Amendment No. <u>1</u> Barcode 642044

	CHAMBER ACTION
	<u>Senate</u> <u>House</u>
1	
2	
3	
4	· ·
5	
6	
7	
8	
9	
10	
11	The Committee on Governmental Oversight and Productivity
12	recommended the following amendment:
13	
14	Senate Amendment (with title amendment)
15	Delete everything after the enacting clause
16	
17	and insert:
18	Section 1. Paragraph (c) of subsection (8) of section
19	215.44, Florida Statutes, is created to read:
20	215.44 Board of Administration; powers and duties in
21	relation to investment of trust funds
22	(8)
23	(c)1. The following information, in connection with
24	the alternative investments program, held by the Board of
25	Administration is confidential and exempt from the provisions
26	of s. 119.07(1) and s. 24(a), Art. I of the State
27	Constitution:
28	a. Within a partnership or investment management
29	relationship, information or specific investment terms
30	associated with each individual portfolio company investment;
31	<u>b. Contractual side letters of, or other information</u>
	5:24 PM 04/22/03 s2396.go.01

Amendment No. <u>1</u> Barcode 642044

1	concerning, other investors in current or prospective
2	partnerships or investment management relationships; and
3	c. Due-diligence materials concerning prospective or
4	current partnerships or investment management relationships.
5	2. The board may use the confidential and exempt
6	information specified in subparagraph 1. as necessary in any
7	legal or administrative proceeding.
8	3. The Auditor General shall report to the Commission
9	on Ethics any investment transaction made pursuant to this
10	section that appears to be in violation of part III of chapter
11	112, as noted during the Auditor General's audits of the State
12	Board of Administration. Any information obtained by the
13	Auditor General which is confidential and exempt pursuant to
14	this paragraph shall remain confidential and exempt unless
15	such information relates to violations of part III of chapter
16	<u>112.</u>
17	Section 2. Paragraph (c) of subsection (8) of section
18	215.44, Florida Statutes, is subject to the Open Government
19	Sunset Review Act in accordance with section 119.15, Florida
20	Statutes, and shall stand repealed on October 2, 2008, unless
21	reviewed and saved from repeal through reenactment by the
22	Legislature.
23	Section 3. The Legislature finds that the public
24	records exemption created by this act is a public necessity
25	because release of such information would substantially limit
26	the ability of the board to access the best possible
27	investments. Without this exemption, the board would be unable
28	to access and retain certain portfolio company or limited
29	partnership information, because these entities would be
30	unwilling to share this information due to the board s
31	inability to protect it from public access. The opportunity to

Amendment No. <u>1</u> Barcode 642044

2or unavailable if the board could not keep such information3confidential and exempt. Furthermore, if the board could not4guarantee that such information obtained by the Auditor5General would be protected, then the board's ability to access6such information would be further hindered. As a result, the7Legislature finds that it is a public necessity that such8information be held confidential and exempt in order to gain9access to certain portfolio company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14151617And the title is amended as follows:18Delete everything before the enacting clause192021A bill to be entitled22An act relating to public records; amending s.23215.44, F.S.; creating a public records24exemption for the alternative investments25program of the State Board of Administration;26providing an exception to the exemption;27requiring the Auditor General to report on28specified investment transactions to the29Commission on Ethics; requiring the Auditor	3confidential and exempt. Furthermore, if the board could not4suarantee that such information obtained by the Auditor5General would be protected, then the board's ability to access6such information would be further hindered. As a result, the7Lecislature finds that it is a public necessity that such8information be held confidential and exempt in order to gain9access to certain portfolio company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14151617And the title is amended as follows:18Delete everything before the enacting clause192021A bill to be entitled22An act relating to public records; amending s.23215.44, F.S.; creating a public records24exemption for the alternative investments25program of the State Board of Administration;26providing an exception to the exemption;27requiring the Auditor General to report on28specified investment transactions to the29Commission on Ethics; requiring the Auditor30General to maintain the confidential and exempt	1	participate in many investment opportunities would be hindered
