

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 476

SPONSOR: Transportation Committee

SUBJECT: Review of public records exemption for certain records held by deep water ports

DATE: October 12, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McAuliffe	Meyer	TR	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill maintains the existing public records exemption for proposals or counterproposals between certain deepwater ports and nongovernmental entities relating to the sale, use, or lease of land or of port facilities. In addition, this bill maintains the public records exemption for any financial records submitted by any nongovernmental entity to such deepwater port for the purpose of sale, use, or lease of land or of port facilities.

This bill substantially amends section 315.18, of the Florida Statutes.

II. Present Situation:

Section 315.18, F.S., was created in 1997, and provides information relating to “any proposal or counterproposal exchanged between a deepwater port listed in s. 311.09(1) and any nongovernmental entity, relating to the sale, use, or lease of land or of port facilities, and any financial records submitted by any nongovernmental entity to such a deepwater port for the purpose of sale, use, or lease of land or of port facilities, are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. However, 30 days before any such proposal or counterproposal is considered for approval by the governing body of such a deepwater port, the proposal or counterproposal shall cease to be exempt. If no proposal or counterproposal is submitted to the governing body for approval, such a proposal or counterproposal shall cease to be exempt 90 days after the cessation of negotiations.”

This section specifies the exemption is repealed effective October 2, 2002, and must be reviewed by the Legislature before that date in accordance with the Open Government Sunset Review Act.

III. Effect of Proposed Changes:

This bill maintains the existing public records exemption for proposals or counterproposals between certain deepwater ports and nongovernmental entities relating to the sale, use, or lease of land or of port facilities. In addition, this bill maintains the public records exemption for any financial records submitted by any nongovernmental entity to such deepwater port for the purpose of sale, use, or lease of land or of port facilities.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.