



Policy and Budget Council

April 5, 2007
9:00 a.m.
212 Knott Building

ACTION Packet

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Summary:

Policy & Budget Council

Thursday April 05, 2007 09:00 am

HB 129	Favorable	Yeas: 34	Nays: 0
HB 135	Favorable	Yeas: 31	Nays: 0
CS/HB 229	Favorable	Yeas: 27	Nays: 0
CS/HB 251	Favorable with Council Substitute	Yeas: 24	Nays: 0
CS/HB 271	Favorable with Council Substitute	Yeas: 32	Nays: 0
CS/HB 289	Favorable	Yeas: 29	Nays: 0
CS/HB 395	Favorable with Council Substitute	Yeas: 33	Nays: 0
CS/HB 455	Favorable with Council Substitute	Yeas: 26	Nays: 0
CS/HB 461	Favorable	Yeas: 28	Nays: 0
CS/HB 463	Favorable	Yeas: 27	Nays: 0
CS/HB 475	Favorable	Yeas: 33	Nays: 0
CS/HB 507	Favorable with Council Substitute	Yeas: 30	Nays: 0
HB 531	Favorable with Council Substitute	Yeas: 14	Nays: 12
CS/HB 575	Favorable	Yeas: 30	Nays: 0
CS/HB 651	Favorable	Yeas: 32	Nays: 1
CS/HB 807	Favorable	Yeas: 33	Nays: 0

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 967	Favorable with Council Substitute	Yeas: 33	Nays: 0
CS/HB 1041	Favorable with Council Substitute	Yeas: 26	Nays: 0
CS/HB 1083	Favorable with Council Substitute	Yeas: 26	Nays: 0
CS/HB 1117	Favorable	Yeas: 29	Nays: 0
CS/HB 1121	Favorable	Yeas: 27	Nays: 0
HB 1123	Favorable	Yeas: 28	Nays: 0
CS/HB 1181	Favorable	Yeas: 21	Nays: 11
CS/HB 1231	Favorable with Council Substitute	Yeas: 16	Nays: 12
CS/HB 1325	Favorable with Council Substitute	Yeas: 31	Nays: 0
CS/HB 1363	Favorable	Yeas: 30	Nays: 0
CS/HB 1401	Favorable with Council Substitute	Yeas: 25	Nays: 1
CS/HB 1451	Temporarily Deferred		
CS/HB 1457	Favorable with Council Substitute	Yeas: 27	Nays: 0
HB 1483	Favorable with Council Substitute	Yeas: 32	Nays: 0
CS/HB 1579	Favorable with Council Substitute	Yeas: 27	Nays: 0

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ray Sansom (Chair)	X		
Kevin Ambler	X		
Frank Attkisson	X		
Loranne Ausley	X		
Aaron Bean	X		
Dorothy Bendross-Mindingall	X		
Ellyn Setnor Bogdanoff	X		
Marsha Bowen	X		
Mary Brandenburg	X		
Donald Brown	X		
Dean Cannon	X		
Joyce Cusack	X		
Charles Dean	X		
Bill Galvano	X		
Andy Gardiner	X		
Michael Grant	X		
Adam Hasner	X		
Will Kendrick	X		
Dick Kravitz	X		
Stan Mayfield	X		
Matthew Meadows	X		
Joe Pickens	X		
Ron Reagan	X		
Curtis Richardson	X		
David Rivera	X		
Yolly Roberson	X		
Dennis Ross	X		
Ron Saunders	X		
John Seiler	X		
Priscilla Taylor	X		
Anthony Traviesa	X		
Baxter Troutman	X		
Shelley Vana	X		
Juan Zapata	X		
Totals:	34	0	0

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

HB 129 : Community Contribution Tax Credits

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 34		Total Nays: 0			

Appearances:

Jeff Sharkey (Lobbyist) - Proponent
 Lee Co. Habitat for Humanity
 106 E. College Avenue
 Tallahassee Florida 32301
 Phone: 850-222-1660

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

HB 135 : Local Business Taxes

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner			X		
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 31		Total Nays: 0			

Appearances:

George Chamizo (State Employee) - Proponent
 city of Weston
 108 South Monroe Street #200
 Tallahassee Florida 32301
 Phone: 850-681-0024

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 229 : Guardian Ad Litem Program

<input checked="" type="checkbox"/> Favorable	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall				X	
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack				X	
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner			X		
Michael Grant			X		
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor			X		
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 0			

Appearances:

Angela Orkin (Lobbyist) (State Employee) - Proponent
 Statewide Guardian Ad Litem
 600 South Calhoun Street
 Tallahassee Florida 32399
 Phone: 850-922-7213

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 251 : Regional Transportation Facilities

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean				X	
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon			X		
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant			X		
Adam Hasner	X				
Will Kendrick			X		
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera			X		
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 24		Total Nays: 0			

Appearances:

Joe Smith - Proponent
 Tampa Bay Partnership
 3327 Saffold Road
 Wimauma FL 33598
 Phone: 813-928-7060

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Denise Layne (Lobbyist) - Proponent
Coalition 4 Responsible Growth, Inc.
2504 Ayers Hill Court
Lutz FL 33559
Phone: 813-246-0485

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 251

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

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

3
4
5
6
7
8

Amendment

Remove line(s) 286-287 and insert:
of any services as fiscal agents. The authority may delegate,
except for duties specified in Chapter 120, its power to one or
more of its agents

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 251

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

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

3

4 **Amendment (with title)**

5 On lines 6, 75-76, 81-82, 164, 166-167, 532-533, 1050-1051,
 6 and 1074-1075 remove:

7

8 Bay Area Regional Transportation Authority

9

10 and insert:

11

12 Tampa Bay Area Regional Transportation Authority

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 251

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 _____

3

1 Council/Committee hearing bill: Policy & Budget Council

2 Representative(s) Galvano offered the following:

3

4 **Amendment**

5 Remove line 227 and insert:

6

7 representatives who reside in one of the seven counties governed
8 by the RTA and, who are not elected officials, at least one but

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 251

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

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

3
4 **Amendment**

5 Between lines 1075 and 1076, insert:

6
7 Section 2. Nothing in this Act shall prohibit any member
8 local government from participating in or creating any other
9 transit authority, regional transportation authority, or
10 expressway authority.

11
12
13
14
15
16
17
18
19
20
21
000000



Full or Subcommittee on _____

Action _____

Date _____

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

Amendment No. 4

Bill No. 251

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

W/O Adopted

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

Representative(s)/The Committee on Galeano

offered the following amendment:

Amendment

on page 12, line 326,

after "tollled." The authority shall not
toll existing transportation facilities.

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 271 : Contracting for Efficiency or Conservation Measures by State Agencies

<input checked="" type="checkbox"/> Favorable with Council Substitute	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 32		Total Nays: 0			

Appearances:

Mike Wolf - Proponent
 Johnson Controls, Inc.
 1484 Mallard Lake Avenue
 Jacksonville Florida 32259
 Phone: 904-588-5200

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building
Andrew S. Apgar - Opponent
Triton Water Technologies
5413 Lawton Court
Tallahassee Florida 32317
Phone: 850-402-4080

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 271

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

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

3

4 **Amendment**

5 Remove line(s) 27 - 117 and insert:

6

7 Section 1. Subsection (6) is added to section 471.023, Florida
8 Statutes, to read:

9

10 471.23 Certification of business organizations -
11 (6) This section does not apply to business
12 organizations registered as Energy Performance Contractors,
13 as defined in Section 1013.23(2)(d), Florida Statutes

14

15

16

000000

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 289 : Textbook Affordability

<input checked="" type="checkbox"/> Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean				X	
Dorothy Bendross-Mindingall				X	
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 29		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 395 : Surplus State Lands

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 33		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

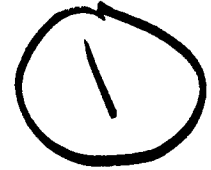
HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 395

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	



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

Amendment (with title amendment)

Between line(s) 12 and 13, insert:

Section 1. Subsection (17) is added to section 253.03, Florida Statutes, to read:

253.03 Board of trustees to administer state lands; lands enumerated.--

(17) Notwithstanding any other provision of this chapter, any rule adopted by the Board of Trustees of the Internal Improvement Trust Fund, or any local ordinance or rule, for upland properties of 55 linear feet or less in width bordering on navigable waters, two adjacent upland property owners may utilize a single dock, to be used by both upland owners, provided that the dock runs adjacent and parallel to a seawall and does not exceed 100 feet in overall length.

Section 2. Subsection (5) is added to section 253.141, Florida Statutes, to read:

253.141 Riparian rights defined; certain submerged bottoms subject to private ownership.--

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 (5) Notwithstanding any other provision of this chapter,
23 any rule adopted by the Board of Trustees of the Internal
24 Improvement Trust Fund, or any local ordinance or rule, for
25 upland properties of 55 linear feet or less in width bordering
26 on navigable waters, two adjacent upland property owners may
27 utilize a single dock, to be used by both upland owners,
28 provided that the dock runs adjacent and parallel to a seawall
29 and does not exceed 100 feet in overall length.

30

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

32 Remove line(s) 2 and insert:
33 An act relating to state lands; amending ss. 253.03 and 253.141,
34 F.S.; authorizing certain upland property owners to use a single
35 dock under certain conditions; amending s.

W/O Adopted

Full or Subcommittee on _____

Action _____

Date _____

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

Amendment No. AA1

Bill No. 395

(For filing with the Clerk, amendment must be prepared and stored on the legislative computer.)

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

Representative(s)/The Committee on _____

offered the following amendment: Bogdanoff

Amendment

On page 1, line 14,

insert after "owners" "upon mutual agreement"

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 455 : Organ and Tissue Donation

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler			X		
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall			X		
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack			X		
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner			X		
Michael Grant			X		
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor			X		
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 26		Total Nays: 0			

Appearances:

Kathleen Giery - Proponent
 Florida Coalition on Donations
 720 S.W. 2nd Avenue
 Gainesville Florida 32601

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 0455

COUNCIL/COMMITTEE ACTION

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



1 Council/Committee hearing bill: Policy & Budget Council
 2 Representative Cretul offered the following:

Amendment (with title amendment)

Between lines 640 and 641 insert:

6 Section 22. The sum of \$607,000 in non-recurring funds is
 7 appropriated for fiscal year 2007-2008 from the Florida Organ
 8 and Tissue Procurement Trust Fund to the Agency for Health Care
 9 Administration to contract with the Florida Coalition on
 10 Donation for the orderly transition of the organ donor registry.

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

Remove line 60 and insert:

14 for organ and tissue donor education; providing an
 15 appropriation; providing an

000000

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 461 : High School Athletics

<input checked="" type="checkbox"/> Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall				X	
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack				X	
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant			X		
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor			X		
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 28		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 463 : Pub. Rec. & Meetings/Drug Tests

<input checked="" type="checkbox"/>	<i>Favorable</i>				
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall				X	
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack				X	
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner			X		
Michael Grant			X		
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor			X		
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 475 : Local Business Taxes

<input checked="" type="checkbox"/>	<i>Favorable</i>				
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 33		Total Nays: 0			

Appearances:

George Chamizo (State Employee) - Proponent
 city of Weston
 108 South Monroe Street #200
 Tallahassee Florida 32301
 Phone: 850-681-0024

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 507 : Dependent Children and Youth

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean				X	
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 30		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

Bill No. CS/HB 507

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

1 Council hearing bill: Policy and Budget

2 Representative Kendrick offered the following:

3
4 **Amendment**

5 Remove lines 57-74 and insert:

6
7 (6) Upon the request of a foster parent, the department
8 shall allow a child living in a foster home to be enrolled in or
9 change his or her school setting to a home education program
10 pursuant to s. 1002.41, F.S., a K-8 Virtual School Program
11 pursuant to s. 1002.415, F.S., or a public or private school
12 scholarship program pursuant to s. 1002.39, F.S., or s.220.187,
13 F.S., when such enrollment or change in school setting is
14 incorporated into the child's case plan and approved by the
15 court. If the child has a surrogate parent appointed pursuant
16 to subparagraph (4)(c)5., then the surrogate parent must approve
17 the program before it is incorporated into the child's case
18 plan.
19
20

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

HB 531 : Online Dating Services

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson		X			
Loranne Ausley		X			
Aaron Bean			X		
Dorothy Bendross-Mindingall		X			
Ellyn Setnor Bogdanoff		X			
Marsha Bowen			X		
Mary Brandenburg		X			
Donald Brown		X			
Dean Cannon	X				
Joyce Cusack		X			
Charles Dean		X			
Bill Galvano	X				
Andy Gardiner		X			
Michael Grant	X				
Adam Hasner		X			
Will Kendrick			X		
Dick Kravitz			X		
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler			X		
Priscilla Taylor		X			
Anthony Traviesa		X			
Baxter Troutman			X		
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 14		Total Nays: 12			

Appearances:

Dia Kulkendall (Lobbyist) - Proponent
 Florida Coalition Against Domestic Violence
 425 Office Plaza
 Tallahassee FL 32301
 Phone: 850-425-2749

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Grace Frances - Proponent
Florida Council Against Sexual Violence
1311 N. Paul Russell Rd. #204A
Tallahassee FL 32301
Phone: 850-297-2000

David Folsom (Lobbyist) - Proponent
Florida Police Chiefs
Tallahassee F:
Phone: 850-891-4263

Leah Pitts (Lobbyist) - Proponent
Safer Online Dating Alliance
625 E. Tennessee Street #140
Tallahassee FL 32308
Phone: 941-284-0066

Laura Cantwell (State Employee) - Proponent
AARP
200 West College Avenue
Tallahassee FL 32301
Phone: 850-577-5163

Jeff Takacs (Lobbyist) (State Employee) - Proponent
Representing Attorney General Bill McCollum
The Capitol, #PL 10
Tallahassee FL 32399
Phone: 850-245-0140

Matt Puckett (Lobbyist) - Proponent
Florida Police Benevolent Assoc.
300 East Brevard Street
Tallahassee FL 32301
Phone: 850-222-3329

John Cardillo - Opponent
Sentry Security
Miami FL

Steve Delbianco - Opponent
Netchoice
1401 K. St. NW, Suite 502
Washington DC 20005
Phone: 202-420-7482

Karen Walker - Opponent
eHarmony.com
315 S. Calhoun Street, #600
Tallahassee FL 32301
Phone: 850-224-7000

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Kathryn Lord - Opponent
3045 Dickinson Drive
Tallahassee FL 32311
Phone: 850-878-7779

Bill Ashworth - Opponent
Yahoo
Washington DC

Fred Loeber - Opponent
Match.com
8300 Douglas Avenue
Dallas TX
Phone: 214-576-9512

Jamie Wilson (Lobbyist) - Opponent
Match.com
325 West College Ave.
Tallahassee FL 32301
Phone: 850-509-6025

Adam Dobrin - Opponent
1153 SW 56th Ave.
Cooper City FL 33336
Phone: 954-680-6592

Garrett Blanton (Lobbyist) - Opponent
eHarmony.com
315 S. Calhoun Street
Tallahassee FL 32301
Phone: 850-425-5691

Sebastian Aleksander (Lobbyist) - Opponent
Yahoo
106 E. College Avenue
Tallahassee FL 32301
Phone: 850-459-1559

Cynthia Henderson (Lobbyist) - Proponent
True.com
411 Meridian Place
Tallahassee FL 32303
Phone: 850-210-5385

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. HB 531

COUNCIL/COMMITTEE ACTION

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



1 Council/Committee hearing bill: Policy & Budget Council
 2 Representative Ambler offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 501.165, Florida Statutes, is created to read:

501.165 Internet Predator Awareness Act; legislative findings.--

(1) Sections 501.165-501.171 may be cited as the "Internet Predator Awareness Act."

(2) (a) The Legislature has received public testimony that criminals and sex offenders use online dating services to prey upon the citizens of this state.

(b) The Legislature finds that residents of this state need to be informed when viewing websites of online dating services as to potential risks to personal safety associated with online dating. Also, requiring disclosures in the form of guidelines for safer dating and informing residents as to whether a criminal background screening has been conducted on members of an online dating service fulfills a compelling state

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 interest to increase public awareness of the possible risks
23 associated with Internet dating activities.

24 (c) The Legislature finds that the acts of transmitting
25 over the Internet electronic dating information addressed to
26 residents of the state and accepting membership fees from
27 residents of the state for internet dating services establishes
28 that an online dating service provider is operating, conducting,
29 engaging in, and otherwise carrying on a business in the state
30 and subjects such an online dating service provider to
31 regulation by the state and to the jurisdiction of the state's
32 courts.

33 Section 2. Section 501.166, Florida Statutes, is created
34 to read:

35 501.166 Definitions.--As used in ss. 501.165-501.171:

36 (1) "Communicate," "communicating," or "communication"
37 means free-form text authored by a member or real-time voice
38 communication through an online dating service provider.

39 (2) "Convicted" or "Conviction" or "Convictions" shall
40 have the same meaning as provided in s. 943.0435(1)(b) or, if an
41 offense was committed in another jurisdiction then these terms
42 shall have the same meaning under that jurisdiction's equivalent
43 statute.

44 (3) "Criminal background screening" means, at a minimum, a
45 search for a person's felony and sexual offense convictions
46 initiated by an online dating service provider and conducted by
47 one of the following means:

48 (a) By searching available and regularly updated
49 government public record databases for felony and sexual offense
50 convictions so long as such databases, in the aggregate, provide
51 substantial national coverage for such felonies and sexual
52 offense convictions; or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

53 (b) By searching a database maintained by a private vendor
54 that is regularly updated and is maintained in the United States
55 with substantial national coverage of such felonies and sexual
56 offense convictions.

57 (4) "Department" means the Department of Agriculture and
58 Consumer Services.

59 (5) "Felony" shall have the same meaning as provided in s.
60 775.08 or if an offense was committed in another jurisdiction
61 then the term shall have the same meaning under that
62 jurisdiction's equivalent statute.

63 (6) "Florida member" means a member as defined in this
64 section who provides a Florida billing address with zip code and
65 other required billing information when registering with the
66 provider.

67 (7) "Member" means a person who submits to an online
68 dating service provider the information required by the provider
69 to access the provider's service for the purpose of engaging in
70 dating or participating in compatibility evaluations with other
71 persons or obtaining matrimonial matching services.

72 (8) "Online dating service provider" or "provider" means a
73 person engaged in the business of offering or providing to its
74 members access to dating or compatibility evaluations between
75 persons or matrimonial matching services through the Internet.

76 (9) "Sexual offense conviction" means a conviction for an
77 offense that would qualify the offender for registration as a
78 sexual offender under s. 943.0435 or if an offense was committed
79 in another jurisdiction then the term shall have the same
80 meaning under that jurisdiction's equivalent statute.

81 Section 3. Section 501.167, Florida Statutes, is created
82 to read:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

83 501.167 Provider safety awareness disclosures.--An online
84 dating service provider offering services to Florida members
85 shall:

86 (1) Provide a safety awareness notification with, at a
87 minimum, information that includes a list and description of
88 safety measures reasonably designed to increase awareness of
89 safer dating practices as determined by the provider. Examples
90 of such notifications include:

91 (a) "Anyone who is able to commit identity theft can also
92 falsify a dating profile."

93 (b) "There is no substitute for acting with caution when
94 communicating with a stranger who wants to meet you."

95 (c) "Never include your last name, e-mail address, home
96 address, phone number, place of work, or any other identifying
97 information in your online profile or initial e-mail messages.
98 Stop communicating with anyone who pressures you for personal or
99 financial information or attempts in any way to trick you into
100 revealing it."

101 (d) "If you choose to have a face-to-face meeting with
102 another member, always tell a family member or a friend where
103 you are going and when you will return. Never agree to be picked
104 up at your home. Always provide your own transportation to and
105 from your date and meet in a public place at a time with many
106 people around."

107 (2) If an online dating service provider does not conduct
108 criminal background screenings on its communicating members, the
109 provider shall disclose, clearly and conspicuously, to all
110 Florida members that the online dating service provider does not
111 conduct criminal background screenings. The disclosure shall be
112 provided, at a minimum, on the profile pages describing a member
113 to a Florida member and on the provider's website pages used

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

114 when a Florida member signs up. A disclosure under this
115 subsection shall be in bold, capital letters in at least 12-
116 point type.

117 (3) If an online dating service provider conducts criminal
118 background screenings on all of its communicating members, the
119 provider shall disclose, clearly and conspicuously, to all
120 Florida members that the online dating service provider conducts
121 a criminal background screening on each member prior to
122 permitting a Florida member to communicate with another member.
123 Additionally, the provider shall disclose to all Florida members
124 whether a member who has been identified as having a felony or
125 sexual offense conviction is allowed to communicate with any
126 Florida member. The disclosure shall be provided on the profile
127 pages describing a member to a Florida member and on the
128 provider's website pages used when a Florida member signs up. A
129 disclosure under this subsection shall be in bold, capital
130 letters in at least 12-point type.

