

Backers contend I&R isn't dead yet

Asbury Park Press 9/13

■ Supporters of Initiative and referendum vow to try again, but opponents plan to prevent it from gaining acceptance in the state.

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PRESS STATEHOUSE BUREAU

INITIATIVE and referendum seemed to have died a not-so-quiet death back in July, when Assembly Republicans fell an embarrassing 13 votes short of keeping the GOP's campaign promise to give voters the right to propose laws.

But I&R's most ardent supporters in the Legislature insist they will try again, before the end of this year, to get I&R on the November 1993 ballot. And activists on both sides of the issue say they are ready to fight again.

"I wouldn't say I&R is lost, just delayed," said Rob Stuart, program director for New Jersey Public Interest Research Group.

But John Torok, a lobbyist who helped put together a group of 75 organizations opposed to I&R, said the group will keep working to prevent passage of any new bills.

"The coalition is not dissolving," Torok said in a recent interview. "We're going to continue the pressure out there."

Initiative and referendum sounds simple enough. The process begins with citizens gathering a required number of signatures in support of a law they want to propose — or in opposition to a law they want rescinded.

Under a proposal for indirect I&R in New Jersey, the Legislature then gets six months to act on the petition. If the Legislature doesn't act in that time, the proposal goes on the ballot so the public can determine its fate.

Under direct I&R, which is the system in California, the proposal automatically goes on the ballot once voters get enough signatures.

But while it sounds simple, I&R creates a hurdle every time it is suggested.

In a discussion Wednesday with the Asbury Park Press editorial board, Stuart said what I&R supporters have been saying for years: I&R will open government up to the people and take it away from special interests.



THE NEW JERSEY PUBLIC INTEREST RESEARCH GROUP

Phyllis Salowe-Kaye, executive director of Citizen Action, explains her opposition to initiative and referendum as Peter Giangreco of the Strategy Group looks on during meeting with the Asbury Park Press editorial board.

"We look at I&R as an additional democratic tool that citizens can use... to be a check on the inside game that goes on in Trenton," said Stuart, a lobbyist since 1984. "I'm one of the few inside lobbyists that support I&R, and I see the agenda of what occurs in Trenton not dictated, but dominated, by a small group."

But Phyllis Salowe-Kaye, who attended the editorial board meeting as executive director of Citizen Action, a non-profit group that often proposes its own solutions to state problems, repeated what opponents think: I&R will actually be dominated not by grass-roots citizens, but by special interests that have the money to buy media time and sway voters. She cited a survey of I&R in eight states, which found that "big money" was able to defeat citizen initiatives 77 percent of the time.

"We've got problems now in Washington and state capitals with legislators not having the guts to do what's right," said Peter Giangreco of the Strategy Group, which assisted Citizen Action in its research. "Does this (I&R) make legislators more accountable, or does it allow them to push off hard decisions onto a ballot question?"

Salowe-Kaye recommended real campaign finance reform instead of I&R. Limiting campaign contributions will more effectively limit spe-

cial interest money in the Legislature, she said.

Stuart agreed reform was needed, but countered that I&R could force a reluctant Legislature to enact real campaign finance reform. When they took control of the Legislature this year, GOP leaders had promised campaign reform, but to date they have not posted bills for a vote in either house.

But for all the debate, the only way New Jersey will ever join the 23 other states that have some form of initiative process is for the Legislature to agree to put it on the ballot as a constitutional amendment.

Assemblyman Robert D. Franks, a Union County Republican who is also the state GOP chairman, said in an interview that he will try again to get some form of I&R approved by the end of the year. He said he's working on a new proposal, one he hopes will win over those legislators who either voted no or abstained last time.

Franks will have to wait at least 41 votes before I&R will go before the Assembly again. Although Assembly Speaker Garabed "Chuck" Hayraian, R-Warren, is a strong believer in I&R, he concedes the July defeat — of a bill he co-sponsored — was a "major disappointment." Hayraian says he won't post another I&R bill unless he is told by GOP Assembly leaders that he's got the votes.

I&R proponents must next convince their Republican colleagues who voted no in July. A combination of two factors killed that bill: inter-lobbying by those opposed to I&R and concerns by South Jersey legislators that their region would be overshadowed by the more populous northern part of the state. No legislator south of Ocean County voted in favor of the bill — and that includes most of the Assembly GOP leadership.

"What happened is the same thing that happened last time," said McCool, executive director of N Jersey Common Cause, a good-government lobby, in an interview. "Every major lobbying force, some not so major, opposed I&R. Initiative changes the halldgame. It takes the game from out of the hallway of the Statehouse to Main Street. For that reason, the crowd at works State Street is opposed to it."

But Torok counters that it is lobbyists who will make most of the money off of I&R.

"We believe the deliberative representative process, for all its good for all its faults, is the best system," Torok said. "I&R totally eliminates the deliberative process."

Judging from telephone conversations with three area Republicans who were against I&R in July, changing GOP minds won't be easy.

Assemblyman Joseph Arcolano, Middletown Township, says he's always been opposed to I&R. He doubts if anything can change his mind. Assemblyman Michael J. none of Red Bank says he doesn't think there is any substitute for electing honorable representatives but says he might consider I&R "medical or complex" issues could be barred from the initiative process.

Assemblywoman Joann H. Sr. of Old Bridge Township, on the other hand, says she could support I&R if it was a proposal that gave people direct access to the ballot and would be fair to all regions of the state.

Franks isn't saying what his plan will look like, although there has been talk of requiring proportionate numbers of signatures from all legislative or congressional districts to allay the fears of South Jersey legislators. But at this point, even Franks isn't willing to lay odds it will pass.

"I'm not in Atlantic City," Franks said. "I don't bet outside Atlantic City."

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