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# Rules & Calendar Council

Thursday, April 15, 2010  
404 HOB

**ACTION PACKET**

**PROPOSED SPECIAL ORDER LETTER  
TO BE ADOPTED BY THE  
RULES & CALENDAR COUNCIL  
Thursday, April 15, 2010**

**ADOPTED**  
4/15/10

Your Rules & Calendar Council herewith submits the **Special Order for Monday, April 19, 2010**. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

**I. Consideration of the following bills:**

CS/CS/HB 285 - Criminal & Civil Justice Policy Council, Civil Justice & Courts Policy  
Committee, & others  
Liability Releases

CS/SB 2440 - Judiciary, Bennett  
Liability Releases [SPSC]

CS/CS/HB 1107 - Criminal & Civil Justice Policy Council, Civil Justice & Courts Policy  
Committee, & others  
Sovereign Immunity

CS/SB 2060 - Judiciary, Bennett  
Sovereign Immunity [SPSC]

HB 7221 - Select Committee on Seminole Indian Compact Review, Galvano  
Gaming

CS/SB 622 - Regulated Industries, Jones  
Gaming [CPSC]

CS/CS/HB 25 - Criminal & Civil Justice Policy Council, Health Care Services Policy  
Committee, & others  
Temporary and Concurrent Custody of a Child

CS/HB 7127 - Full Appropriations Council on Education & Economic Development,  
Finance & Tax Council, & others  
Working Waterfront Property

CS/CS/HB 159 - Finance & Tax Council, Insurance, Business & Financial Affairs Policy  
Committee, & others  
Guaranty Associations

CS/HB 1493 - Public Safety & Domestic Security Policy Committee, Cruz, & others  
Career Offenders

HB 1147 - Bembry, Crisafulli, & others  
Saltwater Products Licenses

CS/CS/HB 1307 - Economic Development & Community Affairs Policy Council,  
Governmental Affairs Policy Committee, & others

**State Financial Matters**

**HB 11 - Porth, Rogers, & others  
Crimes Against Homeless Persons**

**CS/HB 551 - Governmental Affairs Policy Committee, Eisnaugle  
Pub. Rec. & Meetings/County/Complaints on Conduct/Disclosures**

**HB 595 - Fitzgerald  
Open House Parties**

# COUNCIL MEETING REPORT

## Rules & Calendar Council

4/15/2010 8:00:00AM

Location: 404 HOB

AMENDED

### Summary:

#### Rules & Calendar Council

Thursday April 15, 2010 08:00 am

CS/HB 885	Favorable With Council Substitute	Yeas: 14	Nays: 0
	Amendment 1 Adopted as Amended		
	Amendment 1a Adopted Without Objection		
HM 1349	Favorable With Council Substitute	Yeas: 13	Nays: 0
	Amendment 1 Adopted Without Objection		
CS/HB 1525	Favorable	Yeas: 11	Nays: 4
	Amendment 1 Failed to Adopt		
HM 1609	Favorable With Council Substitute	Yeas: 11	Nays: 4
	Amendment 1 Adopted Without Objection		
	Amendment 2 Adopted Without Objection		
	Amendment 3 Adopted Without Objection		
	Amendment 4 Adopted Without Objection		
	Amendment 5 Adopted Without Objection		
	Amendment 6 Adopted Without Objection		
PCB RCC 10-05	Favorable	Yeas: 9	Nays: 5

Committee meeting was reported out: Thursday, April 15, 2010 10:56:08AM

# COUNCIL MEETING REPORT

## Rules & Calendar Council

4/15/2010 8:00:00AM

Location: 404 HOB

AMENDED

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Bill Galvano (Chair)	X		
Sandra Adams	X		
Gary Aubuchon	X		
Ellyn Setnor Bogdanoff	X		
Adam M. Fetterman	X		
Eduardo Gonzalez			X
Adam Hasner	X		
Evan Jenne	X		
Marcelo Llorente	X		
Carlos Lopez-Cantera	X		
Ron Reagan	X		
Michelle Rehwinkel Vasilinda	X		
David Rivera	X		
Ron Saunders	X		
Perry Thurston	X		
Baxter Troutman			X
James Waldman	X		
Will Weatherford			X
<b>Totals:</b>	<b>15</b>	<b>0</b>	<b>3</b>

