by the commission. Although that legislation failed to pass, the stage was set for future confrontation. In 1963, the Legislature passed a law suspending for four years the payment of bounties for killing mountain lions (*Sacramento Bee*, "Bill to Suspend Mountain Lion Bounties Gains," June 14, 1963). That legislation was later extended, in effect ending the practice of paying bounties. Two years later, in 1965, the powers of the commission came under direct attack in the Legislature, when a Los Angeles County Assemblyman, Tom C. Carrell, proposed replacing the existing commission with four separate commissions comprised of legislators. That legislation failed to pass (*Sacramento Bee*, "Solon Would Abolish Fish, Game Body," February 26, 1965).

The debate intensified in the 1970s after a quiet period in the late 1960s. In 1971, the Department of Fish and Game and Assemblyman John Dunlap, a Democrat from the Napa Valley, clashed over mountain-lion hunting policy. Dunlap proposed legislation

(Assembly Bill 660) to outlaw mountain-lion hunting in the state. Hunting of mountain lions would be punishable by fines of $1,000 and a year in jail. In response, the department authorized a study of the mountain-lion population, arguing that supporters of the ban were underestimating the number of lions left in the state. In the end, a compromise was reached, with a four-year moratorium on hunting substituted for the outright ban. However, opponents of Fish and Game policy led by Dunlap had won a major victory. Never again would the department be in a position to restrict the expansion of the mountain-lion issue into the legislative arena. Republican Governor Ronald Reagan, at the urging of the wife of his long-time friend, actor Jimmy Stewart (Sadler 2001), signed the moratorium legislation that year.

The era of open hunting of mountain lions had ended in California. The 1971 law that went into effect in 1972 ended recreational hunting, allowing only depredation permits for lions that kill, injure, or threaten livestock and pets (Mansfield Vol.57, No. 3, 4). Efforts to lift the moratorium failed throughout the rest of the decade and early in the 1980s, despite lobbying by the Department of Fish and Game. In 1975, Department of Fish and Game biologist Richard Weaver estimated, in a report to the legislature, that the lion population had more than doubled in the ten years since the end of bounty hunting (*Sacramento Bee*, "State Boosts Estimate of Mountain Lions," January 23, 1975). The department estimated 2,400 mountain lions were in the state, far more than the figure of 600 Dunlap cited in 1971. This campaign, however, had little effect. In fact, the direction of protection continued to move toward greater preservation. In 1982, with the decade-old ban on hunting scheduled to end in 1983, State Senator Robert Presley of Riverside in San Bernadino County, east of Los Angeles, proposed designating the

mountain lion as a fully protected species. This legislation failed to pass that year, but the debate continued to tilt in preservationists' favor through the mid 1980s. In 1985, Presley's bill to designate the mountain lion a specially protected mammal and to extend the moratorium on hunting instituted in 1971 passed both the assembly and Senate. However, Republican Governor George Deukmejian, arguing the mountain lion was far from endangered, vetoed the bill.

With the failure of this legislation, officials in the Department of Fish and Game in 1987 moved to restore a limited hunting season. The department proposed a seventy nine-day sport hunting season be started with the issuance of 210 hunting permits each costing $75 (Editorial, "A Mountain Lion Hunt?" Sacramento Bee, April 9, 1987). Fish and Game Director Jack Parnell and Terry Mansfield, the department's wildlife management supervisor, argued that the recommendation was "in accordance with state policy that requires diversified uses of wildlife, including sport hunting where appropriate" (Ken Payton, "Officials Back Hunt for Cougars, Fish and Game Plan Allows 210 Permits," *Sacramento Bee*, February 4, 1987, B1).

The proposal resulted in court action that twice, in 1987 and 1988, successfully blocked departmental authority to institute a limited sport hunt, and led to the 1990 ballot initiative that would strip the department of the authority to take such actions in the future. Rather than continue the fight in the Legislature, where the possibility always existed for reversal of policy with the changing political winds, preservationists and animal rights backers turned to the venue of the ballot initiative to help ensure a more lasting change. In 1989, the Planning and Conservation League, the state's largest coalition of environmental groups, began a drive to get an initiative on the June primary

ballot to ban sport mountain lion hunting. The initiative, to be called Proposition 117, would also expand the public transit system through bond sales and buy more parklands by increasing the alcohol tax (Patrick Hoge, "Ecologist Sees Ballot Drives on Hunting, Transit, Alcohol Tax," *Sacramento Bee*, Jan. 30, 1989, B1).

Proposition 117 was aimed at:

*Designating the mountain lion as a specially protected mammal, thus prohibiting their taking, injury, possession, or sale. Under limited circumstances mountain lions could be killed if the lion is perceived as an imminent threat to public health or safety or damages livestock or other property.

*Creating a Habitat Conservation Fund and guaranteeing it $30 million for 30 years. The fund would come from transfers from existing environmental funds and the state general fund. Money would go to the Santa Monica Mountains Conservancy, the State Department of Parks and Recreation, the State Coastal Conservancy, the California Tahoe Conservancy, and State Wildlife Conservation Board to buy land for wildlife and open space.

Backers of Proposition 117 included the Wilderness Society, Defenders of Wildlife, Sierra Club, Planning and Conservation League, Natural Resources Defense Council, California Parks and Recreation Society, National Audubon Society Chapters and State Senator Robert Presley and Assemblyman Lloyd Connelly.

Groups opposing Proposition 117 included the California Wildlife Federation, California Waterfowl Association, Ducks Unlimited, the San Joaquin Valley Chapter of the Wildlife Society, Ducks Unlimited, Inc., and the Society for Range Management, California Section. Opponents argued that Proposition 117 would divert money away

from protection of non-game wildlife species, and from existing health services and programs.

The ballot in the spring of 1990 was a crowded one, with primary races for governor and other statewide offices drawing attention away from seventeen ballot initiatives. As expected, Governor Deukmejian opposed Proposition 117. Deukmejian argued that the initiative would protect non-threatened mountain lions at the expense of endangered species such as bald eagles and condors. Californians for Fair Spending on Wildlife Protection, a political action committee consisting of health, agriculture, and recreation interests who feared the initiative would draw money away from their programs, was formed to oppose Proposition 117. Weaver, chairman of the committee and a twenty-year Fish and Game biologist, argued that the initiative was "wrapped up in a pretty package, but it steals scarce funds from good wildlife management programs"(Gary Voet, "Groups are Concerned about Proposition 117," *Sacramento Bee*, April 22, 1990, D11).

James Glass, president of the Ohio-based Wildlife Legislative Fund of America, which eight years later would lead the successful effort to defeat the Ohio mourning dove initiative, criticized Proposition 117's backers. "These groups have zero credibility and zero knowledge when it comes to managing wildlife," Glass told the *Sacramento Bee*. "They all live in la-la land, where the lion lies down with the lamb" (Voet, "Groups are Concerned about Proposition 117," *Sacramento Bee*, April 22, 1990, D11).

The campaign, however, revealed a Fish and Game Commission in disarray. The day before the June 5, 1990, primary, the commission fired its executive secretary of eleven years. The firing of the thirty-year commission employee came in the midst of

criticism of the structure of the five-member commission, all appointees of the governor, and its governance of the state Department of Fish and Game. State Senator Daniel A. McCorquodale, a Democrat from San Jose, told the *Sacramento Bee* that the firing also reflected institutional difficulties in providing a strong financial base for the agency. Declining revenue from hunting and fishing licenses had resulted in the department laying of more than 100 seasonal employees, cutting back on game warden enforcement and postponing wildlife research projects (Chris Bowman, "Fish and Game Exec Fired; Political Tradeoff Charged," June 5, 1990, B1).

The primary gave supporters, led by the Mountain Lion Foundation, a nonprofit organization formed in 1986, a fifty two to forty eight percent victory. Lynn Sadler, current executive director of the foundation and campaign manager of the 1990 initiative campaign while with the Planning and Conservation League, said in an interview that going to the voters for approval was key to achieving permanent policy change (Interview with Lynn Sadler, November 5, 2001).

> In my opinion it was definitely the activists who pushed the policy change, and not the legislature. In fact, I would even go so far to say that the fact there was this level of activism gave the legislature enough cover not to act.

The campaign, however, did not mean a shift in public opinion. Since 1990, supporters of lion preservation have held the upper hand. For the next few years, the issue of mountain lion preservation faded from public debate. Only in 1994, when two women in separate incidents were attacked and killed by mountain lions, did the issue re-enter the

public arena. One of the attacks occurred in the Sierra foothills east of Sacramento, while the other one occurred in Orange County south of Los Angeles.

In March 1996, California voters again got an opportunity to vote on the mountain-lion issue in the form of Proposition 197. Supporters of the measure, led by State Senator Tim Leslie, a Republican from Carnelian Bay, argued that mountain lions posed a threat to humans, livestock and pets in rural and some suburban areas. The Fish and Game Department needed more tools to protect citizens, supporters argued. However, the Mountain Lion Foundation and other opponents were successful in arguing that the public safety arguments were window dressing for a desire to promote hunting.

A public opinion survey done a week before the election by the independent and nonpartisan Field Institute of San Francisco found that voters had not changed their views since 1990. According to the poll, Proposition 197 trailed by a nine-point margin, forty nine to forty percent, among likely voters (Field Institute 1996, Press Release 1790).

Proposition 197 would have:

* Required the Fish and Game Commission to develop a plan to manage mountain lions. This plan potentially could include sport hunting.

*Reduced the vote required to amendment provisions of the Wildlife Protection Act of 1990 (Proposition 117) from a four-fifths vote to a simple majority.

* Allowed the Department of Fish and Game, or a local agency, or a private landowner, to relocate, or kill, a mountain lion that threatens public health and safety anywhere in the state except in federal, state and local parks.

* Allowed Fish and Game personnel, with the permission of the State Parks Department, to hunt mountain lions in parks.

"We're not opposed to (addressing) a legitimate need to protect the public," said Bill Yeates, president of the Mountain Lion Foundation. It's the senseless shooting of mountain lions for fun we're opposed to" (Mary Jane Vellinga, "Cougar's Protections Remain; Voters approve Propositions Expanding Death Penalty," *Sacramento Bee*, March 27, 1996, A4).

In the primary, voters soundly rejected Proposition 197, fifty eight to forty two percent, an even wider margin than reflected in public opinion data from the Field Institute poll. Despite the relatively large margin of victory, Sadler said that 1996 was a more difficult campaign than 1990. "At one time we were twenty points down. We turned it around" (Sadler 2001, Interview). A key to the change in sentiment was focusing public attention on the fact that supporters of Proposition 197 wanted to reinstate trophy hunting, a practice voters had rejected just six years earlier. The defeat set off another round of legislative action by hunting backers and opponents. Senator Nick Petris, an Oakland Democrat, introduced legislation (SB 1487) to require voter approval for any restoration of mountain lion sport hunting, while Assemblyman David Knowles, a Republican from Cameron Park, proposed AB 1363, allowing mountain-lion hunting bans to be overturned by a majority vote of the Legislature. Both bills failed to clear the Legislature.

The Variables

How well does the Baumgartner and Jones model predict dramatic policy change in the California case of the mountain lion initiative of 1990? Does evidence support Sadler's contention that it was the 1990 mountain lion initiative that produced the policy

change? Essentially, was it legislative action in the General Assembly or factors more directly attributable to the initiative process that spurred the change? In this section, I examine each of the variables and analyze whether the corresponding hypothesis is supported.

Hypothesis 1a: **Policy change is more likely to occur when the tone of media coverage in legislative hearings changes the policy image to a position less favorable toward the policy monopoly.**

Hypothesis 1b: **Policy change is more likely to occur when the tone of media coverage in initiative campaigns changes the policy image to a position less favorable toward the policy monopoly.**

These hypotheses correspond to the first independent variable, media coverage, that is measured. Stories in the *Sacramento Bee* from 1960 through 2000 were coded, with the tone of headline descriptions categorized as to whether they favored a change in the policy monopoly, whether they appeared neutral in tone, or whether they appeared to support the existing policy monopoly held by hunting interests. Keywords included "mountain lions" and "hunting," with hunting used as a cross check to ensure that any stories dealing with the issue of mountain lion hunting in any given year were not overlooked. Stories that appear from the headline description to be a dispassionate discussion of policy affecting mountain lion hunting are coded as neutral. Story descriptions favoring policy change are coded as favoring change/anti-hunting if they discuss new policies or give views favoring new policies; similarly, stories that appear to be backing hunting interests and the interests of keeping control of policy at the Fish and Game Department are coded as favoring the status quo/pro-hunting.

