



# FIRST AMENDMENT FOUNDATION

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February 25, 2011

The Honorable H. Ritch Workman  
The Florida House of Representatives  
218 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

RE: House Bill 89 Effective Public Notices by Governmental Entities

Dear Representative Workman:

We are writing to express our concerns regarding House Bill 89, which permits local governments to post notice of public meetings on their websites if authorized by ordinance and if other requirements are met. While the bill requires publication of an annual notice in a newspaper of general circulation that informs residents they may receive notices by first-class mail or e-mail, the bill effectively makes publication of most notices in newspapers optional.

While public notice via website and e-mail may be helpful to some, not all citizens have access to computers and many still rely solely on newspapers for notice of public meetings. Further, given the number of overlapping local governments, citizens may have to view multiple websites to find notices. We are concerned that publication of notices primarily through websites may limit the public's constitutional right to participate in governmental decision-making. Such participation is critical to our democracy and any limitation could seriously thwart public participation in government meetings. Thus, we respectfully request that House Bill 89 be amended to encourage public notice be made by as many methods as possible, including traditional methods like newspapers and by alternative means like websites.

Please do not hesitate to contact us if you need any additional information.

Sincerely,



Barbara A. Petersen, President

cc: Jon Kaney, FAF Senior Counsel, Cobb & Cole, P.A.  
Sandy D'Alemberte, Palmer and D'Alemberte, P.A.  
Sam Morley, General Counsel, Florida Press Association  
Carol LoCicero, Thomas and LoCicero, P.A.