



Policy Council

**TUESDAY, MARCH 9, 2010
2:00 – 4:30 P.M.
MORRIS HALL**

ACTION PACKET

**Larry Cretul
Speaker**

**Rep. Marcelo Llorente
Chair**

COUNCIL MEETING REPORT

Policy Council

3/9/2010 2:00:00PM

Location: Morris Hall (17 HOB)

Summary:

Policy Council

Tuesday March 09, 2010 02:00 pm

HB 707	Favorable	Yeas: 16	Nays: 0
HB 1065	Favorable	Yeas: 17	Nays: 0
HB 7069	Favorable With Council Substitute	Yeas: 17	Nays: 0

Committee meeting was reported out: Tuesday, March 09, 2010 3:43:09PM

COUNCIL MEETING REPORT

Policy Council

3/9/2010 2:00:00PM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Marcelo Llorente (Chair)	X		
Kevin Ambler	X		
Mary Brandenburg	X		
Jennifer Carroll	X		
Faye Culp	X		
Keith Fitzgerald	X		
James Frishe	X		
Audrey Gibson	X		
Ed Homan	X		
Dorothy Hukill	X		
Evan Jenne	X		
John Legg			X
Dave Murzin	X		
Ari Porth	X		
William Snyder	X		
Perry Thurston	X		
Baxter Troutman	X		
Juan Zapata	X		
Totals:	17	0	1

Committee meeting was reported out: Tuesday, March 09, 2010 3:43:09PM

**THE FLORIDA HOUSE OF REPRESENTATIVES
STATE REPRESENTATIVE JOHN LEGG**

District 46

LARRY CRETUL
Speaker of the House

RON REAGAN
Speaker pro tempore

March 9, 2010

The Honorable Marcelo Llorente, Chair
The Policy Council
317 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

Dear Chair Llorente,

I will be unable to attend Tuesday's (3/9) Policy Council meeting due to the fact that I am ill. I apologize for my absence.

Sincerely,



Rep. John Legg

Cc: Lucy Ciccone, Council Director
Sukie Glatfelter, Administrative Assistant

REPLY TO:

10014 Grove Drive, Suite B, Port Richey, Florida 34668 (727) 869-8600, FAX: (727) 861-5229
319 The Capitol, 402 South Monroe Street, Tallahassee, Florida 32399 (850) 488-5522, FAX: (888) 635-4617

COUNCIL MEETING REPORT

Policy Council

3/9/2010 2:00:00PM

Location: Morris Hall (17 HOB)

HB 707 : International Banking Corporations

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Mary Brandenburg	X				
Jennifer Carroll				X	
Faye Culp	X				
Keith Fitzgerald	X				
James Frishe	X				
Audrey Gibson	X				
Ed Homan	X				
Dorothy Hukill	X				
Evan Jenne	X				
John Legg			X		
Dave Murzin	X				
Ari Porth	X				
William Snyder	X				
Perry Thurston	X				
Baxter Troutman	X				
Juan Zapata	X				
Marcelo Llorente (Chair)	X				
	Total Yeas: 16	Total Nays: 0			

Appearances:

International Banking Corporations

Andrea Moreland, Legislative Dir. (Waived in Support) (Lobbyist) (State Employee) - Proponent

Office of Financial Regulation

200 E. Gaines Street

Tallahassee FL 32399

Phone: (850) 410-9601

COUNCIL MEETING REPORT

Policy Council

3/9/2010 2:00:00PM

Location: Morris Hall (17 HOB)

HB 1065 : Biodiesel Fuel

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Mary Brandenburg	X				
Jennifer Carroll	X				
Faye Culp	X				
Keith Fitzgerald	X				
James Frishe	X				
Audrey Gibson	X				
Ed Homan	X				
Dorothy Hukill	X				
Evan Jenne	X				
John Legg			X		
Dave Murzin	X				
Ari Porth	X				
William Snyder	X				
Perry Thurston	X				
Baxter Troutman	X				
Juan Zapata	X				
Marcelo Llorente (Chair)	X				
	Total Yeas: 17	Total Nays: 0			