131 (4) If an online dating service provider conducts criminal
132 background screenings, the provider shall also disclose, clearly
133 and conspicuously, that background screenings of applicants can
134 be fallible and there is no way to guarantee that the name
135 provided by a person to be used in a background screening is the
136 person's true identity. Also, not all criminal records are
137 publicly available. The screenings may not identify every member
138 who has a felony or sexual offense conviction and members should
139 participate in the service at their own risk and use caution
140 when communicating with other members. To enable Florida members
141 to better evaluate and compare the extent and scope of the
142 background screenings, an electronic link shall be provided to a
143 web page that at a minimum, clearly describes the name of the
144 vendor conducting the background screening, the frequency in

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

145 which the vendor updates its database of criminal convictions, a
146 listing of states covered, and any limitations or restrictions
147 on access to a state's criminal conviction data.

148 Section 4. Section 501.168, Florida Statutes, is created
149 to read:

150 501.168 Clearinghouse.--The department shall serve as the
151 clearinghouse for intake of information concerning ss. 501.165-
152 501.171 from consumers, residents, and victims. The consumer
153 hotline may be used for this purpose. Information obtained shall
154 be directed to the appropriate enforcement entity, as determined
155 by the department.

156 Section 5. Section 501.169, Florida Statutes, is created
157 to read:

158 501.169 Civil penalties.--

159 (1) An online dating service provider that registers
160 Florida members must comply with the provisions of ss. 501.165-
161 501.171.

162 (2) Acts, conduct, practices, omissions, failings,
163 misrepresentations, or nondisclosures committed in violation of
164 ss. 501.165-501.171 are deceptive and unfair trade practices
165 under part II of this chapter and the department, the Department
166 of Legal Affairs, or the state attorney may institute a civil
167 action in a court of competent jurisdiction to recover any
168 penalties, damages, and injunctive relief to enforce compliance
169 with ss. 501.165-501.171. Each failure to provide a required
170 disclosure constitutes a separate violation.

171 (3) The court may impose a civil penalty of up to \$1,000
172 per violation, with an aggregate total not to exceed \$25,000 for
173 any 24-hour period, against any online dating service provider
174 that violates any requirement of ss. 501.165-501.171. Suit may
175 be brought by an enforcing authority as defined in s. 501.203 or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

176 the department if the department, while acting as the
177 clearinghouse, does not refer the matter to the Department of
178 Legal Affairs or the state attorney. Any penalties collected
179 shall accrue to the enforcing authority or the department's
180 Division of Consumer Services to further consumer enforcement
181 efforts. No private cause of action is created under this act.

182 Section 6. Section 501.171, Florida Statutes, is created
183 to read:

184 501.171 Exclusions.--

185 (1) An Internet access service or other Internet service
186 provider does not violate ss. 501.165-501.171 solely as a result
187 of serving as an intermediary for the transmission of
188 communications between members of an online dating service
189 provider.

190 (2) An Internet access service or other Internet service
191 provider shall not be considered an online dating service
192 provider within the meaning of ss. 501.165-501.171 as to any
193 online dating service website provided by another person or
194 entity that is not affiliated with the Internet access service
195 or Internet service provider. "Affiliate" or "Affiliated" shall
196 have the same meaning as provided in s. 607.0901, Florida
197 Statutes.

198 Section 7. The Division of Statutory Revision is directed
199 to include the provisions of sections 501.165-501.171, Florida
200 Statutes, in part I of chapter 501, Florida Statutes.

201 Section 8. If any provision of this act or the application
202 thereof to any person or circumstance is held invalid, the
203 invalidity does not affect other provisions or applications of
204 this act that can be given effect without the invalid provision
205 or application, and to this end the provisions of this act are
206 declared severable.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

207 Section 9. This act shall take effect July 1, 2007.
208

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

210 Remove the entire title and insert:

211 A bill to be entitled

212 An act relating to internet predator awareness; creating
213 ss. 501.165-501.171, F.S., the "Internet Predator
214 Awareness Act"; providing legislative findings; defining
215 terms; requiring certain disclosures by online dating
216 services; providing a clearinghouse for consumers;
217 providing civil penalties; providing exclusions; providing
218 a directive to the Division of Statutory Revision;
219 providing severability; providing an effective date.

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building
CS/HB 575 : School Safety

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean				X	
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 30		Total Nays: 0			

Appearances:

Bobbie Bean - Proponent
 The Bean Family
 500 Ruffian's Way
 Sebring Florida 33875
 Phone: 863-385-2229

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Hunter Bean - Proponent
500 Ruffian's Way
Sebring Florida 33875
Phone: 863-385-2229

Angel Bean - Proponent
500 Ruffian's Way
Sebring Florida 33875
Phone: 863-385-2229

Marilyn Bean - Proponent
500 Ruffian's Way
Sebring Florida 33875
Phone: 863-385-2229

J.T. Davis - Proponent
Florida Youth Council
2245 AV Brannen Road
Perry FL 32347
Phone: 850-843-0332

David Pykal - Proponent
Students for Safer School
3032 NW 5th Avenue
Cape Coral FL 33993
Phone: 239-268-7398

Debbie Johnston - Proponent
Students for Safer Schools
20 SW 21st Avenue
Cape Coral FL 33991
Phone: 239-282-9365

Joseph Dubay - Proponent
Students for Safer Schools
1726 SW 18th Terrace
Cape Coral FL 33991
Phone: 239-677-1620

Cynthia Dobay - Proponent
Students for Safer Schools
3032 NW 5th Avenue
Cape Coral FL 33993
Phone: 239-297-3797

Melissa Alama - Proponent
Students for Safer Schools
3032 NW 5th Avenue
Cape Coral FL 33993
Phone: 239-297-3797

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Bob Harris (Lobbyist) - Information Only

Panhandle Educational Consortium

2618 Continnal Place

Tallahassee FL 32308

Phone: 850-222-0720

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 651 : Department of Agriculture and Consumer Services

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner		X			
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 32		Total Nays: 1			

Appearances:

Guy Spearman (Lobbyist) - Proponent
 Galaxy Fireworks
 225 S. Adams Street, #250
 Tallahassee Florida 32301
 Phone: 850-222-7718

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Jordan Connors (State Employee) - Proponent

Sky King Unlimited
777 S. Flagler Drive #300 E.
West Palm Beach Florida 33401
Phone: 561-805-7810

Amanda Ghaffari (State Employee) - Information Only

Florida Association of Counties
100 S. Monroe Street
Tallahassee Florida 32311
Phone: 850-922-4300

Pete Dunbar (Lobbyist) - Proponent

B.J. Alan Co./Phantom Fireworks
215 South Monroe
Tallahassee Florida 32301
Phone: 850-222-3533

Row Book (Lobbyist) - Opponent

TNT Fireworks
104 East College
Tallahassee Florida

C. Scott Dudley (Lobbyist) - Information Only

FL League of Cities
301 S. Bronough Street
Tallahassee Florida 32302
Phone: 850-222-9684

David McInnes (State Employee) - Proponent

Dept. of Agriculture & Consumer Services
The Capitol, #PL 10
Tallahassee Florida 32399
Phone: 850-488-3022

Kari Hebrank (Lobbyist) - Opponent

Florida Fire Marshals & Inspectors
7711 Deepwood Trail
Tallahassee Florida 32317

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 651

COUNCIL/COMMITTEE ACTION

①

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT (Y/N)

WITHDRAWN _____ (Y/N)

OTHER _____

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

3

4 **Amendment (with title amendment)**

5 Between lines 592 and 593 insert:

6

7 (6) Notwithstanding subsection (5), a county that adopts
8 an ordinance prior to July 1, 2007, relating to the purchase,
9 sale, use, or possession of consumer fireworks, is exempt from
10 the provisions of subsection (5).

11

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

13 Remove line 62 and insert:

14

15 to the state after a time certain; providing an exemption;
16 providing for repeal of

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. **CS/HB 651**

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

1 Council/Committee hearing bill: Policy & Budget Council

2 Representative ~~Boyd~~ offered the following:

Gardner

4 **Amendment**

5 Remove line 588 and insert:

6 sell, or possess consumer fireworks in this state. This

000000

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 807 : Domestic Violence

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 33		Total Nays: 0			

Appearances:

Dia Kulkendall (State Employee) - Proponent
 Florida Coalition Against Domestic Violence
 425 Office Plaza
 Tallahassee Florida 32301
 Phone: 850-425-2749

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 967 : Physical Education

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 33		Total Nays: 0			

Appearances:

Fely Curva, Ph.D. (Lobbyist) - Proponent
 Florida Alliance for Health
 1018 Thomasville Rd, Suite 105-B
 Tallahassee Florida 32303
 Phone: 850-577-1400

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Missy Timmins (Lobbyist) - Proponent

Florida School Health Association

112 East Jefferson Street

Tallahassee Florida 32301

Phone: 850-668-8000

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 967

COUNCIL/COMMITTEE 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 _____

①

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

3

4 **Amendment**

5 Remove line(s) 34 and insert:

6 movement, and stamina, including dance; the development of
7 knowledge and skills

000000

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1041 : Children's Zones

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean				X	
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant			X		
Adam Hasner	X				
Will Kendrick			X		
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera			X		
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 26		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.

Bill No. 1041

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	



1 Council hearing bill: Policy and Budget

2 Representative Bendross-Mindingall offered the following:

3
4 **Amendment**

5 Remove lines 373-379 and insert:

6
7 Section 2. The sum of \$3.6 million in nonrecurring general
8 revenue funds and \$28,362 in nonrecurring tobacco settlement
9 funds is appropriated to the Department of Children and Family
10 Services for Ounce of Prevention Fund of Florida, Inc., during
11 the 2007-2008 fiscal year as a grant for a 3-year period for the
12 purpose of implementing the provisions of this act, to include
13 contracting for the development of a business plan and for
14 evaluation and fiscal management and oversight of the pilot
15 project.
16
17
18

000000

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building
CS/HB 1083 : Homelessness

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley			X		
Aaron Bean	X				
Dorothy Bendross-Mindingall				X	
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack				X	
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner			X		
Michael Grant			X		
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor			X		
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 26		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

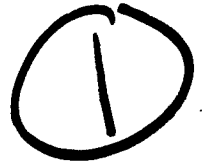
HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. CS/HB 1083

COUNCIL/COMMITTEE ACTION

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



1 Council hearing bill: Policy and Budget
2 Representative Culp offered the following:

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

5 Remove everything after the enacting clause and insert:

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Paragraph (a) of subsection (22) of section
10 420.507, Florida Statutes, is amended to read:

11 420.507 Powers of the corporation.--The corporation shall
12 have all the powers necessary or convenient to carry out and
13 effectuate the purposes and provisions of this part, including
14 the following powers which are in addition to all other powers
15 granted by other provisions of this part:

16 (22) To develop and administer the State Apartment
17 Incentive Loan Program. In developing and administering that
18 program, the corporation may:

19 (a) Make first, second, and other subordinated mortgage
20 loans including variable or fixed rate loans subject to
21 contingent interest for all State Apartment Incentive Loans
22 provided for in this chapter based upon available cash flow of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

23 the projects. The corporation shall make loans exceeding 25
24 percent of project cost available only to nonprofit
25 organizations and public bodies which are able to secure grants,
26 donations of land, or contributions from other sources and to
27 projects meeting the criteria of subparagraph 1. Mortgage loans
28 shall be made available at the following rates of interest:

29 1. Zero to 3 percent interest for sponsors of projects
30 that set aside at least 80 percent of their total units for
31 residents qualifying as farmworkers as defined in this part, or
32 commercial fishing workers as defined in this part, or the
33 homeless as defined in s. 420.621(6)(4) over the life of the
34 loan.

35 2. Zero to 3 percent interest based on the pro rata share
36 of units set aside for homeless residents if the total of such
37 units is less than 80 percent of the units in the borrower's
38 project.

39 3. One to 9 percent interest for sponsors of projects
40 targeted at populations other than farmworkers, commercial
41 fishing workers, and the homeless.

42 Section 2. Section 420.621, Florida Statutes, is amended
43 to read:

44 420.621 Definitions; ss. 420.621-420.628 ~~420.621-~~
45 ~~420.627.~~--As used in ss. 420.621-420.628 ~~420.621-420.627~~, the
46 ~~term following terms shall have the following meanings, unless~~
47 ~~the context otherwise requires:~~

48 (1) "Children and youths experiencing homelessness," for
49 programs authorized under the McKinney-Vento Education
50 Assistance for Homeless Children and Youths, 42 U.S.C. ss. 11431
51 et seq., means children and youths who lack a fixed, regular,
52 and adequate nighttime residence, and includes:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

53 (a) Children and youths who are sharing the housing of
54 other persons due to loss of housing, economic hardship, or a
55 similar reason; are living in motels, hotels, travel trailer
56 parks, or camping grounds due to the lack of alternative
57 adequate accommodations; are living in emergency or transitional
58 shelters; are abandoned in hospitals; or are awaiting foster
59 care placement.

60 (b) Children and youths who have a primary nighttime
61 residence that is a public or private place not designed for or
62 ordinarily used as a regular sleeping accommodation for human
63 beings.

64 (c) Children and youths who are living in cars, parks,
65 public spaces, abandoned buildings, bus or train stations, or
66 similar settings.

67 (d) Migratory children who are living in circumstances
68 described in paragraphs (1) (a)-(c).

69 (2) "Continuum of care" means a community plan to organize
70 and deliver housing and services to meet the specific needs of
71 people who are homeless as they move to stable housing and
72 maximum self-sufficiency. It includes action steps to end
73 homelessness and prevent a return to homelessness.

74 (3) "Council on Homelessness" means the council created in
75 s. 420.622.

76 ~~(1) "AFDC" means Aid to Families with Dependent Children~~
77 ~~as administered under chapter 409.~~

78 (4) (2) "Department" means the Department of Children and
79 Family Services.

80 (5) (3) "District" means a service district of the
81 department of Children and Family Services, as set forth in s.
82 20.19.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

83 (6)(4) "Homeless," applied to an individual, or
84 "individual experiencing homelessness" means "Homeless" refers
85 to an individual who lacks a fixed, regular, and adequate
86 nighttime residence and includes ~~or~~ an individual who has a
87 ~~primary nighttime residence that is:~~

88 (a) Is sharing the housing of other persons due to loss of
89 housing, economic hardship, or a similar reason;

90 (b) Is living in a motel, hotel, travel trailer park, or
91 camping ground due to a lack of alternative adequate
92 accommodations;

93 (c) Is living in an emergency or transitional shelter; A
94 ~~supervised publicly or privately operated shelter designed to~~
95 ~~provide temporary living accommodations, including welfare~~
96 ~~hotels, congregate shelters, and transitional housing for the~~
97 ~~mentally ill;~~

98 (d)(e) Has a primary nighttime residence that is a public
99 or private place not designed for, or ordinarily used as, a
100 regular sleeping accommodation for human beings; or

101 (e) Is living in a car, park, public space, abandoned
102 building, bus or train station, or similar setting.

103 (f) Is a migratory individual who qualifies as homeless
104 because he or she is living in circumstances described in
105 paragraphs (6)(a)-(e).

106
107 The terms defined in this subsection do ~~term does~~ not refer to
108 any individual imprisoned ~~or otherwise detained~~ pursuant to
109 state or federal law. The terms also do not include individuals
110 or families who are sharing housing due to cultural preferences,
111 voluntary arrangements, and traditional networks of support. The
112 terms include an individual who has been released from jail,
113 prison, the juvenile justice system, the child welfare system, a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

114 mental health and developmental disability facility, a
115 residential addiction treatment program, or a hospital, for whom
116 no subsequent residence has been identified, and who lacks the
117 resources and support network to obtain housing.

118 (7)-(5) "Local coalition for the homeless" means a
119 coalition established pursuant to s. 420.623.

120 (8)-(6) "New and temporary homeless" means those
121 individuals or families who are homeless due to societal
122 external factors, such as unemployment or other loss of income,
123 personal or family life crises, or the shortage of low income
124 housing.

125 (9) "Societal causes of homelessness" means factors such
126 as lack of housing for individuals and families with low
127 incomes, lack of employment opportunities for those with a high
128 school education or less, and lack of day care, transportation,
129 and other institutional supports.

130 (10)-(7) "State Office on Homelessness" means the state
131 office created in s. 420.622 "Secretary" means the secretary of
132 the Department of Children and Family Services.

133 Section 3. Subsections (2) and (9) of section 420.622,
134 Florida Statutes, are amended to read:

135 420.622 State Office on Homelessness; Council on
136 Homelessness.--

137 (2) The Council on Homelessness is created to consist of a
138 17-member ~~15-member~~ council of public and private agency
139 representatives who shall develop policy and advise the State
140 Office on Homelessness. The council members shall be: the
141 Secretary of Children and Family Services, or his or her
142 designee; the Secretary of Community Affairs, or his or her
143 designee; the Secretary of Health, or his or her designee; the
144 Executive Director of Veterans' Affairs, or his or her designee;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

145 the Secretary of Corrections, or his or her designee; the
146 Secretary of Health Care Administration, or his or her designee;
147 the Commissioner of Education, or his or her designee; the
148 Director of Workforce Florida, Inc., or his or her designee; one
149 representative of the Florida Association of Counties; one
150 representative from the Florida League of Cities; one
151 representative of the Florida ~~Coalition for~~ Supportive Housing
152 Coalition; the Executive Director of the Florida Housing Finance
153 Corporation, or his or her designee; one representative of the
154 Florida Coalition for the Homeless; ~~one representative of the~~
155 ~~Florida State Rural Development Council;~~ and four members
156 appointed by the Governor. The council members shall be
157 volunteer, nonpaid persons and shall be reimbursed for travel
158 expenses only. The appointed members of the council shall serve
159 staggered 2-year terms, and the council shall meet at least four
160 times per year. The importance of minority, gender, and
161 geographic representation must be considered when appointing
162 members to the council.

163 (9) The council shall, by June 30 ~~December 31~~ of each
164 year, beginning in 2008, issue to the Governor, the President of
165 the Senate, the Speaker of the House of Representatives, and the
166 Secretary of Children and Family Services an evaluation of the
167 executive director's performance in fulfilling the statutory
168 duties of the office, a report summarizing the council's
169 recommendations to the office and the corresponding actions
170 taken by the office, and any recommendations to the Legislature
171 for proposals to reduce homelessness in this state.

172 Section 4. Section 420.6275, Florida Statutes, is created
173 to read:

174 420.6275 Housing First.--

175 (1) LEGISLATIVE FINDINGS AND INTENT.--

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

176 (a) The Legislature finds that many communities plan to
177 manage homelessness rather than plan to end it.

178 (b) The Legislature also finds that for most of the past
179 two decades, public and private solutions to homelessness have
180 focused on providing individuals and families who are
181 experiencing homelessness with emergency shelter, transitional
182 housing, or a combination of both. While emergency shelter
183 programs may provide critical access to services for individuals
184 and families in crisis, they often fail to address the long-term
185 needs of those who are homeless.

186 (c) The Legislature further finds that Housing First is an
187 alternative approach to the current system of emergency shelter
188 or transitional housing which tends to reduce the length of time
189 of homelessness and has proven to be cost-effective to homeless
190 programs.

191 (d) It is therefore the intent of the Legislature to
192 encourage local coalitions for the homeless, established
193 pursuant to s. 420.623, to adopt the Housing First approach to
194 ending homelessness for individuals and families.

195 (2) HOUSING FIRST METHODOLOGY.--

196 (a) The Housing First approach to homelessness differs
197 from traditional approaches by providing housing assistance,
198 case management, and support services responsive to individual
199 or family needs after housing is obtained. By using the Housing
200 First approach when appropriate, communities can significantly
201 reduce the amount of time that individuals and families are
202 homeless and prevent further episodes of homelessness. Housing
203 First emphasizes that social services provided to enhance
204 individual and family well-being can be more effective when
205 people are in their own home, and:

206 1. The housing is not time-limited.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

207 2. The housing is not contingent on compliance with
208 services. Instead, participants must comply with a standard
209 lease agreement and are provided with the services and support
210 that are necessary to help them do so successfully.

211 (b) The Housing First approach addresses the societal
212 causes of homelessness and advocates for the immediate return of
213 individuals and families back into housing and communities.

214 Housing First provides a critical link between the emergency and
215 transitional housing system and community-based social service,
216 educational, and health care organizations and consists of four
217 components:

218 1. Crisis intervention and short-term stabilization.

219 2. Screening, intake, and needs assessment.

220 3. Provision of housing resources.

