

U.S. Voters Set New State Laws on Same-Gender Marriage, Marijuana

President Obama's re-election victory may have been the worldwide focus of the United States' Election Day, but the millions of Americans who voted November 6 did much more than choose the country's next president.

As well as electing a host of state and local representatives, U.S. voters cast ballots to change a number of state laws.

In the 2012 election, many of these votes were historic.

Same-gender marriage was legalized in Maine and Maryland, while Minnesota voted down a measure that would ban same-gender marriage. Washington state also put the issue to a vote, and was still tallying results as of midday November 7.

Maryland voted to allow qualifying undocumented immigrant students to access in-state tuition rates and state financial aid. This so-called "DREAM Act" is similar to federal legislation promoted — thus far unsuccessfully — by President Obama. Although the final votes will not be tallied until November 16, the state's Board of Elections released an unofficial tally showing more than 58 percent support for the measure.

Recreational marijuana use was legalized in Colorado and Washington state, but fell short in Oregon. Massachusetts, which had previously decriminalized recreational marijuana use, passed an initiative fully legalizing the drug for medical use. Marijuana use remains illegal everywhere in the United States by federal law, which trumps state law.

Voters in Wyoming, Alabama and Montana passed amendments stating that residents have the right to decide whether they want health insurance. The measure is in conflict with federal law, and its passage marks a symbolic protest against President Obama's Affordable Care Act. A similar ballot initiative failed to pass in Florida.

New Hampshire's vote to ban personal income tax received more than half of the vote, but less than the two-thirds needed to amend the state's constitution. Another high-profile initiative failed to pass in California, where voters rejected an amendment to ban the death penalty by 52 percent to 48 percent.

In total, voters this year cast ballots on 176 initiatives across 38 states.

These initiatives are an example of direct democracy in the United States, in which citizens may propose legislative measures or amendments to state constitutions. Some initiatives propose the repeal of existing laws, and most require approval by a simple majority to pass.

Such ballot measures give voters an opportunity to enact or repeal laws, endorse proposed laws, determine how funds will be raised or spent and approve or reject potential amendments to the state constitution.

Each state has its own rules governing how ballot measures are placed before the voters, but there are many elements in the process that are common to all states. For example, each state has requirements setting the number of signatures needed on a petition to allow an initiative to be placed on the ballot. The required number usually is based on a percentage of votes cast for governor in the most recent gubernatorial election.

Ballot measures often can be a good indicator of how strongly the electorate feels about an issue. If support for an issue turns out to be stronger than expected, state and national lawmakers will take notice. Because initiatives can draw national attention, groups sometimes promote a ballot initiative in hopes that it will encourage Congress or the judicial branch to take action.