



Justice Council

Monday, April 10, 2006
1:00 PM – 3:00 PM
404 House Office Building

Council Action

Allan G. Bense
Speaker

Bruce Kyle
Chair

Council Meeting Notice

HOUSE OF REPRESENTATIVES

Speaker Allan G. Bense

Justice Council

Start Date and Time: Monday, April 10, 2006 01:00 pm
End Date and Time: Monday, April 10, 2006 03:00 pm
Location: 404 HOB
Duration: 2.00 hrs

Consideration of the following bill(s):

HB 23 CS Bicycle Safety by Jordan
HB 55 Restoration of Civil Rights by Smith
HB 221 CS Paternity by Richardson
HB 283 CS Correctional Probation Officers by Kreegel
HB 519 CS Internet Screening in Public Libraries by Kravitz
HB 585 CS Inmate Litigation Costs by Hukill
HB 761 Trespass on the Property of a Certified Domestic Violence Center by Carroll
HB 809 CS Assault or Battery on Homeless Persons by Taylor
HB 871 CS Telephone Calling Records by Ryan
HB 1291 CS Weapons by Poppell
HB 1325 CS Controlled Substances by Culp
HB 1341 Fiduciary Lawyer-Client Privilege by Joyner
HB 1495 Marriage Licenses by Arza
HB 1527 CS Parental Notification of Termination of a Minor's Pregnancy by Stargel
HB 1621 Coastal Properties Disclosure Statements by Mayfield
HR 1627 Unanimity of Jury Recommendations in Death Penalty Cases by Kyle
HB 7091 Real Property Electronic Recording by Civil Justice Committee
HJR 7143 Rules of Construction by Judiciary Committee
HB 7151 Adoption by Civil Justice Committee
HB 7169 Juvenile Justice Pilot Program by Juvenile Justice Committee
HB 7177 Time Limitations for Criminal Prosecutions by Criminal Justice Committee
HB 7259 Class Action Lawsuits by Judiciary Committee

NOTICE FINALIZED on 04/06/2006 16:28 by COCHRAN.MARGARET

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Bruce Kyle (Chair)	X		
Faye Culp	X		
Carl Domino	X		
Greg Evers	X		
Arthenia Joyner	X		
Dick Kravitz	X		
Marcelo Llorente	X		
Mark Mahon	X		
John Quinones	X		
David Simmons	X		
Irving Slosberg	X		
Totals:	11	0	0

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

Summary:

Justice Council

Monday April 10, 2006 01:00 pm

HB 23 CS	Favorable	Yeas: 8	Nays: 0
HB 55	Favorable	Yeas: 11	Nays: 0
HB 221 CS	Favorable With Committee Substitute	Yeas: 9	Nays: 2
HB 283 CS	Favorable	Yeas: 9	Nays: 0
HB 519 CS	Favorable	Yeas: 10	Nays: 1
HB 585 CS	Favorable	Yeas: 11	Nays: 0
HB 761	Favorable	Yeas: 11	Nays: 0
HB 809 CS	Favorable With Committee Substitute	Yeas: 11	Nays: 0
HB 871 CS	Favorable	Yeas: 10	Nays: 0
HB 1291 CS	Favorable	Yeas: 11	Nays: 0
HB 1325 CS	Favorable With Committee Substitute	Yeas: 11	Nays: 0
HB 1341	Favorable	Yeas: 11	Nays: 0
HB 1495	Favorable	Yeas: 10	Nays: 0
HB 1527 CS	Favorable With Committee Substitute	Yeas: 8	Nays: 3
HB 1621	Favorable With Committee Substitute	Yeas: 10	Nays: 0
HR 1627	Favorable	Yeas: 9	Nays: 1

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 7091	Favorable With Committee Substitute	Yeas: 11	Nays: 0
HJR 7143	Favorable With Committee Substitute	Yeas: 9	Nays: 2
HB 7151	Favorable	Yeas: 11	Nays: 0
HB 7169	Favorable	Yeas: 11	Nays: 0
HB 7177	Favorable	Yeas: 11	Nays: 0
HB 7259	Favorable With Committee Substitute	Yeas: 10	Nays: 0

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 23 CS : Bicycle Safety

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers			X		
Arthenia Joyner	X				
Dick Kravitz			X		
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones			X		
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 8		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 55 : Restoration of Civil Rights

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 221 CS : Paternity

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones		X			
David Simmons		X			
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 9		Total Nays: 2			

Appearances:

Paternity

Fred Dudley (Lobbyist) - Proponent
Family Law Section FL Bar
106 E. College Ave., Suite 1200
Tallahassee FL 32301
Phone: 850-521-8013

Paternity

Tony Winbush (General Public) - Proponent
Self
115 Ernest St.
Quincy FL 32351
Phone: 850-875-1169

Paternity

Morris Anthony Young (General Public) - Proponent
Self
706 W. 7th Ave.
Tallahassee FL 32303
Phone: 850-567-4954

Paternity

Ann Perko (Lobbyist) - Proponent
FL Legal Services
2425 Torreya Dr.
Tallahassee FL

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

Paternity

Teresa R. Rhames (General Public) - Proponent

Self

3620 Old Federal Road

Quincy FL 32351

Phone: 850-875-4752

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 0221 CS

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 _____

(A) 1
 w/o obj.

