



RULEMAKING & REGULATION SUBCOMMITTEE MEETING

Tuesday, January 24, 2012

2:00 P.M. – 4:30 P.M.

306 House Office Building

ACTION PACKET

Dean Cannon
Speaker

Chris Dorworth
Chair

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

Summary:

Rulemaking & Regulation Subcommittee

Tuesday January 24, 2012 02:00 pm

CS/HB 157	Favorable With Committee Substitute	Yeas: 15	Nays: 0
	Amendment 827791 Adopted Without Objection		
	Amendment 336899 Adopted Without Objection		
CS/HB 177	Favorable With Committee Substitute	Yeas: 14	Nays: 1
	Amendment 963771 Adopted		
CS/HB 181	Favorable	Yeas: 14	Nays: 1
CS/HB 367	Favorable	Yeas: 15	Nays: 0
CS/HB 479	Favorable	Yeas: 14	Nays: 0
HB 639	Favorable	Yeas: 12	Nays: 3
CS/HB 691	Favorable	Yeas: 15	Nays: 0
CS/HB 869	Favorable	Yeas: 14	Nays: 0
HB 1237	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 014155 Withdrawn		
	Amendment 833929 Adopted Without Objection		

Proposed exemption from legislative ratification for pending DEP rules on numeric nutrient regulation Workshopped

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Chris Dorworth (Chair)	X		
Frank Artiles	X		
Jeffrey Brandes	X		
Brad Drake	X		
Matt Gaetz	X		
Tom Goodson	X		
Matt Hudson	X		
Jimmy Patronis	X		
Scott Randolph	X		
Lake Ray	X		
Michelle Rehwinkel Vasilinda	X		
Hazelle Rogers	X		
Patrick Rooney, Jr.	X		
Franklin Sands	X		
Barbara Watson	X		
Totals:	15	0	0

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

CS/HB 157 : Water Management Districts

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake	X				
Matt Gaetz	X				
Tom Goodson	X				
Matt Hudson	X				
Jimmy Patronis	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson	X				
Chris Dorworth (Chair)	X				
Total Yeas: 15		Total Nays: 0			

CS/HB 157 Amendments

Amendment 827791

Adopted Without Objection

Amendment 336899

Adopted Without Objection

Appearances:

CS/HB 157 by Porter--Water Management Districts

Frank Bernadino (Lobbyist) - Proponent

Fla. Section American Water Works Association

324 E. Virginia St.

Tallahassee Florida 32301

Phone: 561-718-2345

Roth, Cari (Lobbyist) - Opponent

JEA

101 North Monroe Street

Tallahassee FL 32301

Phone: 850-222-8611

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

CS/HB 157 : Water Management Districts (continued)

Appearances: (continued)

Salz, Diane (Lobbyist) - Waive In Support
Withlacoochee Regional Water Supply Authority
2529 Goose Pond Ct.
Tallahassee FL 32308
Phone: (850)339-8550

Minnis, Steven (Lobbyist) - Waive In Support
Suwannee River Water Management District
9225 CR 49
Live Oak FL 32060
Phone: (386)362-1001

Cullen, David (Lobbyist) - Waive In Support
Sierra Club of Florida
1674 University Pky #296
Sarasota FL 34243
Phone: (941)323-2404

Bowman, Janet (Lobbyist) - Waive In Support
Nature Conservancy, The
625 N Adams St
Tallahassee FL 32301
Phone: (850)222-0199

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM



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 ___

ADOPTED

1 Committee/Subcommittee hearing bill: Rulemaking & Regulation
2 Subcommittee
3 Representative Porter offered the following:

Amendment

6 Remove lines 69-73 and insert:
7 and levels, and recovery or prevention strategies adopted by
8 rule after July 1, 2012, by the adjoining district if a
9 modification of a permit issued prior to July 1, 2012, is
10 requested by the permittee to increase permitted quantities or
11 to transfer permitted quantities to a new or existing source
12 that increases the impact to the minimum flow or level or
13 reservation.