Committee meeting was reported out: Thursday, April 15, 2010 10:56:08AM

# COUNCIL MEETING REPORT

## Rules & Calendar Council

4/15/2010 8:00:00AM

Location: 404 HOB

AMENDED

CS/HB 885 : Insurance

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Gary Aubuchon	X				
Ellyn Setnor Bogdanoff	X				
Adam M. Fetterman	X				
Eduardo Gonzalez			X		
Adam Hasner	X				
Evan Jenne	X				
Marcelo Llorente	X				
Carlos Lopez-Cantera	X				
Ron Reagan	X				
Michelle Rehwinkel Vasilinda				X	
David Rivera	X				
Ron Saunders	X				
Perry Thurston	X				
Baxter Troutman			X		
James Waldman	X				
Will Weatherford			X		
Bill Galvano (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

### CS/HB 885 Amendments

#### Amendment 1

Adopted as Amended

#### Amendment 1a

Adopted Without Objection

Committee meeting was reported out: Thursday, April 15, 2010 10:56:08AM

Amendment No. 01

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                        \_\_\_\_\_

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1 Council/Committee hearing bill: Rules & Calendar Council  
2 Representative Tobia offered the following:

3  
4        **Amendment (with title amendment)**

5        Remove everything after the enacting clause and insert:

6        Section 1. Section 627.4605, Florida Statutes, is created  
7 to read:

8        627.4605 Replacement notice.-A notice to a current insurer  
9 of a replacement of a current life insurance policy is not  
10 required in a transaction involving:

11        (1) An application to the current insurer that issued the  
12 current policy or contract when a contractual change or  
13 conversion privilege is being exercised;

14        (2) A current policy or contract is being replaced by the  
15 same insurer pursuant to a program filed with and approved by  
16 the office; or

17        (3) A term conversion privilege is being exercised among  
18 corporate affiliates.

Amendment No. 01

19 Section 2. Paragraph (a) of subsection (1) of section  
20 627.552, Florida Statutes, is amended to read:

21 627.552 Employee groups.—Subject to all of the  
22 requirements of this section, the lives of a group of individual  
23 employees of an employer may be insured, for the benefit of  
24 persons other than the employer, under a policy issued to the  
25 employer or to the trustees of a fund established by an  
26 employer, which employer or board of trustees is deemed to be  
27 the policyholder.

28 (1) (a) The employees eligible for insurance under the  
29 policy shall be all of the employees of the employer, or all of  
30 any class or classes of employees determined by conditions  
31 pertaining to their employment; however, a class of employees  
32 may not be created or permitted that consists solely of  
33 employees covered under the employer's group health plan. This  
34 section does not prohibit an employer from requiring  
35 participation in its group health plan as a condition of  
36 employment.

37  
38 This section does not affect the provisions of ss. 112.08-  
39 112.14.

40 Section 3. Subsection (3) of section 627.5575, Florida  
41 Statutes, is amended to read:

42 627.5575 Group life insurance for dependents.—Except for a  
43 policy issued under s. 627.553, a group life insurance policy  
44 may be extended to insure the employees or members against loss  
45 due to the deaths of their spouses and dependent children or any  
46 class or classes thereof, subject to the following:



Amendment No. 01

47 (3) The amounts of insurance for any covered spouse or  
48 dependent child under the policy may not exceed ~~50 percent of~~  
49 the amount of insurance for which the employee or member is  
50 insured.

51 Section 4. This act shall take effect upon becoming a law.  
52  
53

54 -----

55 **T I T L E A M E N D M E N T**

56 Remove the entire title and insert:

57 A bill to be entitled

58 An act relating to life insurance; creating s. 627.4605,  
59 F.S.; specifying nonapplication of a required notice to a  
60 current insurer of a policy replacement under certain  
61 circumstances; amending s. 627.552, F.S.; prohibiting the  
62 creating or permitting of certain classes of employees  
63 for group health insurance policy purposes; preserving an  
64 employer's authority to require certain plan  
65 participation as a condition of employment; amending s.  
66 627.5575, F.S.; revising the limitation on the amount of  
67 insurance for spouses of dependent children of employees  
68 of members under a group life insurance policy; providing  
69 an effective date.