1 Council/Committee hearing bill: Justice Council
 2 Representative(s) Richardson offered the following:

Amendment

Remove line(s) 25-33 and insert:

3
 4
 5
 6 circuit court having jurisdiction over the child support
 7 obligation. The petition must be served on the mother or other
 8 legal guardian or custodian of the child. If the child support
 9 obligation was determined administratively and has not been
 10 ratified by a court, then the petition must be filed in the
 11 circuit court where the mother or legal guardian or custodian
 12 resides. Such a petition must be served on the Department of
 13 Revenue and on the mother or legal guardian or custodian. In the
 14 event that the mother or legal guardian or custodian no longer
 15 resides in the state, the petition may be filed in the circuit
 16 court in the county where the petitioner resides. The petition
 17 must include:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. 0221 CS

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 _____

2
 (A) w/o obj.

1 Council/Committee hearing bill: Justice Council
 2 Representative(s) Richardson offered the following:

Amendment

Remove line(s) 179-180 and insert:

6 (11) Nothing in this section precludes an individual from
 7 seeking relief from a final judgment, decree, order, or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. 0221 CS

3

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	_____	

(A) w/o obj.

1 Council/Committee hearing bill: Justice Council

2 Representative(s) Kyle offered the following:

3

4 **Amendment (with directory and title amendments)**

5 Remove line(s) 180-184 and insert:

6 seeking relief from a final judgment, decree, or order, or from
7 challenging a paternity determination as otherwise provided by
8 law.

9 Section 2. Rule 1.540, Florida Rules of Civil Procedure,
10 is repealed.

11 Secton 3. This act shall take effect July 1, 2006, except
12 that section 2 of this acts shall take effect only if this act
13 is passed by a two-thirds vote of the membership of each house
14 of the Legislature.

15

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

17 Remove line(s) 15-16 and insert:

18 for assessment of costs and attorney's fees; repealing Rule
19 1.540, Florida Rule of Civil Procedure; providing an effective
20 date.

21



Committee on Justice Council

Action _____

Date 4/10/2006

4A

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY
(may be used in Committee, but not on House Floor)

Amendment No. 4a

Bill No. HB 221 CS

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

If amendment is text of another bill insert:
Bill No. _____ Draft No. _____

A who obj

Representative(s) ~~The Committee on~~ Quinones

offered the following amendment: to Amendment 4:

Amendment

on page Remove, line 84, and insert:

(5) ~~Amend A~~ The court shall make written findings as to the best interest of the child, where such determination is required by subsection (1) or (3). In the event the petitioner fails to make ~~to~~ the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

Bill No. 0221 CS

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 _____

4
 (F)

1 Council/Committee hearing bill: Justice Council
 2 Representative(s) Quinones offered the following:

Amendment (with title amendment)

Remove line(s) 49-179 and insert:

6 be tested. The court shall determine whether it is in the
 7 child's best interest to be tested.

8 (c) An affidavit executed by the petitioner stating that
 9 the petitioner is current on all child support payments for the
 10 child for whom relief is sought or that he has substantially
 11 complied with his child support obligation for the applicable
 12 child and that any delinquency in his child support obligation
 13 for that child arose from his inability for just cause to pay
 14 the delinquent child support when the delinquent child support
 15 became due.

16 (2) The court shall grant relief on a petition filed in
 17 accordance with subsection (1) upon a finding by the court of
 18 all of the following:

19 (a) Newly discovered evidence relating to the paternity of
 20 the child has come to the petitioner's knowledge since the
 21 initial paternity determination or establishment of a child
 22 support obligation.

Amendment No. 4 (for drafter's use only)

23 (b) The scientific test required in paragraph (1)(b) was
24 properly conducted.

25 (c) The male ordered to pay child support is current on
26 all child support payments for the applicable child or that the
27 male ordered to pay child support has substantially complied
28 with his child support obligation for the applicable child and
29 that any delinquency in his child support obligation for that
30 child arose from his inability for just cause to pay the
31 delinquent child support when the delinquent child support
32 became due.

33 (d) The male ordered to pay child support has not adopted
34 the child.

35 (e) The child was not conceived by artificial insemination
36 while the male ordered to pay child support and the child's
37 mother were in wedlock.

38 (f) The male ordered to pay child support did not act to
39 prevent the biological father of the child from asserting his
40 paternal rights with respect to the child.

41 (g) The child had not yet reached his or her 18th birthday
42 when the petition was filed.

43 (3) Notwithstanding subsection (2), a court shall not set
44 aside the paternity determination or child support order if it
45 is not in the best interest of the child. For the purpose of
46 determining the best interest of the child, the court shall
47 consider the following factors:

48 (a) The love, affection, and other emotional ties existing
49 between the child and the petitioner and the degree of harm to
50 the child that would arise from the termination of the
51 petitioner's parental rights and duties.

52 (b) The child's ability to form a significant relationship
53 with a parental substitute and the likelihood that the child

Amendment No. 4 (for drafter's use only)

54 will enter into a more stable and permanent family relationship
55 as a result of permanent termination of parental rights and
56 duties.

57 (c) If a guardian ad litem is appointed, the
58 recommendations of the child's guardian ad litem or legal
59 representative.

60 (d) The reasonable preferences of the child if the court
61 deems the child to be of sufficient intelligence, understanding,
62 and experience to express a preference.

63 (e) Any additional factors the court determines are
64 relevant.

65 (4) Notwithstanding subsection (2), a court shall not set
66 aside the paternity determination or child support order if the
67 male engaged in the following conduct after learning that he is
68 not the biological father of the child:

69 (a) Married the mother of the child while known as the
70 putative father in accordance with s. 742.091, Florida Statutes,
71 and voluntarily assumed the parental obligation and duty to pay
72 child support;

73 (b) Acknowledged his paternity of the child in a sworn
74 statement;

75 (c) Consented to be named as the child's biological father
76 on the child's birth certificate;

77 (d) Voluntarily promised in writing to support the child
78 and was required to support the child based on that promise;

79 (e) Received and disregarded written notice from any state
80 agency or any court directing him to submit to scientific
81 testing; or

82 (f) Signed a voluntary acknowledgment of paternity as
83 provided in s. 742.10(4), Florida Statutes.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

4

84 (5) In the event the petitioner fails to make the
85 requisite showing required by this section, the court shall deny
86 the petition.

