

## State Constitutional Reform and Related Issues

October 2009

### Findings in Brief

- By a 51% to 38% margin voters believe that “fundamental changes” need to be made to the state constitution. Voters who pay a great deal of attention to California government and politics are more inclined than others to feel this way.
- More voters favor changing the state constitution through a deliberative process with proposals submitted to voters as a package (49%) than through separate initiatives that would be placed on the ballot one at a time (40%).
- A 51% to 39% majority prefers a constitutional convention over a revision commission to do the work of constitutional reform. Although pluralities of voters across all parties prefer a constitutional convention, Republicans favor this over a revision commission more than two to one.
- When asked who should serve as delegates to such a convention, greater than six in ten (63%) favor including a wide range of individuals — appointed experts, elected delegates and everyday citizens — rather than only one or the other of these groups.
- Most voters say they would either be very likely (32%) or somewhat likely (30%) to serve as a convention delegate if selected and paid under the terms now being considered by convention organizers. This includes paying delegates \$50,000 for up to six months of full-time work away from home. Stated interest in serving as a delegate spans all demographic subgroups of the voting population.
- By a 59% to 33% margin voters think that constitutional reform deliberations should be limited to matters relating to the way government operates rather than including social issues like same-sex marriage.
- However, voters take a different view when asked whether illegal immigration should be included in constitutional reform deliberations. By a 48% to 42% margin, more voters support addressing illegal immigration in these discussions than favor limiting them only to the way government operates.
- Only small proportions of voters favor either of two recent tax reform recommendations put forward by the state-appointed Commission on the 21st Century Economy. The first proposal, which would flatten state personal income tax rates as a way to counter the big year-to-year swings in taxes collected, is favored by just 23% and 32%, depending on how the proposal is described. The second proposal, which would replace the corporate income tax and state sales tax with a new net receipts tax that would apply to a far broader range of California businesses than is covered by the sales tax, receives the support of only 23% of voters.
- Most voters (52%) oppose changing the current two-thirds legislative vote requirement to pass a state budget with a simple majority vote. This compares to 43% who favor making this change. While small pluralities of Democrats and non-partisans support making the change, Republicans oppose this idea nearly three to one.
- Voters are about evenly split over a proposal to impose a strict cap on the amount the state government can spend each year, with 48% approving and 45% disapproving. There are big differences of opinion by party.
- There is strong opposition (69% to 27%) to the idea of amending Proposition 13 to allow the state legislature to increase taxes with a simple majority vote. A 52% to 37% majority also opposes amending Prop. 13 to tax commercial property at a higher rate than residential property. More voters now oppose the idea of a split roll property tax than have done so in previous *Field Poll* surveys dating back to 1981.
- Most voters (56%) support the idea of increasing the vote requirements needed to approve amendments to the state constitution from a simple majority to a two-thirds majority vote of the people in an election.
- There is broad-based public support (75%) for requiring initiative sponsors to identify funding sources or areas of the budget to be cut when submitting new initiatives that call for additional spending.
- By a 57% to 37% margin voters believe the state can provide about the same level of services by simply eliminating waste and inefficiencies, even if its budget had to be cut by billions of dollars.
- More voters believe that the state’s term limits law has helped (51%) rather than hurt (38%) state government.
- By a 49% to 35% margin voters disapprove of the idea to consolidate the 40-member State Senate and the 80-member State Assembly into a single 120-person legislative body.

**Majority of voters believes “fundamental changes” are needed to the state’s constitution**

By a 51% to 38% margin California voters believe that “fundamental changes” need to be made to the state constitution. The view that our state constitution needs a fundamental overhaul is held by majorities of Democrats (57%) and non-partisans (52%). Republicans are not as convinced, with 42% thinking fundamental changes are needed and 45% saying they are not.

Voters who say they pay a great deal of attention to California government and politics are more likely than other voters to believe the state constitution needs fundamental changes.

