



Judiciary Committee

Thursday, January 19, 2012

9:00 AM

404 HOB

Action Packet

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

Summary:

Judiciary Committee

Thursday January 19, 2012 09:00 am

HB 125	Favorable	Yeas: 16	Nays: 0
CS/HB 173	Favorable	Yeas: 16	Nays: 0
CS/HB 183	Favorable	Yeas: 15	Nays: 1
CS/CS/HB 329	Favorable	Yeas: 17	Nays: 0
HB 1227	Favorable With Committee Substitute Amendment 909891 Adopted Without Objection	Yeas: 16	Nays: 0
HB 4047	Favorable	Yeas: 16	Nays: 0
HB 4049	Favorable	Yeas: 16	Nays: 0
HB 4055	Favorable	Yeas: 13	Nays: 4
HB 4073	Favorable	Yeas: 16	Nays: 0
HB 4077	Favorable	Yeas: 17	Nays: 0
HB 4093	Favorable	Yeas: 16	Nays: 0
HB 4133	Favorable After adjournment, Rep. Schwartz requested her vote be changed from "Nay" to "Yea"	Yeas: 14	Nays: 3

Committee meeting was reported out: Thursday, January 19, 2012 12:12:58PM

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
William Snyder (Chair)	X		
Daphne Campbell	X		
Eric Eisnaugle	X		
Matt Gaetz	X		
Tom Goodson	X		
Bill Hager			X
Gayle Harrell	X		
Shawn Harrison	X		
John Julien	X		
Charles McBurney	X		
Larry Metz	X		
Kathleen Passidomo	X		
Ray Pilon	X		
Ari Porth	X		
Elaine Schwartz	X		
Darren Soto	X		
Richard Steinberg	X		
Michael Weinstein	X		
Totals:	17	0	1

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COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 125 : Preventing Deaths from Drug-related Overdoses

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Eric Eisnaugle			X		
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

HB 125

Purdy, James (State Employee) - Waive In Support

Florida Public Defender Association

251 N Ridgewood Avenue

Daytona Beach FL 32114

Phone: 386-239-7730

HB 125

Messersmith, Frank (Lobbyist) - Waive In Support

Florida Sheriffs Association

PO Box 12519

Tallahassee FL 32317

Phone: (850)576-5858

Committee meeting was reported out: Thursday, January 19, 2012 12:12:58PM

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

CS/HB 173 : Department of Juvenile Justice

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Eric Eisnaugle			X		
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

CS/HB 173

Sanchez, Ana (Lobbyist) - Waive In Support

Department of Juvenile Justice

2737 Centerview Dr

Tallahassee FL 32399

Phone: (850)410-1097

CS/HB 173

Pitts, Brian - Proponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Thursday, January 19, 2012 12:12:58PM

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

CS/HB 183 : Misdemeanor Pretrial Substance Abuse Programs

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Eric Eisnaugle			X		
Matt Gaetz		X			
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 15		Total Nays: 1			

Appearances:

CS/HB 183

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Thursday, January 19, 2012 12:12:58PM

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

CS/CS/HB 329 : Parole Interview Dates for Certain Inmates

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Eric Eisnaugle	X				
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Appearances:

CS/CS/HB 329

Mercer, Amy (General Public) - Waive In Support
Executive Director, Florida Police Chiefs Association
924 N. Gadsdew St.
Tallahassee FL 32301
Phone: (850)219-3631

CS/CS/HB 329

Pitts, Brian - Waive In Opposition
Justice-2-Jesus
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: 727-897-9291

CS/CS/HB 329

Messersmith, Frank (Lobbyist) - Waive In Support
Florida Sheriffs Association
PO Box 12519
Tallahassee FL 32317
Phone: (850)576-5858

Committee meeting was reported out: Thursday, January 19, 2012 12:12:58PM

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 1227 : Certification of 911 Public Safety Telecommunicators

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Eric Eisnaugle			X		
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 16		Total Nays: 0			

HB 1227 Amendments

Amendment 909891

Adopted Without Objection

Appearances:

HB 1227

Floyd, Dwight (State Employee) - Waive In Support
Bureau Chief, Florida Department of Law Enforcement
2331 Phillips Rd
Tallahassee FL 32308
Phone: 850-410-8675

HB 1227

Pinsky, Richard (Lobbyist) - Information Only
Association of Public Safety Communications Officials
PO Box 5879
Winter Park FL 32793
Phone: (561)202-0990

Committee meeting was reported out: Thursday, January 19, 2012 12:12:58PM

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 1227 : Certification of 911 Public Safety Telecommunicators (continued)

Appearances: (continued)

HB 1227

Pitts, Brian - Opponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

HB 1227

Messersmith, Frank (Lobbyist) - Waive In Support

Florida Sheriffs Association

PO Box 12519

Tallahassee FL 32317

Phone: (850)576-5858

HB 1227

Hartley, Ronald (General Public) - Waive In Support

Major, Hillsborough County Sheriffs Office

2008 8th Avenue

Tampa FL 33701

Phone: 813-247-0400

HB 1227

Dembinsky, Stephen (General Public) - Waive In Support

Chief of Police, Daytona Beach Shores Police Department

3050 S Atlantic Avenue

Daytona Beach Shores FL 32118

Phone: 386-527-0506

HB 1227

Mercer, Amy (General Public) - Waive In Support

Executive Director, Florida Police Chiefs Association

924 N. Gadsdew St.

Tallahassee FL 32301

Phone: (850)219-3631

HB 1227

Cook, Casey (Lobbyist) - Waive In Support

Florida League of Cities

Po Box 1757

Tallahassee FL 32302

Phone: (850)701-3609

Committee meeting was reported out: Thursday, January 19, 2012 12:12:58PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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
1-19-12*

