



February 23, 2015

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The Honorable Brad Drake  
The Florida House of Representatives  
1301 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Re: HB 559 Public Records/Location of Artificial Reefs

Dear Representative Drake,

We are writing to express our serious concerns regarding HB 559, creating a public record exemption for information identifying the location of artificial reefs funded with private contributions. This bill does not address a plausible public need, Representative Drake, and we respectfully request HB 559 be withdrawn from further consideration.

Of particular concern is the statement of public necessity, which is speculative at best, and most likely, disingenuous. The statement alleges the disclosure of reef locations would “discourage” reef-building partnerships—but no evidence or reasoning is provided to substantiate this assertion. Given the complete lack of evidence indicating any public need for this exemption, we can find no justification for it.

Additionally, the legislation states, “strengthening the artificial reef building partnership programs [by exempting the reefs locations] outweighs any public benefit that may be derived from the disclosure of such information.” This conclusion, however, is deceptive and unsupported. In fact, this legislation is contrary to the public interest for it would discourage recreational diving and public enjoyment.

And furthermore, the information this bill seeks to exempt is already currently available on other public forums, including the Florida Fish and Wildlife Conservation Commission website—where the GPS coordinates of artificial reefs are freely available. Thus, this proposed exemption would be ineffectual.

Because HB 559 fails to articulate a public necessity, we find the exemption unwarranted. We appreciate your attention to our concerns, Representative Drake. If you have any questions, please do not hesitate to contact us.

Sincerely,



Barbara A. Petersen  
President

Cc: The Honorable Steve Crisafulli, Speaker, Florida House of Representatives  
Jon Kaney, General Counsel, First Amendment Foundation  
Sam Morley, General Counsel, Florida Press Association