221 4. Provision of case management.

222 Section 5. Section 420.628, Florida Statutes, is created
223 to read:

224 420.628 Children and young adults leaving foster care.--

225 (1) LEGISLATIVE FINDINGS AND INTENT.--

226 (a) The Legislature finds that the transition from
227 childhood to adulthood is filled with opportunity and risk. Most
228 young people who receive adequate support make this transition
229 successfully and will become healthy adults who will be prepared
230 for work and be able to become responsible, fulfilled members of
231 their families and communities.

232 (b) The Legislature finds that there are also many young
233 people who will enter adulthood without the knowledge, skills,
234 attitudes, habits, and relationships that will enable them to be
235 productive members of society. Those young people, who through
236 no fault of their own, live in foster families, group homes, and
237 institutions are among those at greatest risk.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

238 (c) The Legislature finds that these young people face
239 numerous barriers to a successful transition to adulthood. Those
240 barriers include changes in foster care placements and schools,
241 limited opportunities for participation in age-appropriate
242 normal activities, and the inability to achieve economic
243 stability, make connections with permanent supportive adults or
244 family, and access housing. The main barriers to safe and
245 affordable housing for youth aging out of the foster care system
246 are cost, lack of availability, the unwillingness of many
247 landlords to rent to them, and their own lack of knowledge about
248 how to be good tenants.

249 (d) The Legislature also finds that young adults who
250 emancipate from the child welfare system are at risk of becoming
251 homeless and those who were formerly in foster care are
252 disproportionately represented in the homeless population. Only
253 about two-fifths of eligible young people receive independent
254 living services and, of those who do, few receive adequate
255 housing assistance. Without the stability of safe housing all
256 other services, training, and opportunities may not be
257 effective.

258 (e) The Legislature further finds that research on young
259 people who emancipate from foster care suggests a nexus between
260 foster care involvement and later episodes of homelessness and
261 that interventions in the foster care system might help to
262 prevent homelessness. Responding to the needs of young people
263 leaving the foster care system with developmentally appropriate
264 supportive housing models organized in a continuum of decreasing
265 supervision may increase their ability to live independently in
266 the future.

267 (f) It is therefore the intent of the Legislature to
268 encourage the Department of Children and Family Services, its

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

269 agents, and community-based care providers operating pursuant to
270 s. 409.1671, to develop and implement procedures designed to
271 reduce the number of young adults who become homeless after
272 leaving the child welfare system.

273 (2) YOUTH HOUSING FIRST CONTINUUM PILOT PROGRAM.--Housing
274 for young people is by nature transitional. Most young people in
275 their late teens through mid-twenties are housed in college
276 dormitories or shared or studio apartments or continue to live
277 at home. Commonly, young people move through a number of such
278 interim housing situations as they grow into adulthood. Many
279 older teens and young adults who leave foster care at the age of
280 18 do not have the opportunity for those usual transitions and
281 as a result are at risk for becoming homeless.

282 (a) Creation of pilot program; eligibility.--There is
283 created a 3-year Youth Housing First Continuum Pilot Program in
284 Hillsborough County. The purpose of the program is to support
285 the development and implementation of a transitional living or
286 subsidized independent living housing experience for those young
287 people aging out of foster care who will not have the option of
288 remaining in a foster care family home or in a group home, to
289 facilitate a smooth transition from foster home or group home
290 living to independent living. The pilot program shall serve at
291 least 100 young adults, and eligibility requirements shall
292 include:

293 1. Young adults who turn 18 years of age while in licensed
294 foster care and have been in foster care for at least 12 months
295 prior to turning 18 years of age. The 12-month requirement shall
296 be waived in circumstances where the requirements of s.
297 39.701(6)(a)8. have not been met, no subsequent residence has
298 been identified, and the young person lacks the resources and
299 support network to obtain housing.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

300 2. Priority shall be given to those young persons who are
301 attending high school and can demonstrate either through
302 documentation of school attendance or engagement in
303 extracurricular activities that a displacement from school would
304 have an adverse effect on their ability to achieve their
305 educational goals.

306 3. Other participants shall be chosen based on their
307 eligibility pursuant to s. 409.1451(2) and documented enrollment
308 in a full-time adult educational or postsecondary educational or
309 vocational program or a combination of employment and part-time
310 enrollment in an educational program.

311 (b) Pilot program design.--There shall be a youth housing
312 continuum that incorporates various types of housing without
313 predetermined time limits to allow young adults to transition
314 from one housing program to another according to their
315 individual developmental capacities. Based upon the needs and
316 preferences of a given young adult, such housing could take any
317 number of forms from shared homes to scattered-site, independent
318 apartments with or without roommates. Young adults should have
319 the flexibility to move among housing programs as they gain
320 independent living skills and economic stability, including the
321 ability to reenter housing programs and move back along the
322 continuum if their current needs or abilities change. The
323 continuum in the pilot program will consist of the following
324 three levels of decreasing supervision:

325 1. Supervised living for young adults who have reached 18
326 years of age, but are not yet 24 years of age, who cannot
327 adequately manage their affairs and need constant, consistent
328 adult supervision, training, and support. Each participant shall
329 have his or her own bedroom and bathroom and share a common
330 living area.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

331 2. Monitored living for young adults who have reached 18
332 years of age, but are not yet 24 years of age, who can typically
333 manage their own affairs but need regular adult monitoring.
334 Housing will be provided in scattered sites throughout the
335 community with support staff working regularly with participants
336 to address their educational, employment, and financial
337 stability goals. Each participant shall have his or her own
338 bedroom and bathroom and share an apartment with one to three
339 roommates.

340 3. Independent living for young adults who have the
341 ability to live on their own with access to support services as
342 needed.

343 (c) Pilot program administration; duties;
344 report.--Connected by 25 in Hillsborough County shall provide
345 administrative support for and shall be responsible for the
346 operation for the Youth Housing First Continuum Pilot Program.
347 Connected by 25 shall:

348 1. Create and implement a transitional housing continuum
349 in which young persons who meet the eligibility criteria of this
350 subsection will receive support while participating in an
351 educational or training program, or any activity consistent with
352 their independent living transitional services case plan. The
353 housing continuum should be based on the Housing First approach,
354 which is premised on accessing adequate, stable housing and
355 receiving the services necessary to maintain such housing.

356 2. Provide each program participant with a transition and
357 aftercare specialist to provide transitional support services.
358 Each participant, in partnership with the transition and
359 aftercare specialist, shall develop a transition plan that is
360 specific to his or her efforts to achieve self-sufficiency.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

361 3. Require that each participant complete a comprehensive
362 financial literacy and asset development training program and be
363 enrolled in the Connected by 25 match savings program that
364 utilizes private dollars to match, on a one-to-one basis, the
365 savings of each participant up to \$1,000 each year. This
366 requirement will prepare program participants for economic
367 success as they age out of the foster care system.

368 (d) Annual reports.--Beginning January 1, 2008, and
369 continuing for the duration of the pilot program, Connected by
370 25 shall submit to the Governor, the Speaker of the House of
371 Representatives, the President of the Senate, and the Secretary
372 of Children and Family Services an annual report outlining the
373 progress made in the development and implementation of the pilot
374 program, including documentation of the outcomes for the
375 participants in the areas identified by the Independent Living
376 Services Advisory Council pursuant to s. 409.1451, and
377 recommendations for pilot program improvement and expansion.

378 Section 6. Subsection (12) of section 1003.01, Florida
379 Statutes, is amended to read:

380 1003.01 Definitions.--As used in this chapter, the term:

381 (12) "Children and youths who are experiencing
382 homelessness," for programs authorized under subtitle B,
383 Education for Homeless Children and Youths, of title VII of the
384 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et
385 seq., means children and youths who lack a fixed, regular, and
386 adequate nighttime residence; and includes:

387 (a) Children and youths who are sharing the housing of
388 other persons due to loss of housing, economic hardship, or a
389 similar reason; are living in motels, hotels, travel trailer
390 parks, or camping grounds due to the lack of alternative
391 adequate accommodations; are living in emergency or transitional

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

392 shelters; are abandoned in hospitals; or are awaiting foster
393 care placement.

394 (b) Children and youths who have a primary nighttime
395 residence that is a public or private place not designed for or
396 ordinarily used as a regular sleeping accommodation for human
397 beings.

398 (c) Children and youths who are living in cars, parks,
399 public spaces, abandoned buildings, bus or train stations, or
400 similar settings.

401 (d) Migratory children who are living in circumstances
402 described in paragraphs (a)-(c).

403 ~~(12) "Homeless child" means:~~

404 ~~(a) One who lacks a fixed, regular nighttime residence;~~

405 ~~(b) One who has a primary nighttime residence that is:~~

406 ~~1. A supervised publicly or privately operated shelter~~
407 ~~designed to provide temporary living accommodations, including~~
408 ~~welfare hotels, congregate shelters, and transitional housing~~
409 ~~for the mentally ill;~~

410 ~~2. An institution that provides a temporary residence for~~
411 ~~individuals intended to be institutionalized; or~~

412 ~~3. A public or private place not designed for, or~~
413 ~~ordinarily used as, a regular sleeping accommodation for human~~
414 ~~beings; or~~

415 ~~(c) One who temporarily resides with an adult other than~~
416 ~~his or her parent because the parent is suffering financial~~
417 ~~hardship.~~

418
419 ~~A child who is imprisoned, detained, or in the custody of the~~
420 ~~state pursuant to a state or federal law is not a homeless~~
421 ~~child.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

422 Section 7. Paragraph (f) of subsection (1) and paragraph
423 (g) of subsection (4) and of section 1003.21, Florida Statutes,
424 are amended to read:

425 1003.21 School attendance.--

426 (1)

427 (f) Children and youths who are experiencing homelessness
428 ~~Homeless children~~, as defined in s. 1003.01, must have access to
429 a free public education and must be admitted to school in the
430 school district in which they or their families live. School
431 districts shall assist such ~~homeless~~ children to meet the
432 requirements of subsection (4) and s. 1003.22, as well as local
433 requirements for documentation.

434 (4) Before admitting a child to kindergarten, the
435 principal shall require evidence that the child has attained the
436 age at which he or she should be admitted in accordance with the
437 provisions of subparagraph (1)(a)2. The district school
438 superintendent may require evidence of the age of any child whom
439 he or she believes to be within the limits of compulsory
440 attendance as provided for by law. If the first prescribed
441 evidence is not available, the next evidence obtainable in the
442 order set forth below shall be accepted:

443 (g) If none of these evidences can be produced, an
444 affidavit of age sworn to by the parent, accompanied by a
445 certificate of age signed by a public health officer or by a
446 public school physician, or, if neither of these is available in
447 the county, by a licensed practicing physician designated by the
448 district school board, which certificate states that the health
449 officer or physician has examined the child and believes that
450 the age as stated in the affidavit is substantially correct.
451 Children and youths who are experiencing homelessness ~~A homeless~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

452 ~~child~~, as defined in s. 1003.01, shall be given temporary
453 exemption from this section for 30 school days.

454 Section 8. Subsection (1) and paragraph (e) of subsection
455 (5) of section 1003.22, Florida Statutes, are amended to read:

456 1003.22 School-entry health examinations; immunization
457 against communicable diseases; exemptions; duties of Department
458 of Health.--

459 (1) Each district school board and the governing authority
460 of each private school shall require that each child who is
461 entitled to admittance to kindergarten, or is entitled to any
462 other initial entrance into a public or private school in this
463 state, present a certification of a school-entry health
464 examination performed within 1 year prior to enrollment in
465 school. Each district school board, and the governing authority
466 of each private school, may establish a policy that permits a
467 student up to 30 school days to present a certification of a
468 school-entry health examination. Children and youths who are
469 experiencing homelessness ~~A homeless child~~, as defined in s.
470 1003.01, shall be given a temporary exemption for 30 school
471 days. Any district school board that establishes such a policy
472 shall include provisions in its local school health services
473 plan to assist students in obtaining the health examinations.
474 However, any child shall be exempt from the requirement of a
475 health examination upon written request of the parent of the
476 child stating objections to the examination on religious
477 grounds.

478 (5) The provisions of this section shall not apply if:

479 (e) An authorized school official issues a temporary
480 exemption, for a period not to exceed 30 school days, to permit
481 a student who transfers into a new county to attend class until
482 his or her records can be obtained. Children and youths who are

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

483 experiencing homelessness ~~A homeless child~~, as defined in s.
484 1003.01, shall be given a temporary exemption for 30 school
485 days. The public school health nurse or authorized private
486 school official is responsible for followup of each such student
487 until proper documentation or immunizations are obtained. An
488 exemption for 30 days may be issued for a student who enters a
489 juvenile justice program to permit the student to attend class
490 until his or her records can be obtained or until the
491 immunizations can be obtained. An authorized juvenile justice
492 official is responsible for followup of each student who enters
493 a juvenile justice program until proper documentation or
494 immunizations are obtained.

495 Section 9. The sum of \$250,000 in nonrecurring funds is
496 appropriated from the General Revenue Fund to the Department of
497 Children and Family Services for the purposes of implementing
498 section 420.628, Florida Statutes, during the 2007-2008 fiscal
499 year.

500 Section 10. This act shall take effect July 1, 2007.

501

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

503 Remove the entire title and insert:

504

505 A bill to be entitled

506 An act relating to homelessness; amending s. 420.507,
507 F.S.; conforming a cross-reference; amending s. 420.621,
508 F.S.; conforming a cross-reference; revising, providing,
509 and deleting definitions; amending s. 420.622, F.S.;
510 increasing and revising membership on the Council on
511 Homelessness; removing a member from an obsolete
512 organization; correcting the name of a member organization
513 on the council; revising the date of an annual report;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

514 creating s. 420.6275, F.S.; creating the Housing First
515 program; providing legislative findings and intent;
516 providing methodology; providing components of the
517 program; creating s. 420.628, F.S.; providing legislative
518 findings and intent; creating a 3-year Youth Housing First
519 Continuum Pilot Program; providing eligibility
520 requirements for the pilot program; providing for the
521 design of the pilot program; requiring Connected by 25 in
522 Hillsborough County to provide administrative support;
523 providing Connected by 25 with specified duties; providing
524 reporting requirements; amending s. 1003.01, F.S.;
525 revising a definition; amending ss. 1003.21 and 1003.22,
526 F.S.; conforming terminology; providing an appropriation;
527 providing an effective date.
528

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1117 : Personal Identification Information

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner			X		
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan				X	
Curtis Richardson	X				
David Rivera			X		
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 29		Total Nays: 0			

Appearances:

Leslie Spencer (Lobbyist) - Proponent
 AARP
 200 West College Avenue
 Tallahassee Florida 32301
 Phone: 850-577-5165

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1121 : Florida Health Information Network Corporation

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall				X	
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack				X	
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows			X		
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera				X	
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor			X		
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 0			

Appearances:

Lisa Rawlins (State Employee) - Information Only
 AHCA
 2727 Mahan Drive
 Tallahassee Florida 32308
 Phone: 850-922-7036

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Joanna L.C. Bonfanti (Lobbyist) - Proponent

Florida Chamber of Commerce

136 South Bronough Street

Tallahassee Florida 32301

Phone: 850-521-1253

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

HB 1123 : Pub. Rec./Florida Health Information Network Corporation

<input checked="" type="checkbox"/> Favorable	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall				X	
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack				X	
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor			X		
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 28		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1181 : Foster Care and Related Services

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley		X			
Aaron Bean	X				
Dorothy Bendross-Mindingall		X			
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg		X			
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack		X			
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows		X			
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson		X			
David Rivera	X				
Yolly Roberson		X			
Dennis Ross	X				
Ron Saunders		X			
John Seiler		X			
Priscilla Taylor		X			
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana		X			
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 21		Total Nays: 11			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1231 : Prostitution

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler		X			
Frank Attkisson	X				
Loranne Ausley		X			
Aaron Bean	X				
Dorothy Bendross-Mindingall					X
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg		X			
Donald Brown		X			
Dean Cannon	X				
Joyce Cusack					X
Charles Dean	X				
Bill Galvano		X			
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner			X		
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows		X			
Joe Pickens	X				
Ron Reagan			X		
Curtis Richardson		X			
David Rivera	X				
Yolly Roberson		X			
Dennis Ross		X			
Ron Saunders		X			
John Seiler		X			
Priscilla Taylor					X
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana		X			
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 16		Total Nays: 12			

Appearances:

Terry Coonan - Proponent

Luke Lirot - Opponent
 2240 Belleaire Rd. Suite #190
 CLEARWATER Florida 33764
 Phone: 727-536-2100

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Frank Messersmith (Lobbyist) - Opponent

Florida Sheriffs Assoc.

2901 Lake Bradford Road

Tallahassee Florida

Phone: 850-576-5858

David Folsom - Opponent

Florida Police Chiefs

Tallahassee Florida

Phone: 850-891-4263

Cathy Paris - Proponent

Women In Need Network

P.O. Box 773134

Ocala Florida 34477

Phone: 352-427-9227

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. CS/HB 1231

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

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

Amendment

Remove line(s) 405-424 and insert:

6 (1) To safeguard the public, any person 18 years of age or
 7 older who has been adjudicated guilty of or has had adjudication
 8 withheld for any felony violation of this chapter shall have the
 9 following information posted on an offender website created and
 10 maintained by the Department of Law Enforcement:

11 (a) The offender's name.

12 (b) The offender's date of birth.

13 (c) The date of the conviction.

14 (d) The county where the offense occurred.

15 (e) The offense committed.

16 (f) The booking photograph taken when the offender was
 17 arrested.

18 (2) The information required in subsection (1) shall be
 19 provided to the Department of Law Enforcement electronically by
 20 the clerk of the court for the county in which the sentence is
 21 imposed within 10 days after the date the offender is sentenced.

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

22 (3) The Department of Law Enforcement must place the
23 information on the website within 5 business days after the date
24 it receives the information. The information shall remain on
25 the website for five years from the date of posting.

26
27
28

000000

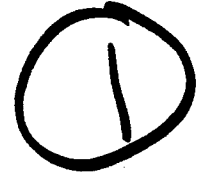
HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/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 Council/Committee hearing bill: Policy & Budget Council
 2 Representative(s) Kravitz offered the following:

Amendment (with title amendment)

Between lines 57 and 58 insert:

7 Section 1. This act may be cited as the "Don Davis
 8 Entertainment Industry Economic Development Act."

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

Remove line 3 and insert:

14 development; providing a short title; amending s. 288.1254,
 15 F.S.; revising the

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. CS/HB 1325

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
<u>FAILED TO ADOPT</u>	<u>X</u>	<u>(Y/N)</u>
WITHDRAWN	—	(Y/N)
OTHER	—	

SA A2
adopted

2

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

3

4 **Amendment**

5 Remove line(s) 262-263 and insert:

6 that may be awarded under this section is \$75 million. The tax
 7 credits awarded each fiscal year shall be as follows: 40 percent

8

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 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 _____

*SA
to AA*

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

3
 4 **Substitute Amendment for Amendment ⁰²(01) by Representative**
 5 **Cannon**

6 Remove line(s) 262-266 and insert:

7 that may be awarded under this section is \$75 million, allocated
 8 \$25 million each fiscal year the incentive remains in effect. If
 9 the total amount of allocated credits applied for in any fiscal
 10 year exceeds the aggregate amount of tax credits allowed for
 11 such year under the section, such excess shall be treated as
 12 having been applied for on the first day of the next fiscal year
 13 in which credits are available. In any fiscal year, tax credits
 14 that are

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. CS/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 _____

3

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

3
4 **Amendment**

5 Remove line(s) 280 and insert:

6 distributee, successor, transferee, or purchaser. The Office of
7 Tourism, Trade, and Economic Development shall notify the
8 Department of Revenue of any election made pursuant to this
9 paragraph.
10

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

Bill No. CS/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	—	

4

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

3
4 **Amendment**

5 Remove line(s) 287-289 and insert:

6 applied against taxes imposed under chapter 212 may be carried
7 forward for a maximum of 5 years following the date of award. A
8 tax credit applied against taxes imposed under chapter 220 may
9 be carried forward for a maximum of 5 taxable years following
10 the qualified production company's taxable year in which
11

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4

Bill No. CS/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

5

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

Amendment

Remove line(s) 311 and insert:

3
 4
 5
 6 and Economic Development, a certified production company, or a
 7 partner or member that has received a distribution under
 8 paragraph (4)(f), may

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5

Bill No. CS/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 —

6

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

3
4
5
6
7

Amendment

Remove line(s) 334 and insert:

(e) Written contractual notice.--No less than 3 business

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6

Bill No. CS/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 Council/Committee hearing bill: Policy and Budget Council
 2 Representative(s) Cannon offered the following:

3

4 **Amendment**

5 Remove line(s) 365 and insert.

6 credits to an affiliated

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 7

Bill No. CS/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 —

8

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

3
4 **Amendment**

5 Remove line(s) 508-509 and insert:
6 section. If the Department of Revenue

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8

Bill No. CS/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

9

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

3
4 **Amendment**

5 Remove line(s) 522-523 and insert:
6 receive tax credits under this section. The Office of Tourism,
7 Trade, and Economic Development shall immediately notify the
8 Department of Revenue

000000

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1363 : Organized Criminal Activity

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick			X		
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 30		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1401 : Access to Health Care

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean				X	
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen			X		
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick			X		
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman			X		
Shelley Vana		X			
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 25					
		Total Nays: 1			

Appearances:

Rhonda Davis Pointer - Proponent
 Jax Care
 580 West 8th Street
 Jacksonville FL 32201

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. **CS/HB 1401**

COUNCIL/COMMITTEE 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	—	

Withdrawn

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

Amendment (with directory and title amendments)

Between line(s) 17 and 18 insert:

7 (3) PROGRAM.--The agency and the office shall each approve
 8 or disapprove health flex plans that provide health care
 9 coverage for eligible participants. A health flex plan may limit
 10 or exclude benefits otherwise required by law for insurers
 11 offering coverage in this state, may cap the total amount of
 12 claims paid per year per enrollee, may limit the number of
 13 enrollees, or may take any combination of those actions. A
 14 health flex plan offering may include the option of a
 15 catastrophic plan supplementing the health flex plan.