**Table 1**

**Do Fundamental Changes Need to be Made to the State Constitution or Are Fundamental Changes Not Needed**

	<b>Needed</b>	<b>Not needed</b>	<b>No opinion</b>
<b>Statewide</b>	<b>51%</b>	<b>38</b>	<b>11</b>
<u>Party registration</u>			
Democrats	57%	35	8
Republicans	42%	45	13
Non-partisan/other	52%	36	12
<u>Attention paid to CA gov't</u>			
Great deal	59%	34	7
Some	49%	38	13
Little/none	42%	48	10

**More voters prefer changing the constitution through a deliberative process and submitting proposals to voters as a package than through separate initiatives**

Voters in the survey were offered two possible approaches for changing the constitution and asked which they would prefer. The two alternatives posed were as follows:

- (1) Through separate initiatives put forth by different groups that voters would be asked to approve one by one in elections.
- (2) Through a deliberative process, such as a constitutional convention or revision commission, that would put forth a package of proposals submitted for approval to voters in one election.

The survey finds that by a 49% to 40% margin more voters prefer the second alternative in which constitutional changes would be made deliberatively and submitted to voters as a package in a single election rather than one by one through separate initiatives.

Democrats (51%) and non-partisans (54%) are more likely to support a packaged approach than are Republicans (41%).

**Table 2**

**If Fundamental Changes Are Made to the State Constitution, How Voters Would Prefer That They be Made**

	<b>Submitted to voters...</b>			<b>No opinion</b>
	<b>As a package</b>	<b>Through separate initiatives</b>	<b>Neither (vol.)</b>	
<b>Statewide</b>	<b>49%</b>	<b>40</b>	<b>3</b>	<b>8</b>
<u>Party registration</u>				
Democrats	51%	38	4	7
Republicans	41%	44	4	11
Non-partisan/other	54%	37	2	7

**Majority favors a constitutional convention over a revision commission to do the work of constitutional reform**

Two alternative bodies to actually do the work of constitution reform were described to voters in the survey and they were asked which they preferred. The two descriptions were as follows:

- (1) A constitutional revision commission composed of dozens of experts whose recommendations must be approved by both the legislature and by voters in an election.
- (2) A constitutional convention composed of several hundred delegates who could be either ordinary citizens or experts and whose recommendations would bypass the legislature and be submitted for approval directly to voters in an election.

In this setting voters prefer a constitutional convention over a revision commission by a 51% to 38% margin.

Republicans are much more inclined to favor a constitutional convention approach, preferring it by a greater than two-to-one margin (57% to 27%). Democrats and non-partisans also favor a constitutional convention over a revision commission but by narrower margins.

**Table 3**

**Whether Voters Would Prefer Amending the State Constitution Through a Constitutional Convention or a Revision Commission**

	<b>Constitutional convention</b>	<b>Revision commission</b>	<b>Neither (vol.)</b>	<b>No opinion</b>
<b>Statewide</b>	<b>51%</b>	<b>38</b>	<b>3</b>	<b>8</b>
<u>Party registration</u>				
Democrats	49%	43	2	6
Republicans	57%	27	4	12
Non-partisan/other	49%	40	4	7

**If constitutional convention is called, two in three want to include a combination of appointed experts, elected delegates and everyday citizens as delegates**

There is general agreement among voters that if a constitutional convention is held that its delegates should include a wide range of individuals, including appointed experts, elected delegates and everyday citizens. Statewide, 63% of voters choose this approach.

There are no differences in opinion about this by party.

**Table 4**

**If There Is a Constitutional Convention, Who Voters Think Should Serve as Convention Delegates**

	<b>Elected delegates</b>	<b>Appointed experts</b>	<b>Everyday citizens</b>	<b>Combination of these groups</b>
<b>Statewide</b>	<b>15%</b>	<b>12</b>	<b>7</b>	<b>63</b>
<u>Party registration</u>				
Democrats	13%	14	6	65
Republicans	17%	9	9	60
Non-partisan/other	16%	14	5	62

*Note: Differences between 100% and sum of each row's percentages equal proportion with no opinion.*

**Most voters say they'd likely participate as a delegate if selected to a constitutional convention**

Most voters say that if they were randomly chosen as a delegate to a constitutional convention, they would be either very likely (32%) or somewhat likely (30%) to participate under the ground rules currently being considered. According to reports these ground rules include paying each delegate up to \$50,000 to work full time in another city for up to six months.

Stated interest in becoming a delegate to the constitutional convention is high among voters in all parties, as well as among non-partisans.

