

STUDENT SENATE BILL 2009-1076

TITLE: Fair Elections Act

AUTHOR: Senator Ben Cavataro

SPONSORS: Senators Ben Cavataro, Dylan Billiodeaux, Alan Yanuck, Travis Baker, Gary Benedix, Jonathan Ossip

SECTION 1. FINDINGS.

The Student Senate finds that:

1. All students have the right to vote in Student Government elections and an equal right to choose not to vote free from coercion and intimidation.
2. For the three most recent election cycles, 140,000 custom-made “I voted” stickers for Student Government elections were purchased, of which just 35,235, or 25 percent, were actually distributed to voters.
3. For the four most recent election cycles, \$4,187 in Student Body Funds were expended for “I voted” stickers.
4. These custom-made stickers included the “SG” logo and cost far more than standard stickers used in regular elections, which cost \$7.95 for a roll of 1,000 and have been purchased in the past.
5. After a public records request was made for the designs of “I voted” stickers to be used in the spring 2009 Student Government general election, Supervisor of Elections Dan Siegel ordered 50,000 more stickers, invoiced February 20, 2009, despite having a supply of 15,000 stickers ordered specifically for that election and 49,612 from surplus stickers from past elections—bring the total number of stickers on hand to 114,612, more than double the size of the University’s student body.
6. It has come to light that various student organizations, including but not limited to social fraternities and sororities, have systemically collected “I voted” stickers from their members and employing a system of rewards and sanctions to ensure compliance among their members, as seen in, for example:
 - A. Letter to the editor of February 28, 2009, published in *The Independent Florida Alligator*, by an author whose name was “withheld because of her concern of retaliation”:

In the past two days, the Gator Party has checked in on my sorority house every hour to count how many “I voted” stickers we have. We were told that voting is mandatory, which defies all sense of voluntary political participation. Not only were we required to vote, but we were also told exactly how to vote on every referendum. Most appallingly, Gator Party members threatened that if my sorority did not have an “I voted” sticker from every girl in our house, members of our chapter would be blocked from future Senate positions and from Florida Blue Key.

- B. Post of February 27, 2006, on the Hispanic Graduate Student Association blog, by Pedro B. Morales:

“If we collect the ‘I voted’ stickers we can obtain money from HSA (the Hispanic Student Association).”

7. Florida Statute 104.0515 (3) provides that “No person...shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote *or not to vote* as that person may choose.” (emphasis added).
8. It has become evident that “I voted” stickers are used to promote coercion.
9. Voter coercion is pernicious and inimical to the good of the Student Body and measures should be taken against it.

SECTION 2. BAN ON COERCIVE PRACTICES.

AMENDS sub-section 762.14 of the Student Body Statutes as follows:

~~762.14 The Supervisor of Elections and his/her designees have the exclusive right to distribute any material that indicates a student has already voted during the Student Government election cycle. Neither Student Government nor any of its officers, officials, employees, agents, designees, or representatives shall distribute, or cause to be distributed, any material, item, or object that indicates whether a student has or has not voted in any Student Government election. This includes, but is not limited to, “I Voted” stickers.~~

SECTION 3. PROHIBITION ON EXPENDITURES.

ADDS to Chapter 808 of the Student Body Statutes as follows:

808.7 Prohibition on Expenditures Aiding Coercion. No Student Body Funds shall be allocated or disbursed to, or reimbursed or expended for, any material that indicates a student has voted in a Student Government election.