Committee/Subcommittee hearing bill: Judiciary Committee
Representative Drake offered the following:

Amendment (with title amendment)

Remove lines 16-78 and insert:

Section 1. Paragraphs (d) and (j) of subsection (2) of section 401.465, Florida Statutes, are amended, paragraph (k) of subsection (2) is redesignated as paragraph (l), and a new paragraph (k) is added to subsection (2) of that section, to read:

401.465 911 public safety telecommunicator certification.-

(2) PERSONNEL; STANDARDS AND CERTIFICATION.-

(d) The department shall determine whether the applicant meets the requirements specified in this section and in rules of the department and shall issue a certificate to any person who meets such requirements. Such requirements must include the following:

1. Completion of an appropriate 911 public safety telecommunication training program;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1227 (2012)

Amendment No. 1

20 2. Certification under oath that the applicant is not
21 addicted to alcohol or any controlled substance;

22 3. Certification under oath that the applicant is free
23 from any physical or mental defect or disease that might impair
24 the applicant's ability to perform his or her duties;

25 4. Submission of the application fee prescribed in
26 subsection (3);

27 5. Submission of a completed application to the department
28 which indicates compliance with subparagraphs 1., 2., and 3.;
29 and

30 6. Effective October 1, 2012, passage of an examination
31 approved ~~administered~~ by the department which measures the
32 applicant's competency and proficiency in the subject material
33 of the public safety telecommunication training program.

34 (j) If a person was employed as a 911 public safety
35 telecommunicator, ~~a sworn state-certified law enforcement~~
36 ~~officer~~, or a state-certified firefighter before April 1, 2012,
37 he or she must pass the examination approved ~~administered~~ by the
38 department which measures the competency and proficiency in the
39 subject material of the public safety telecommunication program,
40 as defined in paragraph (1)(c). Upon passage of the examination,
41 the completion of the public safety telecommunication training
42 program is ~~shall be~~ waived.

43 (k)1. The requirement for certification as a public safety
44 telecommunicator is waived for a person employed as a sworn
45 state-certified law enforcement officer, provided the officer:

46 a. Is selected by his or her chief executive to perform as
47 a public safety telecommunicator;

Amendment No. 1

48 b. Performs as a public safety telecommunicator on an
49 occasional or limited basis; and

50 c. Passes the department-approved examination that
51 measures the competency and proficiency of an applicant in the
52 subject material comprising the public safety telecommunication
53 program.

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

Remove lines 3-10 and insert:

telecommunicators; amending s. 401.465, F.S.; revising
requirements for certification of 911 public safety
telecommunicators; providing conditions under which the
requirement for certification as a public safety
telecommunication training program may be waived for certain law
enforcement officers;

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 4047 : Judicial Census Commissions

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Eric Eisnaugle			X		
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 16		Total Nays: 0			

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Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 4049 : Veteran's Guardianship

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Eric Eisnaugle			X		
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 16		Total Nays: 0			

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COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 4055 : Supreme Court

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Eric Eisnaugle	X				
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth		X			
Elaine Schwartz		X			
Darren Soto		X			
Richard Steinberg		X			
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 13		Total Nays: 4			

Appearances:

HB 4055

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

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COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 4073 : Florida Motor Vehicle Theft Prevention Authority

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Daphne Campbell	X				
Eric Eisnaugle			X		
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

HB 4073

Fay, Andrew (Lobbyist) (State Employee) - Waive In Support

Attorney General's Office

PL 02 Plaza

Tallahassee FL 32301

Phone: (850) 245-0187

HB 4073

Pitts, Brian - Opponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Thursday, January 19, 2012 12:12:58PM

COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 4077 : Actions for Damages

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Eric Eisnaugle	X				
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Appearances:

HB 4077

Pitts, Brian - Waive In Support

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: 727-897-9291

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COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 4093 : Court Costs

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Eric Eisnaugle			X		
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth	X				
Elaine Schwartz	X				
Darren Soto	X				
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 16		Total Nays: 0			

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COMMITTEE MEETING REPORT

Judiciary Committee

1/19/2012 9:00:00AM

Location: 404 HOB

HB 4133 : District Courts of Appeal

Favorable - After adjournment, Rep. Schwartz requested her vote be changed from "Nay" to "Yea"

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Daphne Campbell	X				
Eric Eisnaugle	X				
Matt Gaetz	X				
Tom Goodson	X				
Bill Hager			X		
Gayle Harrell	X				
Shawn Harrison	X				
John Julien	X				
Charles McBurney	X				
Larry Metz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Ari Porth		X			
Elaine Schwartz		X			
Darren Soto		X			
Richard Steinberg	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 14		Total Nays: 3			

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