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Oklahoman Editorial

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Math problem: *Petition process in need of change*

OKLAHOMA voters in November will choose the next U.S. president and determine who they want to serve in various statewide, county and local offices. They won't vote on any issues that made it to the ballot via initiative petition, because there are none. Prospects for that changing any time soon are dim.

During this decade, 23 initiative petitions have been filed by various groups seeking to address various issues. Only two (regarding cockfighting and the state's gasoline tax) have made it to the voters. Five were declared invalid, eight were withdrawn and eight were abandoned.

Those figures come from Oklahoma City attorney Kent Meyers, who in 40-plus years of practice has represented clients on both sides of initiative petition issues. Like us, Meyers thinks the process for statewide initiatives is broken, in part because it dissuades the people it was designed for by our constitution's framers — everyday Oklahomans who desire direct democracy.

Reducing the number of signatures needed would help fix things.

During a recent visit with our editorial board, Meyers said he's concerned the process is "becoming inaccessible, except to the very few." Those would be parties with the money needed to see a petition through from beginning to end. And how much is that? He estimated a group that sought (unsuccessfully) to have a "taxpayer bill of rights" placed on the ballot spent \$3 million.

It's a three-part process: draft a petition, circulate it, then get the signatures approved. Step 1 is simple enough. The troubles start in Step 2, when groups have 90 days to secure the required number of signatures from registered voters. That number varies depending on the purpose of the initiative. Amending the constitution, for example, requires gathering signatures totaling 15 percent of the votes cast in the biggest race in the previous statewide election. Two years ago that was the governor's race, in which 926,000 votes were cast. Fifteen percent of that is roughly 139,000 — a lot of signatures to get in 90 days. Paid circulators are a must, because even the most zealous volunteers bow out sooner or later.

Getting through Step 2 can require half a million dollars, give or take. Step 3 costs money, too, as groups defend challenges made to the validity of signatures or the legality of the petition. Meyers advises clients to gather 125 percent of the number of signatures needed. Why? "During signature challenge, you will save \$15 for every dollar you spend getting 25 percent more than you need."

Reducing the number of signatures needed would help fix things. But that would require amending the constitution, which would take a petition drive — fat chance — or the Legislature letting the people vote on the idea. Maybe it'll happen someday. Certainly, two out of 23 petitions getting to the ballot is striking. As Meyers put it, the status quo is simply "beyond the reach of any reasonable sized group of citizens."

Direct democracy? Hardly.