Amendment No.2

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 _____

ADOPTED

1 Committee/Subcommittee hearing bill: Rulemaking & Regulation
 2 Subcommittee
 3 Representative Porter offered the following:

Amendment (with title amendment)

Between lines 30 and 31, insert:

7 Section 1. Present subsection (5) of section 373.042,
 8 Florida Statutes, is renumbered as subsection (6), and a new
 9 subsection (5) is added to that section to read:

373.042 Minimum flows and levels.—

11 (5) A person substantially affected under s. 373.223(6) by
 12 a proposed establishment of a minimum flow or level,
 13 reservation, or recovery or prevention strategy in an adjoining
 14 district may request a preliminary review by the department
 15 before the rule adoption hearing by the governing board. Such a
 16 request shall be made within 21 days after publication of the
 17 notice of proposed rulemaking and shall suspend the applicable
 18 rulemaking timeframes under s. 120.54 for 30 days, during which
 19 time the department shall review the proposed rule and provide



Amendment No.2

20 comments for consideration by the governing board. The review
21 under this subsection is separate from the review under s.
22 373.114(2).

24 -----
25 **T I T L E A M E N D M E N T**

26 Between lines 2 and 3, insert:

27 amending s. 373.042, F.S.; providing for certain
28 affected persons to request a review of a proposed
29 minimum flow or level, reservation, or recovery
30 prevention or strategy by the Department of
31 Environmental Protection; suspending rulemaking
32 timeframes under ch. 120 during such review; requiring
33 the department to provide comments; providing
34 construction;

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

CS/HB 177 : Inmate Reentry

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake	X				
Matt Gaetz		X			
Tom Goodson	X				
Matt Hudson	X				
Jimmy Patronis	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson	X				
Chris Dorworth (Chair)	X				
Total Yeas: 14		Total Nays: 1			

CS/HB 177 Amendments

Amendment 963771

Adopted

Appearances:

CS/HB 177 by Porth
Messersmith, Frank (Lobbyist) - Proponent
Florida Sheriffs Association
2901 Lake Bradford Rd
Tallahassee FL 32310
Phone: (850) 576-5858

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM



ADOPTED

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 177 (2012)

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 _____

Voice Vote

1 Committee/Subcommittee hearing bill: Rulemaking & Regulation
 2 Subcommittee

3 Representative Artiles offered the following:

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Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Nonviolent offender reentry program.-

(1) As used in this section, the term:

(a) "Department" means the Department of Corrections.

(b) "Nonviolent offender" means an offender:

1. Whose primary offense is a felony of the third degree;

2. Who has never been convicted of a forcible felony as

defined in s. 776.08, Florida Statutes;

3. Who has never been convicted of an offense listed in s. 775.082(9)(a)1.r. without regard to prior incarceration or release;

4. Who has never been convicted of an offense described in chapter 847 involving a minor or a depiction of a minor;

5. Who has never been convicted of an offense described in

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Amendment No. 1

20 chapter 827;

21 6. Who has never been convicted of any offense described in
22 ss. 784.07, 784.074, 784.075, 784.076, 784.08, 784.083 or
23 784.085;

24 7. Who has never been convicted of any offense involving
25 the possession or use of a firearm;

26 8. Who has never been convicted of a capital felony or a
27 felony of the first or second degree;

28 9. Who has never been convicted of any offense that
29 requires a person to register as a sexual offender pursuant to
30 s. 943.0435, Florida Statutes; and

31 10. Who is not the subject of a domestic violence
32 injunction currently in force.

33 (2) (a) The department shall develop and administer a
34 reentry program for nonviolent offenders. The reentry program
35 must include prison-based substance abuse treatment, general
36 education development and adult basic education courses,
37 vocational training, training in decisionmaking and personal
38 development, and other rehabilitation programs.

39 (b) The reentry program is intended to divert nonviolent
40 offenders from long periods of incarceration when a reduced
41 period of incarceration supplemented by participation in
42 intensive substance abuse treatment and rehabilitative
43 programming could produce the same deterrent effect, protect the
44 public, rehabilitate the offender, and reduce recidivism.

45 (c) The nonviolent offender shall serve at least six
46 months in the reentry program. The offender may not count any
47 portion of his or her sentence served before placement in the

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Amendment No. 1

48 reentry program as progress toward program completion.

49 (d) A reentry program may be operated in a secure area in
50 or adjacent to an adult institution.

51 (3) The department shall screen offenders committed to the
52 department for eligibility criteria to participate in the
53 reentry program. In order to be eligible, an offender must be a
54 nonviolent offender, must have served at least one-half of his
55 or her original sentence, and must have been identified as
56 having a need for substance abuse treatment.