16 (d) In order to expedite financial determinations and
 17 immediately qualify a large base of eligible sources to offer
 18 the health flex program, health maintenance organizations,
 19 authorized health insurers, fraternal benefit societies, prepaid
 20 limited health plans, and prepaid health clinics shall be deemed
 21 in compliance with the financial requirements to offer a health

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

22 flex plan. In addition, any local government or health care
23 district that has the initial operating funds and taxing
24 authority to fulfill its obligations under the proposed health
25 flex plan shall be deemed in compliance with the financial
26 requirements to offer a health flex plan.

27
28 ===== D I R E C T O R Y A M E N D M E N T =====

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

30
31 Section 1. Paragraph (d) is added to subsection (3) of
32 section 408.909, Florida Statutes, and subsection (5) of that
33 section is amended, to read:

34
35
36 ===== T I T L E A M E N D M E N T =====

37 Remove line(s) 3 and insert:

38
39 408.909, F.S.; clarifying licensure provisions for health flex
40 plans; revising criteria for eligibility for

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. CS/HB 1401

COUNCIL/COMMITTEE ACTION

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

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

Amendment (with directory and title amendments)

Between line(s) 17 and 18 insert:

7 (3) PROGRAM.--The agency and the office shall each approve
 8 or disapprove health flex plans that provide health care
 9 coverage for eligible participants. A health flex plan may limit
 10 or exclude benefits otherwise required by law for insurers
 11 offering coverage in this state, may cap the total amount of
 12 claims paid per year per enrollee, may limit the number of
 13 enrollees, or may take any combination of those actions. A
 14 health flex plan offering may include the option of a
 15 catastrophic plan supplementing the health flex plan.

16 (d) In order to expedite financial determinations and
 17 immediately qualify a large base of eligible entities to offer
 18 the health flex program, entities licensed pursuant to chapters
 19 624, 627, 632, 636, and 641, and provider service networks
 20 authorized under chapter 409, shall be deemed in compliance with
 21 those financial requirements to offer a health flex plan. In

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

22 addition, any local government or health care district that has
23 the initial operating funds and taxing authority to fulfill its
24 obligations under the proposed health flex plan shall be deemed
25 in compliance with the financial requirements to offer a health
26 flex plan.

27
28 ===== D I R E C T O R Y A M E N D M E N T =====

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

30
31 Section 1. Paragraph (d) is added to subsection (3) of
32 section 408.909, Florida Statutes, and subsection (5) of that
33 section is amended, to read:

34
35
36 ===== T I T L E A M E N D M E N T =====

37 Remove line(s) 3 and insert:

38
39 408.909, F.S.; clarifying licensure provisions for health flex
40 plans; revising criteria for eligibility for

000000

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1451 : Procurement of Personal Property and Services

Temporarily Deferred

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1457 : Recreational Vehicle Manufacturers, Distributors, and Dealers

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean				X	
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen			X		
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick			X		
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 0			

Appearances:

Marc Dunbar (Lobbyist) - Proponent
 FL RV Trade Assoc.
 215 S. Monroe Street
 Tallahassee FL 32301
 Phone: 850-222-3533

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

Lance Wilson - Proponent
Florida RV Trade Assoc.
10510 Gibsonton Drive
Riverview FL
Phone: 813-741-0488

Sherry P. Perkins - Proponent
5459 NE Jacksonville Road
Ocala FL 34479
Phone: 352-732-6269

Joe Shirey - Proponent
CJ's RV Town, Inc.
11305 SE Federal Highway
Hobe Sound FL 33455
Phone: 772-546-5751

Lawrence Schaffer - Proponent
Rivers BVs & RV
10626 General Avenue
Jacksonville FL 32220
Phone: 904-783-0313

John D. McCluskey - Proponent
Florida Outdoors RV Center
1160 S. Federal Hwy
Stuart FL 34994
Phone: 772-288-2221

Elwin Duplantis - Proponent
Leisure Tyme RV
6428 Pensacola Blvd.
Pensacola FL
Phone: 850-259-7052

Harold Gehler - Proponent
Lazy Days
6130 Lazydays Blvd.
Sebring FL 33584
Phone: 813-246-4999

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

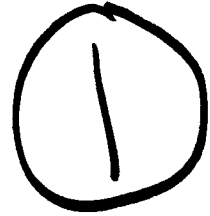
HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. CS/HB 1457

COUNCIL/COMMITTEE ACTION

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



1 Council hearing bill: Policy and Budget Council
 2 Representative Gardiner offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
 6 Section 1. Section 320.3201, Florida Statutes, is created to
 7 read:

320.3201 Legislative intent.--

9 (1) It is the intent of the Legislature to protect the
 10 public health, safety, and welfare of the residents of the state
 11 by regulating the relationship between recreational vehicle
 12 dealers and manufacturers, maintaining competition, and
 13 providing consumer protection and fair trade.

14 (2) It is the intent of the Legislature that the
 15 provisions of this act be applied to manufacturer/dealer
 16 agreements entered into on or after October 1, 2007.

17 Section 2. Section 320.3202, Florida Statutes, is created
 18 to read:

19 321.3202 Definitions.--As used in ss. 320.3201-320.3211,
 20 the term:

21 (1) "Area of sales responsibility" means the geographical
 22 area agreed to by the dealer and the manufacturer in the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

23 manufacturer/dealer agreement within which the dealer has the
24 exclusive right to display or sell the manufacturer's new
25 recreational vehicles of a particular line-make.

26 (2) "Dealer" means any person, firm, corporation, or
27 business entity licensed or required to be licensed under s.
28 320.771.

29 (3) "Distributor" means any person, firm, corporation, or
30 business entity that purchases new recreational vehicles for
31 resale to dealers.

32 (4) "Factory campaign" means an effort on the part of a
33 warrantor to contact recreational vehicle owners or dealers in
34 order to address a part or equipment issue.

35 (5) "Family member" means a spouse, child, grandchild,
36 parent, sibling, niece, or nephew, or the spouse thereof.

37 (6) "Line-make" means a specific series of recreational
38 vehicle products that:

39 (a) Are identified by a common series trade name or
40 trademark;

41 (b) Are targeted to a particular market segment, as
42 determined by their decor, features, equipment, size, weight,
43 and price range;

44 (c) Have lengths and interior floor plans that distinguish
45 the recreational vehicles from other recreational vehicles with
46 substantially the same decor, equipment, features, price, and
47 weight; and

48 (d) Belong to a single, distinct classification of
49 recreational vehicle product type having a substantial degree of
50 commonality in the construction of the chassis, frame, and body.

51 (7) "Manufacturer" means any person, firm, corporation, or
52 business entity that engages in the manufacturing of
53 recreational vehicles.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

54 (8) "Manufacturer/dealer agreement" means a written
55 agreement or contract entered into between a manufacturer and a
56 dealer that fixes the rights and responsibilities of the parties
57 and pursuant to which the dealer sells new recreational
58 vehicles.

59 (9) "Proprietary part" means any part manufactured by or
60 for and sold exclusively by the manufacturer.

61 (10) "Recreational vehicle" means the category of motor
62 vehicle described s. 320.01(1)(b).

63 (11) "Transient customer" means a customer who is
64 temporarily traveling through a dealer's area of sales
65 responsibility.

66 (12) "Warrantor" means any person, firm, corporation, or
67 business entity that gives a warranty in connection with a new
68 recreational vehicle or parts, accessories, or components
69 thereof. The term does not include service contracts, mechanical
70 or other insurance, or extended warranties sold for separate
71 consideration by a dealer or other person not controlled by a
72 manufacturer.

73 Section 3. Section 320.3203, Florida Statutes, is created
74 to read:

75 320.3203 Requirement for a written manufacturer/dealer
76 agreement; area of sales responsibility.--

77 (1) A manufacturer or distributor may not sell a
78 recreational vehicle in this state to or through a dealer
79 without having first entered into a manufacturer/dealer
80 agreement with a dealer which has been signed by both parties.

81 (2) The manufacturer shall designate the area of sales
82 responsibility exclusively assigned to a dealer in the
83 manufacturer/dealer agreement and may not change such area or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

84 contract with another dealer for sale of the same line-make in
85 the designated area during the duration of the agreement.

86 (3) The area of sales responsibility may not be reviewed
87 or changed until 1 year after the execution of the
88 manufacturer/dealer agreement.

89 (4) A motor vehicle dealer may not sell a new recreational
90 vehicle in this state without having first entered into a
91 manufacturer/dealer agreement with a manufacturer or distributor
92 and may not sell outside of the area of sales responsibility
93 designated in the agreement.

94 (5) Notwithstanding subsection (4), a dealer may sell
95 outside of its designated area of sales responsibility if the
96 dealer obtains a supplemental license pursuant to s. 320.771(7)
97 and meets any one of the following conditions:

98 (a) For sales of the same line make within another
99 dealer's designated area of sales responsibility, the dealer
100 must obtain in advance of the off-premise sale a written
101 agreement signed by the dealer, the manufacturer of the
102 recreational vehicles to be sold at the off-premise sale, and
103 the dealer in whose designated area of sales responsibility the
104 off-premise sale will occur which:

105 1. Designates the line make of the recreational vehicles
106 to be sold;

107 2. Sets forth the time period for the off-premise sale;
108 and

109 3. Affirmatively authorizes the sale of the same line make
110 of the recreational vehicles.

111 (b) The off-premise sale is not located within any
112 dealer's designated area of sales responsibility and is in
113 conjunction with a public vehicle show.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

114 (c) The off-premise sale is in conjunction with a public
115 vehicle show in which more than 35 dealers are participating and
116 the show is predominantly funded by manufacturers. For the
117 purposes of this subsection, the term "public vehicle show"
118 means an event sponsored by an organization approved under s.
119 501(c)(6) of the Internal Revenue Code which has the purpose of
120 promoting the welfare of the recreational vehicle industry and
121 is located at a site that:

- 122 1. Will be used to display and sell recreational vehicles;
123 2. Is not used for off-premise sales for more than 10 days
124 in a calendar year; and
125 3. Is not the location set forth on any dealer's license
126 as its place of business.

127 Section 4. Section 320.3205, Florida Statutes, is created
128 to read:

129 320.3205 Termination, cancellation, and nonrenewal of a
130 manufacturer/dealer agreement.--

131 (1) A manufacturer or distributor, directly or through any
132 officer, agent, or employee, may not terminate, cancel, or fail
133 to renew a manufacturer/dealer agreement without good cause,
134 and, upon renewal, may not require additional inventory stocking
135 requirements or increased retail sales targets in excess of the
136 market growth in the dealer's area of sales responsibility.

137 (a) The manufacturer or distributor has the burden of
138 showing good cause for terminating, canceling, or failing to
139 renew a manufacturer/dealer agreement with a dealer. For
140 purposes of determining whether there is good cause for the
141 proposed action, any of the following factors may be considered:

- 142 1. The extent of the affected dealer's penetration in the
143 relevant market area.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

144 2. The nature and extent of the dealer's investment in its
145 business.

146 3. The adequacy of the dealer's service facilities,
147 equipment, parts, supplies, and personnel.

148 4. The effect of the proposed action on the community.

149 5. The extent and quality of the dealer's service under
150 recreational vehicle warranties.

151 6. The failure to follow agreed-upon procedures or
152 standards related to the overall operation of the dealership.

153 7. The dealer's performance under the terms of its
154 manufacturer/dealer agreement.

155 (b) Except as otherwise provided in this section, a
156 manufacturer or distributor shall provide a dealer with at least
157 120 days' prior written notice of termination, cancellation, or
158 nonrenewal of the manufacturer/dealer agreement.

159 1. The notice must state all reasons for the proposed
160 termination, cancellation, or nonrenewal and must further state
161 that if, within 30 days following receipt of the notice, the
162 dealer provides to the manufacturer or distributor a written
163 notice of intent to cure all claimed deficiencies, the dealer
164 will then have 120 days following receipt of the notice to
165 rectify the deficiencies. If the deficiencies are rectified
166 within 120 days, the manufacturer's or distributor's notice is
167 voided. If the dealer fails to provide the notice of intent to
168 cure the deficiencies in the prescribed time period, the
169 termination, cancellation, or nonrenewal takes effect 30 days
170 after the dealer's receipt of the notice unless the dealer has
171 new and untitled inventory on hand that may be disposed of
172 pursuant to subsection (3).

173 2. The notice period may be reduced to 30 days if the
174 grounds for termination, cancellation, or nonrenewal are due to:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

175 a. A dealer or one of its owners being convicted of, or
176 entering a plea of nolo contendere to, a felony;

177 b. The abandonment or closing of the business operations
178 of the dealer for 10 consecutive business days unless the
179 closing is due to an act of God, strike, labor difficulty, or
180 other cause over which the dealer has no control;

181 c. A significant material misrepresentation by the dealer
182 materially affecting the business relationship; or

183 d. A suspension or revocation of the dealer's license, or
184 refusal to renew the dealer's license, by the department.

185 3. The notice provisions of this paragraph do not apply if
186 the reason for termination, cancellation, or nonrenewal is
187 insolvency, the occurrence of an assignment for the benefit of
188 creditors, or bankruptcy.

189 (2) A dealer may terminate, cancel, or not renew its
190 manufacturer/dealer agreement with a manufacturer or distributor
191 with or without cause at any time by giving 30 days' written
192 notice to the manufacturer. If the termination, cancellation, or
193 nonrenewal is for cause, the dealer has the burden of showing
194 good cause. Any of the following items shall be deemed good
195 cause for the proposed action by a dealer:

196 (a) A manufacturer being convicted of, or entering a plea
197 of nolo contendere to, a felony.

198 (b) The business operations of the manufacturer have been
199 abandoned or closed for 10 consecutive business days, unless the
200 closing is due to an act of God, strike, labor difficulty, or
201 other cause over which the manufacturer has no control.

202 (c) A significant misrepresentation by the manufacturer
203 materially affecting the business relationship.

204 (d) A material violation of ss. 320.3201-320.3211 which is
205 not cured within 30 days after written notice by the dealer.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

206 (e) A declaration by the manufacturer of bankruptcy,
207 insolvency, or the occurrence of an assignment for the benefit
208 of creditors or bankruptcy.

209 (3) If the manufacturer/dealer agreement is terminated,
210 canceled, or not renewed by the manufacturer or distributor
211 without cause or by the dealer for cause, the manufacturer
212 shall, at the election of the dealer and within 45 days after
213 termination, cancellation, or nonrenewal, repurchase:

214 (a) All recreational vehicles that are classified as "new"
215 for titling purposes under s. 319.001(8), that were acquired
216 from the manufacturer or distributor, that have not been used,
217 except for demonstration purposes, and that have not been
218 altered or damaged, at 100 percent of the net invoice cost,
219 including transportation, less applicable rebates and discounts
220 to the dealer. If any of the vehicles repurchased are damaged,
221 the amount due to the dealer shall be reduced by the cost to
222 repair the vehicle. Damage prior to delivery to the dealer will
223 not disqualify repurchase under this subsection;

224 (b) All undamaged accessories and proprietary parts sold
225 to the dealer for resale within the 12 months prior to
226 termination, cancellation, or nonrenewal, if accompanied by the
227 original invoice, at 105 percent of the original net price paid
228 to the manufacturer or distributor to compensate the dealer for
229 handling, packing, and shipping the parts; and

230 (c) Any properly functioning diagnostic equipment, special
231 tools, current signage, and other equipment and machinery at 100
232 percent of the dealer's net cost plus freight, destination,
233 delivery, and distribution charges and sales taxes, if any, if
234 it was purchased by the dealer within 5 years before
235 termination, cancellation, or nonrenewal and upon the
236 manufacturer's or distributor's request and can no longer be

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

237 used in the normal course of the dealer's ongoing business. The
238 manufacturer or distributor shall pay the dealer within 30 days
239 after receipt of the returned items.

240 (4) When taking on an additional line-make of recreational
241 vehicle, a dealer shall notify in writing any manufacturer with
242 whom the dealer has a manufacturer/dealer agreement of the same
243 line make at least 30 days prior to entering into a
244 manufacturer/dealer agreement with the manufacturer of the
245 additional line make.

246 Section 5. Section 320.3206, Florida Statutes, is created
247 to read:

248 320.3206 Transfer of ownership; family succession.--

249 (1) If a dealer desires to make a change in ownership by
250 the sale of the business assets, stock transfer, or otherwise,
251 the dealer shall give the manufacturer or distributor written
252 notice at least 10 business days before the closing, including
253 all supporting documentation as may be reasonably required by
254 the manufacturer or distributor to determine if an objection to
255 the sale may be made. In the absence of a breach by the selling
256 dealer of its dealer agreement or this chapter, the manufacturer
257 or distributor shall not object to the proposed change in
258 ownership unless the prospective transferee:

259 (a) Has previously been terminated by the manufacturer for
260 breach of its dealer agreement;

261 (b) Has been convicted of a felony or any crime of fraud,
262 deceit or moral turpitude;

263 (c) Lacks any license required by law;

264 (d) Does not have an active line of credit sufficient to
265 purchase a manufacturer's product; or

266 (e) Has undergone in the last 10 years bankruptcy,
267 insolvency, a general assignment for the benefit of creditors or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

268 the appointment of a receiver, trustee or conservator to take
269 possession of transferee's business or property.

270 (2) If the manufacturer or distributor objects to a
271 proposed change of ownership, the manufacturer or distributor
272 shall give written notice of its reasons to the dealer within 7
273 business days after receipt of the dealer's notification and
274 complete documentation. The manufacturer or distributor has the
275 burden of proof with regard to its objection. If the
276 manufacturer or distributor does not give timely notice of its
277 objection, the change or sale shall be deemed approved.

278 (3) (a) It is unlawful for a manufacturer or distributor to
279 fail to provide a dealer an opportunity to designate, in
280 writing, a family member as a successor to the dealership in the
281 event of the death, incapacity, or retirement of the dealer. It
282 is unlawful to prevent or refuse to honor the succession to a
283 dealership by a family member of the deceased, incapacitated, or
284 retired dealer unless the manufacturer or distributor has
285 provided to the dealer written notice of its objections within
286 30 days after receipt of the dealer's modification of the
287 dealer's succession plan. In the absence of a breach of the
288 dealer agreement, the manufacturer may only object to the
289 succession for the following reasons:

- 290 1. Conviction of the successor of a felony or any crime of
291 fraud, deceit or moral turpitude;
292 2. Bankruptcy or insolvency of the successor during the
293 past 10 years;
294 3. Prior termination by the manufacturer of the successor
295 for breach of a dealer agreement;
296 4. The lack of an active line of credit for the successor
297 sufficient to purchase the manufacturer's product; or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

298 5. The lack of any license for the successor required by
299 law.

300 (b) The manufacturer or distributor has the burden of proof
301 regarding its objection. However, a family member may not
302 succeed to a dealership if the succession involves, without the
303 manufacturer's or distributor's consent, a relocation of the
304 business or an alteration of the terms and conditions of the
305 manufacturer/dealer agreement.

306 Section 6. Section 320.3207, Florida Statutes, is created
307 to read:

308 320.3207 Warranty obligations.--

309 (1) Each warrantor shall:

310 (a) Specify in writing to each of its dealer obligations,
311 if any, for preparation, delivery, and warranty service on its
312 products;

313 (b) Compensate the dealer for warranty service required of
314 the dealer by the warrantor; and

315 (c) Provide the dealer the schedule of compensation to be
316 paid and the time allowances for the performance of any work and
317 service.