The following table summarizes the categorized data. (Stories in the *Bee* were reviewed going back to 1960. Stories from 1984-2000 were reviewed in the online version of the *Bee*, while earlier stories were reviewed in paper copies from the *Bee* library.) Stories are reported in approximate five-year increments.

Table 5-1. Newspaper Coverage of the Mountain Lion Issue in California, 1960-2000

Year	Total Stories	Favor Change/ Anti-Hunting	Neutral	Favor Status Quo/ Pro-Hunting
1960-1965	2	2	0	0
1966-1970	0	0	0	0
1971-1975	15	4	0	11
1976-1980	4	2	0	4
1981-1985	27	10	4	13
1986-1990	62	30	10	22
1991-1995	37	4	13	20
1996-2000	36	14	14	8

As expected, there is a sharp increase in numbers of stories in the 1980s, when debate over extending the mountain-lion hunting ban became a focus of public debate in the Legislature. Before then, most coverage was in the outdoors column, and reflected a largely strong pro-hunting and agency bias.

A look at specific years helps illustrate another pattern, that of much more intense coverage in years when the issue was either before the Legislature or before the people during an initiative campaign. Most of the stories in appeared in six years --1985, 1987, 1990, 1994, 1995, and 1996.

Here is the breakdown for those years:

Year	Total Stories	Favor Change/ Anti-Hunting	Neutral	Favor Status Quo/ Pro-Hunting
1985	20	10	3	7
1987	20	9	3	8
1990	22	7	7	8
1994	13	2	4	7
1995	21	1	9	11
1996	26	13	8	5

In the 1980s, the tone of stories became much more favorable toward opposition to hunting. This reflects the fact, as mentioned in the earlier historical narrative, that supporters of policy change, led by the Mountain Lion Foundation, did a much better job of framing the issue in this period, especially in the 1996 campaign. In the 1989-1990 period, when supporters of the initiative were collecting signatures and conducting their campaign, the tone of news coverage was marginally anti-hunting. This was especially true during the critical signature gathering stage in 1989, when backers of change announced they would take the issue of mountain lion hunting directly to the voters. In 1990, during the campaign itself, the tone of coverage became more neutral as the paper gave both supporters and opponents a chance to air their views. The *Bee* opposed Proposition 117, saying:

> If Proposition 117, the so-called mountain lion initiative, were only concerned with protecting mountain lions, it would deserve support. But it's not. Built into the proposition is an ill-conceived financing scheme that could wind up damaging the state's efforts to protect wildlife and endangered species for generations to come (Editorial, *Sacramento Bee*, May 23, 1990, p. B6)

In the mid 1980s, the issue of whether to ban mountain lion hunting moved beyond being the province of the wildlife columnist and became mainstream news with the tone largely set by opponents of the Department of Fish and Game. This helped hunting opponents, and reaffirms both hypotheses 1a and 1b.

Following passage of the initiative, coverage dropped off sharply until 1994, the year when two people were killed in mountain lion attacks. The years 1994 and 1995 were dominated by stories discussing the merits of the 1990 initiative, and unsuccessful legislative attempts to reinstate agency discretion in lion hunting practices. In 1996, the year voters reaffirmed their 1990 opposition to lion hunting in the March primary, the tone of coverage once again became anti-hunting as opponents of the 1996 initiative, Proposition 197, simply did a better job at getting their message out.

This was the case despite support for Proposition 197 from the Bee, which called for overhaul of the regulatory system to remove the unique "specially protected" status of the lion and allow it to be managed like any other mammal (Editorial, "Yes on Proposition 197," *Sacramento Bee*, March 13, 1996, B6).

> Statewide, confrontations between humans and lions, once rare, now number 300 a year. Livestock losses are running at $2 million a year. Parks have to be closed periodically because of cougar sightings. And rural school districts are taking extra precautions with the kids they bus...These conditions will only get worse if the regulatory system isn't overhauled.

This call for policy to calm public hysteria now seems quaintly out of place. Since the end of the initiative campaign, and yet another failed attempt later that year in the Legislature to get changes in mountain-lion policy changed, coverage has dwindled to

practically nothing. Few mountain lion sightings have been reported, and the Department of Fish and Game and its rural backers in the Legislature have given up attempts to reestablish control over mountain lion policy. Policy debate may yet reemerge, but it appears for now that animal rights and preservationist backers of mountain lions have carried the day in this populous, urbanized state.

Hypothesis 2: **Policy change is more likely to occur when financial resources/campaign contributions challenge policy image and policy supported by the existing monopoly.**

To test this hypothesis, I compare the proportion of campaign contributions in the initiative campaign from those seeking to break the policy monopoly to total contributions. The political committee in the 1990 initiative campaign that sought to break the monopoly was titled the California Wildlife Protection Committee -- a Coalition of Conservation, Outdoor, and Recreation Groups -- Yes on Proposition 117. The committee reported raising $1,043,901 and spending $966,931 during the period between January 1, 1989 and June 30, 1990, according to campaign finance records reported to the California Secretary of State's office. A smaller sum was raised and spent by hunting interests through their political committee, Californians for Fair Spending on Wildlife Protection. The anti-Proposition 117 committee reported raising $213,136 and spending $185,063 on the campaign, according to the Secretary of State's office. Thus, a total of $187,399.86 was spent on the campaign (California State Archives, Campaign Finance Reports 1990).

While it might be argued that even a war chest of $1 million does not buy the ability to put together a well-heeled media campaign in an expensive and far-flung state

such as California, the spending discrepancy between the two campaigns has to be taken into consideration. The fact the forces backing Proposition 117 had five times as much money to work with would seem to be a significant advantage in putting together direct mailings and hiring a paid staff to wage a professional campaign. Thus, Hypothesis 2 is supported in this campaign.

In the 1996 campaign that reaffirmed the results of the 1990 initiative, supporters of the new policy regime also had greater financial resources. Opponents of Proposition 197, the California Wildlife Protection Coalition, a Project of the Planning and Conservation League and the Mountain Lion Foundation, No On 197, reported raising $781,936 and spending $781,434. The chief committee supporting Proposition 197, Californians for Balanced Wildlife Management, reported raising $556,894 and spending $552,788. A smaller committee, Ecologists for Mountain Lion Management, a Committee to Support Proposition 197, spent $79,047, according to the California Secretary of State's Office (California Secretary of State 1996, Financing California's Statewide Ballot Measures: 1996 Primary and General Elections). The inability of supporters of Fish and Game policy to raise more money than opponents also supports Hypothesis 2. If spending is correlated with the ability to change the existing policy regime, then failure to raise more money than backers of the new regime would also appear likely to lead to failure.

Hypothesis 3) **Policy change is more likely to occur when interest groups and activists change policy image through testimony at legislative hearings.**

To test this hypothesis, the number of non-affiliated citizens expressing their view on the mountain-lion issue through letters was tabulated. This measure was used since

California Archives legislative records by bill number and author rather than by hearing records.

In the following table, positions are recorded of citizen activists in each of the sessions in which mountain-lion legislation was considered.

Table 5-2. Citizen Activists' Comments on the Mountain Lion Hunting Issue as Expressed Through Letters to Lawmakers

Sessions	Oppose Hunting	No Position	Support Hunting
1971-1972	1	0	0
1973-1974	0	0	0
1975-1976	86	0	0
1977-1978	60	0	0
1985-1986	1,322	0	847
1987-1988	6	0	1
1991-1992	Not available	Not available	Not available
1993-1994	87	0	10
1995-1996	8,139	0	57
1999-2000	10	0	3

Hypothesis 4a) **Policy change is more likely to occur when external interests, defined as interest groups involved in either legislative hearings or initiative campaigns, challenge policy image through questioning the prevailing perspectives of interest group representatives operating within the established policy monopoly.**

The role played by interest group representatives in changing policy image through legislative lobbying is another measurable factor that should impact success in changing policy image and achieving change. Like Ohio, California has a large and mature lobbying cadre in the environmental arena, with consumptive and pro-hunting

forces especially well represented. The number of environmental and animal rights lobbyists, however, has increased significantly in the past twenty five years (See Appendices 5-1 and 5-2).

On the mountain lion issue, anti-hunting forces were more effective than pro-hunting lobbyists in mobilizing support, as is shown in the following table. The table represents lobbying organizations' position on pending legislation as expressed in letters to the committees involved in legislation being considered in each session.

Table 5-3. Interest Group Letters on the Mountain Lion Hunting Issue

Sessions	Oppose Hunting	Support Hunting	Total
1999-2000	6	6	12
1995-1996	191	46	237
1993-1994	35	19	54
1991-1992	Not available	Not available	Not available
1987-1988	7	4	11
1985-1986	40	37	77
1977-1978	6	3	9
1975-1976	0	0	0
1973-1974	3	0	3
1971-1972	1	2	3

Interest groups backing mountain lion protections became especially active following passage of the 1990 initiative. This groundswell of support in the legislature may have contributed to defeat of legislation that would have reopened a limited trophy-hunting season, and led pro-hunting forces to turn to the initiative process in 1996. In all cases, ideology is the chief motivating factor fueling interest group representatives'

testimony. Hunting is an issue that stimulates an ideological passion in both advocates and opponents rather than a concern mainly with economic self interest.

Table 5-4. Frequency of Comments by Interest Group Ideology

Sessions	Anti-Hunting Ideology	Pro-Hunting Ideology
1999-2000	6	6
1995-1996	191	46
1993-1994	35	19
1991-1992	Not available	Not available
1987-1988	7	4
1985-1986	40	37
1977-1978	6	3
1975-1976	0	0
1973-1974	3	0
1971-1972	1	2

Despite this outpouring of legislative lobbying by interest groups opposing mountain lion sport hunting in the 1990s, little evidence exists to support that legislative lobbying contributed to policy change prior to the 1990 vote. Supporters and opponents of mountain lion hunting were relatively even in their expression of support or opposition to legislation. And with the exception of the 1985-1986 session, activity by both sides was relatively low.

Hypothesis 4b) **Policy change is more likely to occur when external interests, defined as agency officials involved in either legislative hearings or initiative**

campaigns, challenge policy image through questioning the prevailing perspectives of agency officials operating within the established policy monopoly.

The role played by agency officials in changing policy image through legislative lobbying is another measurable factor that should impact success in changing policy image and achieving change. In California, local and state officials were active in lobbying the legislature through letters stating their agency's position. Agency officials' positions as expressed in letters tended to back the position of the Department of Fish and Game, which favored hunting rights. In the 1990s, however, both sides increasingly used local government representatives. Their limited involvement in the legislative process, however, likely made little difference in leading to dramatic policy change since the main change occurred in the 1990 initiative.

Table 5-5. Agency Officials' Written Comments on the Mountain Lion Hunting Issue to Legislative Committees

Sessions	State	Local	State Position on	Local Position
1971-1972	1	0	Support 1	Not Applicable
1973-1974	1	0	Support 1	Not Applicable
1975-1976	1	0	Support 1	Not Applicable
1977-1978	1	0	Support 1	Not Applicable
1985-1986	1	1	Support 1	Oppose 1
1987-1988	2	0	Support 2	Not Applicable
1991-1992	Not	Not available	Not available	Not available
1993-1994	1	5	Support 1	Oppose 5
1995-1996	1	1	Support 1	Oppose 1
1999-2000	3	1	Oppose 3	Oppose 1

Hypothesis 5) **Policy change is more likely to occur when issues are expanded to additional venues such as new legislative committees and initiatives that are not associated with an existing policy monopoly.**

This hypothesis is tested by counting the number of committees holding hearings on the mountain lion issue in a given legislative session. The period from 1963-1964 to the present was covered. No issue expansion to additional committees was seen during the period. Instead, traditional committee venues remained strong. Chief review authority remained with the Assembly Water, Parks and Wildlife Committee and the Senate Natural Resources and Wildlife Committee. Hearings also were held in both chambers' respective Appropriations and Ways and Means committees. However, this review tended to be more pro-forma, with review restricted to the measures' fiscal impact.