87 (6) In the event relief is granted pursuant to this
88 section, relief shall be limited to the issues of prospective
89 child support payments and termination of parental rights,
90 custody, and visitation rights. The male's previous status as
91 father continues to be in existence until the order granting
92 relief is rendered. All previous lawful actions taken based on
93 reliance on that status are confirmed retroactively but not
94 prospectively. This section shall not be construed to create a
95 cause of action to recover child support that was previously
96 paid.

97 (7) The duty to pay child support and other legal
98 obligations for the child shall not be suspended while the
99 petition is pending except for good cause shown.

100 (8) (a) In an action brought pursuant to this section, if
101 the scientific test results submitted in accordance with
102 paragraph (1) (b) are provided solely by the male ordered to pay
103 child support, the court on its own motion may, and on the
104 petition of any party shall, order the child and the male
105 ordered to pay child support to submit to applicable scientific
106 tests. The court shall provide that such scientific testing be
107 done no more than 30 days after the court issues its order.

108 (b) If the male ordered to pay child support willfully
109 fails to submit to scientific testing or if the mother or legal
110 guardian or custodian of the child willfully fails to submit the
111 child for testing, the court shall issue an order determining
112 the relief on the petition against the party so failing to
113 submit to scientific testing. If a party shows good cause for
114 failing to submit to testing, such failure shall not be

Amendment No. 4 (for drafter's use only)

15 considered willful. Nothing in this paragraph shall prevent the
116 child from reestablishing paternity under s. 742.10, Florida
117 Statutes.

118 (c) The party requesting applicable scientific testing
119 shall pay any fees charged for the testing. If the custodian of
120 the child is receiving services from an administrative agency in
121 its role as an agency providing enforcement of child support
122 orders, that agency shall pay the cost of the testing if it
123 requests the testing and may seek reimbursement for the fees
124 from the person against whom the court assesses the costs of the
125 action.

126 (9) If relief on a petition filed in accordance with this
127 section is granted, the clerk of the court shall, within 30 days
128 following final disposition, forward to the Office of Vital
129 Statistics of the Department of Health a certified copy of the
130 court order or a report of the proceedings upon a form to be
131 furnished by the department, together with sufficient
132 information to identify the original birth certificate and to
133 enable the department to prepare a new birth certificate. Upon
134 receipt of the certified copy or the report, the department
135 shall prepare and file a new birth certificate that deletes the
136 name of the male ordered to pay child support as the father of
137 the child. The certificate shall bear the same file number as
138 the original birth certificate. All other items not affected by
139 the order setting aside a determination of paternity shall be
140 copied as on the original certificate, including the date of
141 registration and filing. If the child was born in a state other
142 than Florida, the clerk shall send a copy of the report or
143 decree to the appropriate birth registration authority of the
144 state where the child was born. If the relief on a petition
145 filed in accordance with this section is granted and the mother

Amendment No. 4 (for drafter's use only)

146 or legal guardian or custodian requests that the court change
147 the child's surname, the court may change the child's surname.
148 If the child is a minor, the court shall consider whether it is
149 in the child's best interests to grant the request to change the
150 child's surname.

151 (10) The rendition of an order granting a petition filed
152 pursuant to this section shall not affect the legitimacy of a
153 child born during a lawful marriage.

154 (11) If relief on a petition filed in accordance with this
155 section is not granted, the court shall assess the costs of the
156 action and attorney's fees against the petitioner.

157 (12) Nothing in this section precludes an individual from
158

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

160 Between line(s) 10 and 11, insert:

161 providing that the court shall consider the best interest
162 of a child in decisions regarding a determination of
163 paternity or termination of a child support obligation;



~~Spoke~~ Spoke

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. HB 221 Date April 10, 2006

Name Fred Dudley

Title Attorney

Address 106 E. College Ave., Suite 1200

City Tallahassee State/Zip FL 32301

Phone Number 521-8013

Representing FAMILY LAW SECTION, THE FLORIDA BAR

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak:

*I have been requested to speak:

Proponent

Opponent Amend. # 4

Information

Subject matter: PATERNITY DETERMINATION

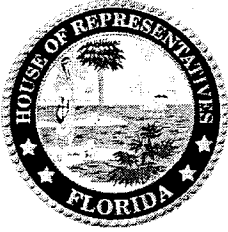
Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
Original - Committee/Subcommittee
Copy - Person requested to appear



Spoke

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 221 Date 4/10/06

Name Tony Winbush

Title _____

Address 115 Ernest St

City Quincy Fla State/Zip ~~32332~~ 32351

Phone Number (850) 875-1169

Representing Curtis Richardson

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Paternity

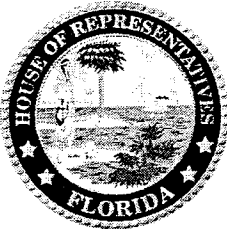
Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



Spoke

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 221 Date 4/10/2006

Name MORRIS Anthony Young

Title _____

Address 706 W 2TH AVENUE

City TALLAHASSEE, State/Zip FLA/32303

Phone Number (850) 567-4954

Representing Curtis Richardson

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Paternity

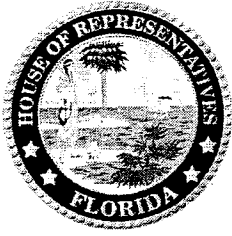
Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