318
319 The schedule of compensation must include reasonable
320 compensation for diagnostic work as well as warranty labor.

321 (2) Time allowances for the diagnosis and performance of
322 warranty labor must be reasonable for the work to be performed.
323 The compensation of a dealer for warranty labor may not be less
324 than the lowest retail labor rates actually charged by the
325 dealer for like nonwarranty labor as long as such rates are
326 reasonable.

327 (3) The warrantor shall reimburse the dealer for warranty
328 parts at actual wholesale cost plus a minimum 30-percent

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

329 handling charge and the cost, if any, of freight to return
330 warranty parts to the warrantor.

331 (4) Warranty audits of dealer records may be conducted by
332 the warrantor on a reasonable basis, and dealer claims for
333 warranty compensation may not be denied except for cause, such
334 as performance of nonwarranty repairs, material noncompliance
335 with the warrantor's published policies and procedures, lack of
336 material documentation, fraud, or misrepresentation.

337 (5) The dealer shall submit warranty claims within 45 days
338 after completing work.

339 (6) The dealer shall notify the warrantor verbally or in
340 writing if the dealer is unable to perform material or
341 repetitive warranty repairs as soon as is reasonably possible.

342 (7) The warrantor shall disapprove warranty claims in
343 writing within 45 days after the date of submission by the
344 dealer in the manner and form prescribed by the warrantor.
345 Claims not specifically disapproved in writing within 45 days
346 shall be construed to be approved and must be paid within 60
347 days.

348 (8) It is a violation of ss. 320.3201-320.3211 for any
349 warrantor to:

350 (a) Fail to perform any of its warranty obligations with
351 respect to its warranted products;

352 (b) Fail to include, in written notices of factory
353 campaigns to recreational vehicle owners and dealers, the
354 expected date by which necessary parts and equipment, including
355 tires and chassis or chassis parts, will be available to dealers
356 to perform the campaign work. The warrantor may ship parts to
357 the dealer to effect the campaign work, and, if such parts are
358 in excess of the dealer's requirements, the dealer may return

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

359 unused parts to the warrantor for credit after completion of the
360 campaign;

361 (c) Fail to compensate any of its dealers for authorized
362 repairs effected by the dealer of merchandise damaged in
363 manufacture or transit to the dealer, if the carrier is
364 designated by the warrantor, factory branch, distributor, or
365 distributor branch;

366 (d) Fail to compensate any of its dealers for authorized
367 warranty service in accordance with the schedule of compensation
368 provided to the dealer pursuant to this section if performed in
369 a timely and competent manner;

370 (e) Intentionally misrepresent in any way to purchasers of
371 recreational vehicles that warranties with respect to the
372 manufacture, performance, or design of the vehicle are made by
373 the dealer as warrantor or cowarrantor; or

374 (f) Require the dealer to make warranties to customers in
375 any manner related to the manufacture of the recreational
376 vehicle.

377 (9) It is a violation of ss. 320.3201-320.3211 for any
378 dealer to:

379 (a) Fail to perform predelivery inspection functions, as
380 specified by the warrantor, in a competent and timely manner;

381 (b) Fail to perform warranty service work authorized by
382 the warrantor in a reasonably competent and timely manner on any
383 transient customer's vehicle of the same line-make; or

384 (c) Misrepresent the terms of any warranty.

385 (10) Notwithstanding the terms of any manufacturer/dealer
386 agreement, it is a violation of ss. 320.3201-320.3211 for:

387 (a) A warrantor to fail to indemnify and hold harmless its
388 dealer against any losses or damages to the extent such losses
389 or damages are caused by the negligence or willful misconduct of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

390 the warrantor. The dealer may not be denied indemnification for
391 failing to discover, disclose, or remedy a defect in the design
392 or manufacturing of the recreational vehicle. The dealer shall
393 provide to the warrantor a copy of any suit in which allegations
394 are made that come within this subsection within 10 days after
395 receiving such suit.

396 (b) A dealer to fail to indemnify and hold harmless its
397 warrantor against any losses or damages to the extent such
398 losses or damages are caused by the negligence or willful
399 misconduct of the dealer. The warrantor shall provide to the
400 dealer a copy of any suit in which allegations are made that
401 come within this subsection within 10 days after receiving such
402 suit.

403 Section 7. Section 320.3208, Florida Statutes, is created
404 to read:

405 320.3208 Inspection and rejection by the dealer.--

406 (1) Whenever a new recreational vehicle is damaged prior
407 to transit to the dealer or is damaged in transit to the dealer
408 when the carrier or means of transportation has been selected by
409 the manufacturer or distributor, the dealer shall notify the
410 manufacturer or distributor of the damage within the timeframe
411 specified in the manufacturer/dealer agreement and:

412 (a) Request from the manufacturer or distributor
413 authorization to replace the components, parts, and accessories
414 damaged or otherwise correct the damage; or

415 (b) Reject the vehicle within the timeframe set forth in
416 subsection (3).

417
418 If the manufacturer or distributor refuses or fails to authorize
419 repair of such damage within 10 days after receipt of
420 notification or if the dealer rejects the recreational vehicle

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

421 because of damage, ownership of the new recreational vehicle
422 reverts to the manufacturer or distributor.

423 (2) The dealer shall exercise due care in custody of the
424 damaged recreational vehicle, but the dealer shall have no other
425 obligations, financial or otherwise, with respect to that
426 recreational vehicle.

427 (3) The timeframe for inspection and rejection by the
428 dealer must be part of the manufacturer/dealer agreement and may
429 not be less than 2 business days after the physical delivery of
430 the recreational vehicle.

431 (4) Any recreational vehicle that has, at the time of
432 delivery to the dealer, an unreasonable amount of miles on its
433 odometer, as determined by the dealer, may be subject to
434 rejection by the dealer and reversion of the vehicle to the
435 manufacturer or distributor. In no instance shall a dealer deem
436 an amount less than the distance between the dealer and the
437 manufacturer's factory or a distributor's point of distribution,
438 plus 100 miles, as unreasonable.

439 Section 8. Section 320.3209, Florida Statutes, is created
440 to read:

441 320.3209 Coercion of dealer prohibited.--

442 (1) A manufacturer or distributor may not coerce or
443 attempt to coerce a dealer to:

444 (a) Purchase a product that the dealer did not order;

445 (b) Enter into an agreement with the manufacturer or
446 distributor;

447 (c) Take any action that is unfair or unreasonable to the
448 dealer; or

449 (d) Enter into an agreement that requires the dealer to
450 submit its disputes to binding arbitration or otherwise waive
451 rights or responsibilities provided under ss. 320.3201-320.3211.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

452 (2) As used in this section, the term "coerce" includes,
453 but is not limited to, threatening to terminate, cancel, or not
454 renew a manufacturer/dealer agreement without good cause or
455 threatening to withhold product lines or delay product delivery
456 as an inducement to amending the manufacturer/dealer agreement.

457 Section 9. Section 320.3210, Florida Statutes, is created
458 to read:

459 320.3210 Civil dispute resolution; mediation; relief.--

460 (1) A dealer, manufacturer, distributor, or warrantor
461 injured by another party's violation of ss. 320.3201-320.3211
462 may bring a civil action in circuit court to recover actual
463 damages. The court shall award attorney's fees and costs to the
464 prevailing party in such action. Venue for any civil action
465 authorized by this section must exclusively be in the county in
466 which the dealership is located. In an action involving more
467 than one dealer, venue may be in any county in which a dealer
468 who is party to the action is located.

469 (2) Before bringing suit under this section, the party
470 bringing suit for an alleged violation shall serve a written
471 demand for mediation upon the offending party.

472 (a) The demand for mediation shall be served upon the
473 offending party via certified mail at the address stated within
474 the agreement between the parties. In the event of a civil
475 action between two dealers, the demand must be mailed to the
476 address on the dealer's license filed with the department.

477 (b) The demand for mediation must contain a brief
478 statement of the dispute and the relief sought by the party
479 filing the demand.

480 (c) Within 20 days after the date a demand for mediation
481 is served, the parties shall mutually select an independent
482 certified mediator and meet with the mediator for the purpose of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

483 attempting to resolve the dispute. The meeting place must be in
484 this state in a location selected by the mediator. The mediator
485 may extend the date of the meeting for good cause shown by
486 either party or upon stipulation of both parties.

487 (d) The service of a demand for mediation under this
488 subsection stays the time for the filing of any complaint,
489 petition, protest, or action under ss. 320.3201-320.3211 until
490 representatives of both parties have met with a mutually
491 selected mediator for the purpose of attempting to resolve the
492 dispute. If a complaint, petition, protest, or action is filed
493 before that meeting, the court shall enter an order suspending
494 the proceeding or action until the meeting has occurred and may,
495 upon written stipulation of all parties to the proceeding or
496 action that they wish to continue to mediate under this
497 subsection, enter an order suspending the proceeding or action
498 for as long a period as the court considers appropriate. A
499 suspension order issued under this paragraph may be revoked by
500 the court.

501 (e) The parties to the mediation shall bear their own
502 costs for attorney's fees and divide equally the cost of the
503 mediator.

504 (3) In addition to the remedies provided in this section
505 and notwithstanding the existence of any additional remedy at
506 law, a dealer or manufacturer may apply to a circuit court for
507 the grant, upon a hearing and for cause shown, of a temporary or
508 permanent injunction, or both, restraining any person from
509 acting as a dealer, manufacturer, distributor, or importer
510 without being properly licensed pursuant to this chapter, from
511 violating or continuing to violate any of the provisions of ss.
512 320.3201-320.3211, or from failing or refusing to comply with
513 the requirements of ss. 320.3201-320.3211. Such injunction shall

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

514 be issued without bond. A single act in violation of s. 320.3203
515 is sufficient to authorize the issuance of an injunction.

516 Section 10. Section 320.3211, Florida Statutes, is created
517 to read:

518 320.3211 Penalties.--

519 (1) The department may suspend or revoke any license
520 issued under s. 320.771 upon a finding that the dealer,
521 manufacturer, distributor, or importer violated any provision of
522 ss. 320.3201-320.3211. The department may impose, levy, and
523 collect by legal process fines, in an amount not to exceed
524 \$1,000 for each violation, against any person if it finds that
525 such person has violated any provision of ss. 320.3201-320.3211.
526 Such person is entitled to an administrative hearing pursuant to
527 chapter 120 to contest the action or fine levied, or about to be
528 levied, against the person.

529 (2) In addition to the civil and administrative remedies,
530 a person who violates any provision of ss. 320.3201-320.3211
531 commits a misdemeanor of the second degree, punishable as
532 provided in s. 775.082 or s. 775.083.

533 Section 11. Section 320.8225, Florida Statutes, is amended
534 to read:

535 320.8225 Mobile home and recreational vehicle
536 manufacturer, distributor, and importer license ~~manufacturer's~~
537 license.--

538 (1) LICENSE REQUIRED.--Any person who engages in the
539 business of a mobile home manufacturer or a recreational vehicle
540 manufacturer, distributor, or importer in this state, or who
541 manufactures mobile homes or recreational vehicles out of state
542 which are ultimately offered for sale in this state, shall
543 obtain annually a license for each factory location in this
544 state and for each factory location out of state which

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

545 manufactures mobile homes or recreational vehicles for sale in
546 this state, prior to distributing or importing mobile homes or
547 recreational vehicles for sale in this state.

548 (2) APPLICATION.--The application for a license must ~~shall~~
549 be in the form prescribed by the department and ~~shall~~ contain
550 sufficient information to disclose the identity, location, and
551 responsibility of the applicant. The application must ~~shall~~ also
552 include a copy of the warranty and a complete statement of any
553 service agreement or policy to be utilized by the applicant, any
554 information relating to the applicant's solvency and financial
555 standing, and any other pertinent matter commensurate with
556 safeguarding the public. The department may prescribe an
557 abbreviated application for renewal of a license if the licensee
558 has had previously filed an initial application pursuant to this
559 section. The application for renewal must ~~shall~~ include any
560 information necessary to make ~~bring~~ current the information
561 required in the initial application.

562 (3) FEES.--Upon submitting an ~~making~~ initial application,
563 the applicant shall pay to the department a fee of \$300. Upon
564 submitting a ~~making~~ renewal application, the applicant shall pay
565 to the department a fee of \$100. Any applicant for renewal who
566 fails ~~has failed~~ to submit his or her renewal application by
567 October 1 shall pay a renewal application fee equal to the
568 original application fee. No fee is refundable. All fees must
569 ~~shall~~ be deposited into the General Revenue Fund.

570 (4) NONRESIDENT.--Any person applying for a license who is
571 not a resident of this state must designate ~~shall have~~
572 ~~designated~~ an agent for service of process pursuant to s.
573 48.181.

574 (5) REQUIREMENT OF ASSURANCE.--

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

575 (a) Annually, prior to the receipt of a license to
576 manufacture mobile homes, the applicant or licensee shall submit
577 a surety bond, cash bond, or letter of credit from a financial
578 institution, or a proper continuation certificate, sufficient to
579 assure satisfaction of claims against the licensee for failure
580 to comply with appropriate code standards, failure to provide
581 warranty service, or violation of any provisions of this
582 section. The amount of the surety bond, cash bond, or letter of
583 credit must ~~shall~~ be \$50,000. Only one surety bond, cash bond,
584 or letter of credit shall be required for each manufacturer,
585 regardless of the number of factory locations. The surety bond,
586 cash bond, or letter of credit must ~~shall~~ be to the department,
587 in favor of any retail customer who suffers a ~~shall suffer~~ loss
588 arising out of noncompliance with code standards or failure to
589 honor or provide warranty service. The department may ~~shall have~~
590 ~~the right to~~ disapprove any bond or letter of credit that does
591 not provide assurance as provided in this section.

592 (b) Annually, prior to the receipt of a license to
593 manufacture, distribute, or import recreational vehicles, the
594 applicant or licensee shall submit a surety bond, or a proper
595 continuation certificate, sufficient to assure satisfaction of
596 claims against the licensee for failure to comply with
597 appropriate code standards, failure to provide warranty service,
598 or violation of any provisions of this section. The amount of
599 the surety bond must ~~shall~~ be \$10,000 per year. The surety bond
600 must ~~shall~~ be to the department, in favor of any retail customer
601 who suffers ~~shall suffer~~ loss arising out of noncompliance with
602 code standards or failure to honor or provide warranty service.
603 The department may ~~shall have the right to~~ disapprove any bond
604 that ~~which~~ does not provide assurance as provided in this
605 section.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

606 (c) The department shall adopt rules pursuant to chapter
607 120 relating to ~~consistent with this section~~ in providing
608 assurance of satisfaction of claims under this section.

609 (d) The department shall, upon denial, suspension, or
610 revocation of any license, notify the surety company of the
611 licensee, in writing, that the license has been denied,
612 suspended, or revoked and shall state the reason for such
613 denial, suspension, or revocation.

614 (e) Any surety company that ~~which~~ pays any claim against
615 the bond of any licensee shall notify the department, in
616 writing, that it has paid such a claim and shall state the
617 amount of the claim.

618 (f) Any surety company that ~~which~~ cancels the bond of any
619 licensee shall notify the department, in writing, of such
620 cancellation, giving reason for the cancellation.

621 (6) LICENSE YEAR.--A license issued to a mobile home
622 manufacturer or a recreational vehicle manufacturer,
623 distributor, or importer entitles the licensee to conduct ~~the~~
624 ~~business of a mobile home or recreational vehicle manufacturer~~
625 for a period of 1 year from October 1 preceding the date of
626 issuance.

627 (7) DENIAL OF LICENSE.--The department may deny a mobile
628 home manufacturer or a recreational vehicle manufacturer,
629 distributor, or importer ~~manufacturer's~~ license on the ground
630 that:

631 (a) The applicant has made a material misstatement in his
632 or her application for a license.

633 (b) The applicant has failed to comply with any applicable
634 provision of this chapter.

635 (c) The applicant has failed to provide warranty service.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

636 (d) The applicant or one or more of his or her principals
637 or agents has violated any law, rule, or regulation relating to
638 the manufacture or sale of mobile homes or recreational
639 vehicles.

640 (e) The department has proof of the unfitness of the
641 applicant.

642 (f) The applicant or licensee has engaged in previous
643 conduct in any state which would have been a ground for
644 revocation or suspension of a license in this state.

645 (g) The applicant or licensee has violated any provision
646 of the ~~provisions of the~~ National Mobile Home Construction and
647 Safety Standards Act of 1974 or any related rule or regulation
648 adopted by ~~of~~ the Department of Housing and Urban Development
649 ~~promulgated thereunder~~.

650
651 Upon denial of a license, the department shall notify the
652 applicant within 10 days, stating in writing its grounds for
653 denial. The applicant is entitled to an administrative ~~a public~~
654 hearing and may request that such hearing be held within 45 days
655 of denial of the license. All proceedings must ~~shall~~ be pursuant
656 to chapter 120.

657 (8) REVOCATION OR SUSPENSION OF LICENSE.--The department
658 shall suspend or, in the case of a subsequent offense, shall
659 revoke any license upon a finding that the licensee violated any
660 provision of this chapter or any other law of this state
661 regarding the manufacture, warranty, or sale of mobile homes or
662 recreational vehicles. The department may reinstate the license
663 if it ~~When any license has been revoked or suspended by the~~
664 ~~department, it may be reinstated if the department~~ finds that
665 the former licensee has complied with all applicable

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

666 requirements of this chapter and an application for a license is
667 refiled pursuant to this section.

668 (9) CIVIL PENALTIES; PROCEDURE.--~~In addition to the~~
669 ~~exercise of other powers provided in this section,~~ The
670 department is authorized to assess, impose, levy, and collect by
671 legal process a civil penalty, in an amount not to exceed \$1,000
672 for each violation, against any licensee if it finds that a
673 licensee has violated any provision of this section or has
674 violated any other law of this state having to do with dealing
675 in motor vehicles. A Any licensee is shall be entitled to a
676 hearing pursuant to chapter 120 ~~should the licensee wish~~ to
677 contest the fine levied, or about to be levied, upon him or her.

678 Section 12. If any provision of this act or the
679 application thereof to any person or circumstance is held
680 invalid, the invalidity does not affect other provisions or
681 applications of the act which can be given effect without the
682 invalid provision or application and, to this end, the
683 provisions of this act are severable.

684 Section 13. This act shall take effect October 1, 2007.

685
686
687 ===== T I T L E A M E N D M E N T =====

688 Remove the entire title and insert:

689 An act relating to recreational vehicle manufacturers,
690 distributors, and dealers; creating s. 320.3201, F.S.; providing
691 legislative intent; creating s. 320.3202, F.S.; providing
692 definitions; creating s. 320.3203, F.S.; providing requirements
693 for a manufacturer/dealer agreement; requiring designation of
694 the area of sales responsibility; providing conditions for sales
695 outside the dealer's area of sales responsibility; creating s.
696 320.3205, F.S.; providing requirements and procedures for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

697 termination, cancellation, or nonrenewal of a
698 manufacturer/dealer agreement by a manufacturer or a dealer;
699 providing for the repurchase by the manufacturer of vehicles,
700 accessories, parts and equipment, tools, signage, and machinery;
701 requiring notification of a manufacturer of the same line make
702 when a dealer takes on an additional line make; creating s.
703 320.3206, F.S.; providing for change in ownership by a dealer;
704 requiring notice to the manufacturer; providing requirements for
705 objection by the manufacturer; providing for a dealer to name a
706 family member as a successor in case of retirement,
707 incapacitation, or death of the dealer; providing requirements
708 for objection to the successor by the manufacturer; creating s.
709 320.3207, F.S.; providing requirements for warrantors,
710 manufacturers, and dealers with respect to warranty obligations;
711 providing requirements for compensation of the dealer;
712 authorizing warranty audits by the warrantor; requiring cause
713 for denial of compensation; providing for disposition of
714 warranty claims; prohibiting certain acts by the warrantor and
715 the dealer; requiring notice of certain pending suits; creating
716 s. 320.3208, F.S.; providing for inspection and rejection of a
717 recreational vehicle upon delivery to a dealer; creating s.
718 320.3209, F.S.; prohibiting a manufacturer or distributor from
719 coercing a dealer to perform certain acts; creating s. 320.3210,
720 F.S.; providing for resolution when a dealer, manufacturer,
721 distributor, or warrantor is injured by another party's
722 violation; authorizing civil action; providing for mediation;
723 providing for remedies; creating s. 320.3211, F.S.; providing
724 administrative and criminal penalties for violations; providing
725 for an administrative hearing to contest a penalty imposed by
726 the department; amending s. 320.8225, F.S.; providing licensure

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

727

requirements for distributors and importers; providing for

728

severability; providing an effective date.

