



22 August 2014

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The Honorable Jim Boyd, Chair
State Affairs Committee, The Florida House of Representatives
402 S. Monroe Street
Tallahassee, FL 32399-1300

The Honorable Jeremy Ring, Chair
Committee on Government Oversight and Accountability, The Florida Senate
404 S. Monroe Street
Tallahassee, FL 32399-1100

Re: 2015 Exemptions Subject to Open Government Sunset Review

Dear Representative Boyd and Senator Ring:

Heather Williamson has pointed out that I failed to address the First Amendment Foundation's position on an exemption under s. 1005.38(6)(b), F.S., subject to sunset review during the 2015 legislative session. My apologies.

Section 1005.38(6)(b), F.S. provides a limited exemption for investigative records of the Commission for Independent Education, allowing the Commission to close meetings of the probable cause panel at which such investigations are discussed. The meetings must be recorded, and both the investigative record and the recordings of the closed meetings are subject to disclosure 10 days after a determination regarding probable cause. It is our position that these exemptions are sufficiently narrow, and we don't object to reenactment as currently drafted.

We appreciate the opportunity to comment, and apologize for any confusion we may have caused in omitting this last exemption subject to review. If you have any questions, please don't hesitate to contact us.

Sincerely,

Barbara A. Petersen, President

cc: Heather Williamson, Policy Chief, H. Government Operations Subcommittee
Joe McVaney, Staff Director, S. Governmental Oversight & Accountability Committee
Jon Kaney, FAF General Counsel, Kaney and Olivari, P.A.
Sam Morley, General Counsel, Florida Press Association
Gil Thelen, Executive Director, Florida Society of News Editor