57 (4) The department shall select eligible offenders for the
58 reentry program. When selecting participants for the reentry
59 program, the department shall be guided in its selection by its
60 evaluation of the following considerations:

61 (a) The offender's history of disciplinary reports;

62 (b) The offender's criminal history, with particular
63 scrutiny of any charges for offenses listed in (1)(b);

64 (c) The severity of the offender's addiction;

65 (d) The offender's history of criminal behavior related to
66 substance abuse;

67 (e) Whether the offender has participated or requested to
68 participate in any General Educational Development or other
69 educational, technical, work, vocational, or self-rehabilitation
70 program;

71 (f) The results of any risk assessment of the offender;

72 (g) The outcome of all past participation of the offender
73 in substance abuse treatment programs;

74 (h) The possible rehabilitative benefits that substance
75 abuse treatment, educational programming, vocational training,



Amendment No. 1

76 and other rehabilitative programming might have on the offender;
77 and

78 (i) The likelihood that participation in the program will
79 produce the same deterrent effect, protect the public, save
80 taxpayer dollars and prevent or delay recidivism to an equal or
81 greater extent than completion of the sentence previously
82 imposed.

83 (5) (a) If an offender volunteers to participate in the
84 reentry program, meets the eligibility criteria, is selected by
85 the department based on the considerations in subsection (4),
86 and space is available in the reentry program, the department
87 may request the sentencing court to approve the offender's
88 participation in the reentry program. The request shall be made
89 in writing and shall include a brief summation of the
90 department's evaluation under subsection (4) and a recital of
91 the documents or other information upon which the evaluation is
92 based. All documents may be delivered to the sentencing court
93 electronically.

94 (b)1. The department shall notify the state attorney that
95 the offender is being considered for placement in the reentry
96 program. The notice must include a copy of all documents
97 provided with the request to the court. The notice and all
98 documents may be delivered to the state attorney electronically
99 and may take the form of a copy of an electronic delivery to the
100 sentencing court.

101 2. The notice must also state that the state attorney may
102 notify the sentencing court in writing of any objection the
103 state attorney might have if the nonviolent offender is placed



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104 in the reentry program. The state attorney must notify the
105 sentencing court of his or her objections within 15 days after
106 receiving the notice. Whether or not an objection is raised, the
107 state attorney may provide to the sentencing court any
108 information supplemental or contrary to the information provided
109 by the department that may assist the court in its
110 determination.

111 (c) When approving a nonviolent offender for participation
112 in the reentry program, the sentencing court may consider any
113 facts the court considers relevant, including but not limited
114 to, the criteria listed in subsection (4); the original
115 sentencing report and any evidence admitted in a previous
116 sentencing proceeding; the offender's record of arrests without
117 conviction for crimes; any other evidence of allegations of
118 unlawful conduct or the use of violence by the offender; the
119 offender's family ties, length of residence in the community,
120 employment history, and mental condition; the likelihood that
121 participation in the program will produce the same deterrent
122 effect, rehabilitate the offender, and prevent or delay
123 recidivism to an equal or greater extent than completion of the
124 sentence previously imposed; and the likelihood that the
125 offender will engage again in a criminal course of conduct.

126 (d) The sentencing court shall notify the department in
127 writing of the court's decision to approve or disapprove the
128 requested placement of the nonviolent offender no later than 30
129 days after the court receives the department's request to place
130 the offender in the reentry program. If the court approves, the
131 notification shall list the factors upon which the court relied



Amendment No. 1

132 in approving the placement. Failure to notify the department of
133 the court's decision within the 30-day period constitutes
134 disapproval to place the offender into the reentry program.

135 (6) After the nonviolent offender is admitted into the
136 reentry program, he or she shall undergo a full substance abuse
137 assessment to determine his or her substance abuse treatment
138 needs. The offender shall also have an educational assessment,
139 which shall be accomplished using the Test of Adult Basic
140 Education or any other testing instrument approved by the
141 Department of Education. Each offender who has not obtained a
142 high school diploma shall be enrolled in an adult education
143 program designed to aid the offender in improving his or her
144 academic skills and earn a high school diploma. Further
145 assessments of the offender's vocational skills and future
146 career education shall be provided to the offender as needed. A
147 periodic reevaluation shall be made in order to assess the
148 progress of each offender.

149 (7) (a) If a nonviolent offender in the reentry program
150 becomes unmanageable, the department may revoke the offender's
151 gain-time and place the offender in disciplinary confinement in
152 accordance with department rule. Except as provided in paragraph
153 (b), the offender shall be readmitted to the reentry program
154 after completing the ordered discipline. Any period of time
155 during which the offender is unable to participate in the
156 reentry program shall be excluded from the specified time
157 requirements in the reentry program.