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

HB 1483 : Local Government Revenue Sources

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson			X		
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick	X				
Dick Kravitz	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 32		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. HB 1483

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

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

3
4 **Amendment**

5 Remove line(s) 24 and insert:

6
7 (b) Increase the rate of an existing tax, special
8 assessment, non-ad valorem
9

000000

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1579 : North Okaloosa Fire District, Okaloosa County

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean				X	
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen			X		
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick			X		
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 0			

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 1579

COUNCIL/COMMITTEE ACTION

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



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

3
4
5
6
7
8
9

Amendment

Remove line 121 and insert:

by the property appraiser of Okaloosa County or may, at its

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 1579

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

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

Amendment

Remove line 126 and insert:

of such lands, to the tax collector for collection.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. CS/HB 1579

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 _____

3

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

3
4
5
6
7
8
9
10

Amendment

Remove line 138 and insert:

the tax collector each year. The tax collector of Okaloosa

HB 531

**Document provided during
council meeting by
Cynthia Henderson,
True.com**

Table 1-1. 2006 FLORIDA POLL
Table 24-1
QUESTION T1:

Would you support state legislation that makes it a requirement for an online dating site to disclose whether it pre-screens its members against felony and sexual offender databases?

BANNER 1

TOTAL (A)	GENDER		AGE				RACE			PARTY ID			IDEOLOGY				DIS-APPROVE (T)		
	MALE (B)	FEMALE (C)	18-29 (D)	30-44 (E)	45-64 (F)	65+ (G)	WHITE (H)	BLACK (I)	HISP-ANIC (J)	REP (K)	DEM (L)	IND (M)	VERY CONS (N)	MODER-ATELY CONS (O)	LIBERAL ISSUES (P)	VERY LIBERAL (Q)		MODER-ATELY LIBERAL (R)	APPROVE (S)
	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%		100%	100%
500	231	269	75	121	174	126	361	59	49	194	199	103	49	121	228	27	48	208	277
100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
376	150	225	63	103	116	91	282	45	43	137	162	72	42	76	175	24	39	151	212
75%	65%	84%	85%	85%	67%	73%	78%	77%	87%	71%	82%	70%	86%	63%	77%	89%	80%	73%	77%
54	37	17	5	13	25	10	36	9	6	18	17	19	2	18	27	1	4	18	34
11%	16%	6%	7%	10%	15%	8%	10%	16%	13%	9%	9%	18%	3%	15%	12%	2%	9%	9%	12%
DON'T KNOW	71	43	6	6	32	24	43	4	-	38	19	12	6	27	26	2	5	39	30
14%	19%	10%	8%	5%	18%	19%	12%	7%	-	20%	10%	12%	11%	22%	11%	9%	11%	19%	11%

UPPERCASE LETTERS: SIGNIFICANT AT THE 95% LEVEL OF CONFIDENCE
 LOWERCASE LETTERS: SIGNIFICANT AT THE 90% LEVEL OF CONFIDENCE
 COLUMNS TESTED: B/C, D/E/F/G, H/I/J, K/L/M, N/O/P/Q/R, S/T *** Insider Advantage / Majority Opinion Research ***

Table 25-1
QUESTION T2:

If you were a paid member of an Internet dating service, would you expect the dating service to pre-screen its members to eliminate felony and sexual offenders before those persons were allowed to communicate with you?

BANNER 1

	GENDER		AGE				RACE			PARTY ID			IDEOLOGY				GEORGE BUSH		
	MALE (B)	FEMALE (C)	18-29 (D)	30-44 (E)	45-64 (F)	65+ (G)	WHITE (H)	BLACK (I)	HISP-ANIC (J)	REP (K)	DEM (L)	IND (M)	VERY CONS (N)	MODER- ATELY CONS (O)	CONSERV/ LIBERAL ISSUES (P)	VERY LIBERAL (Q)	MODER- ATELY LIBERAL (R)	DIS- APPROVE (S)	APPROVE (T)
BASE-TOTAL SAMPLE	500 100%	231 100%	75 100%	121 100%	174 100%	126 100%	361 100%	59 100%	49 100%	194 100%	199 100%	103 100%	49 100%	121 100%	228 100%	27 100%	48 100%	208 100%	277 100%
YES	397 79%	233 100%	63 85%	105 86%	123 71%	102 81%	294 81%	51 86%	44 89%	140 72%	175 88%	78 76%	41 83%	82 68%	186 82%	26 94%	43 89%	155 74%	230 83%
NO	47 9%	19 7%	11 15%	13 11%	16 9%	7 6%	37 10%	4 7%	5 11%	17 9%	6 3%	23 22%	5 11%	11 9%	25 11%	1 3%	3 5%	19 9%	27 10%
DON'T KNOW	56 11%	38 17%	-	4 3%	34 20%	16 13%	30 8%	4 7%	-	36 19%	17 9%	2 2%	3 6%	28 23%	17 7%	1 3%	3 6%	35 17%	21 7%

UPPERCASE LETTERS: SIGNIFICANT AT THE 95% LEVEL OF CONFIDENCE
 LOWERCASE LETTERS: SIGNIFICANT AT THE 90% LEVEL OF CONFIDENCE
 COLUMNS TESTED: B/C, D/E/F/G, H/I/J, K/L/M, N/O/P/Q/R, S/T *** Insider Advantage / Majority Opinion Research ***

C 1000 0 10



Policy and Budget Council Meeting
April 5, 2007

My Fox/Tampa Bay News

Online love can be dangerous

Last Edited: Tuesday, 27 Feb 2007, 6:03 PM EST

Created: Tuesday, 27 Feb 2007, 5:56 PM EST

TAMPA - People go to online dating services every day trying to find a match. What they may not know is that most dating services don't do background checks on members.

Beth Potter found out the consequences six months ago. She met a man on AmericanSingles.com. They chatted for weeks, and finally set up a date.

But Beth says right away, things didn't feel right.

"But I gave him the benefit of the doubt at that point. Those were red flags I should have heeded," she said.

Potter went on with the date and says he started ordering her drinks. She let her guard down.

"I felt safe. We were in public," she said.

Potter became dizzy, and she says the man told her she was too drunk to drive -- toxicology reports later showed valium in her system -- and he drove her home.

"Once he got me in there it was all over with and that was it. It went from 12:30 to 8:30 in the morning, when he was ready to let me go, when he was good and ready to leave," she recalled.

Tampa state Representative Kevin Ambler says Potter's story pushed him to change the law.

He's sponsoring the Internet Predator Awareness Act. It would require online dating services to provide safe dating tips to its users, along with a disclosure of whether or not they do background checks.

"We want to raise people's consciousness," said Ambler. "To see something that pops up that says 'Warning, we don't do background checks' and they pause and say 'Is this the type of activity that requires a background check?' and they start thinking about it."

Lawmakers can't force dating sites to do background checks, but Potter says a warning would help.

"It's a last little check, a little reminder, and it may make the difference of only one person. It's a cliché, but if it's worth only one person not going through this, then it's worth it," she said.

Mystery man tied to 8-state scheme

Ex-Pikesville man given \$1 million by women, police say

BY MATTHEW DOLAN AND GINA DAVIS

SUN REPORTERS

ORIGINALLY PUBLISHED MARCH 1, 2007

And he likes horses, too!

That's what Lauren Mendelsohn thought when a Baltimore man messaged her in September 2005 on Jdate.com, an online service for Jewish singles.

"I ride show jumpers," the divorced mother of two in Owings Mills said yesterday. "He supposedly bred racehorses. I say 'supposedly' because almost everything he ever told me was a lie."

So began Mendelsohn's anything-but-fruitful relationship with a mysterious man originally from Pikesville, who Illinois authorities say conned at least 10 women from eight states out of more than \$1 million through elaborate schemes.

The lead investigator on the case in the Chicago suburbs said he is trying to get federal authorities involved in the case.

Mendelsohn said she lent the man more than \$150,000. Authorities said another Baltimore-area woman gave him \$100,000.

Late last week, Hillard Jay Quint, 42, a disbarred lawyer - and son of a disbarred lawyer - was arrested in suburban Chicago on warrants from Georgia accusing him of forgery and violating his probation on a theft conviction. Officials said yesterday that they are in the process of extraditing him to Georgia.

When Mendelsohn met Quint, she said that he boasted of owning a waterfront townhouse in Canton, driving a white Hummer, shopping for Lear jets and crisscrossing the world to compete against wealthy sheiks for hot year-old thoroughbreds.

All lies, Mendelsohn said.

The townhouse was a rental, the Hummer a lease and the Lear jet a fantasy, Mendelsohn said. She said she's still trying to figure out where Quint was calling from when he was supposed to be bidding against those sheiks.

"When I kicked him out," Mendelsohn said. "he had the shirt on his back, a computer and \$200."

The case came to light this week when Chicago-area police announced that Quint was posing there as Matt Goldstein, a chief executive officer from California.

To one paramour, the Chicago Tribune reported yesterday, he showed off a business magazine cover with the headline: "Achiever of the Year 2006."

Deerfield Police Detective Juan Mazariegos took up the case when parents of the woman from the Chicago suburb didn't buy the new boyfriend's story. After a two-week investigation, police said they discovered that the man wasn't Matt Goldstein, but Hillard Jay Quint.

"Basically, he's a con artist," Mazariegos said yesterday.

When the parents looked into addresses and phone numbers supplied by Quint, they learned the addresses were vacant lots or did not exist, Mazariegos said. The phone numbers Quint provided were connected to answering services, the detective said.

No charges have been filed related to the alleged scheme to defraud women. But **authorities say they believe there are victims in Maryland, Pennsylvania, Illinois, Kentucky, Georgia, Texas and Florida.**

Authorities said they found files in Quint's apartment with the names of other girlfriends whom they are trying to contact.

When Mendelsohn met Quint, he claimed he owned a successful railing manufacturing company. Mendelsohn wanted to go slow. But the man she described as "not that attractive" swept her off her feet.

On the second date, he gave me a dozen roses," she said.

The relationship turned serious in December, about the time she was visiting her parents in Hilton Head, S.C. He told her he was negotiating to buy a Lear jet and would fly down to meet her on the resort island.

"He said that they greeted him when he was buying the jet with a sign that said 'Congratulations, Hillard!'" she said, adding that Quint later said the alleged sale fell through.

Later, crippling business problems appeared to trouble Quint, according to Mendelsohn.

At Christmas, Quint told her a corporate crisis had frozen his cash flow, Mendelsohn said. Then, his car was stolen with \$1,500 inside for an employee.

Mendelsohn had her parents wire her \$1,000, which she turned over to Quint.

"I know, but it made sense then," Mendelsohn said.

A dream of owning her own multimillion-dollar horse farm seemed within reach as the couple shopped for exclusive property in Green Spring Valley.

They rented a townhouse in Owings Mills while looking over construction plans for a compound and consulting with a barn builder.

"This is the perfect guy, I thought, and I'm going to have my dream," Mendelsohn said.

But the dream turned into a nightmare after she gave him \$150,000 from the sale of her previous home, and she began to search through his records.

He never owned his house, his car, his jet or his business, she said. He wasn't even divorced at the time.

After she kicked him out, she called Baltimore County police but never filed a report. Instead, she tracked down his wife and informed his probation officer in Georgia about Quint's life in Baltimore, which appears to have violated the conditions of his release.

Lisa Chapo said yesterday that she married Quint in June 2000, less than a year after his release from prison on a theft conviction, because he had convinced her that his incarceration had reformed him.

"He said he wanted to make life right," Chapo said from her Atlanta home. "He professed to be a changed man. He professed that he had become a Christian. He played it to the hilt."

Chapo said she and Quint - who grew up in a Conservative Jewish home and continued to observe the high holidays - taught Sunday School in a Baptist church and lived a "lower-middle-class" lifestyle. "We didn't have extravagant things because we couldn't afford it," she said.

They divorced last year.

Quint might have been following in his father's footsteps, authorities said. The Sun reported in 1981 that Philip David Quint, then 42 and a disbarred attorney, pleaded guilty to embezzling state funds and admitted that he took more than \$104,000 from the Department of Economic and Community Development. He was sentenced to three years in prison.

Mendelsohn said Quint's parents still live in the Baltimore region. Attempts to reach them last night were unsuccessful.

To those like Michael Bruner, who said he was Quint's ninth-grade English teacher at Pikesville High School, news about the charges came as a shock.

Bruner coached Quint on the varsity baseball team in the early 1980s, and said that while Quint was never a starter, he had good enough skills to make the varsity team.

"When somebody's name is brought up, and you can remember him right away, that person has generally made a good impression," Bruner said. "And he did."

CBS 11 Dallas – Fort Worth

©Nov 15, 2006 3:38 pm US/Central

Scammers 'Spear Phishing' In Online Pool

Bennett Cunningham

Reporting

(CBS 11 News) DALLAS It's no secret - more and more people are using the internet to socialize. But experts warn that con artists are exploiting that social scene.

Scammers are using a new slew of slick tricks to fool you into handing over your most personal information. The newest con is called 'spear phishing.'

Dan Leveille, like many typical 17-year-olds, uses MySpace to connect with friends. He also promotes his photography and web design business.

"I'm on there pretty much every day; I can spend, like, hours on there," said Leveille.

So when a music group contacted him, Leveille clicked on the profile, but a login page popped up instead.

"I thought it was MySpace. It looked exactly like it, but on the address bar, it didn't say MySpace.com."

The National Cyber Security Alliance's Ron Teixeira says that Leveille was almost hooked by a "spear" phishing scam. Social networking sites are major targets.

"Spear phishing is when they hone their tactics and they use personal information that you have posted on these social networking sites to try to steal different financial information from users," according to Teixeira.

For instance, if your profile says you like a certain band, spear phishers might send you links that you think are legitimate for that band via instant messages, bulletins and e-mails. But when you click the link...

Teixeira said, "It will load malicious code onto your program and use vulnerabilities that exist on your computer to again install these different programs that collect all your financial information."

Other links lead to fake login pages used to collect usernames and passwords so scammers can use your profile and attack your friends.

Leveille says, since his close encounter with a spear phisher, he's more careful about what's on his profile.

"I don't put my first or last name, and I don't even give it to people I know because they could not be who I think they are," according to Leveille.

You can protect yourself by never e-mailing any account information. If you're asked to login a second time, make sure the internet address is correct, and double check who is really on the other end of the keyboard.

(© MMVI, CBS Broadcasting Inc. All Rights Reserved.)



New Twist On Old Scam

Thursday, October 19, 2006

Local authorities say an Abilene man has lost \$4,000 dollars to a common scam.

Police say a new version of The Nigerian Scam targets anyone who uses email or online dating services.

This scam started out as a friendly email from a young woman in a foreign country, then the scam begins when you're asked to help out in a financial transaction.

The con artists get victims to send checks to deposit into an account and three days later it is returned to the victims as counterfeit money.

Austin American Statesman

Police: Man sexually assaulted after answering Craigslist ad

Investigators say the man was drugged after he showed up for a meeting with the poster.

By Miguel Liscano

AMERICAN-STATESMAN STAFF

Friday, September 22, 2006

The 23-year-old man showed up at the Southwest Austin apartment at 4 a.m. Tuesday after answering a Craigslist post advertising a good time.

When he walked in, the man who answered the door promised that his female roommate, who he said had left, would soon return, according to an arrest warrant affidavit. That's when Ernest Ray Lamey, 35, offered the 23-year-old a drink laced with Ambien, a sleeping pill, and waited until it kicked in before sexually attacking him, the affidavit said.

Lamey was charged Wednesday with sexual assault, a second-degree felony punishable by up to 20 years in prison. He was being held in the Travis County Jail on Thursday in lieu of \$20,000 bail.

State officials have increased their efforts in the past few years to combat cyber crimes, mostly against children. This year, a Buda man was charged with sexually assaulting a 14-year-old girl he met on the popular social networking Web site MySpace.com.

But officials say they've never seen a case where an adult was attacked after answering an online ad.

"According to the detective, this is the first time he's dealt with an incident like this," Austin police spokeswoman Toni Chovanetz said.

Chovanetz would not discuss the incident further. She asks that people who think they might have found themselves in a similar situation call the Police Department's sex crimes tip line at 974-5095.

The online advertisement the man responded to was for "partying and hanging out with other men and women," according to affidavit. The man e-mailed the address provided in the ad and arranged a meeting, the affidavit said.

Lamey showed the man a picture of a woman he said was his roommate before offering the drink, the affidavit said.

He "took a few drinks and started feeling very sleepy," the document said.

Investigators later searched the apartment in the 4000 block of Victory Drive and found pills, a pill crusher and powder remains, the affidavit said.

The affidavit said Lamey confessed to drugging the man.

A representative for Craigslist, an online destination for community classifieds and forums that includes a personals section, could not be reached for comment.

mliscano@statesman.com; 445-3629



More Charges Filed Against Texas State Student Accused of Sexual Assault



More charges have been filed against a Texas State student accused of sexual assault.

Investigators also say 33-year-old Matthew Ferguson used Match.com to find potential victims. The registered sex offender is accused of videotaping sex with 18 women at his San Marcos apartment.

Before moving to San Marcos, Ferguson was a student at Baylor University. Investigators say he has victims both in Waco and San Marcos.

He was removed from Match.com after he was arrested in December.

"It's just not the normal person out there that are utilizing these services. There are predators that use these services just as well and they do it to a degree where they master the program. It's a hunting ground for them," says San Marcos Police Sgt. Penny Dunn.

We contacted Match.com.

They emphasized that safety of their members is their number-one priority, and that there are several safety tips available online for concerned members.

1/18/06

http://www.ci.san-marcos.tx.us/departments/police/Police_News_Releases_2005.htm#ferguson

Police Charge Sex Offender with Sexual Assault

San Marcos Police arrested a 33-year-old convicted sex offender Tuesday and charged him with the sexual assault of a 23-year-old woman.

Matthew Todd Ferguson, 33, (DOB 5/06/1972) was arrested around 5:15 p.m. Tuesday at his residence in the 1200 block of North LBJ as investigators executed search and arrest warrants. Ferguson is a student at Texas State University.

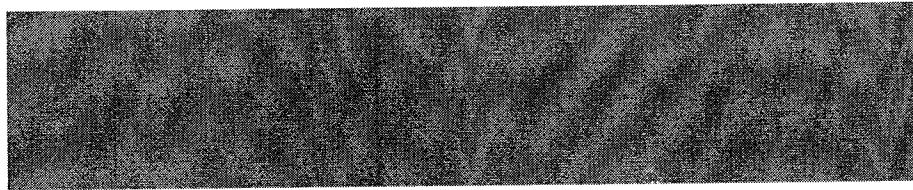
Ferguson was charged with sexually assaulting a San Marcos woman over the weekend and was jailed at the Hays County Law Enforcement Center under a \$100,000 bond.

Ferguson has been a registered sex offender since his release from a Michigan prison in 2000, said Sgt. Penny Dunn of SMPD. He served a five year sentence following his conviction for sexual assault in Michigan.

He registered with the San Marcos Police Department in August 2005. Police are continuing their investigation of the recent sexual assault, a second degree felony.

NEWS

RockyMountainNews.com



Tip called in to family

Missing woman fended off two men, says bar patron

**By Julie Poppen, Rocky Mountain News
November 27, 2006**

Air Force nurse Nonnie Dotson spent the night before her disappearance dancing at the Grizzly Rose and fending off two guys who were flirting with her, her brother said Sunday.

Tony Dotson said a man called him a couple days after his sister vanished to say he had danced with the talented country line dancer for much of the night Nov. 18.

The Grizzly Rose customer told Dotson's family he helped the 33-year-old mother dodge the two men who wanted to take her to breakfast.

Nonnie Dotson returned to her brother's Littleton home, where she was staying with her young daughter for a few days, in the wee hours Nov. 19 in the car she had borrowed from her brother.

He said she had gone out alone the previous night.

"She said it was the first time she ever closed out a bar in many, many years," he said.

She left the house later that day after telling her brother she planned to go shopping, hang out with friends and possibly grab dinner. She also mentioned a desire to pick up a fruit smoothie.

Tony Dotson, 34, was to watch his sister's 16-month-old daughter, Savannah, along with his own kids.

No one knows for sure whether Nonnie Dotson got a ride or walked.

"You always wonder, did someone follow her home?" Tony Dotson said.

But the man who said he danced with Nonnie Dotson mentioned something else that worries her brother. He said Nonnie Dotson opened up to him and painted a picture of a life that was not all rosy.

"As the night went on, her smile and bubbly face kind of diminished," her brother said, recalling the man's words.

The man got Tony Dotson's phone number from a flier the missing woman's family had printed and distributed at the country and western dance club and saloon.