**Table 5**

**Stated Likelihood of Voters Participating as a Constitutional Convention Delegate if Paid up to \$50,000 to Work Full Time for Six Months in Another City**

	<u>Very likely</u>	<u>Somewhat likely</u>	<u>Not too likely</u>	<u>Not at all likely</u>
<b>Statewide</b>	<b>32%</b>	<b>30</b>	<b>15</b>	<b>22</b>
<u>Party registration</u>				
Democrats	31%	32	15	21
Republicans	33%	28	13	25
Non-partisan/other	32%	29	18	20

*Note: Differences between 100% and sum of each row's percentages equal proportion with no opinion.*

**Majority opposes allowing constitutional reform deliberations to address social issues like same-sex marriage**

If deliberations about constitutional reform were to take place, voters prefer that such discussions be limited to matters relating to the way government operates rather than addressing social issues like same-sex marriage. Statewide, 59% of voters favor addressing only government operations in this setting, while 33% think social issues like same-sex marriage should be included.

Majorities of voters across all parties take this position, although Republicans are the most likely to feel this way.

**Table 6**

**Should Constitution Reform Deliberations be Limited to Matters Relating to the Way Government Operates or Should it Also Address Social Issues Like Same-Sex Marriage**

	<u>Limited to government operations</u>	<u>Also address issues like same-sex marriage</u>	<u>No opinion</u>
<b>Statewide</b>	<b>59%</b>	<b>33</b>	<b>8</b>
<u>Party registration</u>			
Democrats	53%	40	7
Republicans	72%	20	8
Non-partisan/other	52%	38	10

*(Asked of a random subsample of 496 voters statewide.)*

**But, a plurality would allow constitutional reform discussions to address illegal immigration**

Voters take a somewhat different view when the same question is asked, but instead of referencing same-sex marriage the alternative is illegal immigration. In this setting 48% of voters say they would favor allowing illegal immigration to be included in constitutional reform deliberations, while 41% hold to the view that they remain limited to government operations.

Opinions about whether to include illegal immigration in the deliberations are directly related to how a voter views current levels of immigration in California. By a five-to-three margin (53% to 36%), voters who feel current levels of immigration are bad for the state favor including discussions of illegal immigration in the constitutional reform debate. By contrast, pluralities of voters who think current immigration levels are good for the state or say it does not make much difference are more apt to say that constitutional reform discussions should be limited to matters relating to the way government operates.

**Table 7**

**Should Constitutional Reform Deliberations be Limited to Matters Relating to the Way Government Operates or Should it Also Address Issues like Illegal Immigration**

	<u>Limited to government operations</u>	<u>Also address issues like illegal immigration</u>	<u>No opinion</u>
<b>Statewide</b>	<b>41%</b>	<b>48</b>	<b>11</b>
<u>Opinions about current levels of immigration</u>			
(.16) Good for the state	49%	43	8
(.46) Bad for the state	36%	53	11
(.28) Not much difference	47%	43	10

*(Asked of a random subsample of 496 voters statewide.)*

**Voters oppose tax commission proposal to flatten state personal income tax rates**

The overall sample of voters was divided into two random subsamples to test two slightly different descriptions of a recent proposal made by the state-appointed Commission on the 21st Century Economy to flatten state personal income tax rates as a way to counter big swings in the amount of taxes collected each year.

Half of the sample was told that the number of tax brackets would be reduced from six to two by "raising the lowest tax rate (from 1.25% to 2.75%), lowering the highest tax rate (from 9.55% to 6.5%) and eliminating all other brackets."

The other half of the sample was told that the reduction of tax brackets from six to two would be accomplished by "raising the tax rate applicable to lower income earners (from 1.25% to 2.75%), lowering the tax rate applicable to higher income earners (from 9.55% to 6.5%) and eliminating all other brackets."

In both settings, majorities of voters disapprove of the commission's proposal, albeit by different margins. By a 52% to 38% margin voters oppose when the proposal's first description is used. However, opposition increases to a three-to-one margin (64% to 22%) when the proposal is associated with potentially increasing the taxes of lower income earners and reducing the taxes of higher income earners.