158 (b) The department may terminate an offender from the
159 reentry program if:



Amendment No. 1

160 1. The offender commits or threatens to commit a violent
161 act;

162 2. The department determines that the offender is unable
163 to participate in the reentry program due to the offender's
164 medical condition;

165 3. The offender's sentence is modified or expires;

166 4. The department reassigns the offender's classification
167 status; or

168 5. The department determines that removing the offender
169 from the reentry program is in the best interest of the offender
170 or the security of the institution.

171 (8) (a) The department shall submit a report to the
172 sentencing court at least 30 days before the nonviolent offender
173 is scheduled to complete the reentry program. The report must
174 describe the offender's performance in the reentry program and
175 certify whether the performance is satisfactory. If the
176 performance is satisfactory to the department, the court shall
177 hold a hearing to determine:

178 1. Whether the offender's performance in the reentry
179 program is satisfactory to the court;

180 2. Whether the public safety will be compromised by a
181 modification of sentence;

182 3. Any appropriate modification of sentence which shall not
183 be less than the minimum punishment required by law at the time
184 of the commission of the offense or offenses for which the
185 offender was sentenced.

186 (b) After consideration of all information available to the
187 court, the court may issue an order modifying the sentence



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188 imposed and may place the offender on drug offender probation,
189 as defined in s. 848.20(2), subject to the department's
190 certification of the offender's successful completion of the
191 remainder of the reentry program. The term of drug offender
192 probation may include placement in a community residential or
193 nonresidential substance abuse treatment facility under the
194 jurisdiction of the department or the Department of Children and
195 Family Services or any public or private entity providing such
196 services. The order shall include findings showing that the
197 requirements for resentencing under this section are satisfied
198 and that the public safety will not be compromised. If the
199 nonviolent offender violates the conditions of drug offender
200 probation, the court may revoke probation and impose any
201 sentence that it might have originally imposed.

202 (c) If an offender being released pursuant to paragraph
203 (b) intends to reside in a county that has established a
204 postadjudicatory drug court program as described in s. 397.334,
205 Florida Statutes, the sentencing court may require the offender
206 to successfully complete the postadjudicatory drug court program
207 as a condition of drug offender probation after considering the
208 county program's record of helping offenders avoid recidivism.
209 The original sentencing court shall relinquish jurisdiction of
210 the offender's case to the postadjudicatory drug court program
211 until the offender is no longer active in the program, the case
212 is returned to the sentencing court due to the offender's
213 termination from the program for failure to comply with the
214 terms thereof, or the offender's sentence is completed. If
215 transferred to a postadjudicatory drug court program, the

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216 offender shall comply with all conditions and orders of the
217 program.

218 (9) The department shall implement the reentry program to
219 the fullest extent feasible within available resources.

220 (10) The department shall submit an annual report to the
221 Governor, the President of the Senate, and the Speaker of the
222 House of Representatives detailing the extent of implementation
223 of the reentry program, the number of participants selected,
224 approved and successfully completing the program, a reasonable
225 estimate or description of the additional public costs incurred
226 and any public funds saved with respect to each participant, a
227 brief description of each sentence modification and a brief
228 description of the subsequent criminal history, if any, of each
229 participant following any modification of sentence under this
230 section. The report shall also outline future goals and any
231 recommendation the department has for future legislative action.

232 (11) The department may enter into performance-based
233 contracts with qualified individuals, agencies, or corporations
234 for the provision of any or all of the services for the reentry
235 program provided that no offender may be released from the
236 custody of the department under this section except pursuant to
237 a judicial order modifying a sentence.

238 (12) A nonviolent offender in the reentry program is
239 subject to rules of conduct established by the department and
240 may have sanctions imposed, including loss of privileges,
241 restrictions, disciplinary confinement, alteration of release
242 plans, or other program modifications in keeping with the nature
243 and gravity of the program violation. Administrative or



Amendment No. 1

244 protective confinement, as necessary, may be imposed.

245 (13) This section does not create or confer any right to
246 any inmate to placement in the reentry program or any right to
247 placement or early release under supervision of any type. No
248 inmate may have a cause of action under this section against the
249 department, a court, or the state attorney related to the
250 reentry program. Nothing in this subsection is severable from
251 the remaining provisions of this section. If this subsection is
252 determined by any state or federal court to be not fully
253 enforceable this section shall stand repealed.

254 (14) The department may establish a system of incentives
255 within the reentry program which the department may use to
256 promote participation in rehabilitative programs and the orderly
257 operation of institutions and facilities.

