



First Amendment Foundation

Protecting Your Right to Know for 30 Years!

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

17 March 2015

The Honorable Garrett Richter
The Florida Senate
404 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1300

Re: SB 1582 Public Records/High-pressure Well Stimulation Chemical Disclosure Registry

Dear Senator Richter:

We are writing to express our concerns regarding SB 1582. 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, Senator Richter, 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, Senator Richter. Should you need any additional information, please do not hesitate to contact us.

Sincerely,

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