The number of committees holding hearings remained constant throughout the period. The number of hearings themselves peaked in 1987-1988 and 1995-1996, the period just before the ballot initiative drives of 1990 and 1996. The following table summarizes data on number of hearings and number of committees holding hearings.

Table 5-6. Hearings on Mountain Lion Legislation

1963-1964 Number of hearings -- 2 (1 Assembly, 1 Senate)
Number of committees holding hearings -- 2

1969-1970 Number of hearings -- 8 (4 Assembly, 4 Senate)
Number of committees holding hearings -- 4

1971-1972 Number of hearings -- 5 (3 Senate, 2 Assembly)
Number of committees holding hearings -- 4

1973-1974 **Number of hearings -- 4 (2 Assembly, 2 Senate)**
Number of committees holding hearings -- 4

1975-1976 **Number of hearings -- 4 (2 Assembly, 2 Senate)**
Number of committees holding hearings – 4

1977-1978 **Number of hearings -- 6 (3 Assembly, 3 Senate)**
Number of committees holding hearings -- 4

1985-1986 **Number of hearings -- 6 (4 Assembly, 2 Senate)**
Number of committees holding hearings -- 4

1987-1988 **Number of hearings -- 10 (5 Assembly, 5 Senate)**
Number of committees holding hearings -- 4

1991-1992 **Number of hearings -- 4 (2 Assembly, 2 Senate)**
Number of committees holding hearings -- 4

1993-1994 **Number of hearings -- 6 (3 Assembly, 3 Senate)**
Number of committees holding hearings -- 3

1995-1996 **Number of hearings -- 12 (5 Assembly, 7 Senate)**
Number of committees holding hearings -- 4

1999-2000 **Number of hearings -- 4 (2 Assembly, 2 Senate)**
Number of committees holding hearings -- 4

In other words, no issue expansion was present and no support is present for the hypothesis. The fact that legislative activity peaked just before initiative ballot drives is not really an indicator of issue expansion within the legislative venue since the number of committees holding hearings remained constant. However, increased legislative activity is evidence of the power of the initiative as an alternative venue. In both the 1987-1988 and 1995-1996 sessions, legislators scrambled for a solution to prevent the issue from getting onto the ballot. Ten hearings were held in 1987-1988, and twelve hearings were held in 1995-1996. Frustrated by their inability to achieve policy change in the

legislature, groups seeking policy change then turned to the initiative. Anti-hunting forces succeeded in 1990 in using the initiative to achieve policy change. The defeat of pro-hunting forces in the 1996 campaign demonstrated the difficulty the hunting community faces in an urban state such as California in going to the initiative to reinstate the previous regime, especially one firmly established just six years earlier.

Analysis

As with Colorado, this case study provides strong evidence that the initiative arena resulted in a sharp policy shift, weakening the power of the California Department of Fish and Game. The variables measured under the Baumgartner and Jones model help explain this change. As expected, the sharp increase in numbers of stories in the mid 1980s, when debate over extending the mountain-lion hunting ban became a focus of public debate in the Legislature, reflected an increase in public interest in the issue. Before then, most coverage was in the outdoors column, and reflected a strong pro-hunting and agency bias. In the 1980s, the tone of stories, decidedly favorable toward policies favored by the Department of Fish and Game and California Fish and Game Commission earlier, became much more favorable toward change. This reflects the fact, as mentioned, that supporters of policy change, led by the Mountain Lion Foundation, did a much better job of framing the issue in this period. In the 1989-1990 period, when supporters of the initiative were collecting signatures and conducting their campaign, the tone of news coverage also was pro-change. This was especially true during the critical signature gathering stage in 1989, when backers of change announced they would take the

issue of mountain lion hunting directly to the voters. Thus, the case study provides support for Hypotheses 1a and 1b.

Similarly, spending by campaign committees on the initiative campaign contributed to change, supporting Hypothesis 2. Although $1 million in California cannot buy a comprehensive media campaign, the fact that anti-hunting forces had a more than four-to-one advantage in spending shows that they had better organization. Edna Maita, in the 1980s and 1990s a consultant for the assembly Committee on Water, Parks and Wildlife, corroborates this view, stating in an interview that pro-hunting forces underestimated their opposition in the 1990 election (Maita Interview, January 2002).

Less evidence is available that the legislative venue, reflected in Hypotheses Three through Five, played a conclusive role in shifting policy. In the 1980s backers of new wildlife policy concerning the mountain lion trophy hunt tried to change policy extending the moratorium imposed in the 1970s. However, the veto by then Governor George Deukmejian of legislation extending the moratorium mobilized supporters of policy change to take the issue to the ballot.

Since the defeat of pro-hunting forces in 1996, the issue of mountain lion has receded from public concern. Although there likely are as many mountain lions as ever in the California foothills, reports of attacks on humans and livestock have become virtually nonexistent. Even if reports of isolated attacks were to recur, the defeat of the initiative that would have reinstated a limited sport game hunt give hunting backers little hope for success. The success of the campaign to protect the mountain lion, an animal never classified as threatened with extinction, stands as testament to the power of the ballot

initiative and well-mobilized supporters in a highly urbanized state to achieve policy change.

Chapter 6 Final Thoughts

The attempt to achieve policy change, as seen in the previous case studies, is a natural dynamic of the political process. At the state as well as the federal level, political actors clash over policy image, and seek the most expedient venue to achieve change that benefits their cause. For the most part, this change is characterized by gradual reforms, a form of tinkering with existing statutes. However, as the three case studies in this dissertation have demonstrated, political actors attempt to reach out for more dramatic change in which existing dominant actors are replaced by others with a policy view on the opposite end of the political spectrum. In some cases, this dramatic policy change occurs in the legislative branch, with passage of statutes that change the existing political order. However, dramatic policy change can occur at the state level with ballot initiatives. The wildlife policy arena is just one of the arenas in which this conflict occurs.

As discussed in Chapter One, this study explores elements of agenda setting, political conflict and venue shopping, problem definition and policy image, policy entrepreneurs, and external and internal institutional sources of change. The ballot initiative is an alternate policy change vehicle, one ignored in the past by students of policy change. In all the case studies, incremental change in wildlife policy is interrupted by at least one episode of rapid change. This study provides strong affirmation for the contention that the punctuated equilibrium model of Baumgartner and Jones (1991, 1993)

is an effective theoretical framework with which to examine this change. This model, based on what the authors call the emergence and recession of policy issues from the public agenda, incorporates the study of change in political institutions with the dynamic of change in policy. Policy monopolies, reflected here in wildlife agencies with a desire to control policymaking and limit access to the issue area, in all three cases were weakened during the late Twentieth Century. In California and Colorado, the power of wildlife agencies and hunting interests to control policy making within the confines of agencies and friendly legislative committees, was broken. In Ohio, policymaking authority of wildlife agencies and their supporters was strongly challenged, though hunting interests prevailed in a fractious initiative campaign. In each case, policy elites played a strong role in structuring debate. However, as predicted by the model, the transformation of an issue's image and venue in the competition among groups played a stronger role leading to policy change.

In this concluding chapter, (1) the role played by key elements of the punctuated equilibrium model -- equilibrium and turbulence in the political system and strategic considerations -- is examined. Then, (2) I look separately at the role played by each of the factors -- agenda setting, conflict and policy venues, problem definition and policy image, policy change and learning, policy entrepreneurs, and external and internal institutional sources of policy change-- that were outlined in Chapter One. Specific examples from each of the case studies are cited to explain the role played by each of these aspects of policy change. This will allow for (3) an evaluation of each of the hypotheses used in the three case studies. Finally, (4) I examine the implications of the

findings in this study for the utility of the punctuated equilibrium approach and explain what I see as opportunities for future research.

Equilibrium and Turbulence in the Political System

The punctuated equilibrium model predicts that policy arenas will experience periods of equilibrium and turbulence. In other words, political dynamics change over time, and a longitudinal approach, as used in the Baumgartner and Jones model, is most appropriate in measuring policy change. During periods of equilibrium little or no policy change occurs.

Vested interests monopolize the policy arena. Turbulence begins as external actors, whose concerns are not part of the agenda, exert pressure on the policy monopoly. The pressure is evidenced as the number of committee hearings in the legislature increase, government agency activity increases, the amount of interest group and citizen activist participation increases, and more media coverage of the issue is seen. Policy entrepreneurs also become active in promoting a change in the status quo.

In each of the case studies, evidence exists to show that equilibrium and turbulence existed at various times over the past thirty years. In Colorado, equilibrium existed until the 1980s, when wildlife management policies of the Division of Wildlife involving bear hunting came under increased scrutiny from outside interests. Failure to see a venue in the legislature that would result in success in changing policy led advocates of banning the spring bear hunt to turn to the initiative venue. News coverage escalated in this period, helping to solidify public opinion and allowing policy change advocates to prevail at the ballot box in 1992.

In Ohio, a well-financed and organized campaign from hunting interests succeeded in reinstating mourning dove hunting in the 1990s and fending off a challenge from anti-hunting forces in a 1998 initiative campaign. Periods of calm, however, preceded periods of intense activity. News coverage was most thorough in years leading up to legislative action in 1993 and the initiative campaign of 1998. The legislative venue also proved to be very active in the early 1990s, as both proponents and opponents of hunting fought their battle furiously in the legislature.

The California case study involving the mountain lion provides strong evidence that the initiative arena resulted in a sharp policy shift, weakening the power of the California Department of Fish and Game. Periods of equilibrium and turbulence also were evident, both in the legislative and initiative venues. The Baumgartner and Jones model helped to explain this change, especially with respect to news coverage. As expected, the sharp increase in numbers of stories in the mid 1980s, when debate over extending the mountain-lion hunting ban became a focus of public debate in the Legislature, reflected an increase in public interest in the issue. Before then, most coverage was in the outdoors column, and reflected a strong pro-hunting and agency bias.

In the 1980s, the tone of stories, decidedly favorable toward policies favored by the Department of Fish and Game and California Fish and Game Commission earlier, became much more favorable toward change. This reflects the fact, as mentioned, that supporters of policy change, led by the Mountain Lion Foundation, did a much better job of framing the issue in this period. In the 1989-1990 period, when supporters of the initiative were collecting signatures and conducting their campaign, the tone of news coverage also was pro-change. This was especially true during the critical signature

gathering stage in 1989, when backers of change announced they would take the issue of mountain lion hunting directly to the voters. Similarly, spending by campaign committees on the initiative campaign contributed to change. Less evidence is available that the legislative venue played a conclusive role in shifting policy. In the 1980s backers of new wildlife policy concerning the mountain lion trophy hunt tried to change policy extending the moratorium imposed in the 1970s. However, the veto in the 1980s by then Governor George Deukmejian of legislation extending the moratorium mobilized supporters of policy change to take the issue to the ballot.

Strategic Considerations

Strategy plays a key role in political decision-making, both by actors defending the status quo and those seeking to change the status quo. Members of issue monopolies, issue networks, and external actors seeking change attempted to use strategy to achieve their policy objectives. In each of the case studies, political actors sought to manipulate the policy image using rational and emotional appeals. Just as important, political actors would venue shop to seek the institutional forum that would buttress their cause.

Image was shown to be a key ingredient to achieving political goals in each of the case studies. In the case of Colorado, proponents and opponents of the 1992 ballot initiative on black bear hunting attempted to shape policy image through appeals to the mass media and advertising campaigns both for the mass public and for the mobilization of core supporters. For example, in the initiative campaign in 1992, groups opposing and supporting the initiative eliminating the spring bear hunt adopted different strategies on using campaign money and mobilizing media support. Coloradans United for Bears

(CUB) used flyers and the news media, with newspaper interviews and one television interview, while Coloradans for Wildlife Conservation (CWC), the group opposing the initiative, distributed brochures, wrote letters to editors of newspapers, and had a press conference in Grand Junction on the state's pro-hunting Western Slope. Another example of strategy being used to shape image occurred in the mid 1980s. The effort to quiet growing concerns about bear hunting practices at that time featured the Colorado Division of Wildlife creating a bear advisory task force dominated by commodity interests. The division organized meetings involving stakeholder groups to review drafts of the management plan, and results of this effort were communicated to their members.

