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The Honorable Ray Rodrigues
The Florida House of Representatives
317 Capitol Building
402 South Monroe Street
Tallahassee, FL 32399-1300

Re: HB 1209 Exemption/Trade Secrets - Fracking

Dear Representative Rodrigues:

We are writing to express our concerns regarding HB 1209. The proposed bill provides an exemption for trade secrets contained within information related to high-pressure well stimulations obtained by the Department of Environmental Protection in connection with the Department's online high-pressure well stimulation chemical disclosure registry.

Upon review, we question the need to provide a person who is claiming a "trade secret" exemption with 30 days in which to file an action in circuit court. The 30-day time period seems an expansive and unnecessary amount of time and would only serve to delay the public's access to such information.

We do not object to the substance of the bill, Representative Rodrigues, but we do object to the 30 day time period. Instead, we suggest the bill be amended to require a person claiming a "trade secret" exemption to file a claim in circuit court within 10 days from their receipt of notice from the Department of Environmental Protection. We feel a 10-day time period would provide a person claiming a "trade secret" exemption with an adequate amount of time in which to bring a claim in circuit court.

Thank you for your attention to our concerns, Representative Rodrigues. Should you need any additional information, 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