



Justice Appropriations Subcommittee

Action Packet

**March 28, 2013
8:00 a.m. – 10:00 a.m.
Morris Hall**

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee
3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Justice Appropriations Subcommittee

Thursday March 28, 2013 08:00 am

CS/CS/HB 583	Favorable	Yeas: 11	Nays: 0
CS/HB 693	Favorable	Yeas: 9	Nays: 2
Amendment 452389	Withdrawn		
CS/HB 851	Favorable	Yeas: 12	Nays: 0
HB 875	Favorable	Yeas: 11	Nays: 0
CS/HB 935	Favorable	Yeas: 11	Nays: 0
HB 1147	Favorable With Committee Substitute	Yeas: 11	Nays: 0
Amendment 836747	Adopted Without Objection		
CS/HB 1173	Favorable	Yeas: 11	Nays: 0
HB 1221	Favorable	Yeas: 11	Nays: 0
CS/HB 7005	Favorable With Committee Substitute	Yeas: 12	Nays: 0
Amendment 228083	Adopted Without Objection		
HB 7015	Favorable	Yeas: 8	Nays: 4
HB 7031	Favorable	Yeas: 11	Nays: 0
PCB JUAS 13-02	Favorable	Yeas: 12	Nays: 0

Committee meeting was reported out: Thursday, March 28, 2013 12:29:42PM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Charles McBurney (Chair)	X		
Manny Diaz, Jr.	X		
Dave Kerner	X		
Mike La Rosa	X		
Debbie Mayfield	X		
Larry Metz	X		
Jared Moskowitz	X		
Kathleen Passidomo	X		
Ray Pilon	X		
Darryl Rouson	X		
Elaine Schwartz			X
Irving Slosberg	X		
Charles Van Zant	X		
Totals:	12	0	1

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

CS/CS/HB 583 : Estates

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.				X	
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Adams, Howard E. "Gene", Attorney - Waive In Support
 Real Property Probate & Trust Law Section FL Bar
 215 S. Monroe Street, 2nd Floor
 Tallahassee FL 32301
 Phone: 850-222-3533

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 693 : Dispute Resolution

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.				X	
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson		X			
Elaine Schwartz			X		
Irving Slosberg		X			
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 9		Total Nays: 2			

CS/HB 693 Amendments

Amendment 452389

Withdrawn

Appearances:

Farmer, Gary, Attorney (General Public) - Waive In Opposition
 Florida Justice Association
 425 N. Andrews Avenue
 Ft. Lauderdale FL 33301
 Phone: 954-524-2820

Pitts, Brian (General Public) - Information Only
 Trustee-Justice-2-Jesus
 1119 Newton Avenue South
 St. Petersburg Florida 33705
 Phone: 727-897-9291

Polenberg, Jon, Attorney (General Public) - Waive In Support
 Business Law Section, The Florida Bar
 1351 Sawgrass Corporate Parkway, St. 101
 Ft. Lauderdale FL 33323
 Phone: 954-742-9995

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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

3/28/13

1 Committee/Subcommittee hearing bill: Justice Appropriations
 2 Subcommittee

3 Representative Rouson offered the following:

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Amendment (with title amendment)

Between lines 463 and 464, insert:

(4) This chapter does not ban class actions in an arbitration setting, and any arbitration agreement or provision contained in such an agreement that purports to bar or waive the right of any party to seek class action certification or status is void and unenforceable.

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

Remove line 41 and insert:
 consolidation; providing that class actions are not precluded in arbitration; providing that provision of arbitration agreement that purports to bar or waive class

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 693 (2013)

Amendment No.