Spoke

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 221 Date 4/10/06

Name Anna Perko

Title Attorney

Address 2425 Torreya Dr

City Tallahassee State/Zip FL

Phone Number _____

Representing Florida Legal Services

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak:

* I have been requested to speak

Proponent ^{Amendment 4 only}
Opponent
Information (Quinones)

Subject matter: Paternity

Council/Committee/Subcommittee: Justice Council

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair
Approved by _____ Chair

Copies to:
Original - Council/Committee/Subcommittee
Copy - Person requested to appear



Space

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 221 Date 4/10/06

Name Teresa R. Rhames

Title _____

Address 3620 Old Federal Rd

City Quincy State/Zip FL 32351

Phone Number 875 4752

Representing Richardson

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Paternity

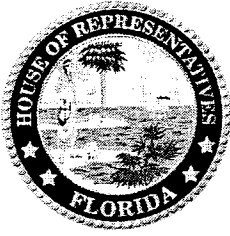
Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



W/S of bill
w/o A -

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 221 Date 4/10/06

Name Beverly Pruneda

Title _____

Address 1893 Sadberry Rd

City Quincy State/Zip FL 32351

Phone Number 850 627 6479

Representing Curtis Richardson

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak:	<input checked="" type="checkbox"/>	Proponent	<input checked="" type="checkbox"/>
* I have been requested to speak	<input type="checkbox"/>	Opponent	<input type="checkbox"/>
		Information	<input type="checkbox"/>

Subject matter: Paternity fraud

Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



WIS

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. HR 221 Date 4-10-06

Name Lynn Gatlin

Title _____

Address 24 W. Adams St.

City Quincy State/Zip FL 32351

Phone Number 544-5799

Representing _____

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak:

* I have been requested to speak

Proponent

Opponent

Information

Subject matter: Paternity Bill

Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 283 CS : Correctional Probation Officers

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz			X		
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones			X		
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 9		Total Nays: 0			

Appearances:

Correctional Probation Officers

Ken Kopceynski (Lobbyist) - Proponent

FL PBA

300 E. Brevard St.

Tallahassee FL 32301

Phone: 850-222-3329

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM



Spoke

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 293 Date April 10, 2006

Name Ken Kopczynski (Cope-CHEN-ski)

Title _____

Address 300 E Brevard St

City Tallah State/Zip FL 32301

Phone Number 222-3379

Representing FLA PBA

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: CPO's

Council/Committee/Subcommittee: Justice

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 519 CS : Internet Screening in Public Libraries

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner		X			
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 10		Total Nays: 1			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 585 CS : Inmate Litigation Costs

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 761 : Trespass on the Property of a Certified Domestic Violence Center

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 761

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
 WHP

1 Council/Committee hearing bill: Justice Council
 2 Representative(s) Kyle offered the following:

Amendment (with directory and title amendments)

Remove line(s) 67 and insert:

6 if the property trespassed upon is a domestic violence center
 7 and the offender is a person against whom a court order
 8 directing no contact with the victim has been entered, or a
 9 person against whom an injunction for protection against
 10 domestic violence under s. 741.30 has been issued, or the
 11 offender enters the property knowing it to be a domestic
 12 violence center

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

Remove line(s) 5 and insert:

16 degree if the offender was ordered to have no contact with the
 17 victim, or was subject to an injunction for protection against
 18 domestic violence, or knowingly trespassed on the property of a

000000



Chair read name into record

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 761 Date 4/10/06

Name Dia Kuykendall

Title Public Policy Manager

Address 425 Office Plaza

City Tallahassee State/Zip FL 32301

Phone Number 850/425-2749

Representing Florida Coalition Against Domestic Violence

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Domestic Domestic Violence Trafficking

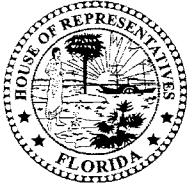
Council/Committee/Subcommittee: Justice

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
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Chair read
name into record

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 761 Date April 10, 2006
 Name Richard Ramey
 Title Policy Director
 Address The Capitol PL-01
 City Tallahassee, State/Zip FL 32399
 Phone Number 850-245-0140
 Representing Office of the Attorney General

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak: Proponent
 *I have been requested to speak: Opponent
 Information

Subject matter: Trespassing or domestic violence
shelter property

Council/Committee/Subcommittee: Justice

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 809 CS : Assault or Battery on Homeless Persons

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 809 CS

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
 (A) w/o obj.

1 Council/Committee hearing bill: Justice Council
 2 Representative(s) Taylor offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 775.085, Florida Statutes, is amended to read:

775.085 Evidencing prejudice while committing offense; reclassification.--

(1)(a) The penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, homeless status, mental or physical disability, or advanced age of the victim:

1. A misdemeanor of the second degree is reclassified to a misdemeanor of the first degree.

2. A misdemeanor of the first degree is reclassified to a felony of the third degree.

3. A felony of the third degree is reclassified to a felony of the second degree.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

22 4. A felony of the second degree is reclassified to a
23 felony of the first degree.

24 5. A felony of the first degree is reclassified to a life
25 felony.

26 (b) As used in paragraph (a), the term:

27 1. "Mental or physical disability" means that the victim
28 suffers from a condition of physical or mental incapacitation
29 due to a developmental disability, organic brain damage, or
30 mental illness, and has one or more physical or mental
31 limitations that restrict the victim's ability to perform the
32 normal activities of daily living.

33 2. "Advanced age" means that the victim is older than 65
34 years of age.

35 3. "Homeless status" means that the victim is homeless as
36 the term is defined in s. 420.621.

37 (2) A person or organization that establishes by clear and
38 convincing evidence that it has been coerced, intimidated, or
39 threatened in violation of this section has a civil cause of
40 action for treble damages, an injunction, or any other
41 appropriate relief in law or in equity. Upon prevailing in such
42 civil action, the plaintiff may recover reasonable attorney's
43 fees and costs.

