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# **Civil Justice & Courts Policy Committee**

**Tuesday, February 16, 2010  
10:15 AM - 12:00 PM  
Reed Hall**

**Action Packet**

**Larry Cretul  
Speaker**

**Carl J. Domino  
Chair**

**COMMITTEE MEETING REPORT**  
**Civil Justice & Courts Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** Reed Hall (102 HOB)

**Summary:**

**Civil Justice & Courts Policy Committee**

*Tuesday February 16, 2010 10:15 am*

HB 13	Favorable With Committee Substitute	Yeas: 10	Nays: 0
HB 103	Favorable	Yeas: 10	Nays: 0
HB 701	Favorable	Yeas: 10	Nays: 0
HB 731	Favorable	Yeas: 8	Nays: 0

**Committee meeting was reported out: Tuesday, February 16, 2010 1:42:57PM**

**COMMITTEE MEETING REPORT**  
**Civil Justice & Courts Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** Reed Hall (102 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Carl Domino (Chair)	X		
Eric Eisnaugle	X		
Adam M. Fetterman	X		
Anitere Flores	X		
James Frishe	X		
Audrey Gibson	X		
Eduardo Gonzalez	X		
Tom Grady			X
Dave Murzin	X		
H. Marlene O'Toole	X		
Ralph Poppell			X
Darren Soto	X		
Michael Weinstein	X		
<b>Totals:</b>	<b>11</b>	<b>0</b>	<b>2</b>

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**COMMITTEE MEETING REPORT**  
**Civil Justice & Courts Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** Reed Hall (102 HOB)

**HB 13 : Senior Judges**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Adam M. Fetterman	X				
Anitere Flores	X				
James Frishe	X				
Audrey Gibson	X				
Eduardo Gonzalez	X				
Tom Grady				X	
Dave Murzin	X				
H. Marlene O'Toole	X				
Ralph Poppell			X		
Darren Soto	X				
Michael Weinstein			X		
Carl Domino (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

**Appearances:**

Senior Judges  
 Brian Pitts - Information Only  
 Justice 2 Jesus  
 1119 Newton Ave. S.  
 St. Petersburg Florida 33705  
 Phone: 727-897-9291

Committee meeting was reported out: Tuesday, February 16, 2010 1:42:57PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 13 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*FAVORABLE  
w/out objection  
2-16-10*

1 Council/Committee hearing bill: Civil Justice & Courts Policy  
2 Committee

3 Representative Ambler offered the following:

4  
5 **Amendment**

6 Remove lines 37-52 and insert:

7 (a)1. Any party to the action may request a retired  
8 justice or judge to hear one or more motions that will not lead  
9 to final disposition of the case. The request must be in  
10 writing and addressed to the chief judge of the circuit. The  
11 party may seek appointment of a retired justice or judge to hear  
12 more than one motion in that case. The chief judge of the  
13 circuit shall not appoint a retired justice or judge if the  
14 trial judge assigned to the case can accommodate the hearing or  
15 hearings within the following 2 weeks.

16 2. All parties to an action may jointly request a retired  
17 justice or judge to hear one or more dispositive motions or to  
18 conduct the trial of the action, including a trial by special  
19 setting. The chief judge of the circuit shall not appoint a

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 13 (2010)

Amendment No. 1

20 retired justice or judge unless all parties agree to the request  
21 and sufficient court resources are available to accommodate the  
22 request. A party in default shall be deemed to have consented  
23 to the appointment of a retired justice or judge under this sub-  
24 paragraph.

25

26

27

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 13 (2010)

Amendment No. 2

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*FAVORABLE  
w/o objection*

1 Council/Committee hearing bill: Civil Justice & Courts Policy  
2 Committee

3 Representative Ambler offered the following:

4  
5 **Amendment**

6 Between lines 112-113, insert:

7 7. The per diem paid to a retired justice or judge under  
8 this subsection for one day of service for all trials or  
9 hearings conducted on that one day shall not exceed the standard  
10 per diem rate for one day of service established by the chief  
11 justice.