Expert persuasion was a widely used tactic in all three states. In each state, agency officials from wildlife agencies testified to relevant legislative committees citing the need for professional management of animal populations. Likewise, proponents of policy change mobilized experts from interest groups to refute the argument that professional management would be sacrificed through legislative change and a breakup of the policy subsystem. This tension between the two opposing camps drove the debate, and eventually led to an increase in stories in all three states. In Ohio and California, this increase in coverage occurred in years during fierce legislative debates as well as during initiative campaigns. In Colorado, where the strategy of policy change proponents was to bypass the legislative venue, the attempt to shape policy image occurred primarily during the initiative campaign of 1992.

A key element of strategy in all three case studies was participants' venue shopping. Wildlife preservation advocates in Colorado, Ohio, and California all ultimately turned to the venue of the initiative, reasoning that expanding the debate to the

voting electorate would increase their chances of winning. This strategy proved effective in Colorado and California where opposition was poorly organized and the urban and suburban vote in favor of change proved crucial. In Ohio, turning to the initiative proved to be a less successful move, as sportsmen's groups adopted the strategy of countering the ballot measure's inherent appeal with a campaign linking support with radical animal rights. However, based on these three case studies, all of which involved venue change, it is impossible to measure the degree venue change contributed to success or failure.

Agenda Setting

A key element of the Baumgartner and Jones model lies in its definition of agenda setting. Rather than describe the relative weight of groups in influencing how issues get on the public agenda, the authors go a step further than earlier models by distinguishing between policy images and policy venues. This is a critical addition, for without explaining the interrelationship between how policies are understood (image) and the role of institutional actors (venues) agenda setting becomes a one directional, overly simplified process.

The process of agenda setting in the process of establishing wildlife policy in the states is far from a simple. The three case studies demonstrated that issues move on and off the political agenda with the intervention of institutional actors who work to shape the public's image of policy. These actors can be working either in the established policy subsystem, or can be reformers seeking change. They marshal the forces at their disposal, whether those forces are local hunting organizations or reform-oriented advocacy groups, as demonstrated in all three case studies. Their success in building a case for change

hinges on measures, however, far more complicated than counting numbers of news stories or the positions of interest group advocates or agency experts testifying in legislative committees. Rather, success appears to lie in advocates' ability to control image creation that shapes a message resonating with voters. In Ohio, anti-hunting advocates were thwarted in the 1998 mourning dove campaign by skilled tactics by pro-hunting forces linking their efforts to animal rights extremists. In California, the mountain lion issue was on the legislative agenda for a long time before advocates of change decided to turn to the initiative venue, where advocates twice were victorious in appealing to the state's largely urban population to protect the big cats. In Colorado, the task of convincing voters that black bear hunting in the spring should be abolished appeared to be a simpler sell. Policy change advocates bypassed an unfriendly legislature and appealed to the people directly, and they won an overwhelming victory on the ballot in 1992. However, this relatively easy victory came after years of jockeying for position in agency politics and the courts. In sum, the case studies provide ample evidence that agenda setting is a complicated process that involves the interweaving of venue and image, with the victor determined by each sides' relative success in marshaling forces and shaping an appealing image.

Conflict and Policy Venues

Understanding the political game involves recognition that conflict is involved in any change. Players in the political game seek the best venue for their cause so they can get the most favorable response to their ideas and policy proposals. However, first reformers must battle the inherent nature of the system to resist change. As E.E.

Schattschneider (1960) wrote more than forty years ago, the status quo resists change in the form of attacks on all efforts to organize the majority, "attacks on politics, politicians and political parties" (Schattschneider 1960, 102). Schattschneider went on to argue that only through expansion of conflict can proponents of change battle the "mobilization of bias" in favor of the status quo.

Reform proponents in all three case studies, therefore, had a strong incentive to expand conflict and encourage more participants. In California, Colorado, and Ohio, advocates worked to expand the scope of conflict and find favorable venues for change. In California and Ohio, they worked through the legislature and initiative process. In Colorado, advocates turned to the initiative process. Their venue shopping was successful in Colorado and California, while in Ohio their efforts fell short. Coloradans and Californians bought the symbols and rhetoric, as explained by the model, that protecting the black bear (Colorado) and mountain lion (California) was good public policy. In Ohio, the initiative venue might have proven just as productive for anti-hunting forces had hunting advocates not put forward such an effective and distorted campaign linking animal rights activism with protecting the mourning dove from hunting. It is also possible that Ohio voters in 1998 viewed the ever-present mourning dove, present in fields and backyards throughout the state, as less worthy of protection than would have been the case had the cause been bear or mountain lion protection. We won't know whether this is the case, however, for the limitations of the case study method prevents direct comparisons between the states.

Problem Definition and Policy Image

As with agenda setting, problem definition involves identification of the issue being contested and its portrayal. However, more than agenda setting, problem definition is a key part in the process because it centers on how human and natural problems convene and are then defined. In other words, natural problems must be identified by humans, who must then see some kind of action as possible. This process generally occurs before agenda setting, so understanding how the issue is recognized as amenable to solution through human action is key in understanding the incubation of the policy change process.

In each of the three case studies, problem definition began through the development of what Stone (1989) has labeled causal stories." With these stories, political actors use images that suit their interests and push forward policy change. In Colorado, the problem in bear policy was defined by the Colorado Division of Wildlife, the agency with the responsibility for managing bear populations. From early in the Twentieth Century, the agency took seriously the role of making sure bear populations were managed effectively, both to limit bear damage and over harvesting. In the process the agency faced conflicts in simultaneously satisfying wildlife protection and hunting advocates. Policies were changed every four to five years without success in finding a solution. This incremental policy shift in turn encouraged involvement from wildlife protection advocates who wanted a sharper shift in policy and one that would not be modified again in a few years.

In Ohio, the problem in mourning-dove policy was defined more than thirty years ago, in the early 1970s. In the late 1960s, after being banned in most states the previous

half century, dove hunting began to make a comeback. Dove hunting had been banned earlier over concerns that hunting doves would lead to the same result as had occurred due to over hunting of the passenger pigeon, the last of which died early in the Twentieth Century in the Cincinnati Zoo. In the early 1970s dove hunting became a focal point of the hunting movement and its adversaries in the fledgling animal rights movement. In 1974, the Ohio Division of Wildlife administratively set up a dove-hunting season. The next year, 1975, the issue formally got on the legislative agenda when legislation was introduced in the General Assembly that would have done away with the mourning dove season. That bill did not pass the General Assembly, but reformers had been mobilized. The next year, 1976, Ohio courts said dove hunting was illegal without legislative approval, setting the stage for pro-hunting forces' fight to get mourning dove hunting approved. Thus, while legislative action in the 1975 was significant, one can make a compelling argument that it was the definition of the problem by pro-hunting forces earlier in the decade that was the more significant event. Without definition of the problem by pro-hunting forces and opponents and the early clash over image portrayal, with hunters portrayed as overzealous murderers of defenseless birds, the issue would never have made it to the legislative and later initiative agenda.

Problem definition also was critical in the mountain lion debate in California. California's Fish and Game Commission played the key role in regulating mountain lion sport hunting, and until the 1960s its authority went relatively unquestioned. In the 1960s, however, mountain lion hunting policy became entangled in the larger debate over the commission's powers. Legislators in the San Francisco Bay and Los Angeles areas led the attack on the powers of the Fish and Game agency and the commission. In

1961, assemblyman Alan G. Pattee of Monterey County unsuccessfully introduced legislation to form a joint Assembly-Senate committee to take over the regulatory tasks of the commission and agency. Two years later, the mountain lion issue directly hit the legislative agenda with passage of a law suspending for four years the payment of bounties on killing mountain lions. One could argue that this establishment of mountain lion policy on the legislative agenda was significant, but at least as important was the recognition that a problem existed with animal policy being set by an agency with rural roots in an increasingly urbanized state. This rural-urban clash was to continue in mountain lion policy into the 1990s.

Policy Change and Learning

The case studies provide little evidence that policy learning contributes to change in wildlife policy. This does not mean that policy learning does not exist. In all three states, a learning process was clearly at work and probably had some effect. What was being learned in all three case studies was that hunting policies in the late Twentieth Century were out of step with the voting electorate. Control by wildlife professionals, therefore, needed to adapt to a public that was no longer rural and in many cases no longer hunted.

The difficulty, however, lies in finding a conceptual method of measuring when and how learning is occurring (May 1992). The process is not as simple as measuring a change in mass public opinion through polling, and then marshaling forces to push for change to fit these altered opinions. For however important learning on the part of the

general public might seem to be, the fact is large numbers of people pay no attention to the political process.

Even in a ballot initiative campaign, seemingly the model of democracy with direct popular involvement in the voting booth, the information on which learning takes place is hardly distributed openly and freely. Instead, managers of campaigns on both sides selectively disseminate information. This process can learn to disillusionment and cynicism in the political process that can discourage learning among those who do not need to get involved.

Thus learning, the accumulation of information that ends up in people becoming more aware of facts as well as opinions on issues, can only provide a weak explanation for policy change. Image changes in the way information is portrayed, not just new technical facts and knowledge resulting from "learning," generally plays an important role in determining what is learned about a policy. Members of dominant subsystems use images to maintain control of the decision-making process and to keep unwelcome items off the policy agenda (Edelman 1988). However, even image is often ambiguous, for as Edelman notes even where there is consensus about what "observedly happened or what was said, there are conflicting assumptions about the causes of events, the motives of officials and interest groups, and the consequences of courses of action" (Edelman 1988, 104).

Learning might reinforce rather than change prevailing viewpoints. The case studies provide numerous examples of advocates of change or the status quo using images to reinforce the attitudes of those supporting their cause. In Colorado, for example, the Division of Wildlife's efforts in the 1980s to analyze black bear

management meant the creation of a task force that was dominated by commodity groups. In Ohio, the efforts of the Wildlife Legislative Fund was directed at mobilizing hunting organizations and reinforcing the message that hunting rights were threatened by any attempt to curtail the hunting of mourning doves. Political advertising has the potential to play a key role in policy learning. In Colorado and California, however, not enough resources were put into this effort to make a clear case that policy learning resulted from advertising in the initiative campaign. In Ohio, where hunting rights organizations mounted a well financed drive in 1997-1998 to block an initiative, advertising was directed not so much at policy learning as on misleading voters into thinking the initiative was a referendum on animal rights.

Policy Entrepreneurs

The literature on policy change identifies entrepreneurs as important ingredients in policy change. As Kingdon (1984) said, policy entrepreneurs who can attach solutions to political problems and do so at vital times can play a major role in shaping agendas and altering policy outcomes. The Baumgartner and Jones model, however, downplays their role, contending that causes of change are amore complex than the behaviors of any single actor" (Baumgartner and Jones 1993, 242). A large part of the reason for this is that the longitudinal nature of the model largely precludes the conclusion that an individual actor yielded change.

However, the case studies yield numerous individuals who played a key role in influencing change. In Colorado, Mike Smith, the president of Boulder County audubon, played a key role in getting the spring bear issue on the ballot in 1992. Smith was the

driving force behind the creation of Coloradans United for Bears, the political group that spearheaded signature-gathering efforts, and it was Boulder County Audubon that filed the request for an injunction in the courts to halt the spring bear hunt. In Ohio, several individuals played a key role. In the 1970s, then State Representative Eugene Branstool spearheaded efforts to block the Ohio Division of Wildlife's decision to reinstate mourning dove hunting. Throughout the 1980s, as a state representative and later a state senator, Branstool helped thwart efforts of hunting activists to get a bill passed to allow mourning dove hunting. It was only in 1994, after Branstool left the General Assembly, that hunting legislation was approved. In the initiative campaign of 1998, both hunting and animal rights forces had a key entrepreneur. On the pro-hunting side, Rich Sexton of the Wildlife Legislative Fund of America developed the strategy that played the key role in defeating the initiative. Dove lovers had an energetic organizer in Ritchie Laymon, the transplanted New Yorker who donated large sums of her own money and served as a spokeswoman for the anti-hunting side.