4guarantee that such information obtained by the Auditor5General would be protected, then the board's ability to access6such information would be further hindered. As a result, the7Legislature finds that it is a public necessity that such8information be held confidential and exempt in order to gain9access to certain portfolic company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14151617And the title is amended as follows:18Delete everything before the enacting clause1920and insert:21A bill to be entitled22An act relating to public records; amending s.23215.44, F.S.; creating a public records24exemption for the alternative investments25program of the State Board of Administration;26providing an exception to the exemption;27requiring the Auditor General to report on28specified investment transactions to the	4surantee that such information obtained by the Auditor5General would be protected, then the board's ability to access6such information would be further hindered. As a result, the7Legislature finds that it is a public necessity that such8information be held confidential and exempt in order to gain9access to certain portfolio company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14	2	or unavailable if the board could not keep such information
5General would be protected, then the board's ability to access6such information would be further hindered. As a result, the7Legislature finds that it is a public necessity that such8information be held confidential and exempt in order to gain9access to certain portfolio company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.141515and the title is amended as follows:16Delete everything before the enacting clause19and insert:21A bill to be entitled22An act relating to public records; amending s.23215.44, F.S.; creating a public records24exemption for the alternative investments25program of the State Board of Administration;26providing an exception to the exemption;27requiring the Auditor General to report on28specified investment transactions to the	General would be protected, then the board's ability to access5General would be protected, then the board's ability to access6such information would be further hindered. As a result, the7Legislature finds that it is a public necessity that such8information be held confidential and exempt in order to gain9access to certain portfolio company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14	3	confidential and exempt. Furthermore, if the board could not
such information would be further hindered. As a result, the Legislature finds that it is a public necessity that such information be held confidential and exempt in order to gain access to certain portfolio company and partnership information, thereby enabling the board to select and monitor prudent investments of the state's funds. Section 4. This act shall take effect upon becoming a law. And the title is amended as follows: Delete everything before the enacting clause and insert: An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the	such information would be further hindered. As a result, the Legislature finds that it is a public necessity that such information be held confidential and exempt in order to gain access to certain portfolio company and partnership information, thereby enabling the board to select and monitor prudent investments of the state's funds. Section 4. This act shall take effect upon becoming a law. And the title is amended as follows: Delete everything before the enacting clause and insert: An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the Commission on Ethics; requiring the Auditor General to maintain the confidential and exempt	4	guarantee that such information obtained by the Auditor
7Legislature finds that it is a public necessity that such8information be held confidential and exempt in order to gain9access to certain portfolio company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14151617And the title is amended as follows:18Delete everything before the enacting clause1920and insert:21A bill to be entitled22An act relating to public records; amending s.23215.44, F.S.; creating a public records24exemption for the alternative investments25program of the State Board of Administration;26providing an exception to the exemption;27requiring the Auditor General to report on28specified investment transactions to the	7Legislature finds that it is a public necessity that such8information be held confidential and exempt in order to gain9access to certain portfolio company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14	5	<u>General would be protected, then the board's ability to access</u>
<ul> <li>information be held confidential and exempt in order to gain</li> <li>access to certain portfolio company and partnership</li> <li>information, thereby enabling the board to select and monitor</li> <li>prudent investments of the state's funds.</li> <li>Section 4. This act shall take effect upon becoming a</li> <li>law.</li> <li>access to certain portfolio company and partnership</li> <li>access to certain portfolio company and partnership</li> <li>prudent investments of the state's funds.</li> <li>Section 4. This act shall take effect upon becoming a</li> <li>law.</li> <li>access to certain portfolio company and partnership</li> <li>access to certain portfolio company and partnership</li> <li>information, thereby enabling take effect upon becoming a</li> <li>law.