44 (3) It is an essential element of this section that the
45 record reflect that the defendant perceived, knew, or had
46 reasonable grounds to know or perceive that the victim was
47 within the class delineated in this section.

48 Section 2. Section 784.0815, Florida Statutes, is created
49 to read:

50 784.0815 Assault or battery on homeless persons.--

51 (1) For purposes of this section, the term "homeless"
52 shall have the same meaning as provided in s. 420.621.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

53 (2) A person who is convicted of an aggravated assault or
54 aggravated battery upon a homeless person shall be sentenced to
55 a minimum term of imprisonment of 3 years and fined not more
56 than \$10,000 and shall also be ordered by the sentencing judge
57 to make restitution to the victim of the offense and to perform
58 up to 500 hours of community service work. Restitution and
59 community service work shall be in addition to any fine or
60 sentence that may be imposed and shall not be in lieu thereof.
61 Notwithstanding the provisions of s. 948.01, adjudication of
62 guilt or imposition of sentence shall not be suspended,
63 deferred, or withheld.

64 Section 3. This act shall take effect October 1, 2006.

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

68 Remove the entire title and insert:

69 An act relating to assault or battery on homeless persons;
70 amending s. 775.085; reclassifying offenses evidencing prejudice
71 based on homeless status of victim; creating s. 784.0815, F.S.;
72 providing a definition; providing a minimum sentence for a
73 person convicted of an aggravated assault or aggravated battery
74 upon a homeless person; providing effective date.



WTS

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. CS809 Date 4/16/06

Name Ron Book

Title _____

Address 104 EAST College

City TUT State/Zip 32301

Phone Number _____

Representing Miami Dade Cty

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Homeless Hate Crimes

Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
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WIS

COUNCIL/COMMITTEE/SUBCOMMITTEE
APPEARANCE RECORD

Bill No. HB 509 Date _____

Name Row Book

Title _____

Address 104 EAST College

City TLF State /Zip _____

Phone Number _____

Representing Miami Dade City

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak: Proponent

*I have been requested to speak: Opponent

Information

Subject matter: Homeless Children

Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair
Approved by _____ Chair

Copies to:
Original - Council/Committee/Subcommittee
Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 871 CS : Telephone Calling Records

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz			X		
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 1325 CS : Controlled Substances

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 1325

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
ⓐ w/o obj.

1 Council/Committee hearing bill: Justice Council

2 Representative(s) Culp offered the following:

3

4 **Amendment (with directory and title amendments)**

5 Remove line(s) 79 and insert:

6 issue a life insurance policy to, a state or local law

7 enforcement officer as defined in

8

000000



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

~~SECRET~~
WIS

Bill No. 1325 Date 10 APR '06

Name ANDREW BENARD

Title Chief of Staff - Office of Drug Control

Address The Capitol, PL 04

City Tallahassee State/Zip _____

Phone Number 921-0485

Representing _____

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak: Proponent
*I have been requested to speak: Opponent
Information

Subject matter: _____

Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair
Approved by _____ Chair

Copies to:
Original - Committee/Subcommittee
Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 1341 : Fiduciary Lawyer-Client Privilege

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM



W/S

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 1341 Date 4.10.06

Name Martha Edenfield

Title _____

Address PO Box 10095

City Tallahassee State/Zip FL 32302

Phone Number 850-222-3533

Representing The Real Property Probate + Trust Law Section of the Florida Bar

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak:	<input type="checkbox"/>	Proponent	<input checked="" type="checkbox"/>
* I have been requested to speak	<input type="checkbox"/>	Opponent	<input type="checkbox"/>
		Information	<input type="checkbox"/>

Subject matter: Support The bill

Council/Committee/Subcommittee: Justice Council

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

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COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

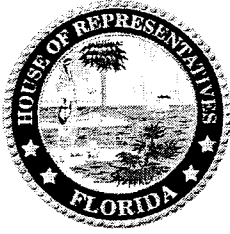
Location: 404 HOB

HB 1495 : Marriage Licenses

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz			X		
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM



WIS

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 1495 Date 4/16/06

Name Sharla Hopkins

Title Assoc. for Social Concerns

Address 201 W. Park Ave

City Tallahassee State/Zip FL 32303

Phone Number 272-3303

Representing FL Catholic Conference

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Marriage licenses

Council/Committee/Subcommittee: _____

***If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.**

Appearing at request of Chair

Approved by _____ Chair

Copies to:
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 Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 1527 CS : Parental Notification of Termination of a Minor's Pregnancy

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino		X			
Greg Evers	X				
Arthenia Joyner		X			
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg		X			
Bruce Kyle (Chair)	X				
Total Yeas: 8		Total Nays: 3			

Appearances:

Parental Notification of Termination of a Minor's Pregnancy

Stephanie Grutman (Lobbyist) - Opponent

FL Assoc. of Planned Parenthood

2300 N. Florida Mango Road

West Palm Beach FL

Parental Notification of Termination of a Minor's Pregnancy

Larry Spalding (Lobbyist) - Opponent

American Civil Liberties Union

314 W. Jefferson St.

Tallahassee FL 32301

Phone: 850-425-1050

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 1527 CS**

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 _____

Ⓐ w/o obj.

