



FIRST AMENDMENT FOUNDATION

336 East College Avenue, Suite 101 Tallahassee, FL 32301

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February 25, 2011

The Honorable Eric Eisnaugle
The House of Representatives
417 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300

RE: House Bill 285 The Right to Speak at Public Meetings

Dear Representative Eisnaugle:

We are writing to express our enthusiastic support for Senate Bill 310, which would ensure that Floridians have the right to speak at public meetings. Quite frankly, it is our opinion that the public has an inalienable right to be present and to be heard at public meetings and that the 1st District Court of Appeal erred in its interpretation of the law on this point in the case *Keesler v. Community Maritime Park Association, Inc.* Nevertheless, we appreciate that your bill clarifies that Floridians have the right to speak in public meetings.

As we discussed when we met with you, we think the bill could be improved if it were amended to state that the public also has the right to be heard on any non-agendaed item that is within the jurisdiction of the agency. Without this amendment, an agency or local government could avoid putting issues on the agenda that it does not want the public to have the opportunity to discuss. The amendment would help to ensure that agencies cannot avoid public participation by not placing an issue on the agenda.

Please do not hesitate to contact us for any assistance that we might be able to provide to support Senate Bill 310.

Very truly yours,

Barbara A. Petersen, President