258 (15) The department shall develop a system for tracking
259 recidivism, including, but not limited to, rearrests and
260 recommitment of nonviolent offenders who successfully complete
261 the reentry program, and shall report the recidivism rate in its
262 annual report of the program.

263 (16) The department shall adopt rules pursuant to ss.
264 120.536(1) and 120.54, Florida Statutes, as are necessary to
265 administer the reentry program.

266 Section 2. This act shall take effect October 1, 2012.

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270

271

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



Amendment No. 1

272 Remove the entire title and insert:
273 An act relating to inmate reentry; defining the terms
274 "department" and "nonviolent offender"; directing the
275 Department of Corrections to develop and administer a
276 reentry program for nonviolent offenders which is
277 intended to divert nonviolent offenders from long
278 periods of incarceration; requiring that the program
279 include intensive substance abuse treatment and
280 rehabilitative programming; providing for the minimum
281 length of service in the program; providing that any
282 portion of a sentence before placement in the program
283 does not count as progress toward program completion;
284 specifying eligibility criteria for a nonviolent
285 offender to be placed into the reentry program;
286 directing the court to screen and select eligible
287 offenders for the program based on specified
288 considerations; directing the department to notify the
289 nonviolent offender's sentencing court to obtain
290 approval before the nonviolent offender is placed into
291 the reentry program; requiring the department to
292 notify the state attorney; authorizing the state
293 attorney to file objections to placing the offender
294 into the reentry program within a specified period;
295 requiring the sentencing court to notify the
296 department of the court's decision to approve or
297 disapprove the requested placement within a specified
298 period; providing that failure of the court to timely
299 notify the department of the court's decision



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300 constitutes disapproval of the requested placement;
301 requiring the nonviolent offender to undergo an
302 education assessment and a full substance abuse
303 assessment if admitted into the reentry program;
304 requiring the offender to be enrolled in an adult
305 education program in specified circumstances;
306 requiring that assessments of vocational skills and
307 future career education be provided to the offender;
308 requiring that certain reevaluation be made
309 periodically; providing that the nonviolent offender
310 is subject to the disciplinary rules of the
311 department; specifying the reasons for which the
312 offender may be terminated from the reentry program;
313 requiring that the department submit a report to the
314 sentencing court at least 30 days before the
315 nonviolent offender is scheduled to complete the
316 reentry program; setting forth the issues to be
317 addressed in the report; requiring the sentencing
318 court to hold a hearing to consider modifying the
319 sentence imposed and authorizing the court to place
320 the nonviolent offender on drug offender probation if
321 the nonviolent offender's performance is satisfactory;
322 authorizing the court to revoke probation and impose
323 the original sentence in specified circumstances;
324 authorizing the court to require the offender to
325 complete a postadjudicatory drug court program in
326 specified circumstances; directing the department to
327 implement the reentry program using available



Amendment No. 1

328 resources; requiring the department to submit an
329 annual report to the Governor and Legislature
330 detailing the extent of implementation of the reentry
331 program, specifying information to be provided and
332 outlining future goals and recommendations;
333 authorizing the department to enter into contracts
334 with qualified individuals, agencies, or corporations
335 for services for the reentry program; authorizing the
336 department to impose administrative or protective
337 confinement as necessary; authorizing the department
338 to establish a system of incentives within the reentry
339 program which the department may use to promote
340 participation in rehabilitative programs and the
341 orderly operation of institutions and facilities;
342 providing that the section does not create a right to
343 placement in the reentry program or any right to
344 placement or early release under supervision of any
345 type; providing that the section does not create a
346 cause of action related to the program; directing the
347 department to develop a system for tracking
348 recidivism, including, but not limited to, rearrests
349 and recommitment of nonviolent offenders who
350 successfully complete the reentry program, and to
351 report on recidivism in its annual report of the
352 program; directing the department to adopt rules;
353 providing an effective date.; providing an effective
354 date.
355

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

CS/HB 181 : Sponsorship of State Greenways and Trails

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake	X				
Matt Gaetz	X				
Tom Goodson	X				
Matt Hudson		X			
Jimmy Patronis	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson	X				
Chris Dorworth (Chair)	X				
Total Yeas: 14 Total Nays: 1					

Appearances:

CS/HB 181 by Slosberg
 Ken Bryan (Lobbyist) - Waive In Support
 Rails-to-Trails Conservancy
 P.O Box 15227
 Tallahassee Florida 32317
 Phone: 850-942-2379