1 Council/Committee hearing bill: Justice Council
2 Representative(s) Stargel offered the following:

Amendment

3
4
5 Remove line(s) 86-88 and insert:
6 requirements. If a medical emergency exists, the physician
7 should make reasonable attempts, whenever possible without
8 endangering the minor, to contact the parent or legal guardian.
9 The physician may proceed without prior notice but must document
10 reasons for the medical
11



Spoke

COUNCIL/COMMITTEE/SUBCOMMITTEE
APPEARANCE RECORD

Bill No. 1527 Date 4/10/06
Name Stephanie Grutman
Title Executive Director
Address 2300 N. Florida Mango Rd
City West Palm Bch State/Zip FL 33409
Phone Number (561) 472-9977
Representing FL Association of Planned

Lobbyist (registered) YES NO Parenthood Affiliate

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Parental Notification

Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair
Approved by _____ Chair

Copies to:
Original - Council/Committee/Subcommittee
Copy - Person requested to appear

Spoke



COUNCIL/COMMITTEE/SUBCOMMITTEE
APPEARANCE RECORD

Bill No. 1527 Date 04.10.06

Name HARRY Spalding

Title Legislative Staff Counsel

Address 314 West Jefferson Street

City Tallahassee State /Zip 32301

Phone Number 850.425.1050

Representing American Civil Liberties Union

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak: Proponent

*I have been requested to speak: Opponent

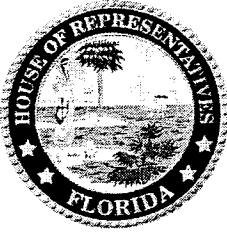
Information

Subject matter: Parental Notification

Council/Committee/Subcommittee: Justice Council

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair
Approved by _____ Chair

Copies to:
Original - Council/Committee/Subcommittee
Copy - Person requested to appear



W/S

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. HB 1527 Date APRIL 10, 2006

Name BILL STEPHENS

Title EXECUTIVE DIRECTOR

Address 160 W EVERGREEN AVE

City LONGWOOD State/Zip FL 32750

Phone Number 407-834-3440

Representing CHRISTIAN COALITION OF FLORIDA

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: SUPPORT

Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair
Approved by _____ Chair

Copies to:
Original - Council/Committee/Subcommittee
Copy - Person requested to appear



w/o

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 1527 Date 4/10/06

Name Katie Stephens

Title _____

Address 1823 NW 5th Ave #10

City Gainesville State/Zip FL 32603

Phone Number 352 213 2420

Representing Bread + Roses Women's Health Ctr.

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak:

* I have been requested to speak

Proponent

Opponent

Information

Subject matter: Parental Notification

Council/Committee/Subcommittee: _____

***If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.**

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



W/S

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 1527 Date 4/6/06

Name Sheila Hopkins

Title Associate for Social Concerns

Address 201 W. Park Ave.

City Tallahassee State/Zip FL 32303

Phone Number 222-3813

Representing Florida Catholic Conference

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Parental Notification

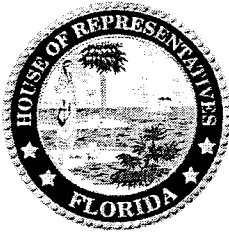
Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



W/O

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 1527 Date 4/10/03
 Name Helen Strain
 Title Judy Levy NOW
 Address 1621 NE 17th Pl
 City Gainesville State/Zip FL 32609
 Phone Number 352 371 0517
 Representing Judy Levy NOW

Lobbyist (registered) YES NO
 State Employee YES NO
 I wish to speak: Proponent
 * I have been requested to speak Opponent
 Information

Subject matter: Parental Notification

Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
 Appearing at request of Chair
 Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

W/S

Bill No. 1527 Date 4-10-06

Name Robin Hoffmann

Title President

Address 419 Lobelia Rd

City St Augustine State/Zip 32086

Phone Number 904-797-5673

Representing Florida Right to Life

Lobbyist (registered) Yes [] No []

State Employee Yes [] No []

I wish to speak: [x] Proponent [x]
*I have been requested to speak: [] Opponent []
Information []

Subject matter:

Committee/Subcommittee:

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair []
Approved by _____ Chair



W15

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 1527 Date 4/10/06

Name Bill Bunkley

Title _____

Address 1839 Jaclif Ct

City Tallahassee State/Zip FL 32308

Phone Number 850 942 4377

Representing Florida Baptist Convention

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak:

Proponent

*I have been requested to speak:

Opponent

Information

Subject matter: Waves time in support

Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
Original - Committee/Subcommittee
Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 1621 : Coastal Properties Disclosure Statements

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz			X		
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. **HB 1621**

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 _____

2
Ⓟ w/o obj.

1 Council/Committee hearing bill: Justice Council
2 Representative Evers offered the following:

3
4 **Amendment**

5 Remove line 54 and insert:

6 Section 2. This act shall take effect July 1, 2006.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 1621

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
 (A) w/o obj.

1 Council/Committee hearing bill: Justice Council
 2 Representative *EVERS* offered the following:

Amendment

Remove line(s) 26-27 and insert:

6 seller must give a written disclosure statement in the following
 7 form to the prospective purchaser which may be set forth in the
 8 contract or in a

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HR 1627 : Unanimity of Jury Recommendations in Death Penalty Cases

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner		X			
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones			X		
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 9		Total Nays: 1			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 7091 : Real Property Electronic Recording

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 7091

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
Ⓐ w/o obj.

1 Council/Committee hearing bill: Justice Council

2 Representative(s) Mahon offered the following:

3

4 **Amendment (with directory and title amendments)**

5 Remove line(s) 32-105 and insert:

6 by a county recorder, pursuant to s. 28.222.

7 (b) "Electronic" means relating to technology having
8 electrical, digital, magnetic, wireless, optical,
9 electromagnetic, or similar capabilities.

10 (c) "Electronic document" means a document that is
11 received by a county recorder in an electronic form.

12 (d) "Electronic signature" means an electronic sound,
13 symbol, or process attached to or logically associated with a
14 document and executed or adopted by a person with the intent to
15 sign the document.