In California, a number of lawmakers and activists played a role in keeping the mountain lion issue in front of the legislature and voters. Among the legislators who played a key role were Alan G. Pattee in the 1960s, John Dunlap in the 1970s, and Robert Presley in the 1980s. Gerald Meral of the Planning and Conservation League and Lynn Sadler, executive director of the Mountain Lion Foundation, played key roles in orchestrating the 1990 and 1996 campaigns that ended in voters deciding in favor of protecting lions.

External and Internal Sources of Policy Change

Change can occur that is initiated both inside and outside the policy monopoly. The case studies in this dissertation provide a demonstration of this point. Further, this study of wildlife policy illustrates the diverse origins of policy change and the need to look thoroughly in analyzing policy change's root causes. In the case studies, external forces of change were found in the courts and, in all except Colorado, in state legislatures. State legislatures in California and Ohio debated for years over policies concerning, respectively, mountain lion and mourning dove management. The policy debate began in Ohio in the mid 1970s after the Division of Wildlife attempted to administratively reinstate dove hunting. This legislative debate was to continue intermittently for nearly twenty years. In California, the challenge to the authority of wildlife professionals in the Fish and Game agency began in the 1960s, and spilled over directly into mountain lion controls in the 1970s. In California, a state with a full-time and activist legislature, the debate continued even after voters approved a 1990 proposition banning mountain lion sport hunting. This debate, however, was very low key in the years after the unsuccessful 1996 initiative attempt to reverse the voters'1990 decision.

The courts played a role in all three states in spurring policy change. In Ohio, the 1976 ruling by the Lucas County Common Pleas Court that the Ohio Division of Wildlife lacked the authority to establish a dove-hunting season on its own set the stage for the legislative debate over the next eighteen years. In California, the fight to Planning and Conservation League and Mountain Lion Foundation twice, in 1987 and 1988, took the fight to the courts to block the Fish and Game Department from instituting a limited sport hunt of mountain lions. This was to be the precursor to the 1990 ballot initiative

campaign, as activists tired of fighting for incremental and temporary reform in the courts and legislature. In Colorado, the Boulder County Audubon Society's decision to file a request for an injunction in March 1992 to halt the spring bear hunt was another key step in the policy change process. When the effort was unsuccessful, with a judge ruling Audubon did not make a case that the commission's decision to keep the hunt was biologically detrimental to the bear population, the groundwork was laid for the year's successful initiative drive.

In fact, the key external source of policy change turns out to be the ballot initiative mechanism itself. In all three states, those seeking to break a pro-hunting bias in institutions linked to the policy monopoly turned to the initiative and succeeded in broadening the debate. Reformers' efforts were so successful in California and Colorado that the issue has only rarely resurfaced. In Ohio, the ballot initiative venue was unsuccessful, but that appears to be due as much to superior campaign tactics as an inherent flaw in the initiative mechanism.

Less evidence is available to support the idea that policy change originated from internal sources within the pro-hunting policy monopoly. Wildlife policy involving hunting rights is an arena where there are few compromises and many pitched fights. What appeared to happen in Colorado and California, the two states where initiatives were approved, is that wildlife professionals adapted to the changes in policy. Since approval of the initiatives, they have managed to conform to the letter of the law approved by voters. This does not mean they necessarily like the changes; all it means is that as bureaucrats they work in the realm of political reality.

Performance of the Model

The punctuated equilibrium model appears promising as an explanatory tool for policy change involving wildlife policy in the three states studied. In the following section, each of the hypotheses outlined in Chapter Two will be examined. Although some of the hypotheses are conceptually related, I will look at each singly.

Hypothesis 1a) **Policy change is more likely to occur when the tone of media coverage in legislative hearings changes the policy image to a position less favorable toward the policy monopoly.**

Hypothesis 1b) **Policy change is more likely to occur when the tone of media coverage in initiative campaigns changes the policy image to a position less favorable toward the policy monopoly.**

These hypotheses correspond to the first independent variable--media coverage—that is measured. Strong evidence was provided in all three case studies supporting the second hypothesis, that the tone of coverage in initiative campaigns changes the policy image to a position less favorable toward the policy monopoly. However, this trend is noticeable only in the years the initiative was on the ballot. In Colorado, the tone of stories, mixed in earlier years, became strongly favorable toward the idea of policy change in 1992, the year of the successful ballot initiative. In Ohio, the number of stories and tone of stories favorable toward policy change peaked in 1998, the year of the unsuccessful ballot initiative on mourning dove hunting. The trend, however, was evident just in 1998. In California, where the *Sacramento Bee* editorialized in opposition to both the 1990 and 1996 initiatives, the number of stories spiked upwards, though the

tone was much more neutral. News coverage, separate from the editorials, was more supportive of protecting mountain lions.

Support for the first hypothesis, that policy change toward an anti-hunting stance is more likely to occur when the tone of coverage in media campaigns changes the policy image to a less favorable position toward the policy monopoly, is less well demonstrated. In Colorado, the spring bear hunt was never debated in the General Assembly prior to supporters of policy change putting the issue on the ballot. In California, the tone of articles favorable toward mountain lion protections increased in the 1980s, the period of fiercest legislative debate. However, the fact bills were being introduced and debated on both sides of the issue tempered this trend and perhaps contributed to the legislative and administrative stalemate that led supporters in 1990 to take the issue to the voters. In Ohio, the data does not support Hypothesis 1a. The number of stories increased during the 1992-1994 period, but coverage was balanced. Since the legislation that passed allowed mourning dove hunting, it is also difficult to conclude that a mere increase in coverage in the legislative hearing phase contributes to change.

Hypothesis 2. **Policy change is more likely to occur when financial resources/ campaign contributions challenge policy image and policy supported by the existing monopoly.**

The Ohio case study strongly supported this hypothesis. Ohioans for Wildlife Conservation, the political committee of hunting advocates in the 1998 campaign, swamped the committee backing mourning dove protection by a 2.5 to 1 margin ($2.5 million to $1 million). The Save the Doves Committee had only twenty eight percent of total contributions. The California case study also provides support for the hypothesis. In

California, supporters of banning mountain lion trophy hunting spent $966,931 to opponents' $187,400 during the 1990 campaign. In Colorado, support for the hypothesis is less evident. In Colorado, supporters of eliminating the spring bear hunt spent only 38.9 percent of campaign total. Despite this, the ballot measure passed overwhelmingly.

Too much reliance on raw spending totals and percentages in the cases of California and Ohio, however, should be avoided. In California, $966,931 is neither enough to buy television time nor much radio time. Spending in the Colorado campaign also was relatively small. The ballots in the spring of 1990 in California and in the fall of 1992 in Colorado were filled with other initiative ballot issues competing for media and public attention. In Colorado, voters' attention also was diverted to the presidential contest.

Nevertheless, this hypothesis appears to have explanatory power. When enough money is generated, as was done in the 1998 Ohio campaign against the mourning dove initiative, to wage an effective paid media campaign the results can be impressive. Money clearly plays a role in initiative politics. One must guard, however, against attributing too much to this factor.

Hypothesis 3) **Policy change is most likely to occur when interest groups and activists change policy image through testimony at legislative hearings.**

This hypothesis tested a key finding of Baumgartner and Jones, that those excluded from the policy subsystem constitute "slack resources" that can be mobilized by policy entrepreneurs. None of the case studies, however, provided much evidence to support the hypothesis as measured by the variable citizen activists' participation.

In Colorado, as discussed above, interest groups and activists interested in ending the spring bear hunt bypassed the legislature entirely, knowing that the reception to their cause would be poor. In Ohio, it is difficult to see any support for the idea that an increase in legislative testimony from activists led to a policy change opposing hunting. Over the years the number of activists increased, yet no headway was made in the legislature toward blocking attempts to reinstate hunting. In the 1993-1994 legislative biennium, when pro-hunting forces finally won the legislative battle, the number of citizen activists peaked, with thirty seven testifying at hearings in opposition to hunting to just four in favor. Yet the legislation allowing the hunting of mourning doves passed in a lame-duck session after the November 1994 election. Likewise, in California the number of people writing letters to legislators showed a higher percentage opposing mountain-lion hunting. This seemed to have little impact overall on the course of events, though. For example, in the critical 1985-1986 session the fact 1,322 people wrote letters opposing hunting to 847 in favor seemed to have little impact on the defeat of mountain-lion protection legislation with Governor George Deukmejian's veto.

Hypothesis 4a and b) **Policy change is more likely to occur when external interests** (defined as interest groups, in 4a, or agency officials, in 4b, involved in either legislative hearings or initiative campaigns) **challenge policy image through questioning the prevailing perspectives of agency officials or interest group representatives within the established policy monopoly.**

Little support was found in the case studies for the hypothesis that policy change was furthered by interest groups or agency officials questioning prevailing perspectives at the legislative state. In Ohio, no pattern appeared to show a questioning of the prevailing

wisdom of groups favorable to hunting interests. In the four bienniums in which legislation was debated, pro- and anti-hunting groups dominated the legislative hearing debate. In the initiative campaign of 1998, the same organizations fought the battle they had in the legislature, with pro-hunting groups dominating the debate. In California, little evidence also was available to support the idea that legislative lobbying by interest groups contributed to policy change prior to the 1990 vote. Supporters and opponents of mountain lion hunting were relatively even in their expression of support or opposition to legislation, and with the exception of the 1985-1986 session, activity by both sides was low.

The same pattern was true in California and Colorado at the initiative stage. While citizen activists were involved in pushing policy change, established interest groups and agency officials tended to hone to the same positions adopted at the legislative stage.

Hypothesis 5) **Policy change is more likely to occur when issues are expanded to additional venues such as new legislative committees and initiatives that are not associated with an existing policy monopoly.**

Policy change was furthered when issues were expanded to initiatives not sponsored by the existing policy monopoly. In California and Colorado, the decision by groups opposing mountain lion hunting (California) and the spring beat hunt (Colorado) to take the issue to the people helped achieve dramatic policy change. In Colorado, the decision by supporters to bypass the legislature was a key step in successful venue shopping. In California, frustration with policy stalemate in the legislature and courts led supporters to use the initiative venue. The Ohio case study involving mourning dove

hunting proved to be the exception. In the Ohio case, policy change did not occur at the initiative level.

In none of the three states did policy change occur as a result of the expansion of involvement to new legislative committees. In California and Ohio, the two states where the wildlife issues were debated in the legislature, the same committees tended to hear the issue repeatedly.

Implications of the Study

The Baumgartner and Jones model proved to be of mixed use when analyzing wildlife measures in the states. Clearly, policy change advocates can achieve success in shifting the venue to the ballot initiative. However, this success is not guaranteed when aggressive and well-funded hunting interests fight back, as occurred in Ohio in 1998. Policy image clearly is a key intervening variable, though undoubtedly less important than the selection of venue. Success in generating favorable coverage in the media and spending more money than the opposition helps to guarantee a favorable image. Successful image definition was a key to success in ballot initiatives in California and Colorado.

However, the model proved to be less effective than might have been hoped in measuring change at the state level. Part of this was due to data limitations, especially in legislative information. Data on legislative hearings, although available in all three states, was collected and stored in ways that at times made use difficult. In Colorado, information on legislative hearings is stored on tape, and older tapes are subject to deterioration, making voices difficult to hear. This was not a problem in the Colorado

case study, since policy change advocates bypassed the General Assembly and went directly to the ballot initiative to achieve change. In the case of California, however, the problem was more severe.

Testimony at legislative committee hearings is not stored in the State Archives. However, letters of support and opposition sent to committee chairs are kept, so that by default became the surrogate measure. Ohio, where records on all committee hearings by statute are boxed and sent to the State Archives, provided the easiest data collection.

