

Judge's decision deals a blow to Hometown Democracy

By ALEX LEARY, Times Staff Writer

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TALLAHASSEE - Hometown Democracy, the petition drive aiming to slow growth in Florida, lost a court battle Tuesday that could seriously hurt its ability to collect enough signatures for the ballot.

A circuit judge in Tallahassee upheld a new law that gives voters 150 days to revoke their signatures from the petition - a tool opponents are eagerly employing. Lawmakers, urged by business interests, said the change was to protect people who feel pressure to sign petitions.

Lawyers for Hometown Democracy argued that the Legislature violated the state Constitution by passing a law that negates the rights of citizens to petition the government.

But Judge Charles A. Francis concluded: "The revocation provisions do not place any additional requirement or burden on the elector who intends to sign a petition, or to vote on the initiative once it is placed on the ballot. The revocation provisions do in fact grant the elector more power over his signature and decision to support the placement of an initiative on the ballot."

Lesley Blackner, a Palm Beach lawyer and one of the Hometown Democracy leaders, called the decision a nightmare, and said it will be appealed.

If put on the ballot and then approved by 60 percent of voters, Hometown Democracy would slow growth by requiring voter approval for comprehensive-plan changes. The group has collected at least 394,000 signatures and needs 611,009.

Opponents would not reveal Tuesday how many they have had revoked, but claimed the response has been impressive.

Both sides have accused the other of playing games. Barney Bishop, chief executive of American Industries of Florida and head of an anti-Hometown Democracy group called Save our Constitution, said Hometown Democracy was holding back on submitting signed petitions to offset the 150-day window. (The group denies that.) Hometown Democracy has accused Save Our Constitution of dirty tricks. A letter the group sent recently warns people about being tricked into signing the petition.

Times capital bureau chief Steve Bousquet contributed to this report.

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