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

CS/HB 367 : Restraint of Incarcerated Pregnant Women

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake	X				
Matt Gaetz	X				
Tom Goodson	X				
Matt Hudson	X				
Jimmy Patronis	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson	X				
Chris Dorworth (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

HB 367 by Reed
 Adrianna Sekula (Lobbyist) - Waive In Support
 Pace Center For Girls
 1 W Adams Street
 Jacksonville Florida 32202
 Phone: 904-553-7850

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

CS/HB 479 : Animal Control

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake	X				
Matt Gaetz	X				
Tom Goodson	X				
Matt Hudson	X				
Jimmy Patronis	X				
Scott Randolph	X				
Lake Ray			X		
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson	X				
Chris Dorworth (Chair)	X				
Total Yeas: 14 Total Nays: 0					

Appearances:

CS/HB 479 by O'toole--Animal Control
 Anderson, Ryan (Lobbyist) - Waive In Support
 Florida Animal Control
 119 S Monroe St Suite 202
 Tallahassee FL 32301
 Phone: 850-681-6788

Laura Bevan - Waive In Support
 The Humane Society of the US
 1624 Metropolitan Circle-B
 Tallahassee Florida 32308
 Phone: 850-386-3435

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

HB 639 : Reclaimed Water

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake	X				
Matt Gaetz	X				
Tom Goodson	X				
Matt Hudson	X				
Jimmy Patronis	X				
Scott Randolph		X			
Lake Ray	X				
Michelle Rehwinkel Vasilinda		X			
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson		X			
Chris Dorworth (Chair)	X				
Total Yeas: 12 Total Nays: 3					

Appearances:

HB 639 by Young--Reclaimed Water

Jan McLean - Waive In Support

City of Tampa
 315 E. Kennedy Blvd.
 Tampa Florida 33602
 Phone: 813-274-8412

Childs, David (Lobbyist) - Waive In Support

Florida Water Environment Association Utility Council
 119 S. Monroe St.
 Tallahassee FL 32301
 Phone: (850)222-7500

Yon, Mary Jean (Lobbyist) - Opponent

Audubon of Florida
 3324 Charleston Road
 Tallahassee Florida 32309
 Phone: 850-519-7859

Adams, Leticia (Lobbyist) - Waive In Support

Florida Chamber of Commerce
 136 S. Bronough St.
 Tallahassee FL 32301
 Phone: (850) 521-1279

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

HB 639 : Reclaimed Water (continued)

Appearances: (continued)

Thomas Miller (Lobbyist) - Waive In Support
Palm Beach Co. Water Utilities
8800 Forest Hill Blvd.
West Palm Beach Florida 33413
Phone: 561-493-6004

Till, Kathy (Lobbyist) - Waive In Support
Florida League of Cities
1208 Errol Parkway
Apopk FL 32712
Phone: 407-484-3597

Stephanie Kinkel (Lobbyist) - Waive In Support
Clean Water Action
1830 Meriadoc Road
Tallahassee Florida 32303
Phone: 850-320-4208

Frank Bernadino (Lobbyist) - Waive In Support
Fla. Section American Water Works Association
324 E. Virginia St.
Tallahassee Florida 32301
Phone: 561-718-2345

Balido, Albert (Lobbyist) - Waive In Support
Polk County
324 E Virginia Street
Tallahassee FL 32301
Phone: 850-251-3440

Aliki Moncrief` (Lobbyist) - Waive In Opposition
Environmental Florida
310 N. Monroes Street
Tallahassee FL 32301
Phone: 850-224-5944

Labrador, Edward (Lobbyist) - Waive In Support
Broward County
115 S Andrews Ave, Room 427
Ft Lauderdale FL 33301
Phone: (954)357-7575

Goss, Suzanne (Lobbyist) - Waive In Support
JEA
21 W Church St
Jacksonville FL 32202
Phone: (904)665-8331

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

HB 639 : Reclaimed Water (continued)

Appearances: (continued)

Pattison, Charles (Lobbyist) - Waive In Opposition

1000 Friends of Florida

308 North Monroe

Tallahassee FL 32301

Phone: (850)222-6277

Cullen, David (Lobbyist) - Waive In Opposition

Sierra Club

1674 University Pky #296

Sarasota FL 34243

Phone: (941)323-2404

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

CS/HB 691 : Beach Management

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake	X				
Matt Gaetz	X				
Tom Goodson	X				
Matt Hudson	X				
Jimmy Patronis	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson	X				
Chris Dorworth (Chair)	X				
Total Yeas: 15	Total Nays: 0				