Table 8

**Voter Views About Tax Commission Proposal to Flatten State Personal Income Tax Rates to Counter Big Swings in Taxes Collected Each Year**

	<u>Approve</u>	<u>Disapprove</u>	<u>No opinion</u>
To counter big swings in taxes collected, reduce the number of tax brackets from six to two...			
...by raising the lowest tax rate*, lowering the highest tax rate** and eliminating other brackets	32%	52	16
...by raising the tax rate applicable to lower income earners*, lowering the tax rate applicable to higher income earners** and eliminating other brackets	23%	64	13

\* From 1.25% to 2.75% \*\* From 9.55% to 6.5%

(Questions asked of a random subsample of either 540 or 465 voters statewide)

**Voters also oppose tax commission proposal to replace corporate income tax and state sales tax with a new tax applicable to a wider range of businesses**

Voters overwhelmingly oppose (65% to 22%) a second commission proposal that calls for replacing the corporate income tax and state sales tax with a new net recipients tax. This tax would apply to a far broader range of California businesses, including Internet, entertainment and travel services, as well as legal, medical and professional services not currently covered by the sales tax.

Opposition to this proposal spans all parties, with 63% of Democrats, 68% of Republicans and 66% of non-partisans disapproving.

Table 9

**Voter Opinions About Tax Commission Proposal to Replace the Corporate Income Tax and State Sales Tax with a New Tax Applicable to a Wider Range of California Businesses Than Applies to the Sales Tax**

	<u>Approve</u>	<u>Disapprove</u>	<u>No opinion</u>
<b>Statewide</b>	<b>22%</b>	<b>65</b>	<b>13</b>
<u>Party registration</u>			
Democrats	25%	63	12
Republicans	19%	68	13
Non-partisan/other	22%	66	12

**A plurality opposes changing the 2/3 legislative vote requirement to pass a state budget with a simple majority vote**

By a 52% to 43% margin California voters are opposed to the idea of replacing the legislature’s current two-thirds vote requirement to pass a state budget with a simple majority vote.

There are big differences of opinion by party. A 53% majority of Democrats endorse the idea. However, Republicans are opposed by a much larger 69% to 25% margin. Non-partisans are about evenly divided.

Table 10

**Voter Views About Replacing the Two-Thirds Majority Vote Requirement to Pass a State Budget with a Simple Majority Vote**

	<u>Approve</u>	<u>Disapprove</u>	<u>No opinion</u>
<b>Statewide</b>	<b>43%</b>	<b>52</b>	<b>5</b>
<u>Party registration</u>			
Democrats	53%	41	6
Republicans	25%	69	6
Non-partisan/other	47%	49	4

**Voters divided about a proposal to impose a strict cap on the amount the state can spend each year**

Voters are evenly split about the proposal to impose a strict cap on the amount the state can spend each year. At present, 48% approve of having a strict cap imposed on the amount the state is allowed to spend each year as a way to avoid frequent budget crises. However, nearly as many (45%) disapprove of this idea since it wouldn’t allow the state enough flexibility to provide the services people need or demand when circumstances change.

Views on this issue divide sharply along party lines. Democrats oppose a strict spending cap 54% to 41%, while Republicans support a cap by a better than two-to-one margin (61% to 30%). Non-partisans are more divided — 47% disapprove and 44% approve.

Table 11

**Voter Opinions About Imposing a Strict Cap on the Amount the State Can Spend Each Year**

	<u>Approve</u>	<u>Disapprove</u>	<u>No opinion</u>
<b>Statewide</b>	<b>48%</b>	<b>45</b>	<b>7</b>
<u>Party registration</u>			
Democrats	41%	54	5
Republicans	61%	30	9
Non-partisan/other	44%	47	9

**Strong opposition to amending Prop. 13 to allow the legislature to increase taxes with a simple majority vote**

There continues to be strong opposition among California voters to amend Proposition 13 to allow the state legislature to increase taxes with a simple majority vote. Greater than two in three voters statewide (69%) disapprove of this proposal, while just 27% approve. These findings are only marginally different than those found last year by *The Field Poll*.

Republican opposition to this proposal is overwhelming (86% to 10%). About six in ten Democrats and non-partisans disapprove of changing Prop. 13 in this manner.

