



February 23, 2015

BOARD OF TRUSTEES

DAVE WILSON, CHAIRMAN

Senior Editor/Administration
The Miami Herald

BOB SHAW, VICE CHAIRMAN

Retired Editor

**MIKE VASILINDA, SECRETARY
& TREASURER**

President

Capitol News Service

JON KANEY, GENERAL COUNSEL

Kaney & Olivari

DAN AUTREY

Publisher & President

Tampa Bay Newspapers

DICK BATCHELOR

Founder and President

Dick Batchelor Management Group, Inc.

BRIAN CROWLEY

Principal

Immediacy Public Relations

MIKE DEESON

Senior Reporter

WTSP-TV

FRANK DENTON

Editor

Florida Times-Union

CAROL JEAN LOCICERO

Thomas & LoCicero

SAMUEL MORLEY

General Counsel

Florida Press Association

TIM NICKENS

Editor of Editorials

Tampa Bay Times

ROSEMARY O'HARA

Editorial Page Editor

SunSentinel

PATSY PALMER

D'Alemberte & Palmer, PLLC

PATRICK RICE

Editor

Daytona Beach News-Journal

DEAN RIDINGS

President & CEO

Intersect Media Solutions

APRIL SALTER

President & Chief Operating Officer

Salter Mitchell

PETE WEITZEL

Director Emeritus

The Honorable Greg Evers
The Florida Senate
308 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Re: SB 846 Public Records/Location of Artificial Reefs

Dear Senator Evers,

We are writing to express our serious concerns regarding SB 846, 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 This bill does not address a plausible public need, Senator Evers, and we respectfully request SB 846 be withdrawn from further consideration.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 SB 846 fails to articulate a public necessity, we find the exemption unwarranted. We appreciate your attention to our concerns, Senator Evers. If you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to be 'B.A.P.', with a stylized flourish.

Barbara A. Petersen
President

Cc: The Honorable Andy Gardiner, President, Florida Senate
Jon Kaney, General Counsel, First Amendment Foundation
Sam Morley, General Counsel, Florida Press Association