

**REPORT OF THE
JOINT SUBCOMMITTEE STUDYING
THE INITIATIVE AND REFERENDUM
TO
THE GOVERNOR
AND
THE GENERAL ASSEMBLY OF VIRGINIA**



SENATE DOCUMENT NO. 4

**COMMONWEALTH OF VIRGINIA
Richmond
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**Report of the Joint Subcommittee
Studying the Initiative and Referendum
To
The Governor and the General Assembly of Virginia
Richmond, Virginia
July, 1980**

To: Honorable John N. Dalton, Governor of Virginia
and
The General Assembly of Virginia

Recommendation:

The subcommittee recommends that Virginia not adopt the initiative and referendum processes.

The initiative and referendum allow citizens of a state to propose legislation for consideration directly by the entire electorate or to subject measures passed by the legislature to a popular vote. Because of the recent widespread interest in these mechanisms, the 1979 General Assembly requested that a study be made of them (SJR 167).

This subcommittee submitted an interim report to the 1980 General Assembly (Senate Document No. 30). That report contained a summary of the arguments advanced for and against initiatives and referendums.

After meeting and discussing the question thoroughly, the majority of the subcommittee decided that Virginia should not adopt the initiative and referendum. The primary reason for this recommendation is the nature of the legislative process itself. Within that process, proposed statutes are subject to extensive scrutiny. This scrutiny often results in the refining of the language in a measure so as to better reach a consensus and protect the interests of all involved. Such would not be possible with an initiative.

The further fragmentation of public policy is another concern weighing against initiatives. The ability to enact laws independently of the regular structure could well lead to uncoordinated efforts or the crippling of whole programs. For all these reasons, Virginia should not enable the voters to legislate directly through the initiative and referendum.

We hope the General Assembly will concur in this recommendation.

Respectfully submitted,

George E. Allen, Jr.
Hunter B. Andrews
Charles R. Dalton, Jr.
V. Earl Dickinson
A. Linwood Holton
A. E. Dick Howard
C. Hardaway Marks
John W. Williams, III.

The following members dissent from the recommendation contained in this report and have filed separate statements:

I respectfully dissent from the recommendation contained in this report. I do favor submitting to the voters of Virginia, after proper action by the General Assembly, an amendment to the Constitution that would give the people of Virginia the right of initiative and referendum but with certain restrictions. I would not favor giving this right on matters relating to revenues

and appropriations. I would certainly include a requirement that initiatives cover only a single subject and would probably exclude initiatives concerning the judiciary.

Should the Joint Subcommittee have accepted my position, it would have been necessary to study the entire matter further, since the numbers of signatures on a petition is an issue that has to be decided, as well as whether or not there should be any other restrictions.

Adelard L. Brault

I disagree with and respectfully dissent from the recommendations of the Joint Subcommittee studying Initiative and Referendum contained in this report.

I favor citizen participation in the democratic process by means of Initiative and Referendum. Government exists to serve the people and when elected officials fail in this regard, the voters should have reasonable means to take corrective measures. The mechanism of Initiative and Referendum would provide this.

I would favor reasonable limitations with regard to such matters as appropriations, apportionment, and the judiciary. I do not feel that initiatives would be frivolously proposed nor do I find any basis for fear that "Initiative and Referendum" would serve to replace the General Assembly of Virginia.

Lacey E. Putney

I am a supporter of initiative and referendum. Therefore, I dissent from the conclusions and recommendation of this report.

William A. Truban