Jim Shires, spokesman for the Jefferson County Sheriff's Department, could not verify Sunday whether the bar patron had called the agency's tip line.

He said there were no new leads in the case.

However, investigators got search warrants signed Saturday for Web sites Dotson frequented, as well as for her financial records, Shires said.

Nonnie Dotson's cell phone was triangulated to an area near C-470 and South Kipling Parkway. The phone has not been found despite an exhaustive search.

Search dogs picked up Dotson's scent in that same area, but it's not known what day the scent was left. The day before her disappearance, Dotson had gone to get her hair done near Park Meadows, her brother said.

Nonnie Dotson lives in San Antonio and works as an intensive care nurse at Lackland Air Force Base. She expects to be discharged in March.

Tony Dotson said Sunday his sister had some bad experiences with online dating services targeting single parents. And she had a rocky relationship with her daughter's father, who lives in Texas and declined comment Sunday.

"There were some incidents in Texas where she thought she was being followed," Dotson said. "She was going through heated custody issues."

Meanwhile, little Savannah is recovering from a visit to an urgent-care facility, where she was treated for a severe cold and ear infection.

The toddler periodically says "Mama" and seems to be looking for a person in her uncle's busy house to attach to, said Nonnie's stepfather, Kevin Doyle.

After a week of waiting for news, the family is tired.

"You go through every emotion you can possibly imagine every hour, every time the phone rings," Doyle said.

Relatives aren't the only ones worrying. Jacqueline Johanning, 33, is Dotson's closest friend in San Antonio. The two women work together at the base. Savannah was supposed to spend Thanksgiving with the Johanning family because Dotson was expected at work at 5 a.m.

"Nonnie was more like a sister to me than a friend," Johanning said. "I have come to the conclusion in my heart and in my mind that she's dead. I've felt that since Thanksgiving Day."

She said Dotson would never have voluntarily left her daughter, whom she described as her "lifeline." She wanted to be a good example for Savannah.

She described her friend as "very sincere."

"If she believed in something, she would argue to the hilt about it," she said. "I think that's why I liked her, because she had strong character."

Johanning and her husband are "very frustrated" by the lack of leads: "Our hands are tied. We feel very helpless. I don't know if we'll ever find her. I don't know if I'm ever going to get to see Savannah."

How to help

Anyone with any information about Nonnie Dotson should call 303-271-5612.



Nov 21, 1:17 AM EST

Man sought in Arkansas double slaying captured in Wisconsin

By **JON GAMBRELL**

Associated Press Writer

LITTLE ROCK (AP) -- A Wisconsin woman says the arrest at her family's home of a man charged with killing an elderly couple in Arkansas illustrates the dangers of getting together with someone you meet on the Internet.

Wisconsin authorities arrested Calvin A. Bennett, 26, on Sunday at Rothschild - in central Wisconsin, just south of Wausau - after a segment on the killings was aired Saturday night on the television show "America's Most Wanted." A television viewer's tip led police to Canadian online dating Web site <http://www.plentyoffish.com>.

Court records said the home where Bennett was arrested was that of the family of Andrea Erickson, who gave permission for a search of the property.

Erickson, 18, is a student at the University of Wisconsin-Stout in Menomonie, about 120 miles west of her parents' home in Rothschild, according to university spokesman Doug Mell. He said her family wanted news media to respect their privacy while "they deal with the trauma" of the weekend arrest of Bennett.

"I am sorry that this had to come into our community," Erickson said in a statement released by Mell. "I want everyone to know that they should be careful when using online services to meet people. These kinds of things can happen to anyone. Don't trust anyone you meet online."

Bennett appeared Monday in Marathon County Circuit Court and an extradition hearing was scheduled Dec. 19 by Judge Patrick Brady. Bennett was ordered held without bail until then.

The complaint filed by Marathon County prosecutors said Bennett was a fugitive from justice and ought to be extradited. It included a report from the county sheriff's department saying investigators interviewed Bennett on Sunday afternoon, and Bennett said he shot the couple when the husband confronted him as he attempted to steal a truck.

Bennett is wanted on two counts of capital murder in the Oct. 30 slayings of Pierce "Ben" Odell, 79, and Mary Odell, 78. Sheriff's officials say each was shot once in the head and the bodies were found outside their home near Nashville, about 125 miles southwest of Little Rock.

Bennett had no personal connection to the Odells prior to their deaths, according to Howard County, Ark., Sheriff Butch Morris. The sheriff said robbery appeared to be the motive.

Bennett was registered on the Internet site as "soshysothernguy80," and his user page showed him in a baseball hat and red T-shirt. He listed his ideal first date as "a nice romantic dinner with soft music, followed by a romantic walk or a carriage ride." He said he also likes to cuddle.

Markus Frind of Vancouver, B.C., CEO of the dating Web site, said a U.S. marshal contacted him by e-mail Saturday night. Within 10 minutes, Frind had gathered messages sent by Bennett to five women on the site - ranging from "call me" to "I'd love to talk to you and get to know you," Frind said.

From the messages, Frind said he could tell Bennett had moved into the home of a site user. He also found Bennett's cellular phone number.

With that information, an Arkansas State Police investigator contacted Wisconsin authorities. About a dozen officers arrested Bennett as he tried to leave the home of Erickson's family, said Lt. Frank Hanousek of the Marathon County, Wis., Sheriff's Department.

The sheriff's report attached to the complaint filed Monday in the Wisconsin court said: "Calvin stated he shot Ben but was not sure where on the body he hit him. Calvin stated he then turned around and was surprised by Mary, so he then shot her."

Bennett, who was born and raised in Arkansas, told Marathon County investigators he got a "four-wheeler" from a shed and used it to drag the victims to a wooded area, according to the report.

He threw the .22-caliber rifle used in the shootings from the pickup truck several miles from the Odell home, the report said, then he disposed of his clothes and drove 18 or 19 hours to Wisconsin.

Bennett told officers he was in Wausau about a year ago after contacting a woman there on the Internet, but it was not clear from the report filed in court whether that was the same woman he visited this fall.

The Arkansas sheriff said three of his officers were flying to Wisconsin to speak with Bennett.

Frind said he has removed Bennett from the dating Web site. But he cautioned that the arrest shouldn't dissuade people from attempting to find matches online.

"I've made 112 million introductions since the site started," Frind said. "One in 8 million people get hit by lightning in the U.S."

December 7, 2005



Covering Lawrence,
Johnson, Martin, Floyd
and Magoffin counties
in Eastern Kentucky



Friday, May 6, 2005

Web site targets Floyd Co. man

by Susan Allen

MARTIN – A group of women in several states claim a Floyd County man is an Internet gigolo and his Arkansas wife has started a Web site to warn other women to stay away from him.

Kathryn Martin of Benton, Ark., says that when she married Sam Martin III in Hot Springs in May 2004, she had no idea he had at least five other women on the side. Since the current Mrs. Martin set up her Web site, www.ceocowboyexposed.com, 40 women from across the nation have contacted her about their experiences with Martin.

Martin's daughter, April, has even posted a story about her father on the Web site and apologizes to the women he has encountered.

The women who have known Martin are forming a support group and want to tell their stories on a national talk show to warn others about Internet dating services and to expose Martin.

Five women – two from Texas, one each from Indiana and Florida, plus Kathryn "Kat" Martin – who have talked with The Big Sandy News tell similar stories of their encounters with Martin, whom they met through various Internet Christian dating sites and millionairematch.com.

They say Martin was very charming, pretended to be wealthy and promised them a life of love, security and luxury.

Kat Martin said she began to suspect her husband may be cheating on her after she and her son came to Martin's home in Floyd County for Christmas last year. Martin's father had taken many pictures of the holiday which he put on a computer disk for her. Kat Martin had misplaced the disk and looked on her husband's computer, discovering a file "Christmas 2004," but the pictures did not include her or her 17-year-old son.

Kat Martin then began digging into her husband's past, she said.

"There are more women coming forward every day," Martin said Wednesday. "My Web site had 500 hits yesterday," she said. "That's the most I've ever had."

Martin is being named as the father of a child with one of the Florida women, Misty Schoff, who is currently trying to get him served with child support and paternity papers.

Schoff said Tuesday that Martin left her when she was six months pregnant.

"Six weeks later, he married Kat," Schoff said. "There were eight other women when I was with him."

Kat, Schoff and the other women, who asked to not be identified, said Martin would brag about how well his family connected politically throughout the state and that he was closely related to Attorney General Greg Stumbo.

Stumbo's spokeswoman, Vicki Glass, said Tuesday that Stumbo said "any kind of prosecution against Mr. Martin" would be handled like it would "for any other citizen."

Stumbo is a partner in First Guaranty Bank with Julius Martin, who is Sam Martin III's uncle.

Schoff said she contacted Stumbo's office about her child support issue but was told his office didn't have anything to do with the matter.

Kat Martin said that her husband is claiming she broke the law when she gained access to several of his Internet accounts.

"I figured out his password, and all I got was information," she said. "That's it. This isn't about money. It's to expose Sam for what he is and to warn other women about him."

Kat has filed for divorce and said her husband also bragged about being closely related to Floyd Commonwealth's Attorney Brent Turner.

Martin's lawyer, Bobby Rowe of Prestonsburg, who is married to Martin's sister, Beth, wrote to Kathryn Martin's divorce attorney, Edward T. Oglesby, in April 2005 that claims of identity theft and electronic fund theft against Kathryn Martin had been forwarded to the Kentucky State Police and Turner.

On Tuesday, Brent Turner said he had not talked to Rowe or anyone about any issue involving the Martins and he had only heard "talk" about the Web site. Turner did say he was related to Martin, but he didn't know how close and he didn't really know him.

Turner added that he would not be involved in a case with Martin due to the family connection and that the Martin family attended the same church as he, Allen Baptist Church.

The women claim Martin used the church as a lure for the women, who claimed he told them he had given up the corporate world in order to build churches. He specifically named the Allen church, they said.

Rowe, who was reported as representing Martin in an April 14 news story in the Arkansas Times, did not return a message seeking comment on the Web site and claims made by the women.

In a March 29 letter from Rowe to Kat Martin's Arkansas attorney, Oglesby, obtained by The Big Sandy News, Rowe wrote that Kathryn Martin "wants the milk and cow both" and insinuates he would rather fight the issue in the Kentucky courts.

"Accordingly, in the event you are able to obtain personal service on Mr. Martin we will then decide whether to make an appearance and contest jurisdiction or let you obtain your judgment and bring it to Kentucky to try to enforce it," Rowe wrote.

In Schoff's case, she found out she was pregnant by Martin after a trip to Gatlinburg, she said. Martin told her he had leukemia and would have to go to the University of Chicago for treatment but that he would "beat it." He asked Schoff not to tell his family and she agreed.

Schoff said she later found out that Martin had married Kathryn and been seeing other women during the time he was supposed to be taking chemotherapy treatments.

Martin's family claims Kat Martin is trying to blackmail him for money and have accused her of taking a \$30,000 bracelet from Martin's mother, Margueritte.

Kat Martin said she did not take any jewelry and she has confirmed the family reported the bracelet stolen.

"Let them say whatever they want to, I can back up everything I'm saying," she said. "Money is the least of it. I want to warn women about this man. He needs help."

Kat Martin said the group hasn't discovered if Martin may have been married to one or more women at the same time or whether any law enforcement agency may be investigating.

The women said Martin told them he had worked on a top secret government project at an arsenal in Pine Bluff, Ark., a coal mine in Kentucky and that he had a recording contract in Nashville.

Martin downloaded songs from a link to the Floyd County Library claiming they were his recordings. The songs included, "My Friend," which he told them he wanted played at their weddings. Kat Martin said the song was played at theirs.

All the women say they are scared of Martin and want him to get some sort of psychological help. They say they have found the strength to go public with their stories after getting in touch with each other.

"He has to be stopped," Kat Martin said. "If this is what it takes, then so be it. He's contacting more women every day."

VANGUARD

Cyber-crime is the latest face of Nigerian youth * For Nigeria's ignored youth, long left to survive on his own, being a Yahoo boy is short cut to eldorado

By Adekunle Adekoya, Deputy Editor, Ephraim Oseji, Frederick Okopie, Dapo Akinrefon & Gbenga Oke
Posted to the Web: Saturday, July 15, 2006

ON a dirt-strewn street in Isolo, a suburb of Lagos, three men in their mid-forties stood in the front of the house in which one of them lived and exchanged banter. It was late afternoon on a Saturday, and they were savouring their opportunity to be at home, away from the daily bustle of living in Lagos. As various people passed, they made remarks about those they know of, after the passer-by, usually a woman, was out of earshot. Occasionally they joked with children they knew, or other men and women passing by.

Presently a Honda car cruised by, the model popularly called 'Honda Halla'. At the wheels was a young man in his mid-twenties, dressed in sports casuals favoured by members of his generation. He had the loudspeakers in the car up in high volume, a current rap tune blaring forth. He was enjoying himself, rapping along with the artiste.

"Isn't that John, the son of Baba Ramota?", one of the men asked of the others.

"That's him," the one confirmed.

"Really! Where did he get a car like that from?"

"Well, you don't know. The boy has moved up."

"Moved up? What does he do now? Wasn't he the general handyman on the street?"

"Sure he was, but that is in the past now. I hear the boy is funding the building of a new house to which his family will soon move. Maybe he went into business," the other ventured.

"But what kind of business?"

There was no immediate answer to that, so they moved on to other things. Investigations later revealed that John, the son of Baba Ramota (not real names) had fallen off the educational track some years ago when he could not garner five credits at the SSCE after three sittings. He would not learn a trade, but instead opened a kiosk where he carried out the barbing trade. At the kiosk, other boys hung around and it was found that it was one of them that introduced him to "browsing". Within a short time, he abandoned the barbing trade and went full-scale into business for himself. He had become a Yahoo boy.

419 — In the beginning

Many people believe that internet fraudsters are offsprings of the 419 barons of yore, just that they applied the technology available in their time. While the old 419 men used the postal system, fax machines, and NITEL lines with IDD, these boys now use e-mails and chat rooms. While the first generation 419 men were mostly in their mid-30s to late forties, an outstanding feature of the internet scammers is that they are mostly under 30, usually 22-27.

The usual method of operation is by post, and it is said that they had agents in various countries where they had their favoured targets. What these agents do are to collate addresses, phone numbers and location of companies and unsuspecting businessmen or women and send them back to the kingpin, the mastermind of the scam scheme. Letters are then done to their victims, and with the support of their cronies at the post, the scam letters go easily from the designated post office and are monitored carefully until it leaves the shore.

The business responses come through the same way it left the country, because they have their agents virtually in most of the post office for easy operation. It involves a lot of people, and they usually share the proceeds from any hit (successful scam). There is often a lot of backbiting and treachery in sharing the proceeds, usually after the master of the deal must have collected his own fraction of it. Those scouting for “clients” abroad are not left out, but their part of it is paid to their account or to their families as instructed.

E-mails, chat rooms knock out the post

As Nigeria joined the global information super-highway, everybody went “techy”. In addition, Microsoft Corporation and Yahoo! Incorporated floated internet shops where anybody could get any resource needed. The most outstanding feature of these internet shops are the free e-mail accounts that they give. Very soon, it became something of an anathema not to have an e-mail address. In short order, cyber cafes started opening, and it also became the fad to “go and browse”. As these started taking place in the late 90s, the new administration in the country strengthened everything with the licensing of GSM companies, and communication between Nigeria and the outside world was further strengthened. While everyone struggled to be part of the exciting ICT world, a new breed of scammers was growing, who perfected means of cheating fellow humans through the use of e-mails, and chat rooms. The fax machine had become obsolete, while nobody wanted to go through the hassle of buying stamps, envelopes, and going to the post.

Wire transfers make scams easier

Firmly on the global ICT track, Nigerian banks and financial services institutions latched on to the possibilities offered by technology to improve their services. One such service introduced by many banks is that of wiring money into the country electronically. By far the most popular is Western Union Money Transfer. Other wire transfer brands include MoneyGram, and MoneyNett. This has made it very easy for Nigerians abroad to send money back home to their family and relations. In many instances, many have used this method to transfer money home with which properties have been acquired for them. But fraudsters have also found a use for them. Much scam money are wired into the country.

How they get started

There is no qualification or special training before one can become an internet fraudster, or a Yahoo boy. The only skill they come with is the ability to use a computer keyboard and move from one site to another on the web. They also get sample scam letters from previous exposes published in newspapers and magazines, as well as on the web. They then modify these to suit current uses. The main body of the scam letters rarely changes, except the addressees. Having learnt how to surf the net, they then graduate to intensive surfing. This is done mainly at night, and is also called night vigil on some university campuses.

How they operate

One usual way through which internet scammers operate is the romance platform. The victim is usually approached on an online dating service, or through a chat room. The scammer may be posing as a lady, and would have posted attractive pictures on the net. The scammer expresses the wish to visit the victim, but needs some cash up front in order to complete travel arrangements. The unsuspecting victim invariably wires the money in, and the cyber criminal scores a hit. As soon as the hit is recorded, the scammer cooks up one story after the other, and the victim continues to wire in more money. The game goes on and on before the victim would realize that she had been a scam victim. Men fall a lot for the romance platform.

When Saturday Vanguard logged into a romance chat room with a man's name, for almost twenty minutes no one would even tease or exchange greetings. But immediately after logging in as a female, men from different parts of the globe, especially America were asking for email and phone numbers.

A sample love letter intended to snare a victim is reproduced here:

There is a variation to the method above. Scammers ensure that they make themselves known to the victim by being very familiar with them. This is done by meeting them in chat rooms on the internet at least once a day over a period of four to six weeks, and having lengthy conversations too. After getting well acquainted, they advertise certain "imaginary" goods to them (victim) and urge them to place orders. Up front payment for the order is usually demanded. If the victim falls for it, a hit is scored. This method is not much in use, for it is said to yield only a few hundred dollars at a time.

Another method in use by the cyber criminals is appealing to foundations, churches, and other charities for aid. The procedure is to send an e-mail to these organizations, requesting for aid to rebuild their church or orphanage that was recently razed down in a communal clash. They are usually thorough enough to use the names of villages where there had been such clashes very recently. In addition, they scan the photographs of burnt out buildings and send forth as that of their burnt church or orphanage or hospice, and request that donations be made in the name of Pastor XYZ of ABC Orphanage, who will identify himself with an ID card of the church. Of course, this would have been printed at a roadside print shop earlier.

Presently, the preferred mode of operation is the exploitation of loopholes in online sales. Nowadays the Yahoo boys opt for sales of laptop computers, computer parts, computer accessories such as flash disks, and mobile phones advertised online and take advantage. They operate in caucuses which involve already successful ones and those learning the business, and are notorious for living recklessly, womanizing, driving flashy and expensive cars, living in hotels and using the best phones in town.

Bad face of Nigerian youth

With the advent of this venture into the Nigerian society, youths have seen this new trend of making fast money as a career. As many youths make easy, fast money through internet scams, more youths are being attracted daily to join their ranks. This portends grave danger for the country, as most of its sophisticated youths, the leaders of tomorrow are being criminalized daily.

Worsening the situation is that there are presently no laws in our statutes to deal with cyber crime. But all hope is not lost yet. The Economic & Financial Crimes Commission (EFCC) had picked the gauntlet with its operatives repeatedly raiding internet cafes, especially where they browse overnight. In a report in the June edition of Technology Times, the Yahoo boys have shifted base from Lagos after incessant raids by the Police and EFCC. The paper quoted a lawyer who is also national co-ordinator of the Nigerian Cybercrime Working Group, Basil Udotai as saying that “the guys (internet fraudsters) are now moving their businesses to these commercial eastern cities. That is why the focal points of shipment in Nigeria have shifted to those places. Although Lagos is still central, attention has shifted to these cities.”

Old school 419ers plug in

Perhaps seeing the spectacular, near hassle-free success of their offspring, the older generation swindlers earlier sidelined by the techy youths, staged a comeback to the business, revisiting old potential victims, though with their former trade marks. Samples of letters done to victims in the past are reproduced below:

Dear Shammy,I want you to know how much I love you. We have been through so much these past months, but our love has always come out on top. You mean so much to me and I want so much to make you as happy as you make me. Each passing day has me falling more in love with you. You can do the slightest thing and it warms me. Most of the time you don't even realize it. You are always in my thoughts and in my heart. I never knew that love could be so wonderful until I met you.

Okay, go and pay the money for me, so that I will get back to England, I hope to hear from you soon. You have given me a new perspective on so many things. I will always treasure our love and keep it safe. I love you, Baby. I was told by the hotel manager that the payment will be transfer via Western Union Money Transfer. My love if you really care about me and you love me, I will be very happy if you can make the money transfer today, and don't forget that you will need to introduce me to all your family. Note my love, you will be the person that will come and pick me up from the air port so that we can move together to your house. Here is the information of the hotel manager that you will need to send the money below.