Appearances:

Biodiesel Fuel

Rick Mills, Legislative Affairs Director (Waived in Support) (Lobbyist) - Proponent

Alachua County

P. O. Box 2877

Gainesville FL 32602

Phone: (352) 317-2560

COUNCIL MEETING REPORT

Policy Council

3/9/2010 2:00:00PM

Location: Morris Hall (17 HOB)

HB 7069 : Background Screening

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Mary Brandenburg	X				
Jennifer Carroll	X				
Faye Culp	X				
Keith Fitzgerald	X				
James Frishe	X				
Audrey Gibson	X				
Ed Homan	X				
Dorothy Hukill	X				
Evan Jenne	X				
John Legg			X		
Dave Murzin	X				
Ari Porth	X				
William Snyder	X				
Perry Thurston	X				
Baxter Troutman	X				
Juan Zapata	X				
Marcelo Llorente (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Appearances:

Background Screening

Leslie Spencer (Waived in Support) (Lobbyist) - Proponent

Associate State Director for Advocacy, AARD

200 W. College Avenue

Tallahassee FL 32309

Phone: (850) 577-5165

Background Screening

Terri Poore (Waived in Support) (Lobbyist) - Proponent

Director of Public Affairs, Fl. Council Against Sexual Violence

1820 East Park Ave., Suite 100

Tallahassee FL 32301

Phone: (850) 297-2000

Background Screening

Janet Mabry (Lobbyist) - Proponent

Florida Association of Child Care

2866 Bay Heather Circle

Gulf Breeze FL

Phone: (850) 501-2502

Committee meeting was reported out: Tuesday, March 09, 2010 3:43:09PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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	—	

1 Council/Committee hearing bill: Policy Council
2 Representative(s) Snyder offered the following:

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

5 Between lines 2313 and 2314, insert:

6 Section 51. Section 409.1758, Florida Statutes, is
7 repealed.

8 Section 52. Paragraph (d) of subsection (4) of section
9 456.039, Florida Statutes, is repealed.

10
11
12
13 -----
14 **T I T L E A M E N D M E N T**

15 Remove line 110 and insert:

16 ch. 435, F.S., by this act; repealing s. 409.1758, F.S.,
17 relating to screening of summer camp personnel; repealing s.
18 456.039(4)(d) , F.S., relating to designated health care

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

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19 professionals; information required for licensure; providing for
20 prospective

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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 _____

1 Council/Committee hearing bill: Policy Council
2 Representative(s) Snyder offered the following:

3
4 **Amendment**

5 Remove lines 217-224 and insert:

6 (5) DISQUALIFYING OFFENSES.—The background screening
7 conducted under this section must ensure that, in addition to
8 the disqualifying offenses listed in s. 435.04, no person
9 subject to the provisions of this section has an arrest awaiting
10 final disposition for, has been found guilty of, regardless of
11 adjudication, or entered a plea of nolo contendere or guilty to,
12 or has been adjudicated delinquent and the record has not been
13 sealed or expunged for, any offense prohibited under any of the
14 following provisions of the Florida Statutes or under any
15 similar statute of another jurisdiction:
16

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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: Policy Council

2 Representative(s) Snyder offered the following:

3
4 **Amendment**

5 Remove lines 753-756 and insert:

6 (h) An affidavit, under penalty of perjury, as required in
7 s. 435.05(3), stating compliance with the provisions of this
8 section and chapter 435.
9

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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: Policy Council
2 Representative(s) Snyder offered the following:

4 **Amendment**

5 Remove lines 788-927 and insert:

6 (e) Any person, as required by authorizing statutes,
7 seeking employment with a licensee or provider who is expected
8 to, or whose responsibilities may require him or her to, provide
9 personal care or services directly to clients or have access to
10 client funds, personal property, or living areas; and any
11 person, as required by authorizing statutes, contracting with a
12 licensee or provider whose responsibilities require him or her
13 to provide personal care or personal services directly to
14 clients. Evidence of contractor screening may be retained by the
15 contractor's employer or the licensee.