Amendment No. 01a

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Rules & Calendar Council  
 2 Representative(s) Tobia offered the following:

3  
 4 **Amendment to Amendment (01) by Representative Tobia (with**  
 5 **title amendment)**

6 Between lines 18 and 19, insert:

7 Section 2. Subsection (2) of section 627.464, Florida  
 8 Statutes, is renumbered as subsection (3), and a new subsection  
 9 (2) is added to that section to read:

10 (2) No annuity purchased, dedicated, or otherwise  
 11 allocated, as part of a settlement to satisfy the requirements  
 12 of 42 U.S.C. 1395y(b) (2) shall be sold to, or commuted by or  
 13 for, a third party unconnected to the settlement.

14  
 15  
 16 -----  
 17 **T I T L E A M E N D M E N T**

18 Remove line 61 and insert:

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 885 (2010)

Amendment No. 01a

19 | circumstances; amending s. 627.464, F.S.; providing a limitation  
20 | on the resale of certain annuities to third parties; amending s.  
21 | 627.552, F.S.; prohibiting the

# COUNCIL MEETING REPORT

## Rules & Calendar Council

4/15/2010 8:00:00AM

Location: 404 HOB

**AMENDED**

**HM 1349 : Community-Based Services for Individuals with Developmental Disabilities**

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Gary Aubuchon	X				
Ellyn Setnor Bogdanoff	X				
Adam M. Fetterman	X				
Eduardo Gonzalez			X		
Adam Hasner	X				
Evan Jenne	X				
Marcelo Llorente	X				
Carlos Lopez-Cantera	X				
Ron Reagan				X	
Michelle Rehwinkel Vasilinda				X	
David Rivera	X				
Ron Saunders	X				
Perry Thurston	X				
Baxter Troutman			X		
James Waldman	X				
Will Weatherford			X		
Bill Galvano (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**HM 1349 Amendments**

**Amendment 1**

Adopted Without Objection

COUNCIL/COMMITTEE AMENDMENT

Bill No. HM 1349 (2010)

Amendment No. 01

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Rules & Calendar Council  
2 Representative(s) Skidmore offered the following:

3  
4  
5  
6

**Amendment**

Remove lines 14-15 and insert:

WHEREAS, studies suggest that individuals with

# COUNCIL MEETING REPORT

## Rules & Calendar Council

4/15/2010 8:00:00AM

Location: 404 HOB

AMENDED

CS/HB 1525 : Nonbinding Statewide Advisory Referendum

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Gary Aubuchon	X				
Ellyn Setnor Bogdanoff	X				
Adam M. Fetterman	X				
Eduardo Gonzalez			X		
Adam Hasner	X				
Evan Jenne		X			
Marcelo Llorente	X				
Carlos Lopez-Cantera	X				
Ron Reagan	X				
Michelle Rehwinkel Vasilinda		X			
David Rivera	X				
Ron Saunders	X				
Perry Thurston		X			
Baxter Troutman			X		
James Waldman		X			
Will Weatherford			X		
Bill Galvano (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 4</b>			

### CS/HB 1525 Amendments

#### Amendment 1

Failed to Adopt

Committee meeting was reported out: Thursday, April 15, 2010 10:56:08AM



Council/Committee/Subcommittee on \_\_\_\_\_

Date \_\_\_\_\_

Action Failed to Adopt.

**HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY**

(may be used in Council/Committee/Subcommittee, but **not** on House Floor)

Amendment No. 1

Bill No. ~~1525~~ 1525

(For filing with the Clerk, Council, Committee and Member Amendments must be prepared by House Bill Drafting Services (Rule 12.1))

Representative(s)/The Council/Committee/Subcommittee on Saunders.

offered the following amendment:

Amendment

on page 1, line(s) 18-24,

Strike everything and <sup>insert</sup> add:

"Should The United States Constitution be amended to require a balanced Federal budget?"