</li> <li>access to certain portfolio company and partnership</li> <li>access to certain portfolio company and partnership</li> <li>information, thereby enabling take effect upon becoming a</li> <li>law.</li> <li>access to certain portfolio company and partnership</li> <li>access to certain portfolio company and partnership</li> <li>and the title is amended as follows:</li> <li>Delete everything before the enacting clause</li> <li>and insert:</li> <li>A bill to be entitled</li> <li>An act relating to public records; amending s.</li> <li>215.44, F.S.; creating a public records</li> <li>exemption for the alternative investments</li> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> </ul>	<ul> <li>information be held confidential and exempt in order to gain</li> <li>access to certain portfolio company and partnership</li> <li>information, thereby enabling the board to select and monitor</li> <li>prudent investments of the state's funds.</li> <li>Section 4. This act shall take effect upon becoming a</li> <li>law.</li> <li>section 4. This act shall take effect upon becoming a</li> <li>law.</li> <li>Belete everything before the enacting clause</li> <li>and insert:</li> <li>A bill to be entitled</li> <li>An act relating to public records; amending s.</li> <li>215.44, F.S.; creating a public records</li> <li>exemption for the alternative investments</li> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> <li>Commission on Ethics; requiring the Auditor</li> <li>General to maintain the confidential and exempt</li> </ul>	6	such information would be further hindered. As a result, the
access to certain portfolio company and partnership information, thereby enabling the board to select and monitor prudent investments of the state's funds. Section 4. This act shall take effect upon becoming a law. Haw Haw Bectrometers T I T L E A M E N D M E N T =================================	9access to certain portfolio company and partnership10information, thereby enabling the board to select and monitor11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14151617And the title is amended as follows:18Delete everything before the enacting clause1920and insert:21A bill to be entitled22An act relating to public records; amending s.23215.44, F.S.; creating a public records24exemption for the alternative investments25program of the State Board of Administration;26providing an exception to the exemption;27requiring the Auditor General to report on28specified investment transactions to the29Commission on Ethics; requiring the Auditor30General to maintain the confidential and exempt	7	Legislature finds that it is a public necessity that such
information, thereby enabling the board to select and monitor prudent investments of the state's funds. Section 4. This act shall take effect upon becoming a law. law. Herror 1 and the state is a	information, thereby enabling the board to select and monitor prudent investments of the state's funds. Section 4. This act shall take effect upon becoming a law. law. Herror Control of the state of the state of the select and monitor a law. Interpret terms of the state of the select and monitor a law. Interpret terms of the state of the select and monitor a law. Interpret terms of the state of the select and monitor a law. Interpret terms of the state of the select and monitor a law. Interpret terms of the state of the select and monitor a law. Interpret terms of the select and monitor a law. Interpret terms of the state select and monitor a law. Interpret terms of the state select and monitor a law. Interpret terms of the state select and monitor a law. Interpret terms of the state select and monitor a law. Interpret terms of the state select and monitor a law. Interpret terms of the state select and monitor a law. Interpret terms of the state select and monitor a law. Interpret terms of the state select and of Administration; Interpret terms of the state select of the select and the sele	8	information be held confidential and exempt in order to gain
<pre>11 prudent investments of the state's funds. 12 Section 4. This act shall take effect upon becoming a 13 law. 14 15 16</pre>	11prudent investments of the state's funds.12Section 4. This act shall take effect upon becoming a13law.14.15.16	9	access to certain portfolio company and partnership
12Section 4. This act shall take effect upon becoming a13law.14.15.16	Section 4. This act shall take effect upon becoming a law. And the site is amended as follows: And the title is amended as follows: Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public records; amending s. 21 A bill to be entitled An act relating to public records 22 An act relating to public records 23 215.44, F.S.; creating a public records 24 exemption for the alternative investments 25 program of the State Board of Administration; 26 providing an exception to the exemption; 27 requiring the Auditor General to report on 28 specified investment transactions to the 29 Commission on Ethics; requiring the Auditor 30 General to maintain the confidential and exempt	10	information, thereby enabling the board to select and monitor
<pre>13 law. 14 15 16</pre>	<pre>13 law. 14 15 16</pre>	11	prudent investments of the state's funds.