Table 12

### Voter Views About Amending Proposition 13 to Allow the Legislature to Increase Taxes With a Simple Majority Vote

	Approve	Disapprove	No opinion
<b>Statewide – October 2009</b>	<b>27%</b>	<b>69</b>	<b>4</b>
May 2008	23%	72	5
<u>Party registration</u> (Oct. 2009)			
Democrats	38%	60	2
Republicans	10%	86	4
Non-partisan/other	30%	63	7

### Majority opposes taxing commercial property at a higher rate than residential property

By a 52% to 37% margin voters also oppose the idea of amending Prop. 13 by taxing owners of commercial and business property at a higher rate than residential property owners.

There are big differences in voter opinions about this by party. Democrats support the idea 48% to 42%, whereas Republicans disapprove by a greater than three-to-one margin (68% to 22%).

*The Field Poll* has been examining voter preferences about proposals to tax commercial property at a higher rate than residential property for nearly thirty years, and support for the split roll used to be greater. For example, in five separate surveys conducted between 1981 and 1991, majorities endorsed this proposal. However, more recent polls have shown a reversal of sentiment, with less than half of voters in favor. In the current survey just 37% now approve, similar to what *The Field Poll* found earlier this year.

Table 13

### Trend in Voter Opinions About Taxing Commercial Property At a Higher Rate Than Residential Property

	Approve	Disapprove	No opinion
<b>2009 (Oct.)</b>	<b>37%</b>	<b>52</b>	<b>11</b>
2009 (April)	37%	58	5
2008	47%	44	9
1995	47%	50	3
1991	54%	42	4
1990	60%	37	3
1986	58%	37	5
1983	54%	43	3
1981	60%	38	2
<u>Party registration</u> (Oct. 2009)			
Democrats	48%	42	10
Republicans	22%	68	10
Non-partisans/others	39%	48	13

Note: 1981 – 1995 surveys conducted among all California adults, while later surveys conducted among registered voters.

### Support for increasing the vote requirements to approve amendments to the state constitution

Most voters (56%) support the idea of requiring a two-thirds vote of the people in an election to approve amendments to the state constitution rather than through a simple majority vote (36%) as is the current requirement.

Support for increasing the voting requirement to change the constitution crosses party lines, with similar majorities of each partisan group approving.

Table 14

### Increase the Voting Requirement to Approve Amendments to the State Constitution to a 2/3 Vote

	Approve	Disapprove	No opinion
<b>Statewide</b>	<b>56%</b>	<b>36</b>	<b>8</b>
<u>Party registration</u>			
Democrats	56%	37	7
Republicans	57%	33	10
Non-partisan/other	55%	37	8

### Broad support for requiring initiative sponsors to identify funding sources when submitting initiatives

Three in four voters (75%) endorse the proposal to require initiative sponsors to identify funding sources or areas in the budget that would be cut when their initiatives require additional state spending. Just 17% are opposed to this idea. There are no large differences of opinion about this among Democrats, Republicans and non-partisans on this issue.

Table 15

### Require Initiative Sponsors to Identify Funding Sources When Submitting Their Initiatives

	Approve	Disapprove	No opinion
<b>Statewide</b>	<b>75%</b>	<b>17</b>	<b>8</b>
<u>Party registration</u>			
Democrats	72%	20	8
Republicans	80%	11	9
Non-partisan/other	73%	17	10

### Most believe the state can provide the same level of services by simply eliminating waste and inefficiencies, even if its budget had to be cut by billions of dollars

Most voters believe that the state could continue to provide about the same level of services by simply eliminating waste and inefficiencies, even if its budget had to be cut by billions of dollars. At present voters hold to this view by a 57% to 37% margin, down slightly from a 66% to 29% majority who felt this way in May of last year. Republicans are much more likely than other voters to take this view, agreeing by a 69% to 24% margin.

Table 16

### Can the State Provide Roughly the Same Level of Services and Cut Spending by Billions of Dollars by Simply Eliminating Waste and Inefficiencies?

	Agree that it can	Disagree	No opinion
<b>Statewide – October 2009</b>	<b>57%</b>	<b>37</b>	<b>6</b>
May 2008	66%	29	5
<u>Party registration</u> (Oct. 2009)			
Democrats	49%	45	6
Republicans	69%	24	7
Non-partisan/other	54%	40	6

Note: May 2008 question referenced spending cuts of \$14 - \$20 billion, while the October 2009 survey referenced spending cuts of \$20 - \$25 billion.