Appearances:

CS/HB 691 by Frishe--Beach Management
 Labrador, Edward (Lobbyist) - Waive In Support
 Broward County
 115 S Andrews Ave
 Ft Lauderdale FL 33301
 Phone: (954)357-7575

Till, Kathy (Lobbyist) - Waive In Support
 Florida League of Cities
 1208 Errol Parkway
 Apopka FL 32712
 Phone: 407-484-3597

Ferguson, Diana (Lobbyist) - Waive In Support
 Florida Shore and Beach Association
 119 S. Monroe St.
 Tallahassee FL 32301
 Phone: (850)681-6788

James, Stephen (Lobbyist) - Waive In Support
 Florida Association of Counties
 100 South Monroe Street
 Tallahassee FL 32301
 Phone: (850)922-4300

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

CS/HB 869 : Pinellas Planning Council, Pinellas County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake			X		
Matt Gaetz	X				
Tom Goodson	X				
Matt Hudson	X				
Jimmy Patronis	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson	X				
Chris Dorworth (Chair)	X				
Total Yeas: 14 Total Nays: 0					

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

HB 1237 : Department of Citrus

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Frank Artiles	X				
Jeffrey Brandes	X				
Brad Drake	X				
Matt Gaetz			X		
Tom Goodson	X				
Matt Hudson				X	
Jimmy Patronis	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
Franklin Sands	X				
Barbara Watson	X				
Chris Dorworth (Chair)	X				
Total Yeas: 13		Total Nays: 0			

HB 1237 Amendments

Amendment 014155

Withdrawn

Amendment 833929

Adopted Without Objection

Appearances:

HB 1237 by Albritton--Department of Citrus
Drew Love (Lobbyist) - Waive In Support
Fla. Citrus Mutual
113 East College Avenue
Tallahassee FL 32301
Phone: 863-698-9936

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM



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

Withdrawn

1 Committee/Subcommittee hearing bill: Rulemaking & Regulation
 2 Subcommittee

3 Representative Albritton offered the following:

4
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Amendment (with title amendment)

Remove lines 539-544 and insert:

(1) To adopt rules and, ~~from time to time, alter, rescind,~~
~~modify, or amend all proper and necessary to administer this~~
~~chapter rules, regulations, and orders for the exercise of its~~
~~powers and the performance of its duties under this chapter and~~
~~other statutes of the state, which rules and regulations shall~~
~~have the force and effect of law when not inconsistent~~
~~therewith.~~

Remove lines 611-612 and insert:

(7) To adopt, ~~promulgate, alter, rescind, modify, amend,~~
 and enforce rules that and

Remove lines 717-718 and insert:



Amendment No.1

20 (1) The department of Citrus shall: have full and plenary
21 power to, and may,

22
23 Remove lines 768-780 and insert:

24 (b) Issue permits for the export to foreign countries
25 other than Canada and Mexico of citrus fruit grown in the state
26 that complies with the standards established under subparagraph
27 (a)2.

28 (c) Establish standards limiting any increase of spacing
29 between stacked field boxes caused by the placement of cleats or
30 other devices on the field boxes.

31 (2) The commission shall:

32 (a) Issue and renew permits for processors of frozen
33 concentrated orange juice and concentrated orange juice for
34 manufacturing to which nutritive sweetening ingredients are
35 added and, in addition to disciplinary action that may be taken
36 by the Department of Agriculture against a citrus fruit dealer
37 for violations of this chapter, to suspend or revoke the permit
38 of any processor that does not comply with the standards
39 established under subparagraph (1)(a)4.

40 (b) Determine whether freezing

41
42 Remove lines 792-794

43
44 Remove line 795 and insert:

45 (3) The department shall adopt prescribe rules or

46
47 Remove line 817 and insert:



Amendment No.1

48 (4) The department may not adopt any ~~provided, however,~~

49
50 Remove line 825 and insert:

51 (5)(a) All citrus fruit and the products thereof, whether

52
53 Remove lines 835-837

54
55 Remove lines 882-885 and insert:

56 nine members of the ~~said Florida Citrus~~ commission.

57 Notwithstanding the limitation on the effective period for
58 emergency rules in s. 120.54(4)(c), each, ~~and every~~ such
59 emergency rule adopted under this section must ~~regulation shall~~
60 contain an expiration date of not later than 1 year ~~after from~~
61 its effective date.