16 (e) "Person" means an individual, corporation, business
17 trust, estate, trust, partnership, limited liability company,
18 association, joint venture, public corporation, or government;
19 governmental subdivision, agency, or instrumentality; or any
20 other legal or commercial entity.

21 (f) "State" means a state of the United States, the
22 District of Columbia, Puerto Rico, the United States Virgin

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

23 Islands, or any territory or insular possession subject to the
24 jurisdiction of the United States.

25 (g) "Logically associated" means recorded simultaneously
26 with the document to which it pertains and assigned the same
27 document number or a consecutive page number immediately
28 following said document.

29 (3) VALIDITY OF ELECTRONIC DOCUMENTS.--

30 (a) If a law requires, as a condition for recording, that
31 a document be an original, be on paper or another tangible
32 medium, or be in writing, the requirement is satisfied by an
33 electronic document satisfying the requirements of this section.

34 (b) If a law requires, as a condition for recording, that
35 a document be signed, the requirement is satisfied by an
36 electronic signature.

37 (c) A requirement that a document or a signature
38 associated with a document be notarized, acknowledged, verified,
39 witnessed, or made under oath is satisfied if the electronic
40 signature of the person authorized to perform that act, and all
41 other information required to be included, is attached to or
42 logically associated with the document or signature. A physical
43 or electronic image of a stamp, impression, or seal need not
44 accompany an electronic signature.

45 (4) RECORDING OF DOCUMENTS.--

46 (a) In this subsection, the term "paper document" means a
47 document that is received by the county recorder in a form that
48 is not electronic.

49 (b) A county recorder:

50 1. Who implements any of the functions listed in this
51 section shall do so in compliance with standards established by
52 rule by the Department of State.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

53 2. May receive, index, store, archive, and transmit
54 electronic documents.

55 3. May provide for access to, and for search and retrieval
56 of, documents and information by electronic means.

57 4. Who accepts electronic documents for recording shall
58 continue to accept paper documents as authorized by state law
59 and shall place entries for both types of documents in the same
60 index.

61 5. May convert paper documents accepted for recording into
62 electronic form.

63 6. May convert into electronic form information recorded
64 before the county recorder began to record electronic documents.

65 7. May agree with other officials of a state or a
66 political subdivision thereof, or of the United States, on
67 procedures or processes to facilitate the electronic
68 satisfaction of prior approvals and conditions precedent to
69 recording.

70 (5) ADMINISTRATION AND STANDARDS.--

71 (a) The Department of State, by rule pursuant to ss.
72 120.536(1) and 120.54, shall prescribe standards to implement
73 this section in consultation with the Electronic Recording
74 Council, which is hereby created. The Secretary of State shall
75 provide administrative support to the council, appoint the
76 members of the council, and appoint the chair of the council.
77 The Department of State must make specific written findings if
78 any of the council's recommendations are rejected. The council
79 shall consist of nine members, as follows:

80 1. Five clerks of circuit court or county recorders.

81 2. Two persons working in the title insurance industry who
82 are members of the Florida Land Title Association.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

83 3. One banker who is a member of the Florida Bankers
84 Association.

85 4. One attorney who is a member of the Real Property,
86 Probate and Trust Law Section of The Florida Bar.

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

88 Remove line(s) 8-9 and insert:
89 authority; creating the Electronic Recording Council; requiring
90 the Department of State to reject in writing any recommendation
91 of the council; providing for membership and meetings of the
92



W/S

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. HB 7091 Date April 10, 2004

Name Fred Dudley

Title Attorney

Address 106 E. College Ave., Suite 1200

City Tallahassee State / Zip FL 32301

Phone Number 521-8013

Representing Alliance Recording Offices

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak: Proponent

*I have been requested to speak: Opponent

Information

Subject matter: Electronic Recording

Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
Original - Committee/Subcommittee
Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HJR 7143 : Rules of Construction

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner		X			
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg		X			
Bruce Kyle (Chair)	X				
Total Yeas: 9		Total Nays: 2			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

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
Ⓐ w/o obj.

1 Council/Committee hearing bill: Justice Council

2 Representative Simmons offered the following:

4 **Amendment (with ballot statement and title amendments)**

5 Remove line(s) 12 through 46 and insert:

7 Be It Resolved by the Legislature of the State of Florida:

8
9 That the following amendment to Section 12 of Article X of
10 the State Constitution is agreed to and shall be submitted to
11 the electors of this state for approval or rejection at the next
12 general election or at an earlier special election specifically
13 authorized by law for that purpose:

14 ARTICLE X

15 MISCELLANEOUS

16 SECTION 12. Rules of construction.--Unless qualified in
17 the text the following rules of construction shall apply to this
18 constitution.

- 19 (a) "Herein" refers to the entire constitution.
20 (b) The singular includes the plural.
21 (c) The masculine includes the feminine.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES
Amendment No. (for drafter's use only)

(d) "Vote of the electors" means the vote of the majority of those voting on the matter in an election, general or special, in which those participating are limited to the electors of the governmental unit referred to in the text.

(e) Vote or other action of a legislative house or other governmental body means the vote or action of a majority or other specified percentage of those members voting on the matter. "Of the membership" means "of all members thereof."

(f) The terms "judicial office," "justices" and "judges" shall not include judges of courts established solely for the trial of violations of ordinances.

(g) "Special law" means a special or local law.

(h) Titles and subtitles shall not be used in construction.

(i) In interpreting the extent of political power vested in the legislative branch by the people:

(1) the expression of one thing does not imply the exclusion of another, unless the limitation is necessary to carry out the purpose of the constitutional provision.

(2) a limitation shall not be implied based on the comprehensiveness of the constitutional provision.