16 (2) Every 5 years following his or her licensure,
17 employment, or entry into a contract in a capacity that under
18 subsection (1) would require level 2 background screening under
19 chapter 435, each such person must submit to level 2 background

Amendment No.

20 rescreening as a condition of retaining such license or
21 continuing in such employment or contractual status. For any
22 such rescreening, the agency shall request the Department of Law
23 Enforcement to forward the person's fingerprints to the Federal
24 Bureau of Investigation for a national criminal history record
25 check. If the fingerprints of such a person are not retained by
26 the Department of Law Enforcement under s. 943.05(2)(g), the
27 person must file a complete set of fingerprints with the agency
28 and the agency shall forward the fingerprints to the Department
29 of Law Enforcement for state processing, and the Department of
30 Law Enforcement shall forward the fingerprints to the Federal
31 Bureau of Investigation for a national criminal history record
32 check. The fingerprints may be retained by the Department of Law
33 Enforcement under s. 943.05(2)(g). The cost of the state and
34 national criminal history records checks required by level 2
35 screening may be borne by the licensee or the person
36 fingerprinted. Proof of compliance with level 2 screening
37 standards submitted within the previous 5 years to meet any
38 provider or professional licensure requirements of the agency,
39 the Department of Health, the Agency for Persons with
40 Disabilities, ~~or~~ the Department of Children and Family Services,
41 or the Department of Financial Services for an applicant for a
42 certificate of authority or provisional certificate of authority
43 to operate a continuing care retirement community under chapter
44 651 satisfies the requirements of this section, provided the
45 person subject to screening has not been unemployed for more
46 than 90 consecutive days and that such proof is accompanied,
47 under penalty of perjury, by an affidavit of compliance with the

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

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48 provisions of chapter 435 and this section using forms provided
49 by the agency. ~~Proof of compliance with the background screening~~
50 ~~requirements of the Department of Financial Services submitted~~
51 ~~within the previous 5 years for an applicant for a certificate~~
52 ~~of authority to operate a continuing care retirement community~~
53 ~~under chapter 651 satisfies the Department of Law Enforcement~~
54 ~~and Federal Bureau of Investigation portions of a level 2~~
55 ~~background check.~~

56 (3) All fingerprints must be provided in electronic
57 format. Screening results shall be reviewed by the agency with
58 respect to the offenses specified in s. 435.04 and this section
59 and the qualifying or disqualifying status of the person named
60 in the request shall be maintained in a database. The qualifying
61 or disqualifying status of the person named in the request shall
62 be posted on a secure website for retrieval by the licensee or
63 designated agent on the licensee's behalf. A provisional license
64 ~~may be granted to an applicant when each individual required by~~
65 ~~this section to undergo background screening has met the~~
66 ~~standards for the Department of Law Enforcement background check~~
67 ~~but the agency has not yet received background screening results~~
68 ~~from the Federal Bureau of Investigation. A standard license may~~
69 ~~be granted to the licensee upon the agency's receipt of a report~~
70 ~~of the results of the Federal Bureau of Investigation background~~
71 ~~screening for each individual required by this section to~~
72 ~~undergo background screening that confirms that all standards~~
73 ~~have been met or upon the granting of an exemption from~~
74 ~~disqualification by the agency as set forth in chapter 435.~~