Even if records were uniformly available, however, problems exist in measuring change at the state level. At the federal level, committee names come and go and new subcommittees are created over the years, creating a new venue and often reflecting the level of government activity and scrutiny in an issue area. At the state level, this change is less obvious. Committee names may change, but most likely the jurisdiction remains the same. And unlike what has happened in Congress, at the state level lawmakers in the three states have resisted the creation of subcommittees that would provide a new venue for policy. As a result, at the state level the same committees tend to hear the same issues repeatedly, giving the impression that nothing is really changing in the legislative arena.

Nevertheless, this dissertation marks a significant achievement in extending the applicability of the mode to the state from the federal level, where it has frequently been tested. Despite difficulties in uniformly measuring change across state boundaries in the legislative arena, mechanisms exist to measure the non-legislative variables. The dissertation found that the media coverage measured by numbers of stories in state capital newspapers played an important role in raising image consciousness, especially at the initiative stage. The study also found that in the case of Ohio that if enough money is

spent by opponents, backers of anti-hunting ballot reforms can fail. In Colorado and California, money spent by political committees opposing hunting appeared to be a less significant, although still an important factor. The next step would appear to be attempting to expand this research on wildlife issues to other areas in these and other states. For whatever measurement problems might exist, the overall results of these comparative case studies provide strong evidence that the ballot initiative is a potentially strong tool in achieving major policy change in the wildlife arena.

Prospects for Future Research

The Baumgartner and Jones model, which allows for examining a lengthy period of time, has demonstrated its basic utility as a research vehicle in examining dramatic policy change in the states. The model has the strength of being able to trace the development of ideas and changes in institutional frameworks much better than a more episodic approach. Despite this basic strength, however, as with all models shortcomings are apparent.

First, a path breaking study such as this, confined to three states, begs for more research using the case study method. More research on the impact of ballot initiatives in other states and in other social issue areas could help future political scientists make a definitive statement that the initiative venue is an effective way to dramatically alter policy.

Second, to make sure future studies are conducted effectively the Baumgartner and Jones model should be modified. Making the model less top-down would improve the model's ability to explain policy change at the state level. In the past a lot of effort has

gone into studying the impact on policy of federal legislation that provides funded and unfunded mandates, preemption, and primacy. Similar efforts should focus on such bottom-up mechanisms as the role played by local wildlife agencies and local grassroots groups advocating change that trickle up to the state and federal level.

Third, a related change in the model would be to give more consideration to the role of policy entrepreneurs. The longitudinal nature of the model downplays their role, assuming that individual policy actors cannot have much more than episodic impact when considering policy change that develops over a long period of time. This underestimates the fact, however, that these episodes can make a critical difference in policy development. Without Mike Smith of Boulder County Audubon filing a request for an injunction in 1992 to halt the spring bear hunt and spearheading signature collection to get the issue on the ballot, Coloradans might never have had the opportunity to vote on eliminating spring bear hunting. Similarly, the role played by James Glass, an executive who headed the Wildlife Legislative Fund of America, to keep the issue of mourning dove hunting before the Ohio General Assembly helped lead to the hunting issue's eventual legislative success. Without Glass's willingness to lobby legislators and pump money into the legislative battle, the hunting lobby might have eventually given up.

Finally, the model should incorporate the role played by a focusing event in achieving policy change. Just as there are individuals who can play a critical role in leading to change, events can help propel issue change forward at critical periods. A focusing event in the 1992 Colorado campaign was a statement made by then State Wildlife Commissioner Elden Cooper to reporters that "If you believe in the Bible, you must vote against this amendment (eliminating the spring bear hunt)." Ewegen in his

column called Cooper's comments "the stupidest statement of 1992," and called Cooper's views typical of "the brain-dead political hacks" who he contended dominated the state Wildlife Commission. A focusing event in the California campaign on mountain lion hunting came in 1994, when two women in separate incidents were attacked and killed by mountain lions in the Sierra foothills east of Sacramento and in Orange County, south of Los Angeles. These incidents energized supporters of overturning the 1990 hunting ban. Though hunting backers were unsuccessful in 1996 in overturning the ban, as has been noted earlier it is hard to imagine the issue would have re-entered the public agenda. Events such as these can have a key role in deciding elections, and more attention to examination of these kind of focusing events would make the model even stronger.

DISSERTATION BIBLIOGRAPHY

Amenta, Craig W., and Theda Skocpol. "Taking Exception: Explaining the Distinctiveness of american Public Policies in the Last Century." In The Comparative History of Public Policy. Ed., F.G. Castles. New York: Oxford University Press, 1989.

Baumgartner, Frank R., and Bryan D. Jones. Agendas and Instability in American Politics. Chicago: University of Chicago Press, 1993.

Beard, Charles and Birl Shultz. Documents on the State-Wide Initiative, Referendum and Recall. New York: Macmillan Co., 1912, reprinted New York: DaCapo Press, 1970)

Beck, Thomas D. "Citizen Ballot Initiatives: a Failure of the Wildlife Management Profession," Human Dimensions of Wildlife, Volume 3, Number 2, 1998.

Berry, Jeffrey M. The Interest Group Society. New York: Longman Publishing Co., 1997.

Bibby, John F., and Thomas Holbrook, "Parties and Elections," in Virginia Gray and Herbert Jacob. Politics in the american States: a Comparative Analysis, Sixth Edition. Washington, D.C.: Congressional Quarterly, Inc., 1996.

Block, A.G., and Claudia Buck. California Political Almanac 1999-2000, Sixth Edition. Sacramento, California: StateNet, 1999.

Bosso, Christopher J. Pesticides and Policy: The Life Cycle of a Public Issue. Pittsburgh: University of Pittsburgh Press, 1987.

Boulder Daily Camera, "Public Influences Wildlife Policy," March 25, 1996.

Brown, Charlie. Executive Director, Colorado General Assembly Office of Legislative Council. Personal Interview. June 26, 2001.

Brunner, Jennifer, former legal counsel, Save the Dove Campaign. Interviewed on June 12, 2001.

Buttel, F.H. "Environmentalism: Origins, Processes and Implications for Rural Social Change," Rural Sociology, Volume 57, 1992.

Campbell, Anne G. "The Citizen's Initiative and Entrepreneurial Politics: Direct Democracy in Colorado, 1966-1994." Unpublished manuscript presented at the Western Political Science association annual meeting, Tucson, Arizona, March 1997.

Carter, Christopher N. "Fiscal Effects of Voter Initiatives to Ban Certain Methods of Bear and Cougar Hunting: Oregon's Experience," Human Dimensions of Wildlife, Volume 3, Number 2, 1998.

Clark, S. J., "A Populist Critique of Direct Democracy," Harvard Law Review, 112: 434-482, December 1998.

Crouch, W.W. (1950) The Initiative and Referendum in California. Los Angeles: The Haynes Foundation.

Cobb, Roger W., and Charles D. Elder. "The Politics of agenda-Building: an alternative Prescription for Modern Democratic Theory." Journal of Politics, 1971.

Colorado Division of Wildlife. Study of Colorado Registered Voters and Black Bear Hunters: Attitudes about Hunting Black Bears in Colorado: Results and Analysis. Denver, Colorado: Standage Accureach, Inc., and Ciruli Associates, Inc., July 1991.

Colorado State University. "Project Report on Colorado Residents' Attitudes Toward Trapping in Colorado." Human Dimensions in Natural Resources Unit in cooperation with Colorado Division of Wildlife. July 1995.

Columbus (Ohio) Dispatch, 1975-2000.

Cronin, Thomas E. Direct Democracy: The Politics of Initiative, Referendum, and Recall. Cambridge, Mass.: Harvard University Press, 1989.

Cronin, Thomas E., and Robert D. Loevy. Colorado Politics and Government: Governing the Centennial State. Lincoln: University of Nebraska Press, 1993.

Davis, Charles, and Brian a. Ellison, "Change on the Range?: Policy Reforms and agenda Control," Society and Natural Resources, Volume 9, pp. 395-409, 1996.

DeBow, Ken, and John C. Syer. Power and Politics in California. Needham Heights, Mass.: Allyn and Bacon, 1997.

Decker, Daniel J., Cynthia A. Loker and John M. Baas. Colorado Black Bear Hunting Controversy: Amendment Ten Post-Election Voter Analysis. Ithaca, New York, and Fort Collins, Colorado: Human Dimensions Research Unit at Cornell University and Human Dimensions in Natural Resources Unit at Colorado State University, October 1993.

DeLuca, Kevin Michael. Image Politics: The New Rhetoric of Environmental Activism. New York: The Guilford Press, 1999.

Denver Post Index, 1963-2000.

Dodd, Lawrence C., and Richard L. Schott. Congress and the Administrative State. New York: John Wiley and Sons, 1979.

DeVos, James C., Jr., Duane L. Shroufe, Vashti C. Supplee, "Managing Wildlife By Ballot Initiative: the Arizona Experience," Human Dimensions of Wildlife, Volume 3, Number 2, 1998.

Drage, Jennie, National Conference of State Legislatures, Denver, Colorado. Interview on May 24, 2001.

Dubois, Philip L., and Floyd Feeney. Lawmaking By Initiative: Issues, Options and Comparisons. New York: Agathon Press, 1998.

Edelman, Murray. Constructing the Political Spectacle. Chicago and London: University of Chicago Press, 1988.

Edsall, Thomas B., with Mary Edsall. Chain Reaction: The Impact of Race, Rights, and Taxes on American Politics. New York: W.W. Norton and Company, 1991.

Ellis, Richard J. Democratic Delusions: The Initiative Process in America. Lawrence, Kansas: University Press of Kansas, 2002.

Elofson, Stan. "Initiatives and Referenda -- an Update of Their Use." Colorado Legislative Council Staff Issue Brief. May 31, 2001. Denver: General Assembly Office of Legislative Council.

Eu, March Fong. 1975-1976 Lobbyist and Employer Registration Directory. Sacramento: California Office of the Secretary of State, April 1975.

The Field Institute, The Field Poll, "Final Pre-Election Measure of Voter Awareness and Preferences on Seven Primary Ballot Provisions," San Francisco, California, March 23, 1996.

Fishkin, James S. Democracy and Deliberation: New Directions for Democratic Reform. New Haven: Yale University Press, 1991.

Gerber, Elisabeth R. The Populist Paradox: Interest Group Influence and the Promise of Direct Election. Princeton, N.J.: Princeton University Press, 1999.

Gill, Bruce. Personal Interview. February 13, 1998, May 18, 2001.

Hahn, Harlan, and Sheldon Kamieniecki. Referendum Voting: Social Status and Policy Preferences. Westport, Conn.: Greenwood Press, 1987.

Heclo, Hugh. "Issue Networks in the Executive Establishment." in The New American Political System, ed., Anthony King. Washington, D.C.: American Enterprise Institute, 1978.

Iyengar, Shanto. Is Anyone Responsible? Chicago: University of Chicago Press, 1991.

Jacoby, Jeff. "Initiatives Keep Democracy on Track," Denver Rocky Mountain News, June 6, 2000.

Johnson, Janet, and Richard Joslyn. Political Science Research Methods. Washington, D.C., Congressional Quarterly Press, 1995.

Johnson, Thomas J., Carol E. Hays and Scott Hays, eds. Engaging the Public: How Government and the Media Can Reinvigorate American Democracy. Lanham, Maryland: Rowman and Littlefield Publishers, Inc. 1998

Kahn, Rick. Colorado Division of Wildlife, Fort Collins office. Personal Interview. June 6, 2001.

Kingdon, John W. Agenda, Alternatives, and Public Policies. Second Edition. New York: HarperCollins College Publishers, 1995.

Kurtz, Rick S. Policy Change In Resource Protection Statutes For Federal Public Lands: Testing the Punctuated Equilibrium Model. Unpublished dissertation, Colorado State University, Summer 1999.

Lascher, Edward L., Jr., Michael G. Hagen and Steven A. Rochlin. "Gun Behind the Door? Ballot Initiatives, State Policies and Public Opinion." The Journal of Politics, Volume 58, Issue 3, August 1996.

LaPalombara, L.G. (1950) The Initiative and Referendum in Oregon: 1938-1948. Corvallis, Ore.: Oregon State College Press.

Lee, Eugene C., "California," in Butler, David, and Austin Ranney, eds. Referendums: a Comparative Study of Practice and Theory. Washington, D.C.: American Enterprise Institute for Public Policy Research, 1978.