# COUNCIL MEETING REPORT

## Rules & Calendar Council

4/15/2010 8:00:00AM

Location: 404 HOB

AMENDED

### HM 1609 : Terrorist Trials in Civilian Courtrooms

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Gary Aubuchon	X				
Ellyn Setnor Bogdanoff	X				
Adam M. Fetterman	X				
Eduardo Gonzalez			X		
Adam Hasner	X				
Evan Jenne		X			
Marcelo Llorente	X				
Carlos Lopez-Cantera	X				
Ron Reagan	X				
Michelle Rehwinkel Vasilinda		X			
David Rivera	X				
Ron Saunders	X				
Perry Thurston		X			
Baxter Troutman			X		
James Waldman		X			
Will Weatherford			X		
Bill Galvano (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 4</b>			

### HM 1609 Amendments

#### Amendment 1

Adopted Without Objection

#### Amendment 2

Adopted Without Objection

#### Amendment 3

Adopted Without Objection

#### Amendment 4

Adopted Without Objection

#### Amendment 5

Adopted Without Objection

Committee meeting was reported out: Thursday, April 15, 2010 10:56:08AM



# COUNCIL MEETING REPORT

## Rules & Calendar Council

4/15/2010 8:00:00AM

Location: 404 HOB

AMENDED

### Amendment 6

*Adopted Without Objection*

Committee meeting was reported out: Thursday, April 15, 2010 10:56:08AM



COUNCIL/COMMITTEE AMENDMENT

Bill No. HM 1609 (2010)

Amendment No. 02

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Rules & Calendar Council  
2 Representative(s) Adams offered the following:

3

4 **Amendment (with title amendment)**

5

6 **T I T L E A M E N D M E N T**

7 Remove line 4 and insert:

8 the trial of enemy combatants from taking place in a civilian

COUNCIL/COMMITTEE AMENDMENT

Bill No. HM 1609 (2010)

Amendment No. 03

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Rules & Calendar Council  
2 Representative(s) Adams offered the following:

3

4 **Amendment**

5 Remove line 26 and insert:

6 WHEREAS, the "Gitmo 5" or other enemy combatants would  
7 likely use



COUNCIL/COMMITTEE AMENDMENT

Bill No. HM 1609 (2010)

Amendment No. 05

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Rules & Calendar Council  
2 Representative(s) Adams offered the following:

3  
4  
5  
6  
7

**Amendment**

Remove line 38 and insert:  
award foreign enemy combatants all the constitutional rights due  
a

COUNCIL/COMMITTEE AMENDMENT

Bill No. HM 1609 (2010)

Amendment No. 06

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	_____	

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1 Council/Committee hearing bill: Rules & Calendar Council  
2 Representative(s) Adams offered the following:

3

4 **Amendment**

5 Remove line 45 and insert:

6 Department to try the "Gitmo 5" or any other enemy combatant in  
7 federal court in New York City

# COUNCIL MEETING REPORT

## Rules & Calendar Council

4/15/2010 8:00:00AM

Location: 404 HOB

AMENDED

PCB RCC 10-05 : Compulsory health coverage

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Gary Aubuchon	X				
Ellyn Setnor Bogdanoff	X				
Adam M. Fetterman		X			
Eduardo Gonzalez			X		
Adam Hasner	X				
Evan Jenne		X			
Marcelo Llorente	X				
Carlos Lopez-Cantera				X	
Ron Reagan	X				
Michelle Rehwinkel Vasilinda		X			
David Rivera	X				
Ron Saunders	X				
Perry Thurston		X			
Baxter Troutman			X		
James Waldman		X			
Will Weatherford			X		
Bill Galvano (Chair)	X				
<b>Total Yeas: 9</b>		<b>Total Nays: 5</b>			

Committee meeting was reported out: Thursday, April 15, 2010 10:56:08AM