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

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75 ~~(4) When a person is newly employed in a capacity that~~
76 ~~requires screening under this section, the licensee must notify~~
77 ~~the agency of the change within the time period specified in the~~
78 ~~authorizing statute or rules and must submit to the agency~~
79 ~~information necessary to conduct level 2 screening or provide~~
80 ~~evidence of compliance with background screening requirements of~~
81 ~~this section. The person may serve in his or her capacity~~
82 ~~pending the agency's receipt of the report from the Federal~~
83 ~~Bureau of Investigation if he or she has met the standards for~~
84 ~~the Department of Law Enforcement background check. However, the~~
85 ~~person may not continue to serve in his or her capacity if the~~
86 ~~report indicates any violation of background screening standards~~
87 ~~unless an exemption from disqualification has been granted by~~
88 ~~the agency as set forth in chapter 435.~~

89 ~~(4)(5) Effective October 1, 2009,~~ In addition to the
90 offenses listed in s. ss. 435.03 and 435.04, all persons
91 required to undergo background screening pursuant to this part
92 or authorizing statutes must not have an arrest awaiting final
93 disposition for, must not have been found guilty of, regardless
94 of adjudication, or entered a plea of nolo contendere or guilty
95 to, and must not have been adjudicated delinquent and the record
96 has not been sealed or expunged for, any of the following
97 offenses or any similar offense of another jurisdiction:

98 (a) Any authorizing statutes, if the offense was a felony.

99 (b) This chapter, if the offense was a felony.

100 (c) Section 409.920, relating to Medicaid provider fraud,
101 ~~if the offense was a felony.~~

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

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102 (d) Section 409.9201, relating to Medicaid fraud, ~~if the~~
103 ~~offense was a felony.~~

104 (e) Section 741.28, relating to domestic violence.

105 ~~(f) Chapter 784, relating to assault, battery, and~~
106 ~~culpable negligence, if the offense was a felony.~~

107 ~~(g) Section 810.02, relating to burglary.~~

108 (f) ~~(h)~~ Section 817.034, relating to fraudulent acts
109 through mail, wire, radio, electromagnetic, photoelectronic, or
110 photooptical systems.

111 (g) ~~(i)~~ Section 817.234, relating to false and fraudulent
112 insurance claims.

113 (h) ~~(j)~~ Section 817.505, relating to patient brokering.

114 (i) ~~(k)~~ Section 817.568, relating to criminal use of
115 personal identification information.

116 (j) ~~(l)~~ Section 817.60, relating to obtaining a credit card
117 through fraudulent means.

118 (k) ~~(m)~~ Section 817.61, relating to fraudulent use of
119 credit cards, if the offense was a felony.

120 (l) ~~(n)~~ Section 831.01, relating to forgery.

121 (m) ~~(o)~~ Section 831.02, relating to uttering forged
122 instruments.

123 (n) ~~(p)~~ Section 831.07, relating to forging bank bills,
124 checks, drafts, or promissory notes.

125 (o) ~~(q)~~ Section 831.09, relating to uttering forged bank
126 bills, checks, drafts, or promissory notes.

127 (p) ~~(r)~~ Section 831.30, relating to fraud in obtaining
128 medicinal drugs.

COUNCIL/COMMITTEE AMENDMENT

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129 ~~(q)-(s)~~ Section 831.31, relating to the sale, manufacture,
130 delivery, or possession with the intent to sell, manufacture, or
131 deliver any counterfeit controlled substance, if the offense was
132 a felony.

133

134 A person who serves as a controlling interest of, ~~or~~ is employed
135 by, or contracts with, a licensee on June 30, 2010 ~~September 30,~~
136 ~~2009,~~ who has been screened and qualified according to standards
137 specified in s. 435.03 or s. 435.04 must be rescreened by June
138 30, 2015. The agency may adopt rules pursuant to ss. 120.536(1)
139 and 120.54 to establish a schedule to stagger the implementation
140 of the required rescreening over the five-year period starting
141 June 30, 2010 through June 30, 2015 ~~is not required by law to~~
142 ~~submit to rescreening if that licensee has in its possession~~
143 ~~written evidence that the person has been screened and qualified~~
144 ~~according to the standards specified in s. 435.03 or s. 435.04.~~
145 ~~However, if such person has a disqualifying offense listed in~~
146 ~~this section, he or she may apply for an exemption from the~~
147 ~~appropriate licensing agency before September 30, 2009, and if~~
148 ~~agreed to by the employer, may continue to perform his or her~~
149 ~~duties until the licensing agency renders a decision on the~~
150 ~~application for exemption for offenses listed in this section.~~
151 ~~Exemptions from disqualification may be granted pursuant to s.~~
152 ~~435.07.~~