Legislative Council of the Colorado General Assembly. An analysis of 1996 Ballot Proposals. Research Publication Number 415. Denver: Colorado General Assembly, 1996.

Lester, James P., and Joseph Stewart, Jr. Public Policy: An Evolutionary Approach. Minneapolis/St. Paul: West Publishing Company, 1996.

Loker, Cynthia A., and Daniel J. Decker and Lisa C. Chase. "Ballot Initiatives--antithesis of Human Dimensions Approaches or Catalyst for Change?" Human Dimensions of Wildlife, Volume 3, Number 2, 1998.

Loker, Cynthia A., and Daniel J. Decker. The Colorado Black Bear Hunting Controversy: A Case Study of Human Dimensions in Contemporary Wildlife Management. Human Dimensions Research Unit Series No. 94-4. Ithaca, New York, and Denver, Colorado: Human Dimensions Research Unit: Department of Natural Resources, Cornell University, and Terrestrial Wildlife Section, Colorado Division of Wildlife, February 1994.

Loker, Cynthia A., and Daniel Decker. "Colorado Black Bear Hunting Referendum: What Was Behind the Vote?" Wildlife Society Bulletin, Volume 23, Number 3, 1995.

McCombs, Maxwell, "Building Consensus: The News Media's Agenda-Setting Roles," Political Communication, 14: 433-443, 1997.

McCombs, Maxwell, and Donald L. Shaw and David Weaver, ed. Communication and Democracy: Exploring the Intellectual Frontiers in Agenda-Setting Theory. Mahweh, New Jersey: Lawrence Erlbaum Associates, 1997.

McCool, Daniel. "Subgovernments as Determinants of Political Viability," Political Science Quarterly, Volume 105, 1990.

McFarland, Andrew. "Interest Groups and the Policy Process: Sources of Countervailing Power in America," in The Politics of Interests, ed. Mark Petracca. Boulder: Westview Press, 1992.

Magleby, David B. Direct Legislation: Voting on Ballot Propositions in the United States. Baltimore: The Johns Hopkins University Press, 1984.

Maita, Edna. Former Consultant, California Assembly Committee on Water, Parks and Wildlife. Personal Interview. January 8, 2002.

Manfredo, Michael J. Personal Interview. May 1, 1997.

Manfredo, Michael J., "Public acceptance of Wildlife Trapping in Colorado," Wildlife Society Bulletin, Volume 27, Number 2, 1999.

Manfredo, Michael J. "Understanding Voting Behavior on Wildlife Ballot Initiatives: The Case of Colorado's Trapping Amendment," Human Dimensions of Wildlife, Winter 1997.

May, Peter J., "Policy Learning and Failure," Journal of Public Policy. 12: 331-354.

Minnis, Donna L. "Wildlife Policy-Making By the Electorate: an Overview of Citizen-Sponsored Ballot Measures on Hunting and Trapping," Wildlife Society Bulletin, Volume 26, Number 1, 1998.

Mountz, Vicki, Media Relations Manager, Ohio Division of Wildlife, Ohio Department of Natural Resources. Interviewed on June 11, 2001.

Nelson, Barbara J. Making an Issue of Child abuse: Political Agenda Setting for Social Problems. Chicago: University of Chicago Press, 1984.

O'Toole, Lawrence J., Jr. and Kenneth J. Meier, "Networks, Heirarchies, and Public Management: Modeling the Nonlinearities," in Carolyn J. Heinrich and Lawrence E.Lynn, Jr., eds. Governance and Performance: New Perspectives. Washington, D.C.: Georgetown University Press, 2000.

Pacelle, Wayne. "Forging a New Wildlife Management Paradigm: Integrating Animal Protection Values," Human Dimensions of Wildlife, Volume 3, Number 2, 1998.

Patterson, Thomas E. "The News Media: an Effective Political Actor?" Political Communication, 14: 445-455, 1997.

Peterson, David. Ghost Grizzlies. New York: Henry Holt and Company, 1995.

Quartarone, Fred. "There'll Come a Bear," Colorado Outdoors. May-June 2001, Volume 50, Number 3. Denver: Colorado Department of Natural Resources, Division of Wildlife.

Ranney, Austin. "United States of America," in Referendums: a Comparative Study of Practice and Theory, David Butler and Austin Ranney, eds. Washington, D.C.: American Enterprise Institute for Public Policy Research, 1978.

Ripley, Randall B., and Grace A. Franklin. Congress, the Bureaucracy and Public Policy. Homewood, Ill.: The Dorsey Press, 1984.

Roberts, Cokie and Steven V. "Direct Democracy Is Becoming Possible, If Not Preferable," Denver Rocky Mountain News, April 6, 1997.

Roseboom, Eugene H., and Francis P. Weisenburger. A History of Ohio. Columbus: Ohio Historical Society, 1964.

Sabatier, Paul and Hank Jenkins-Smith, eds. Policy Change and Learning: An Advocacy Coalition Approach. Boulder, Colo.: Westview Press, 1993.

Sacramento Bee, 1963-2000.

Sadler, Lynn. Executive Director, Mountain Lion Foundation. Personal Interview. November 5, 2001.

Sarche, Jon. "Ineffectual Initiative Process Unlikely to Change," The Fort Collins Coloradoan, January 17, 2000, A9.

Schlesinger, Arthur. The Cycles of American History. Boston: Houghton Mifflin, 1986.

Schmidt, David D. Citizen Lawmakers: The Ballot Initiative Revolution. Philadelphia: Temple University Press, 1989.

Schrag, Peter, "California, Here We Come," Atlantic Monthly, March 1998, pp. 20-22, 30-31.

Schrag, Peter. Paradise Lost: California's Experience, America's Future. New York: The New Press, 1998.

Sexton, Rob, Director of State Services, Wildlife Legislative Fund of America. Interviewed on June 14 and 18, 2001.

Shoemaker, Pamela J., and Stephen D. Reese. Mediating the Message: Theories of Influence of Mass Media Content. White Plains, N.Y.: Longman, 1996.

Smith, Daniel A. Tax Crusaders and the Politics of Democracy. New York, N.Y.: Routledge, 1998.

Smith, Michael. Former Director of Coloradans United for Bears (CUB). Personal Interview. July 11, 2001.

Souder, Jon A., and Sally K. Fairfax. State Trust Lands: History, Management, and Sustainable Use. Lawrence: University of Kansas Press, 1996.

Stone, Deborah A., "Causal Stories and the Formation of Policy Agendas," Political Science Quarterly. 104: 281-300.

Straayer, John A. The Colorado General assembly. Niwot, Colo.: University Press of Colorado, 1990.

Weart, Spencer R. Nuclear Fear: a History of Images. Cambridge, Mass.: Harvard University Press, 1988.

Whittaker, Donald G., and Steven Torres. "Introduction: Ballot Initiatives and Natural Resource Management: Some Opinions on Processes, Impacts and Experience," Human Dimensions of Wildlife, Volume 3, Number 2, 1998.

Wilcox, Delos F. Government By All The People: The Initiative, the Referendum, and the Recall as Instruments of Democracy. New York: Da Capo Press, 1972.

Williamson, Scot J. "Origins, History and Current Use of Ballot Initiatives in Wildlife Management," Human Dimensions of Wildlife, Volume 3, Number 2, 1998.

Wilson, James Q. Political Organizations. New York: Basic Books, Inc., 1973.

Woliver, Laura R. From Outrage To Action: The Politics of Grass-Roots Dissent. Urbana and Chicago: University of Illinois Press, 1993.

Yin, Robert K. Case Study Research: Designs and Methods. Beverly Hills, Calif.: Sage Publications, 1984.

Zimmerman, Joseph F. Participatory Democracy: Populism Revived. New York: Praeger Publishers, 1986.

Zinn, Harry C. Responses to Persuasive Appeals about a Trapping Ban Ballot Initiative. Ph.D. dissertation, Colorado State University, 1998.

Zisk, Betty H. Money, Media, and the Grass Roots: State Ballot Issues and the Electoral Process. Newbury Park, Calif.: Sage Publications, Inc., 1987.

Zisk, Betty H. The Politics of Transformation: Local Activism in the Peace and Environmental Movements. Westport, Conn.: Praeger, 1992.

APPENDIX ONE

Citizen Sponsored Ballot Measures on Animal Protection

Year	State	Practices Addressed	Measure Title	Disposition	Percent Supporting
1930	Massachusetts	Bar trapping devices	Question 3	Approved	69
1972	South Dakota	Bar mourning dove hunting	Measure 1	Approved	67
1977	Ohio	Bar trapping devices	Measure 2	Rejected	37
1980	Oregon	Bar use, sale of snares, leghold traps	Measure 5	Rejected	37
1980	South Dakota	Repeal mourning dove hunting ban	Measure 1	Approved	58
1983	Maine	Repeal moose hunting season	Measure 1	Rejected	39
1990	California	Bar mountain lion sport hunting	Proposition 117	Approved	52
1992	Arizona	Bar leghold, instant kill, snare traps on public lands	Proposition 200	Rejected	38
1992	Colorado	Bar spring bear hunt with bait and hounds	Amendment 10	Approved	70
1994	Arizona	Bar leghold, instant kill, snare traps on public lands	Proposition 201	Approved	58
1994	Oregon	Bar bear and mountain lion with hounds, bear hunting with bait	Measure 18	Approved	52
1996	Alaska	Ban same-day airborne hunting of wolves, foxes, lynx and wolverines	Measure 3	Approved	58
1996	California	Allow trophy hunting of	Proposition 197	Rejected	42

Year	State	Practices Addressed	Measure Title	Disposition	Percent Supporting
		mountain lions			
1996	Colorado	Bar leghold and other body-gripping traps	Amendment 14	Approved	52
1996	Idaho	Ban spring black bear hunt and baiting and hounding of black bears	Proposition 2	Rejected	40
1996	Massachusetts	Ban use of body-gripping traps (including leghold; outlaw houding of bears and bobcats; reform Fisheries and Wildlife Board	Question 1	Approved	64
1996	Michigan	Ban black bear hunting with bait or hounds or during spring	Proposal D	Rejected	40
1996	Oregon	Repeal ban on bear baiting and hound hunting of bears and mountain lions	Measure 34	Rejected	42
1996	Washington	Ban bear baiting, use of hounds to hunt bears, cougars, bobcats and lynx	Initiative 655	Approved	63
1998	Alaska	Bans hunting wolves with snares	Measure 9	Rejected	36.5
1998	Arizona	Outlaws cockfighting	Proposition 201	Approved	67
1998	California	Bars trapping fur bearing or non-game mammals with body-gripping traps for recreation or commerce in fur	Proposition 4	Approved	57.5
1998	California	Bars possessing, transferring , receiving or holding any horse, pony, burro or mule with intent to kill or have it killed	Proposition 6	Approved	59.4
1998	Missouri	Makes it a felony to bait or fight animals	Proposal A	Approved	63

Year	State	Practices Addressed	Measure Title	Disposition	Percent Supporting
1998	Ohio	Bans mourning dove hunting	State Issue 1	Defeated	40.5
2000	Massachusetts	Bans dog racing	Question 3	Defeated	49
2000	Montana	Bans game farms	I-143	Approved	51
2000	Oregon	Bans traps or poisons	Measure 97	Defeated	41
2000	Washington	Bans traps or poisons	Initiative 713	Approved	54
2000	Alaska	Wolf shooting	Ballot Issue 1	Defeated	36

APPENDIX TWO

Initiative States Ranked in Order of Use

Updated May 2001

State	Year Initiative Adopted	Number on Ballot Since Adoption
Oregon	1902	332
California	1911	272
Colorado	1910	171
North Dakota	1914	165
Arizona	1910	152
Washington	1912	120
Arkansas	1909	90
Oklahoma	1907	80
Missouri	1906	69
Montana	1906	68
Ohio	1912	62
Michigan	1908	59
Massachusetts	1918	57
South Dakota	1898	50
Nebraska	1912	43
Maine	1908	39
Nevada	1904	37
Alaska	1959	35
Idaho	1912	24
Utah	1900	22
Florida	1972	20
Wyoming	1968	7
Illinois	1970	4
Mississippi	1992	2

APPENDIX THREE – COLORADO LOBBYISTS

2001 Lobbying Organizations

Environmental and Animal Rights

Audubon of Colorado--2
Bighorn Action--8
Colorado Coalition for New Energy Technology
Colorado Coalition of Land Trusts
Colorado Conservation Voters action Fund
Colorado Environmental Coalition
Colorado Trout Unlimited--2
Colorado Water Partnership--2
Environmental Defense--6
Great Outdoors Colorado--5
COPIRG--11
Envirocare of Utah--2
Ethanol Management Company
Lake and Water Fund of the Rockies--2
Lands for Wildlife Habitat--2
League of Conservation Voters Education Fund
Microgy Cogeneration Systems
Parks and Recreation Coalition
Regional Air Quality Commission
Regional Air Quality Council
Sierra Club

Consumptive and Pro-Hunting

American Forest and Paper association
Arch Coal Company
Atmos Energy Corp.--3
BP America, Inc.
Center for Energy and Economic Development--2
Cherry Creek Basin Water Quality authority
Natural Fuels Association
Chevron USA Inc.