**More voters believe term limits have helped rather than hurt state government**

More voters believe that the term limits law has helped (51%) rather than hurt (38%) state government. Republicans are more likely to feel this way than Democrats and non-partisans. Among Republicans 61% believe term limits have helped state government, while just 27% think otherwise. Democrats believe term limits have helped rather than hurt by a much narrower 48% to 44% margin. Non-partisans are about evenly divided.

**Table 17**

**Have Term Limits Helped or Hurt State Government?**

	<u>Helped</u>	<u>Hurt</u>	<u>No opinion</u>
<b>Statewide</b>	<b>51%</b>	<b>38</b>	<b>11</b>
<u>Party registration</u>			
Democrats	48%	43	9
Republicans	61%	27	12
Non-partisan/other	42%	45	13

*(Asked of a random subsample of 496 voters statewide.)*

**Plurality opposes consolidating State Senate and Assembly into a single, 120-person legislative body**

More voters disapprove (49%) than approve (35%) of the idea to consolidate the 40-member State Senate and the 80-member State Assembly into a single 120-person legislative body.

Republicans disapprove two to one (56% to 28%), while Democrats and non-partisans are more narrowly opposed.

**Table 18**

**Voter Reaction to Consolidating the State Senate and State Assembly into a Single, 120-person Legislative Body**

	<u>Approve</u>	<u>Disapprove</u>	<u>No opinion</u>
<b>Statewide</b>	<b>35%</b>	<b>49</b>	<b>16</b>
<u>Party registration</u>			
Democrats	39%	45	16
Republicans	28%	56	16
Non-partisan/other	39%	46	15

*The findings in this report are based on a random sample survey of 1,005 registered voters in California completed September 18-October 5, 2009. Interviewing was conducted by telephone using live interviewers in English and Spanish from Field Research Corporation’s central local telephone interviewing facility. Voters were randomly selected from a statewide list of registered voters. Calls were placed on either the voter’s landline or cell phone, depending on the listing included in the voter file. Up to six attempts were made to reach and complete an interview with each registered voter selected. After the completion of interviewing, the results were weighted slightly to know distributions of registered voters by age, gender, party registration and region of residence. In order to test variations in question wording, the overall sample was divided into random sub-samples of about 500 voters each on some questions. The maximum sampling error for results based on the overall sample of registered voters is +/- 3.2 percentage points at the 95% confidence level. Findings from each random subsample have a maximum sampling error of +/- 4.5 percentage points. The Field Poll received funding for this series from Next 10 and from a committee of political scientists representing the University of California, Berkeley’s Institute of Governmental Studies, Stanford University’s Bill Lane Center for the American West and California State University, Sacramento’s Center for California Studies.*

**About Next 10 ([www.next10.org](http://www.next10.org))**

Next 10 is an independent nonpartisan organization whose mission is to educate, engage and empower Californians to improve the state’s future. Next 10 envisions an educated and engaged electorate that makes informed decisions about and participates actively in issues important to California’s future. It works to achieve this vision by:

- Commissioning research from leading experts on complex state issues.
- Creating and communicating highly accessible information through a portfolio of non-partisan educational materials.
- Employing innovative ‘out of the box’ means of engagement to ensure all Californians have access to the political process.

Issue Areas

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Next 10 is focused on innovation and the intersection between the economy, the environment, and quality of life issues for all Californians. Next 10 is working with leading experts and state policymakers to provide research important to growing the economy while leading the world in the reduction of greenhouse gas emissions.

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**About The Field Poll**

*The Field (California) Poll* has operated continuously since 1947 as an independent and non-partisan public opinion poll which focuses on the state of California. Through its regularly scheduled statewide surveys, *The Field Poll* tracks voter preferences in major statewide candidate and proposition election contests, assesses public opinion about elected officials and major issues facing the state, obtains voter reaction to political, economic and social events, and covers other special topics of general public interest. Throughout its long history, *The Field Poll* has earned a reputation as a reliable and authoritative source of public opinion trends in California. News stories quoting *The Field Poll* appear regularly in national and international media, as well as by California’s local newspapers and television stations. References to findings from the poll have appeared in thousands of published works by scholars, political scientists and social writers.

*The Field Poll* is owned and operated by Field Research Corporation, one of the West Coast’s oldest and most respected public opinion research organizations. The firm conducts local, regional and national opinion research projects in the public and private sectors for a wide range of clients.