153

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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 —

1 Council/Committee hearing bill: Policy Council

2 Representative(s) Snyder offered the following:

3
4 **Amendment**

5 Remove lines 1297-1304 and insert:

6 (4) The background screening conducted pursuant to this
7 section must ensure that, in addition to the disqualifying
8 offenses listed in s. 435.04, no person subject to the
9 provisions of this section has an arrest awaiting final
10 disposition for, has been found guilty of, regardless of
11 adjudication, or entered a plea of nolo contendere or guilty to,
12 or has been adjudicated delinquent and the record has not been
13 sealed or expunged for, any offense prohibited under any of the
14 following provisions of the Florida Statutes or under any
15 similar statute of another jurisdiction:
16

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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 _____

1 Council/Committee hearing bill: Policy Council
2 Representative(s) Snyder offered the following:

3
4 **Amendment**

5 Remove lines 1379-1386 and insert:
6 through the ~~Florida~~ Department of Law Enforcement, a check of
7 the Dru Sjodin National Sex Offender Registry, and may include
8 local criminal records checks through local law enforcement
9 agencies.

10 (2) Any person required by law to be screened pursuant to
11 this section must not have an arrest awaiting final disposition
12 for, for whom employment screening is required by statute must
13 not have been found guilty of, regardless of adjudication, or
14 entered a plea of nolo contendere or guilty to, and must not
15 have been adjudicated delinquent and the record has not been
16 sealed or expunged for, any offense prohibited under any
17 provision of s. 435.04(2) of

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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 _____

1 Council/Committee hearing bill: Policy Council
2 Representative(s) Snyder offered the following:

3
4 **Amendment**

5 Remove lines 1480-1501 and insert:

6 (b) Fingerprints submitted pursuant to this section on or
7 after July 1, 2012, must be submitted electronically to the
8 Department of Law Enforcement.

9 (c) An agency may contract with one or more vendors to
10 perform all or part of the electronic fingerprinting pursuant to
11 this section. Such contracts must ensure that the owners and
12 personnel of the vendor performing the electronic fingerprinting
13 are qualified and will ensure the integrity and security of all
14 personal information.

15 (d) An agency may require by rule adopted pursuant to
16 chapter 120 that fingerprints submitted pursuant to this section
17 must be submitted electronically to the Department of Law
18 Enforcement on a date earlier than July 1, 2012.

Amendment No.

19 (2) The security background investigations under this
20 section must ensure that no persons subject to the provisions of
21 this section have been arrested for and are awaiting final
22 disposition of, or have been found guilty of, regardless of
23 adjudication, or entered a plea of nolo contendere or guilty to,
24 or have been adjudicated delinquent and the record has not been
25 sealed or expunged for, any offense prohibited under any of the
26 following provisions of the Florida Statutes or under any
27 similar statute of another jurisdiction:
28

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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 _____

1 Council/Committee hearing bill: Policy Council
2 Representative(s) Snyder offered the following:

3
4 **Amendment**

5 Remove lines 1748-1769 and insert:

6 (4) There is no unemployment compensation or other
7 monetary liability on the part of, and no cause of action for
8 damages arising against, an employer that, upon notice of a
9 conviction or arrest for a disqualifying offense listed under
10 this chapter, terminates the person against whom the report was
11 issued or who was arrested, regardless of whether that person
12 has filed for an exemption pursuant to this chapter.