<pre>14 15 16 16 17 And the title is amended as follows: 18 Delete everything before the enacting clause 19 20 and insert: 21 A bill to be entitled 22 An act relating to public records; amending s. 23 215.44, F.S.; creating a public records 24 exemption for the alternative investments 25 program of the State Board of Administration; 26 providing an exception to the exemption; 27 requiring the Auditor General to report on 28 specified investment transactions to the</pre>	14 15 16 16 17 18 19 19 20 and the title is amended as follows: 18 19 20 and insert: 21 21 20 and insert: 21 21 23 215.44, F.S.; creating a public records; amending s. 23 215.44, F.S.; creating a public records 24 25 26 27 27 27 27 27 27 27 28 29 20 20 20 20 20 20 20 21 21 21 21 21 21 21 21 21 21 21 21 21	12	Section 4. This act shall take effect upon becoming a
<ul> <li>15</li> <li>16</li> <li>17 And the title is amended as follows:</li> <li>18 Delete everything before the enacting clause</li> <li>19</li> <li>20 and insert:</li> <li>21 A bill to be entitled</li> <li>22 An act relating to public records; amending s.</li> <li>23 215.44, F.S.; creating a public records</li> <li>24 exemption for the alternative investments</li> <li>25 program of the State Board of Administration;</li> <li>26 providing an exception to the exemption;</li> <li>27 requiring the Auditor General to report on</li> <li>28 specified investment transactions to the</li> </ul>	15 16 17 And the title is amended as follows: 18 Delete everything before the enacting clause 19 20 and insert: 21 A bill to be entitled 22 An act relating to public records; amending s. 23 215.44, F.S.; creating a public records 24 exemption for the alternative investments 25 program of the State Board of Administration; 26 providing an exception to the exemption; 27 requiring the Auditor General to report on 28 specified investment transactions to the 29 Commission on Ethics; requiring the Auditor 30 General to maintain the confidential and exempt	13	law.
<ul> <li>16</li> <li>====================================</li></ul>	16 ===== TITLE AMENDMENT====================================	14	
And the title is amended as follows: Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the	And the title is amended as follows: Delete everything before the enacting clause Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the Commission on Ethics; requiring the Auditor General to maintain the confidential and exempt	15	
Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the	Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the Commission on Ethics; requiring the Auditor General to maintain the confidential and exempt	16	====== TITLE AMENDMENT =========
<ul> <li>19</li> <li>and insert:</li> <li>21 A bill to be entitled</li> <li>22 An act relating to public records; amending s.</li> <li>23 215.44, F.S.; creating a public records</li> <li>24 exemption for the alternative investments</li> <li>25 program of the State Board of Administration;</li> <li>26 providing an exception to the exemption;</li> <li>27 requiring the Auditor General to report on</li> <li>28 specified investment transactions to the</li> </ul>	<ul> <li>19</li> <li>20 and insert:</li> <li>21 A bill to be entitled</li> <li>22 An act relating to public records; amending s.</li> <li>23 215.44, F.S.; creating a public records</li> <li>24 exemption for the alternative investments</li> <li>25 program of the State Board of Administration;</li> <li>26 providing an exception to the exemption;</li> <li>27 requiring the Auditor General to report on</li> <li>28 specified investment transactions to the</li> <li>29 Commission on Ethics; requiring the Auditor</li> <li>30 General to maintain the confidential and exempt</li> </ul>	17	And the title is amended as follows:
and insert: A bill to be entitled An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the	20and insert:21A bill to be entitled22An act relating to public records; amending s.23215.44, F.S.; creating a public records24exemption for the alternative investments25program of the State Board of Administration;26providing an exception to the exemption;27requiring the Auditor General to report on28specified investment transactions to the29Commission on Ethics; requiring the Auditor30General to maintain the confidential and exempt	18	Delete everything before the enacting clause
