



Initiative and Referendum Glossary

Initiative. A process that enables citizens to place proposed statutes and, in some states, constitutional amendments, on the ballot. There are two types of Initiative: direct and indirect.

Direct Initiative. Citizen proposals that qualify go directly on the ballot.

Indirect Initiative. Citizen proposals are submitted to the legislature, which may act on the proposal. Depending on the state, the initiative question goes on the ballot if the legislature rejects it, submits a different proposal, or takes no action. In some states with the indirect process, the legislature may submit a competing measure that appears on the ballot along with the citizen proposal. In Utah and Washington, proponents may select either the direct or indirect method.

Referendum. A general term which refers to a measure that appears on the ballot. There are two main types of referenda.

The legislative referendum, whereby the Legislature refers a measure to the voters for their approval. For instance, changes to the state constitution or measures such as bond or tax changes that are required by constitutions to be submitted to the voters.

The popular referendum is a device that allows voters to approve or repeal an act of the Legislature. If the Legislature passes a law that voters do not approve of, they may gather signatures to demand a popular vote on the law. If voters approve the law, it takes effect as scheduled. If voters reject the law, it is voided and does not take effect. HYPERLINK

"<http://www.ncsl.org/programs/legismgt/elect/irstates.htm>"

<http://www.ncsl.org/programs/legismgt/elect/irstates.htm> Currently, 24 states, most of them initiative states, have the popular referendum.

The advisory referendum, is a third form of referendum used often in Europe but rarely in the United States. The Legislature, and in some states the governor, may place a question on the ballot to gauge voter opinion. The results of the election on this question are not binding.

Recall is a procedure that allows citizens to remove and replace a public official before the end of a term of office. Recall differs from another method for removing officials from office – impeachment – in that it is a political process, while impeachment is a legal process. Impeachment requires the House to bring specific charges and the Senate to act as a jury. In most of the recall states, specific grounds are not required, and the recall of a state official is by an election. Eighteen states permit the recall of state officials. The League study as adopted does not include “Recall.” It could be added next year at Council if thought desirable.

Source:

Initiative and Referendum in the 21st Century: Final Report and Recommendations of the National Conference of State Legislature Initiative and Referendum Task Force, July 2002

http://www.ncsl.org/programs/legismgt/irtaskfc/final_report.htm#execsum