21 | action certification or status is void and unenforceable;
22 | amending s. 682.04, F.S.; revising
23 |

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 851 : Animal Cruelty

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.	X				
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Pitts, Brian (General Public) - Information Only

Trustee-Justice-2-Jesus
 1119 Newton Avenue South
 St. Petersburg Florida 33705
 Phone: 727-897-9291

MacFall, Katie, State Director (Lobbyist) - Waive In Support

Humane Society of the United States
 1624 Metroplite Circle
 Tallahassee FL 32308
 Phone: 850-508-1001

Cory, Jack (Lobbyist) - Waive In Support

Fix Florida
 110 E. College Avenue
 Tallahassee FL 32301
 Phone: 850-681-1065

Hammer, Marion P. (Lobbyist) - Waive In Support

NRA and Unified Sportsmen of Florida
 PO Box 1387
 Tallahassee FL 32302
 Phone: 850-222-9518

Committee meeting was reported out: Thursday, March 28, 2013 12:29:42PM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

HB 875 : Licensed Security Officers

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.				X	
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Kopczynski, Kenneth (Lobbyist) - Waive In Support
 Florida Police Benevolent Association, Inc
 300 E Brevard St
 Tallahassee FL 32301
 Phone: (850)222-3329

Hammer, Marion (Lobbyist) - Waive In Support
 NRA and Unified Sportsmen of Florida
 P.O Box 1387
 Tallahassee FL 32302
 Phone: 850-222-9518

Pitts, Brian (General Public) - Information Only
 Trustee-Justice-2-Jesus
 1119 Newton Avenue South
 St. Petersburg Florida 33705
 Phone: 727-897-9291

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 935 : Florida False Claims Act

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.				X	
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Fay, Andrew, Assistant Attorney (Lobbyist) (State Employee) - Waive In Support
 Office of the Attorney General
 PL-01 The Capitol
 Tallahassee FL
 Phone: 850)245-0155

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

HB 1147 : Office of the Attorney General

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.				X	
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 11		Total Nays: 0			

HB 1147 Amendments

Amendment 836747

Adopted Without Objection

Appearances:

Pitts, Brian (General Public) - Information Only
 Trustee-Justice-2-Jesus
 1119 Newton Avenue South
 St. Petersburg Florida 33705
 Phone: 727-897-9291

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1147 (2013)

Amendment No.

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	—	

3/28/13

1 Committee/Subcommittee hearing bill: Justice Appropriations

2 Subcommittee

3 Representative Fitzenhagen offered the following:

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5 **Amendment**

6 Remove lines 32-33 and insert:

7 budgets for the antitrust, consumer protection and racketeering

8 sections of the Attorney General's office for the

9

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1173 : Florida Communications Fraud Act

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.				X	
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Rogers, John, Sr. VP (Lobbyist) - Waive In Support
 FL. Retail Federation
 227 S. Adams St
 Tallahassee FL 32301
 Phone: (850)222-4082

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

HB 1221 : Murder of a Child 17 Years of Age or Younger

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.				X	
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Holt, Julianne (State Employee) - Waive In Support
 FL Public Defender Assoc.
 PO Box 172417
 Tampa FL 33672
 Phone: 813-307-4000

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 7005 : Massage Establishments

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.	X				
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 12		Total Nays: 0			

CS/HB 7005 Amendments

Amendment 228083

Adopted Without Objection

Appearances:

Pitts, Brian (General Public) - Information Only
 Trustee-Justice-2-Jesus
 1119 Newton Avenue South
 St. Petersburg Florida 33705
 Phone: 727-897-9291

Mabry, Janet (Lobbyist) - Waive In Support
 FL State Massage Therapy Assoc.
 2866 Bay Heather Circle
 Gulf Breeze FL

Perkins, Lindsey (Lobbyist) - Waive In Support
 Florida Sheriffs Assoc.
 123 S. Adams St.
 Tallahassee FL
 Phone: 850-671-4401

Magill, Jim (Lobbyist) - Waive In Support
 Keiser University
 101 N. Monroe St., Ste. 1090
 Tallahassee FL 32301
 Phone: 850-681-0411

Amendment No.

COMMITTEE/SUBCOMMITTEE 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	—	

3/28/13

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee
3 Representative Pilon offered the following:

Amendment (with title amendment)

Between lines 23 and 24, insert:

Section 1. Subsection (9) of section 480.033, Florida Statutes, is amended to read:

480.033 Definitions.—As used in this act:

(9) "Board-approved massage school" means a facility which meets minimum standards for training and curriculum as determined by rule of the board and which is licensed by the Department of Education pursuant to chapter 1005 or the equivalent licensing authority of another state or is within the public school system of this state, or a college or university which is eligible to participate in the William F. Boyd, IV, Florida Resident Access Grant Program.