62
63 Remove line 2346 and insert:

64 adopted by the department. The rules shall

65
66 Remove line 3055 and insert:

67 rules pursuant to ~~ss. 120.536(1) and 120.54~~ to

68
69
70
71 -----
72 **T I T L E A M E N D M E N T**

73 Remove lines 37-50 and insert:

74 and food products thereof; requiring the department to
75 issue permits for the export of citrus fruit grown in



Amendment No.1

76 the state to certain foreign countries; requiring the
77 department to limit increases in spacing between
78 stacked field boxes caused by the placement of cleats
79 or other devices on the field boxes; requiring the
80 commission to issue permits for processors of
81 concentrated orange juice into which nutritive
82 sweetening ingredients are added and to suspend or
83 revoke the permits of processors that violate certain
84 rules; requiring the commission to issue emergency
85 quality assurance orders upon determining that
86 freezing temperatures have caused damage or freeze-
87 related injury to citrus fruit; requiring the
88



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	y	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

ADOPTED

1 Committee/Subcommittee hearing bill: Rulemaking & Regulation
 2 Subcommittee
 3 Representative Drake offered the following:

Amendment (with title amendment)

Remove lines 611-612 and insert:

7 (7) To adopt, ~~promulgate, alter, rescind, modify,~~ amend or
 8 repeal, and enforce rules that and

Remove lines 717-718 and insert:

11 (1) The department ~~of Citrus~~ shall have the power to: have
 12 full and plenary power to, and may,

Remove lines 768-780 and insert:

15 (b) Issue permits for the export to foreign countries
 16 other than Canada and Mexico of citrus fruit grown in the state
 17 that complies with the standards established under subparagraph
 18 (a)2.



Amendment No. 2

19 (c) Establish standards limiting any increase of spacing
20 between stacked field boxes caused by the placement of cleats or
21 other devices on the field boxes.

22 (2) The commission shall:

23 (a) Issue and renew permits for processors of frozen
24 concentrated orange juice and concentrated orange juice for
25 manufacturing to which nutritive sweetening ingredients are
26 added and, in addition to disciplinary action that may be taken
27 by the Department of Agriculture against a citrus fruit dealer
28 for violations of this chapter, to suspend or revoke the permit
29 of any processor that does not comply with the standards
30 established under subparagraph (1)(a)4.

31 (b) Determine whether freezing

32

33 Remove lines 792-794

34

35 Remove line 795 and insert:

36 (3) The department shall adopt ~~prescribe~~ rules ~~or~~

37

38 Remove line 817 and insert:

39 (4) The department may not adopt any ~~provided, however,~~

40

41 Remove line 825 and insert:

42 (5)(a) All citrus fruit and the products thereof, whether

43

44 Remove lines 835-837

45

46 Remove lines 882-885 and insert:



Amendment No. 2

47 ~~nine~~ members of the said Florida Citrus commission.
48 Notwithstanding the limitation on the effective period for
49 emergency rules in s. 120.54(4)(c), each, and every such
50 emergency rule adopted under this section must ~~regulation shall~~
51 contain an expiration date of not later than 1 year after ~~from~~
52 its effective date.

53

54 Remove line 2346 and insert:
55 adopted by the department. The rules shall

56

57 Remove line 3055 and insert:
58 rules ~~pursuant to ss. 120.536(1) and 120.54~~ to

59

60

61

62

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

63

64 Remove lines 37-50 and insert:
65 and food products thereof; requiring the department to
66 issue permits for the export of citrus fruit grown in
67 the state to certain foreign countries; requiring the
68 department to limit increases in spacing between
69 stacked field boxes caused by the placement of cleats
70 or other devices on the field boxes; requiring the
71 commission to issue permits for processors of
72 concentrated orange juice into which nutritive
73 sweetening ingredients are added and to suspend or
74 revoke the permits of processors that violate certain



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1237 (2012)

Amendment No. 2

75 | rules; requiring the commission to issue emergency
76 | quality assurance orders upon determining that
77 | freezing temperatures have caused damage or freeze-
78 | related injury to citrus fruit; requiring the
79 |

COMMITTEE MEETING REPORT
Rulemaking & Regulation Subcommittee

1/24/2012 2:00:00PM

Location: 306 HOB

Workshop

Proposed exemption from legislative ratification for pending DEP rules on numeric nutrient regulation

Workshopped

Appearances:

Drew Bartlett (At Request Of Chair) - Information Only

Numeric Nutrient Criteria Workshop

Fla. Dept. of Environmental Protection

Committee meeting was reported out: Tuesday, January 24, 2012 6:15:57PM