13 Section 37. Section 435.07, Florida Statutes, is amended
14 to read:

15 435.07 Exemptions from disqualification.—Unless otherwise
16 provided by law, the provisions of this section shall apply to
17 exemptions from disqualification for disqualifying offenses
18 revealed pursuant to background screenings required by law to be
19 conducted pursuant this chapter, regardless of whether those

Amendment No.

20 disqualifying offenses are listed in this chapter or are
21 codified in other statutes.

22 (1) The head of the appropriate ~~licensing~~ agency may grant
23 to any employee otherwise disqualified from employment an
24 exemption from disqualification for:

25 (a) Felonies for which at least 3 years have elapsed since
26 the applicant for the exemption has completed or been lawfully
27 released from confinement, supervision, or sanction for the
28 disqualifying felony ~~committed more than 3 years prior to the~~
29 ~~date of disqualification;~~

30 (b) Misdemeanors prohibited under any of the Florida
31 Statutes cited in this chapter or under similar statutes of
32 other jurisdictions for which the applicant for the exemption
33 has completed or been lawfully released from confinement,
34 supervision, or sanction;

35 (c) Offenses that were felonies when committed but are now
36 misdemeanors and for which the applicant for the exemption has
37 completed or been lawfully released from confinement,
38 supervision, or sanction; or

39 (d) Findings of delinquency. For offenses that would be
40 felonies if committed by an adult and the record has not been
41 sealed or expunged, then the exemption may not be granted until
42 at least 3 years have elapsed since the applicant for the
43 exemption has completed or been lawfully released from
44 confinement, supervision, or sanction for the disqualifying
45 offense; or

46 ~~(e) Commissions of acts of domestic violence as defined in~~
47 ~~s. 741.30.~~

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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 _____

1 Council/Committee hearing bill: Policy Council
2 Representative(s) Snyder offered the following:

3
4 **Amendment**

5 Remove lines 1812-1815 and insert:

6 (b) Disqualification from employment under this chapter
7 may not be removed from, nor may an exemption be granted to, any
8 person who has been designated as a:

9 1. sexual predator pursuant to s. 775.21;

10 2. career offender pursuant to s. 775.261; or

11 3. sexual offender pursuant to s. 943.0435, unless the
12 person has had the sexual offender designation removed pursuant
13 to s. 943.04354.
14
15

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

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 _____

1 Council/Committee hearing bill: Policy Council
2 Representative(s) Snyder offered the following:

3
4 **Amendment**

5 Remove lines 1866-1892 and insert:

6 Section 40. Subsection (9) of section 489.115, Florida
7 Statutes, is amended to read:

8 489.115 Certification and registration; endorsement;
9 reciprocity; renewals; continuing education.—

10 (9) An initial applicant shall submit, along with the
11 application, a complete set of fingerprints to ~~in a form and~~
12 ~~manner required by~~ the department. The fingerprints shall be
13 submitted to the Department of Law Enforcement for state
14 processing, and the Department of Law Enforcement shall forward
15 them to the Federal Bureau of Investigation for national
16 processing for the purpose of determining if the applicant has a
17 criminal history record ~~conducting a level 2 background check~~
18 ~~pursuant to s. 435.04~~. The department shall and the board may
19 review the background results to determine if an applicant meets

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7069 (2010)

Amendment No.

20 licensure requirements. The cost for the fingerprint processing
21 shall be borne by the person subject to the background
22 screening. These fees are to be collected by the authorized
23 agencies or vendors. The authorized agencies or vendors are
24 responsible for paying the processing costs to the Department of
25 Law Enforcement.