Amendment No.

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

Remove line 3 and insert:

480.033, F.S.; expanding the definition of a board-approved
massage school; amending s. 480.043, F.S.; requiring the denial
of an application

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7015 : Expert Testimony

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.	X				
Dave Kerner		X			
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz		X			
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson		X			
Elaine Schwartz			X		
Irving Slosberg		X			
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 8		Total Nays: 4			

Appearances:

Diaz, Pablo, Legislative Director (Lobbyist) - Waive In Support
 National Federation of Independent Business
 Phone: 850-681-0416

Hart, David, Executive VP (Lobbyist) - Proponent
 FL Chambers
 136 S. Bronough St.
 Tallahassee FL 32301
 Phone: 850-521-1288

Pitts, Brian (General Public) - Information Only
 Trustee-Justice-2-Jesus
 1119 Newton Avenue South
 St. Petersburg Florida 33705
 Phone: 727-897-9291

Scott, Jeff (Lobbyist) - Waive In Support
 Florida Medical Assoc.
 1430 E. Piedmont Dr.
 Tallahassee FL
 Phone: 850-251-2439

Meros, George, Attorney, Gray/Robinson (Lobbyist) - Proponent
 US Chamber
 Tallahassee FL
 Phone: 850-577-9090

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7015 : Expert Testimony (continued)

Appearances: (continued)

Ashton, Jeffrey, State Attorney Ninth Circuit (State Employee) - Opponent
FL Prosecuting Attorney Assoc.
415 W. Orange Avenue
Orlando FL 32801
Phone: 407-836-2424

Winn, Stephen R., Executive Director (Lobbyist) - Waive In Support
FL Osteoathic Medical Assoc.
2007 Apalachee Parkway
Tallahassee FL 32301
Phone: 850-878-7463

Miller, Greg (Lobbyist) - Proponent
FL Justice Reform Institute
215 S. Monroe Street. Ste. 710
Tallahassee FL 32301
Phone: 850-391-0001

Perdue, Tammy, General Counsel (Lobbyist) - Waive In Support
Associated Industries of FL
516 N. Adams St
Tallahassee FL 32301
Phone: 850-224-7173

Carr, Diane, Attorney (Lobbyist) - Waive In Support
Alliance of Automobile Manufacturers
119 S. Monroe St.
Tallahassee FL 32301
Phone: 850-222-7500

Rafferty, Troy, Attorney (General Public) - Waive In Opposition
FJA
316 S. Baylen
Pensacola FL
Phone: 850-435-7163

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7031 : Sex Offenses

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.				X	
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Dritt, Jennifer, Executive Director (Lobbyist) - Waive In Support
 FL Council Against Sexual Violence
 1820 E. Park Avenue, Ste. 100
 Tallahassee FL 32301
 Phone: 850-297-2000

Connors, Jordan (Lobbyist) - Waive In Support
 City of Port St. Lucie
 2145 SW Cape Cod Dr.
 Port St. Lucie FL 34953
 Phone: 772-418-6068

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

3/28/2013 8:00:00AM

Location: Morris Hall (17 HOB)

PCB JUAS 13-02 : Relating to the Clerks of Court

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Manny Diaz, Jr.	X				
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Kathleen Passidomo	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Metz, Stephen (Lobbyist) - Opponent
 Florida Bar, The
 215 S. Monroe Street
 Tallahassee FL 32301
 Phone: (850)205-9000

Steinbeck, Margaret, Circuit Judge, 20th Circuit (State Employee) - Opponent
 State Courts
 1700 Monroe Street
 Ft. Myers FL 33901
 Phone: 239-533-9162

Stargel, John, Chair Conference of Circuit Judges (State Employee) - Opponent
 Conference of Circuit Judges

Pitts, Brian (General Public) - Information Only
 Trustee-Justice-2-Jesus
 1119 Newton Avenue South
 St. Petersburg Florida 33705
 Phone: 727-897-9291

Baggett, Fred (Lobbyist) - Proponent
 FL Clerks of Court
 101 E. College Avenue
 Tallahassee FL
 Phone: 850-425-8512

Committee meeting was reported out: Thursday, March 28, 2013 12:29:42PM