



20 March 2017

The Honorable Carlos Beruff, Chairman  
Constitutional Revision Commission  
Tallahassee, FL

VIA EMAIL TO MEREDITH BEATRICE

Re: Proposed Rules – Constitutional Revision Commission

Dear Chairman Beruff:

I would like to apologize for the lateness of this response to the Constitutional Revision Commission's (CRC) proposed rules that will be discussed this afternoon at the CRC's first meeting. We were unaware of the proposed rules until late Saturday and did not see a final draft until just this morning.

In reviewing the proposed rules, we paid particular attention to Part Five – Public Records and Public Meetings and have a few concerns I would like to bring to your attention.

Rule 1.23, Public Records, states, "All records of the Commission shall be *accessible* to the public unless otherwise exempted by law." (Emphasis added.) The rules of the previous CRC used the phrase "*open* to the public," which comports with the statement of public policy found in s. 119.01(1), F.S. and s. 11.0431, F.S., stating that "public records shall be open to personal inspection and copying at reasonable times . . ." We respectfully suggest Rule 1.23 be amended to follow the standard articulated in Florida statutes.

In addition, we have concerns regarding Rule 1.24 relating to meetings of the CRC. Specifically, Rule 1.24 adopts the legislative standard under Article III, s. 4(e) that states that meetings between three or more CRC members at which Commission business is discussed must be open. This is a lesser standard than that found in Article I, s. 24(b) requiring that meetings between *two* or more members of a collegial body be opened and noticed to the public. We should note that the higher standard under Article I applies to every collegial body in Florida except the

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Florida legislature, and we strongly urge the CRC to adopt the Article I standard rather than the weaker legislative standard.

Given the gravity and importance of the work of the Commission and its impact on citizens across the state, we would expect the CRC to hold itself to the highest standards of transparency, allowing all Floridians to oversee the work of the Commission and hold it accountable for its actions.

Thank you for your attention to our concerns, Commissioner Beruff. Should you have any questions or if we can assist the Commission in any way, please do not hesitate to contact me.

Sincerely,

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

Barbara A. Petersen, President