



# ASSOCIATED INDUSTRIES OF FLORIDA

*The Voice of Florida Business Since 1920*



## 2009 SESSION PRIORITIES

# Election Reform

**I**t is difficult to predict the level of election law activities that we will confront during the upcoming Session. Several legislators have indicated the intention of filing various bills that would impact the **contribution** activities of PACs and other entities or that would otherwise provide unacceptable limitations on the free-speech rights of the business community. Other potential bills provide draconian reporting requirements for these entities and will also need to be opposed.

AIF's activity in the election law field will primarily be based on the outcomes of two court cases. The first case declared the petition signature **revocation** statute to be unconstitutional, and we are waiting for a final decision from the Florida Supreme Court. Should the Court declare the statute unconstitutional, we will engage in efforts to either enact a statute that passes constitutional muster or perhaps begin an initiative effort designed to put a strong revocation process into the state constitution.

In the second case, a federal court struck down Florida's electioneering communications statute. Depending on the final outcome of that case, AIF will participate in decisions as to whether to try to craft a constitutional version of the statute or to function under similar regulatory provisions found in federal law that are applicable to such organizations. Both options have their benefits and liabilities. Crafting a fair and functioning statute will be challenging.

In addition to bills relating to campaign spending, AIF will closely monitor legislation relating to absentee ballots, the initiative process, and other areas of potential fraud and abuse. A coalition comprised of Common Cause, the League of Women Voters, and ACORN is actively promoting legislation in these critical areas which AIF will oppose if needed. Finally, AIF will watch for legislation that could impose unnecessary costs on the price of conducting elections. Election laws should be subject to the same strict scrutiny as any other area of governmental activity.

**For this upcoming session, AIF will focus on the following election reform issues:**

## Revocation Process

**AIF SUPPORTS** efforts to re-enact a signature revocation process in Florida should the Florida Supreme Court find that signature revocation is unconstitutional. AIF was the first business group to successfully utilize this process through the Save our Constitution (SOC), Inc. organization. We strongly believe that citizens should have the ability to



affect change by coming together to petition for ballot initiatives. However, this process can only be fully complete, and fully democratic, when a mechanism for signature revocation is a part of the process. If you mistakenly sign a petition or are misled into signing a petition, or simply want to change your mind, then you should have the opportunity to remove your name from that petition. SOC, for pennies on the dollars, proved that petitions could be revoked, thereby defeating a ballot initiative on a congressional district-by-district basis.

## Campaign Spending

**AIF OPPOSES** legislation aimed at curtailing free-speech rights or imposes onerous reporting requirements for electioneering activities. The business community is an active participant of the political process as are many other interest groups across the state. The state of Florida should provide a level playing field that is devoid of unnecessary or duplicitous requirements so that all participants are treated equally.

## Circulation Period

**AIF SUPPORTS** changes to Florida law that would limit the time period of valid petition signatures from 4 years to 2 years. Currently, Florida has the longest shelf life for petition signatures in the country. Having signatures remain valid for 4 years can lead to complications with voter rolls and allows for the petition signatures of voters who no longer live in Florida to count towards the thresholds established by law.

### AIF Lobby Team Members Assigned to the Area of Ethics Reform:

John French

AIF Special Counsel on Elections

José Gonzalez

Election Reform