**COMMITTEE MEETING REPORT**  
**Civil Justice & Courts Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** Reed Hall (102 HOB)

**HB 103 : Motor Vehicle Racing Events**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Adam M. Fetterman			X		
Anitere Flores	X				
James Frishe	X				
Audrey Gibson	X				
Eduardo Gonzalez	X				
Tom Grady				X	
Dave Murzin	X				
H. Marlene O'Toole	X				
Ralph Poppell				X	
Darren Soto	X				
Michael Weinstein	X				
Carl Domino (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

**Appearances:**

Motor Vehicle Racing Events

Paul Jess (Lobbyist) - Opponent

Florida Justice Association  
 218 South Monroe Street  
 Tallahassee Florida 32301  
 Phone: 224-9403

Motor Vehicle Racing Events

Brian Pitts - Information Only

Justice 2 Jesus  
 1119 Newton Ave. S  
 St. Petersburg Florida 33705

Motor Vehicle Racing Events

Stacey Webb (Lobbyist) - Proponent

International Speedway Corp.  
 120 South Monroe  
 Tallahassee Florida 32301  
 Phone: 850-671-4401

Motor Vehicle Racing Events

Tammy Perdue (Lobbyist) - Proponent

AIF  
 516 N. Adams Street  
 Tallahassee Florida 32301  
 Phone: 850-224-7173

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**COMMITTEE MEETING REPORT**  
**Civil Justice & Courts Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** Reed Hall (102 HOB)

**HB 701 : Design Professionals**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Adam M. Fetterman	X				
Anitere Flores	X				
James Frishe	X				
Audrey Gibson	X				
Eduardo Gonzalez	X				
Tom Grady				X	
Dave Murzin	X				
H. Marlene O'Toole	X				
Ralph Poppell				X	
Darren Soto	X				
Michael Weinstein			X		
Carl Domino (Chair)	X				
<b>Total Yeas: 10</b>		<b>Total Nays: 0</b>			

**Appearances:**

Design Professionals

Mike Huey (Lobbyist) - Proponent

Florida Association of the Am. Inst. of Architects  
 301 S. Bronough  
 Tallahassee Florida 32301  
 Phone: 850-577-9090

Design Professionals

Ron Villelta (Lobbyist) - Proponent

Surveyors  
 311 E. Park  
 Tallahassee Florida 32301  
 Phone: 850-224-5081

Design Professionals

Steve Jernigan - Proponent

Florida Assoc. of AIA  
 104 East Jefferson Street  
 Tallahassee Florida 32301  
 Phone: 850-222-7590

Design Professionals

Paul Jess (Lobbyist) - Opponent

Florida Justice Association  
 218 South Monroe Street  
 Tallahassee Florida 32301  
 Phone: 224-9403

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**Location:** Reed Hall (102 HOB)

Design Professionals  
Brian Pitts - Information Only  
Justice 2 Jesus  
1119 Newton Ave. S  
St. Petersburg Florida 33705  
Phone: 727-897-9291

Design Professionals  
Ben Chen - Proponent  
Chen and Associates  
500 W. Cypress Creek Road  
Ft. Lauderdale Florida 33309  
Phone: 786-251-8679

Design Professionals  
Michael Hoffman - Proponent  
Advanced Engineering Consultants LLC  
2940 Pomello Road  
Grant-Valkaria Florida 32950  
Phone: 321-794-6465

Design Professionals  
Warren Husband (Lobbyist) - Opponent  
Associated General Contractors  
P.O. Box 10909  
Tallahassee Florida 32302  
Phone: 850-205-9000

Design Professionals  
Sia Kusha - Proponent  
Florida Institute of Consulting Engineers  
125 S. Gasden Street  
Tallahassee Florida 32301  
Phone: 850-224-7121

Design Professionals  
Gerald M. Ward - Proponent  
Consulting Engineer/Professional Engineer  
1150 Coral Way  
Riviera Beach Florida 33404  
Phone: 561-863-1215

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**COMMITTEE MEETING REPORT**  
**Civil Justice & Courts Policy Committee**

**2/16/2010 10:15:00AM**

**Location:** Reed Hall (102 HOB)

**HB 731 : Uniform Commercial Code**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Eric Eisnaugle	X				
Adam M. Fetterman			X		
Anitere Flores	X				
James Frishe	X				
Audrey Gibson	X				
Eduardo Gonzalez			X		
Tom Grady				X	
Dave Murzin				X	
H. Marlene O'Toole	X				
Ralph Poppell			X		
Darren Soto	X				
Michael Weinstein	X				
Carl Domino (Chair)	X				
<b>Total Yeas: 8</b>		<b>Total Nays: 0</b>			

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