

EDITORIAL: Deter the deluded — raise ballot initiative fee



The signature thresholds for state ballot initiatives are calculated according to voter turnout in past elections; the higher the participation, the harder it is for kooks and sociopaths to get traction for their delusional measures.

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Delusional causes are no strangers to California's initiative process. Outlawing divorce, criminalizing campaign lies, mandating Christmas caroling for public school children — all of these have been tried.

Usually, they fizzle out. But now comes Huntington Beach lawyer Matt McLaughlin, who, regrettably, also is no stranger to California's initiative process.

McLaughlin, who in 2004 tried and failed via the ballot to force public schools to use the Bible as a textbook, is now testing the limits of free speech — and tolerance — with a despicable ballot measure authorizing the murder of gays and lesbians, preferably with bullets.

The "Sodomite Suppression Act" is so reprehensible that the Legislature's Lesbian, Gay, Bisexual and Transgender Caucus has asked the State Bar to investigate McLaughlin's fitness to practice law, and thousands have signed a petition to disbar him.

Both moves are understandable, though, given the freedoms granted by the First Amendment, unlikely to yield much satisfaction.

As University of California, Davis, law professor Vikram Amar told The Sacramento Bee's Christopher Cadelago: "This one drips of evil, so the instinct is to say 'Well, there's got to be a way to avoid wasting everybody's time.' But in

the law, we often have limitations that are built not for the easy cases, but because we are worried about the hard cases.”

More promising, though, is the suggestion that we take this as a sign that it's time to raise the bar for initiative filings.

Right now, anyone with \$200 can submit an idea to the attorney general, who then must draft a title and summary for the measure.

It's an unnecessarily low first hurdle. Intended to cover the costs of analyzing and verifying petitions, the fee hasn't changed since 1943. The idea has been to preserve access for ordinary Californians.

But \$200 today is the equivalent of \$14.80 in 1943 dollars. No group with plans to affect 39 million people needs that kind of steep discount.

If lawmakers had done no more than insist on constant dollars, the fee would by now be about \$2,700, which still is only about a third of the administrative cost of preparing a title and summary. The fee should be raised.

Meanwhile, Californians should channel their outrage. McLaughlin still needs 365,880 signatures to get this hate crime on the ballot, so don't sign.

Then, next November, take a step that no one will regret: Show up at the polls.

These signature thresholds for initiatives are calculated according to turnout; the higher the participation, the harder it is for kooks and sociopaths to get traction.

Maybe this “Sodomite Suppression Act” would have stayed where it belongs, in the realm of delusion, if more of us had voted last time.

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