Colorado River Water Conservation District--3
Conoco Inc.
Xcel Energy --4
Southwestern Water Conservancy District
Colorado Association of Municipal Utilities
Colorado Bowhunters Association
Colorado Mining Association--2
Colorado Outfitters Association
Colorado Sportsmen's Coalition
Colorado Springs Utilities
Colorado Petroleum Marketers' Association--3
Colorado Water Congress--2
Colorado Water Partnership--3
Eagle River Water and Sanitation District
Ultramar Diamond Shamrock--3
United Power Inc.
Arkansas River Power Authority
Colorado Association of Municipal Utilities
Denver Water
Duke Energy Field Services
National Rifle association
Northern Colorado Water Conservancy District--2
Rio Grande Water Conservation District
Stockman's Water Congress
Rocky Mountain Gun Owners
Colowyo Coal Company--5
Phelps Dodge Corp.
Phelps Dodge Mining Company--5
Rag American Coal Company
Colorado Rural Electric association --4
Colorado Oil and Gas association--2
Colorado Water and Power authority
Colorado Wildlife Conservation Coalition
Colorado Wildlife Federation--2
Platte River Power Authority
Public Service of Colorado
Shell Oil Co.--4
Ultramar Diamond Shamrock--3
Colorado Petroleum Association
North American Power Group
Phillips Petroleum Co.
Southwestern Water Conservation District--2
Texaco Group Inc.
United Power Inc.--3
Xcel Energy--3

APPENDIX 4-1 OHIO LOBBYISTS

1987-1988 lobbying organizations-- Organization name and (number of lobbyists, if >1)

Environmental and Animal Rights (43 Lobbyists)
Coalition for Local Environmental Programs --2
Ohio Environmental Health Association
Ohio Environmental Protection Agency -- 26
Ohio GASP, Inc.
Ohio Parks and Recreation Association, Inc.-- 3
Ohio Public Interest Campaign -- 5
Ohio Water Quality Association
Sierra Club -- Ohio Chapter -- 3
Southern Ohio Outdoor Coalition

Consumptive and Pro-Hunting (106 Lobbyists)
American Electric Power Service Corp -- 4
American Petroleum Institute -- 3
Arco Chemical Company
Ashland Oil Inc.
Babcock and Wilcox Company
Bio-Fuels of Ohio, Inc. -- 2
BP America, Inc. -- 2
Centerior Energy Corporation -- 2
Central Ohio Gasoline Dealers association -- 2
Cincinnati Gas and Electric Company
Citizens for Responsible Energy Decision -- 2
Cleveland Electric Illuminating Company -- 3
Coalition for Environmental -Energy Balance
Coalition for Fair Gas Transportation -- 3
Columbia Gas of Ohio --2
Columbia Gas Transmission Corporation
Columbia Natural Resources, Inc.

Columbus and Southern Ohio Electric Company -- 4
Dayton Power and Light Company
Department of Natural Resources, Division of Wildlife -- 8
East Ohio Gas Company -- 2
Marathon Oil Company -- 5
Minnesota Mining and Manufacturing Company
National Oil and Gas Corporation
National Rifle Association
Northern Ohio Petroleum Retailers Association -- 2
Ohio association of Rural Water Systems
Ohio Conference of Service Station Dealers Association -- 2
Ohio Edison Company -- 4
Ohio Farm Bureau Synfuels Investment Company -- 3
Ohio Gun Collectors Association
Ohio Mining and Reclamation Association
Ohio Municipal Electric Association -- 3
Ohio Oil and Gas Association -- 4
Ohio Petroleum Marketers Association
Ohio Petroleum Producer Association
Ohio Power Company -- 3
Ohio Rural Electric Cooperatives, Inc. -- 4
Ohio Water Development Authority -- 4
Ohio Waterwell Association
Panhandle Eastern Pipeline Company
Park Ohio Energy
River Gas Company -- 2
Shell Oil Company -- 3
Standard Oil Company
Tenneco Incorporated
United Mine Workers of America -- 2
United Refining Company of Pennsylvania
West Ohio Gas Company -- 2
Wildlife Legislative Fund -- 2

APPENDIX 4-2 OHIO LOBBYISTS

2001 lobbying organizations-- Organization name and (number of lobbyists, if >1)

Environmental and Animal Rights (51 Lobbyists)
Green Environmental Coalition
H.I. Environmental Technologies
Lake MetroParks
Miami Conservancy District -- 2
Mill Creek MetroParks
Northeast Ohio Public Energy Council
Ohio Auto and Truck Recyclers Association -- 2
Ohio Citizens Action -- 10
Ohio Environmental Council -- 6
Ohio Environmental Health Association
Ohio Environmental Protection Agency -- 5
Ohio Environmental Service Industries -- 2
Ohio League of Conservation Voters
Ohio Lime Environmental Coalition
Ohio Parks and Recreation Association, Inc.-- 4
Ohio Partners for Affordable Energy
Ohio Public Interest Research Group
Ohio To Erie Trail Fund -- 4
Sierra Club -- Ohio Chapter -- 2
The Nature Conservancy -- 4

Consumptive and Pro-Hunting (178 Lobbyists)
American Electric Power Service Corp.
American Petroleum Institute -- 2
Ashland Inc.
Avis Coal Company
Biomass Group, LLC
BP Amoco -- 5
C & E Coal, Inc.
Center for Energy and Economic Development
Cinergy Corporation -- 16

Coalition for Choice in Electricity
Columbia Gas of Ohio --17
Columbia Gas Transmission Corporation-- 2
Columbus Southern Ohio Power Company, AEP -- 6
Consumers Ohio Water Company -- 3
Dayton Power and Light Company-- 9
Department of Natural Resources -- 4
Duke Energy and Subsidiaries -- 2
Energy Industries of Ohio
Enron Corporation -- 8
FirstEnergy -- 13
Green Mountain Energy Company
Gun Owners of America
Hancock Natural Resource Group, Inc. -- 2
Industrial Energy Users -- Ohio -- 11
Marathon Oil Company, and Its Subsidiaries & Affiliates -- 4
MCN Energy Group
Mineral Processing
National Rifle Association Institute for Legislative Action
Norton Energy Storage L.L.C.
Ohio Aggregates & Industrial Minerals Association -- 3
Ohio Coal Association
Ohio Electric Utility Institute
Ohio Gas Association
Ohio Gun Rights Coalition
Ohio Municipal Electric Association -- 6
Ohio Oil and Gas Association -- 3
Ohio Petroleum Marketers Association -- 6
Ohio Petroleum Retailers and Repair Association -- 2
Ohio Power Company, AEP -- 6
Ohio Rural Electric Cooperatives, Inc. -- 4
Ohio Rural Water Association
Ohio Utilities Protection Service
Ohio Water Development Authority -- 2
PG&E National Energy Group -- 2
Sands Hill Coal Company, Inc. -- 2
South Central Power Company
The New Power Company -- 5
Ultramar, Inc.
Waterloo Coal Company, Inc. -- 2
West Ohio Gas Company -- 2
Wildlife Legislative Fund of America -- 2

APPENDIX 5-1 CALIFORNIA LOBBYISTS

1975-76 lobbying organizations (#of lobbyists)

Environmental and Animal Rights--(15)
Air Quality Products, Inc.--1
California Forest Protective Association--4
California Outdoor Recreation League--1
California Park and Recreation Society--1
Coastwatch--1
Environmental Defense Fund--2
San Diego Coastwatch c/o Sierra Club--1
Sierra Club--4
Southeast Recreation and Park District--1
Tulare County Resource Conservation District--1

Consumptive and Pro-Hunting--(134)
Association of California Logging Contractors--1
Association of California Water Agencies--3
Atlantic Oil Company--1
Automobile Club of Southern California--1
California Cattlemen's Association--3
California Council for Environmental and Economic Balance--1
California Division of Forestry Employees Association--1
California Oil Marketers Association--1
California Water Association--1
California Water Service Company--3
California Wildlife Federation--1
Champlin Petroleum Company--1
Continental Oil Company--3
Desert Hot Springs County Water District--1
Edgington Oil Company--2
Exxon Corporation--2
Gulf Oil Company -- California--2
Gulf Oil Company -- U.S.--1

Gulf Oil Corporation--1
Hi-Desert County Water District--1
Imperial Irrigation District--1
Metropolitan Water District of Southern California--1
Mobil Oil Corporation--2
North Delta Water Agency--1
Otay Municipal Water District--3
Pacific Gas & Electric--22
Palo Verde Irrigation District--1
Powerine Oil Company--1
Rancho California Water District--2
Rancho Las Posas Water Company--1
Salinas Utility Services--1
San Diego Gas & Electric--17
San Gabriel Valley Water Company--1
San Jose Water Works--2
Santa Ana Watershed Project Authority--1
Santa Clara Valley Water District--1
Southern California Edison Company--14
Southern California Gas Company--6
Southern California Water Company--1
Standard Oil Company of California--16
Standard Oil Company of Ohio--3
Temescal Water Company--1
Union Oil Company--3
Westates Petroleum Company--1

APPENDIX 5-2 CALIFORNIA LOBBYISTS

2001 lobbying organizations (#of lobbyists)

Environmental and Animal Rights--(15)
Air Quality Products, Inc.--1
California Forest Protective Association--4
California Outdoor Recreation League--1
California Park and Recreation Society--1
Coastwatch--1
Environmental Defense Fund--2
San Diego Coastwatch c/o Sierra Club--1
Sierra Club--4
Southeast Recreation and Park District--1
Tulare County Resource Conservation District--1

Consumptive and Pro-Hunting--(134)
Association of California Logging Contractors--1
Association of California Water Agencies--3
Atlantic Oil Company--1
Automobile Club of Southern California--1
California Cattlemen's Association--3
California Council for Environmental and Economic Balance--1
California Division of Forestry Employees Association--1
California Oil Marketers Association--1
California Water Association--1
California Water Service Company--3
California Wildlife Federation--1
Champlin Petroleum Company--1
Continental Oil Company--3
Desert Hot Springs County Water District--1
Edgington Oil Company--2
Exxon Corporation--2
Gulf Oil Company -- California--2
Gulf Oil Company -- U.S.--1
Gulf Oil Corporation--1
Hi-Desert County Water District--1
Imperial Irrigation District--1
Metropolitan Water District of Southern California--1
Mobil Oil Corporation--2

North Delta Water Agency--1
Otay Municipal Water District--3
Pacific Gas & Electric--22
Palo Verde Irrigation District--1
Powerine Oil Company--1
Rancho California Water District--2
Rancho Las Posas Water Company--1
Salinas Utility Services--1
San Diego Gas & Electric--17
San Gabriel Valley Water Company--1
San Jose Water Works--2
Santa Ana Watershed Project Authority--1
Santa Clara Valley Water District--1
Southern California Edison Company--14
Southern California Gas Company--6
Southern California Water Company--1
Standard Oil Company of California--16
Standard Oil Company of Ohio--3
Temescal Water Company--1
Union Oil Company--3
Westates Petroleum Company--1