===== B A L L O T S T A T E M E N T A M E N D M E N T =====

Remove line(s) 47 through 65 and insert:

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE X, SECTION 12

RULES OF CONSTRUCTION.--Proposing an amendment to the State Constitution to revise the rules of construction to be used when

Amendment No. (for drafter's use only)

53 interpreting the State Constitution. The revision provides that,
54 when interpreting the extent of political power vested in the
55 Legislature by the people, the expression of one thing does not
56 imply the exclusion of another, unless the exclusion is
57 necessary to carry out the purpose of the constitutional
58 provision. This would preclude application of the general maxim
59 "expressio unius est exclusio alterius," which stands for the
60 proposition that the expression of one thing is the exclusion of
61 another, except when the exclusion is necessary to carry out the
62 purpose of the constitutional provision. In addition, the
63 revision provides that when interpreting the extent of political
64 power vested in the Legislature by the people, a limitation
65 shall not be implied based on the comprehensiveness of the
66 constitutional provision.

67

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

69 Remove line(s) 8 through 10 and insert:

70

71 necessary to carry out the purpose of the constitutional
72 provision and provide that a limitation shall not be
73 implied based on the comprehensiveness of the
74 constitutional provision.

75

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 7151 : Adoption

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM



W/S

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. HB 7151 Date April 10, 2006

Name Fred Dudley

Title Attorney

Address 106 E. College Ave., Suite 1200

City Tallahassee State / Zip FL 32301

Phone Number 521-8013

Representing FAMILY LAW SECTION, THE FLA. BAR

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak: Proponent

*I have been requested to speak: Opponent

Information

Subject matter: Adoption

Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
Original - Committee/Subcommittee
Copy - Person requested to appear

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 7169 : Juvenile Justice Pilot Program

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 7177 : Time Limitations for Criminal Prosecutions

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

COUNCIL MEETING REPORT

Justice Council

4/10/2006 1:00:00PM

Location: 404 HOB

HB 7259 : Class Action Lawsuits

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Faye Culp	X				
Carl Domino	X				
Greg Evers	X				
Arthenia Joyner	X				
Dick Kravitz			X		
Marcelo Llorente	X				
Mark Mahon	X				
John Quinones	X				
David Simmons	X				
Irving Slosberg	X				
Bruce Kyle (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Committee meeting was reported out: Monday, April 10, 2006 6:34:39PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. HB 7259

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
ⓐ w/o obj.

1 Council/Committee hearing bill: Justice Council
 2 Representative Simmons offered the following:

Amendment (with directory and title amendments)

5 Remove line(s) 15 through 17 and insert:

7 Section 1. Capacity to sue.--

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

11 Remove line(s) 2 and 3 and insert:

12
 13 An act relating to class action lawsuits; providing requirements
 14 for capacity to file



COMMITTEE/SUBCOMMITTEE
APPEARANCE RECORD

WIS

Bill No. 7259 Date 4/10/06

Name Mark Wilson

Title Executive Vice President

Address 136 S Bronough

City Tallahassee State/Zip FL 32312

Phone Number (850) 521-1200

Representing The Florida Chamber of Commerce

Lobbyist (registered) Yes No

State Employee Yes No

I wish to speak:

Proponent

*I have been requested to speak:

Opponent

Information

Subject matter: Class Action lawsuits

Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair
Approved by _____ Chair



WIS

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. HB 7259 Date 4/1/06

Name Row Book

Title _____

Address 104 EAST College Ave

City TLH State/Zip 32301

Phone Number _____

Representing Auto Nation

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak:

* I have been requested to speak

Proponent

Opponent

Information

Subject matter: Class Action Reform

Council/Committee/Subcommittee: _____

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



W/S

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. HB1259 Date 4-10-06

Name Tammy Perdue

Title General Counsel

Address 317 N. Calhoun St.

City Tallahassee State/Zip FL 32302

Phone Number 850-222-2229

Representing AIF

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Class Actions

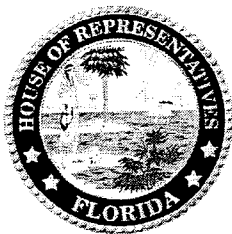
Council/Committee/Subcommittee: Justice Council

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
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W/S

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. 7259 Date 4/10/06

Name Coleman Edmunds

Title Vice President, Deputy General Counsel, AutoNation

Address 3618 Palmarito St.

City Coral Gables ~~FL~~ State/Zip FL / 33134

Phone Number 954 769-2039

Representing AutoNation, Inc.

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Class Action

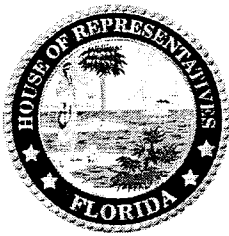
Council/Committee/Subcommittee: Justice Council

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.

Appearing at request of Chair

Approved by _____ Chair

Copies to:
 Original - Council/Committee/Subcommittee
 Copy - Person requested to appear



WIS

COUNCIL/COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill No. HB 7259 Date 04.10.06

Name William Large

Title PRESIDENT, Florida Justice Reform Institute

Address 210 S. MONROE STREET

City Tallahassee State/Zip FL 32301

Phone Number 850.222.0170

Representing Florida Justice Reform Institute

Lobbyist (registered) YES NO

State Employee YES NO

I wish to speak: Proponent

* I have been requested to speak Opponent

Information

Subject matter: Class Action

Council/Committee/Subcommittee: Justice Council

*If you are appearing at the request of the Chair, you must get signature of the Chair before leaving.
Appearing at request of Chair
Approved by _____ Chair

Copies to:
Original - Council/Committee/Subcommittee
Copy - Person requested to appear