26 Section 41. Paragraphs (g) and (h) of subsection (2) of
27 section 943.05, Florida Statutes, are amended, and subsection
28 (4) is added to that section, to read:

29 943.05 Criminal Justice Information Program; duties; crime
30 reports.—

31 (2) The program shall:

32 (g) Upon official written request, and subject to the
33 department having sufficient funds and equipment to participate
34 in such a request, from the agency
35



TYPE OR PRINT CLEARLY

COUNCIL/COMMITTEE APPEARANCE RECORD

Bill Number HB707 Date 3/9/10
Name Andrea Moreland
Title Legislative Director
Address 200 E. Gannys Street
City Tallahassee State/Zip FL 32399
Phone Number 850-410-9601
Representing Office of Financial Regulation

Waived in support

Lobbyist (registered) YES [checked] NO []
State Employee YES [checked] NO []

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

I wish to speak [] Proponent [checked] Amendment [] Bill []
I have been requested to speak [] Opponent [] Amendment [] Bill []
Information [] Amendment [] Bill []

Subject matter: International Banking

Council/Committee: Policy Council

PLEASE FILL OUT THE ENTIRE FORM AND SUBMIT TWO COPIES TO THE COUNCIL/COMMITTEE ADMINISTRATIVE ASSISTANT AT THE MEETING



TYPE OR PRINT CLEARLY

COUNCIL/COMMITTEE APPEARANCE RECORD

Bill Number 1065 Date 3/9/2010
Name Rick Mills
Title Legislative Affairs Director, Alachua County
Address PO Box 2877
City Gainesville State/Zip FL 32602
Phone Number 352 317-2560
Representing Alachua County

Lobbyist (registered) YES [checked] NO []
State Employee YES [] NO [checked]

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

I wish to speak [checked] Proponent [] Amendment [] Bill [checked]
I have been requested to speak [] Opponent [] Amendment [] Bill []
Information [] Amendment [] Bill []

Subject matter: Biodiesel fuel

Council/Committee: Policy Council

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TYPE OR PRINT CLEARLY

COUNCIL/COMMITTEE APPEARANCE RECORD

Waived in support

Bill Number 7069 Date 3/9/10
Name Leslie Spencer
Title Associate State Director for Advocacy
Address 200 W. College Avenue
City Taly State/Zip FL 32309
Phone Number 850 572-5165
Representing AARD

Lobbyist (registered) YES [X] NO []
State Employee YES [] NO [X]

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

I wish to speak [] Proponent [] Bill [X]
I have been requested to speak [] Opponent []
Information []

Subject matter: Background screening

Council/Committee: Policy Council

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TYPE OR PRINT CLEARLY

COUNCIL/COMMITTEE APPEARANCE RECORD

Waived in support

Bill Number 7069 Date 3/9/10

Name Terri Poore

Title Director of Public Affairs

Address 1820 East Park Ave Suite 100

City Tallahassee State/Zip 32301

Phone Number 850 297-2000

Representing Florida Council Against Sexual Violence

Lobbyist (registered) YES [checked] NO []

State Employee YES [] NO [checked]

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

Table with 2 columns: Position (I wish to speak, I have been requested to speak) and 2 sub-columns: Amendment, Bill. Includes checkboxes and handwritten marks.

Subject matter:

Council/Committee: Public Safety

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TYPE OR PRINT CLEARLY

COUNCIL/COMMITTEE APPEARANCE RECORD

Bill Number 7069 Date March
Name JANET MABRY
Title Lobbyist
Address 2866 Bay Heather Circle
City Gulf Breeze State/Zip FL
Phone Number 850-501-2502
Representing Florida Association of Child Care

Lobbyist (registered) YES [checked] NO []

State Employee YES [] NO []

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

I wish to speak [checked] Proponent Amendment [] Bill []
I have been requested to speak [] Opponent Amendment [] Bill []
Information Amendment [] Bill []

Subject matter: Background Screening -

Council/Committee:

PLEASE FILL OUT THE ENTIRE FORM AND SUBMIT TWO COPIES TO THE COUNCIL/COMMITTEE ADMINISTRATIVE ASSISTANT AT THE MEETING