A bill to be entitled An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the	A bill to be entitled An act relating to public records; amending s. 215.44, F.S.; creating a public records exemption for the alternative investments program of the State Board of Administration; providing an exception to the exemption; requiring the Auditor General to report on specified investment transactions to the Commission on Ethics; requiring the Auditor General to maintain the confidential and exempt	19	
<ul> <li>An act relating to public records; amending s.</li> <li>215.44, F.S.; creating a public records</li> <li>exemption for the alternative investments</li> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> </ul>	<ul> <li>An act relating to public records; amending s.</li> <li>215.44, F.S.; creating a public records</li> <li>exemption for the alternative investments</li> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> <li>Commission on Ethics; requiring the Auditor</li> <li>General to maintain the confidential and exempt</li> </ul>	20	and insert:
<ul> <li>23 215.44, F.S.; creating a public records</li> <li>24 exemption for the alternative investments</li> <li>25 program of the State Board of Administration;</li> <li>26 providing an exception to the exemption;</li> <li>27 requiring the Auditor General to report on</li> <li>28 specified investment transactions to the</li> </ul>	<ul> <li>215.44, F.S.; creating a public records</li> <li>exemption for the alternative investments</li> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> <li>Commission on Ethics; requiring the Auditor</li> <li>General to maintain the confidential and exempt</li> </ul>	21	A bill to be entitled
<ul> <li>exemption for the alternative investments</li> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> </ul>	<ul> <li>exemption for the alternative investments</li> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> <li>Commission on Ethics; requiring the Auditor</li> <li>General to maintain the confidential and exempt</li> </ul>	22	An act relating to public records; amending s.
<ul> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> </ul>	<ul> <li>program of the State Board of Administration;</li> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> <li>Commission on Ethics; requiring the Auditor</li> <li>General to maintain the confidential and exempt</li> </ul>	23	215.44, F.S.; creating a public records
<ul> <li>26 providing an exception to the exemption;</li> <li>27 requiring the Auditor General to report on</li> <li>28 specified investment transactions to the</li> </ul>	<ul> <li>providing an exception to the exemption;</li> <li>requiring the Auditor General to report on</li> <li>specified investment transactions to the</li> <li>Commission on Ethics; requiring the Auditor</li> <li>General to maintain the confidential and exempt</li> </ul>	24	exemption for the alternative investments
<ul> <li>27 requiring the Auditor General to report on</li> <li>28 specified investment transactions to the</li> </ul>	<ul> <li>27 requiring the Auditor General to report on</li> <li>28 specified investment transactions to the</li> <li>29 Commission on Ethics; requiring the Auditor</li> <li>30 General to maintain the confidential and exempt</li> </ul>	25	program of the State Board of Administration;
28 specified investment transactions to the	<ul> <li>28 specified investment transactions to the</li> <li>29 Commission on Ethics; requiring the Auditor</li> <li>30 General to maintain the confidential and exempt</li> </ul>	26	providing an exception to the exemption;
	<ul> <li>29 Commission on Ethics; requiring the Auditor</li> <li>30 General to maintain the confidential and exempt</li> </ul>	27	requiring the Auditor General to report on
29 Commission on Ethics; requiring the Auditor	30 General to maintain the confidential and exempt	28	specified investment transactions to the
		29	Commission on Ethics; requiring the Auditor
30 General to maintain the confidential and exempt	31 status of information obtained, except as	30	General to maintain the confidential and exempt
31 status of information obtained, except as		31	status of information obtained, except as

s2396.go.01

	Amendment No. $\underline{1}$ Barcode 642044
1	
1	otherwise provided; providing for future review
2	and repeal; providing a statement of public
3	necessity; providing an effective date.
4	
5	
б	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	