Name: Femi George Address: 1,Afolabi Str Gbagada 23401 Lagos Nigeria. PLEASE PROVIDE THIS BELOW INFORMATION AFTER SENDING SENDER'S NAME:.....?
SENDER'S ADDRESS:.....?
RECEIVER'S NAME: FEMI GEORGE
MTCN CONTROL NO:.....?
AMOUNT SENDING:.....?
TEXT QUESTION AND ANSWER:
NOTE: LET THE TEXT BE : {WHO DO YOU LOVE?} ANSWER: MARRYI CANT WAIT TO BE WITH YOU. MY LOVE, I REALLY NEED YOU. I NEED YOUR TOUCH IN MY BODY SOON. SPEAK TO YOU SOON.

FROM THE DESK OF BARRISTER MARTIN LAUREN CHAMBERS & CO SUSSEX STREET, NORTH-WESTMINSTER LONDON, ENGLAND

ATTN: Shabby Shambo

I am Barrister Martin Lauren, personal lawyer to late Engr. Robert Shambo .a native of Scotland, who was working in an oil producing company in Nigeria. On October 2001 my client died during the oil exploration in an oil-bunkering crisis in Warri Delta state of Nigeria, and he died in testate. Furthermore, my client has in his account valued at {8.7million GBP} a deposit with a bank in Nigeria.

I know you will be surprised how i found your contact and your name but i will like to let you know that i have gone through your profile and found out that you are a honest person that is why i want to make you different from others i also want to use this opportunity to apologize to what so ever this mail might have cost you. My client supposed next of kin died also during the blast, all effort to contact any of his relation proved abortive. I do not want the bank to transfer the funds into the bank treasury as unclaimed funds. I'm hereby making a business proposition for you to stand as the next of kin to my late client because you bear the same last name with my client.

The principal amount will be shared 50% for me 40% for you and 10% for all expenses incurred during the transaction. Note that as soon as the transaction is in progress I'll be traveling down to Nigeria. Your communication with the bank should be on calls and e-mails and all these are to be treated as confidential as all document backing this transaction will be taken care of legally without any breach of the law as at when due. Be rest assured that this transaction is profitable to both of us and you won't regret being part of it. I oblige you to send the following details below:

Full Name:

Address:

Occupation:

Nationality:

Mobile/phone number:

Fax:

Age:

Sex:

With these available details I'll file an application in your name, after which I'll send you an official letter of claim for you to send to the bank via email. I will provide you with all the documentation needed for the claim of these funds.

Regards

Barrister Martin Lauren.



Online Romance Scams Continue To Grow

POSTED: 1:41 pm EDT May 22, 2006
Cleveland WEWS-TV

KANSAS CITY, Mo. -- An online group is warning singles about romance scams online. Television station KMBC reported that a [Yahoo Group](#) has 3,100 members. Hundreds of them have fallen for romance scams. The group has lost millions of dollars.

One victim is Sally Schrock. She said her nightmare began in March when she met "Anthony" online. Within weeks, he was sending her gifts.

Meanwhile, Schrock was taking care of her sick mother, but she became consumed in the online relationship.

"While I was chatting on line with him, (my mother) had a heart attack and died. I blame him for that," Schrock said.

She said Anthony took advantage of her grief to "weasel money out of me."

"My scammer asked me for my Social Security number, and he even wanted my e-mail password," Schrock said.

Schrock said she wants to warn others to be aware of who they're talking to online. "For God's sake, don't assume anything," she said.

Experts said online romance scams continue to grow exponentially. A book was recently published about online dating scams, called [Cyber Love's Illusions](#).

"We have people who've been arrested, led off in handcuffs. One's even doing a jail term," Barb Sluppick said.

The online romance scams group attempts to expose the scammers, tracking their IP addresses to Nigeria, Kosovo and Russia.

Online moderator Rhonda McGregor has become an expert at identifying the cons.

"There's a whole list of things -- poor grammar, they avoid answering personal questions but will ask you a lot of questions," McGregor said.

She said the scammers find potential victims in online dating sites, then whisk them away to more private sites to lay a trap, hoping to get the victims to send cash or personal information.

"That's how the scammers work. They set it up so everything traces back to you," McGregor said.

She said the scammers are cunning and persistent.

"Scammers are getting bolder. They're even talking to people in the group," Sluppick said.

The station reported that no one seems able to stop the scams, and that police and the FBI can't keep up.

Distributed by Internet Broadcasting. This material may not be published, broadcast, rewritten or redistributed.



THE PLAIN DEALER

A desperate search for love ends in death

Reports say man was drugged, robbed, killed in Brazil by online girlfriend, others

Saturday, October 14, 2006

Joe Guillen

Plain Dealer Reporter

Raymond Merrill was a lonely man looking for true love. He turned to the Internet, where he met a Brazilian woman who is now suspected of orchestrating a plot to drug, rob and murder him.

Merrill, 56, was convinced his online romance was sincere. Known to have an affinity for Hispanic women, Merrill fawned over his new girlfriend's glamorous online photos. He lavished her with gifts, including a car, and visited her in Sao Jose dos Campos, a city in the Brazilian state of Sao Paulo. He even planned to marry her.

Then he disappeared.

Merrill, of San Bruno, Calif., near San Francisco, was supposed to return from the last of his three trips to Brazil in early April. A month later, he still hadn't returned home and had not responded to urgent e-mails from his sister, Marcia Sanchez Loebick of Cleveland. She said it wasn't like him to ignore her e-mails, especially since she wrote that their father was dying.

Merrill's father died shortly after his disappearance, leaving Sanchez Loebick as the only relative searching for him.

On Sept. 23, the U.S. Consulate in Sao Paulo notified Sanchez Loebick that her brother had been murdered and that an arrest had been made, she said.

Brazilian police suspect that Merrill's online girlfriend - Regina Filomena Rachid - and two men are responsible for his death.

"It's just unfathomable to me how someone could be so evil," Sanchez Loebick, 60, said. "He didn't deserve this. All he wanted was to find true love."

At first, Sanchez Loebick was excited when Merrill began talking about his budding relationship with Rachid. But Merrill later would describe how Rachid would curse him for being a "stupid" American.

"He just kind of wrote it off to passionate, excitable Latinas," said a close friend, Bill Rauch, 54, of San Francisco. Merrill was "just not willing to see the reality because of the hope of true love."

The U.S. Consulate in Sao Paulo on Friday confirmed that Merrill is presumed dead, that his girlfriend and two men are suspects in the murder case, and that a recently discovered burned corpse may be Merrill's remains.

The FBI is helping Brazilian authorities identify the body through DNA testing, FBI spokesman Scott Wilson said. Sanchez Loebick visited the FBI's Cleveland office on Thursday to have her blood drawn and sent to Brazil for testing. She eventually wants his remains sent back to America for burial.

According to Sanchez Loebick and news reports in Brazil, Merrill was drugged for about six days, during which he gave up information to access his bank accounts. He was then strangled with a copper wire. His body was driven to the outskirts of Sao Jose dos Campos, doused with diesel fuel and set on fire.

In June, Rachid, who is believed to be 40, was arrested in an unrelated robbery and Merrill's credit card was found in her purse. Rachid and another man are in custody in Merrill's death; the third suspect is at large, said Sanchez Loebick, whose account also was reported by multiple Brazilian media outlets.

During Merrill's relationship with Rachid and after his death, the woman defrauded him of about \$200,000, Sanchez Loebick said.

International online dating scams are nothing new, said Jayne Hitchcock, president of Working to Halt Online Abuse, a volunteer organization. "It's usually men falling for this," she said. "They see these hot photos" of women online.

Most scams involve foreign women asking men to send them money to come to this country. Often, the beautiful pictures attached to their online profile are stolen - nothing more than bait to entice lonely men.

To avoid such problems, Hitchcock suggested men focus on finding an American mate. It's also a good idea, she said, to frequent only those online dating services that require a membership fee, because those sites usually scare off scam artists.

Sanchez Loebick said she wasn't sure which Web site her brother used. But she remembered him showing off studio-style pictures of Rachid he kept in his e-mail account.

Merrill was a carpenter by trade and also a talented musician. His sister admitted he was careful with money and that he made sound real estate investments to accumulate wealth. He didn't hide his financial success when looking for love.

He also made it a habit to give extravagant gifts to his girlfriends. He once bought a computer for another girlfriend and then she broke up with him.

His close friend Rauch told him, "Ray, you can't buy love. It's not going to work."

To reach this Plain Dealer reporter:

jguillen@plaind.com, 216-999-4675

© 2006 The Plain Dealer

© 2006 cleveland.com All Rights Reserved.

The Daily Courier

Yavapai County's News and Information Center Since 1882

INTERNET PREDATORS

Arizona is reforming laws on crimes against children

By LYNN K. BARRA

The Daily Courier

Wednesday, October 18, 2006

He may be sipping coffee at an Internet café or seated comfortably at the computer section of the local library, but wherever he lurks, his target is clear: find a child or her mother.

"Across the board you have sexual predators targeting the kids themselves," said Special Agent Deborah Mcarley of the FBI, Phoenix division. "You have sexual predators targeting single mothers to enter into a relationship to get to the child."

No child is safe, according to Mcarley, who said sexual predators target girls and boys of all ages, even as young as 6. Mcarley referred to a 2004 case in which a man was convicted in Phoenix after molesting the 6-year-old daughter of a woman he met online and subsequently married, only to gain access to her daughter.

"(The sexual predator) married this woman for her daughter," said Mcarley adding that crimes involving minors may be prosecuted on the federal level as wire fraud charges when the Internet is used as a means to solicit a child for sex or for naked photographs.

"Kids go into chat rooms and strike up conversations with who they believe is an adult," said Chief Deputy Dennis McGrane of the Yavapai County Attorney's Office about a more recent trend among sexual predators.

"He (the predator) warms them up to 'this really cool (younger) guy, John Smith,' and he's John Smith. It's a scumbag's way of getting his way into the life of a kid. This is apparently a growing concern."

McGrane said that while he is unaware of any current luring cases in Yavapai County, the dissemination of nude or partially nude photos is more widespread in the county.

"We don't see luring as much as child pornography," McGrane said. "We've seen a proliferation of child pornography (in Yavapai County). Images (of minors) are circulated and re-circulated on the Internet. It's not that a person is having the child do that (pose and e-mail the photos) but taking advantage of the exploitation."

Luring or attempted luring of a minor are crimes involving an adult communicating with a minor most commonly through the Internet and arranging to meet the boy or girl.

Under the Arizona statute concerning the luring of a minor for sexual exploitation, which is a Class 3 felony, McGrane said an adult can face up to 27 years in prison, depending on the age of the child and whether or not the minor was raped.

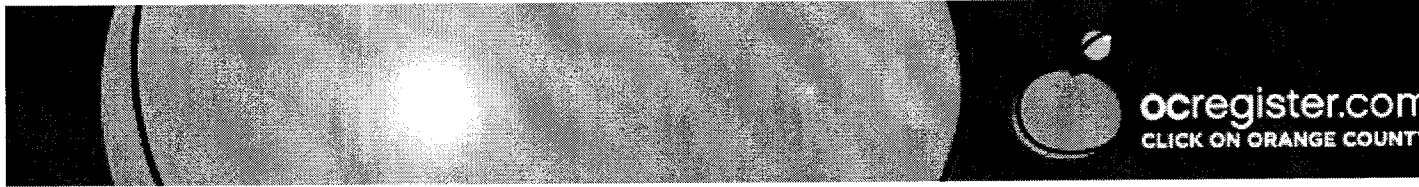
Arizona, McGrane said, is at the forefront of reforming laws involving crimes against children and currently, he said, there are no statute of limitations on most child sex crimes.

"We've seen images beyond description at times of little kids in acts they shouldn't be involved in," said McGrane who added that sexual predators typically view multiple images of naked children.

If convicted, an adult can face up to 10 years on each count concerning nude images of minors.

McGrane also said the possibility exists in which a sexual predator may attempt to lure either a boy or a girl but most predators, he said, have preferences toward specific age groups.

Contact the reporter atlbarra@prescottaz.com



Tuesday, October 24, 2006

Irvine man charged with rape, sexual assault

Joseph Raymond Garcia, 47, allegedly went on dates with women, then violently assaulted them.

By SCOTT MARTINDALE
The Orange County Register

NEWPORT BEACH – A judge has set bail at \$1 million for an Irvine man accused of sexually assaulting three women he has dated over the past 19 months, prosecutors said Monday.

Joseph Raymond Garcia, 47, did not enter a plea Monday to six counts of sodomy by force and one count of forcible rape, said Susan Schroeder of the Orange County District Attorney's Office.

Garcia is scheduled to be arraigned Nov. 3.

Garcia, a Newport Beach real estate agent, is accused of sexually assaulting three women, ages 22 to 42, between March 5, 2005, and Oct. 18 of this year.

He met one woman at a post office and the other two through an online dating service called MillionaireMatch.com, according to prosecutors. He is accused of arranging dates with the women, then returning with them to his Irvine home, where he forcibly sodomized the women and raped one.

Garcia has been held in Orange County Jail since his arrest on Friday. He faces 45 years to life in prison if convicted on all counts.

Anyone with information is asked to call D.A. investigator Craig Kelsey at 714-347-8794.

No new clues for missing nurse

By The Associated Press
DenverPost.com

Article Last Updated:11/27/2006 12:27:27 PM MST

Authorities continue to search for a missing Air Force nurse who vanished more than a week ago without a trace, leaving her 16-month-old daughter in her brother's care.

Nonnie Dotson, 33, left her brother's home Nov. 19 to run errands and never returned.

Her brother, Tony Dotson, told authorities Friday he had received a tip from an unidentified man that she had been dancing at the Grizzly Rose the night before she went missing when two men began hassling her about having breakfast with her.

The man said he had danced with her, and later called the brother when he heard she had gone missing. He got the brother's phone number off a flier that had been posted at the saloon.

Jefferson County Sheriff's spokesman Jim Shires said he wasn't aware if the man had called authorities as well.

Dotson was on a short leave from Lackland Air Force Base in San Antonio and due back on active duty last Tuesday. She is scheduled to be released from the military in March.

After dancing, she returned to her brother's home in the early hours Nov. 19 in her brother's car.

"You always wonder, did someone follow her home?" Tony Dotson said.

Dotson said his sister had some bad experiences with online dating services targeting single parents.

"There were some incidents in Texas where she thought she was being followed," he said.

Dotson has a personal ad posted on myspace.com, a popular Internet site for meeting people. The site stated she had logged on two days after she went missing, but Shires said her parents had her password and may have logged on themselves.

Shires said deputies obtained search warrants for Nonnie Dotson's financial records and for Web sites she frequented. He said her cell phone had been traced to southwest Littleton but had not been found.

Search dogs also picked up her scent in the same area, but it is unclear when that scent was left. They lost the scent at the on-ramp to C-470 at Wadsworth.

Dating Web site romance leads to real-life beating, rape

Authorities say a Brooksville produce manager raped a Hudson woman after meeting her through an online dating site. He is now in jail.

THOMAS LAKE

Published October 18, 2006

PORT RICHEY - She found him on the Internet, on a dating site called American Singles. He called himself COWBOYBOOTS38. When they met for drinks at Alli Gators one night in August, he talked sweet and held her hand.

But by the end of the night, a 32-year-old Hudson woman's date with a cyber-cowboy had devolved into beating and rape.

Authorities say David William Prentice, 40, a Brooksville produce manager, struck the woman's face, choked her with a pillowcase, bit her chest, raped her and forced her to perform oral sex.

The woman, whose identity is being withheld because of the nature of the charges, said in an e-mail to the Times that the attack left her with a black eye, broken bones in her feet, torn cartilage in her shoulder and a perforated eardrum.

"Why?" she wrote in an e-mail to Prentice. "Please help me understand why? I can't help but weep and struggle as I try to get my mind and heart around this."

More than two months passed between the attack and Prentice's arrest. In the meantime, the woman took up a frantic quest for justice.

She kept pressure on investigators from the Pasco County Sheriff's Office. She e-mailed details of the case to at least four media outlets, a congressman and two U.S. senators. And she asked a friend to set an online trap for COWBOYBOOTS38.

"you look rugged," the friend wrote.

"i am," the cowboy replied, "but i can be a pussy cat too."

"but I really would like some pictures before I talk to you more," the friend said near the end of the conversation.

"if your worried if im not good looking," the cowboy said, "i usally do the kickin to the curb."

There is no indication this conversation provided evidence for the investigation, but by last week detectives had marshaled enough to get a warrant for Prentice's arrest.

After Hernando authorities took him in - his address is 3402 Culbreath Road, Brooksville - he was transferred Monday to the Land O'Lakes jail. He remained there Tuesday in lieu of \$70,000 bail, charged with two counts of sexual battery.

American Singles, the online dating site where Prentice met the victim, is one of the largest such sites on the Web. It has nearly 7-million members.

Gail Laguna, a spokeswoman for the site's parent company, said the site does not conduct background checks on its members. But it does have other safety procedures.

"If we become aware of anyone on the site who may have the potential to cause harm to other members," she said, "we will immediately remove their profile from the site."

That's no longer an issue for the victim. She has canceled her membership.

Thomas Lake can be reached at tlake@sptimes.com or 1-800-333-7505, ext. 6245.

'SUPER' SCAM SUSPECT NAILED
And his daughter's glad that convicted con man finally has been caught

Posted on Thu, May. 05, 2005

By MYUNG OAK KIM
Kimm@phillynews.com

WHILE Tom Hastings lavished his teenage daughter with new cars and a credit card with no spending limit, he also told her how to cheat her way out of paying to fix a car she wrecked in a crash, she said.

To Hastings, 61, who grew up poor and without a father, life revolved around money - however he could get it, relatives said.

At 21, he scammed 12-year-old paper boys out of small amounts of cash from their routes, an ex-wife said.

He swindled college fraternities out of hundreds of dollars from rock concerts, relatives said.

And then he found the real cash cow: sports events and travel packages. The latest alleged scam involved the Feb. 6 Super Bowl, after which more than 50 fans, mostly local Eagles fans, accused Hastings of selling them tickets that he failed to deliver on game day.

That alleged scheme has finally caught up with him.

Hastings is now in jail on federal charges of violating terms of his parole.

Hastings, who uses numerous aliases, was arrested Tuesday afternoon by

U.S. marshals at his condo in Tampa, Fla., said Lisa Alfonso, one of the marshals who made the arrest.

The 5-foot-4, 145-pound Hastings was denied bond at a hearing and is in a Hillsborough County jail awaiting another hearing, Alfonso said. He faces up to two years in prison if found guilty.

Christine Hastings said she is glad her father is behind bars.

"I'm glad that he is not able to hurt people," said the 40-year-old businesswoman and mother from Richmond, Va.

"This is not the first time he's done this," she said. "This has been going on for 40 years."

"Tom Hastings will call you today and say that there's an eclipse out there right now," she said. "He's going to convince you that there is one and then he's going to sell you tickets to see it."

Hastings served a 15-month sentence for stealing \$370,000 from a youth group that planned a trip to see Pope John Paul II. Hastings was prohibited from selling travel packages for three years as a condition of his release from federal prison in March 2004.

Nevertheless, in January, Hastings created another business, USA Sports Tours, took the alias Tom Allen and aggressively promoted Super Bowl packages worth up to \$4,800 on local sports-talk-radio station WIP (610-AM).

He sold about 250 packages at a price of more than \$1 million, according to a lawsuit filed by his business partners, Bart and Jennifer Whitaker.

More than 50 Eagles fans were left empty-handed hours before the game in Jacksonville, Fla. Many of them had shelled out thousands of dollars to buy tickets at the last minute. But some ended up watching the game in Jacksonville bars.

Vince Boianelli Jr., of Cherry Hill, and his father paid for two tickets, but received only one on game day. The younger Boianelli later was able to recoup more than \$2,000 from his credit-card company, but still lost almost \$700, he said. He said he's glad about the arrest.

"I think he should serve time a lot longer than his first sentence because obviously he didn't learn his lesson," Boianelli said of Hastings. "I hope... it dissuades anyone from ever trying to pull a scam on other people."

The U.S. attorney's office in Tampa accuses Hastings of violating the terms of his supervised release by opening a bank account and engaging in travel business.

The Pennsylvania attorney general's office is investigating the Super Bowl packages and is coordinating with two Florida state agencies.

Christine Hastings said she feels sorry for the damage her father has caused.

"My compassion goes out to the people he has hurt, only because he has hurt me so long, and I've begged him for so long to change his ways," she said yesterday.

Hastings grew up in Virginia with his mother and brother. His father left the family when Tom was a little boy, relatives said. Hastings married Christine's mother, and they divorced when Christine was 4. He went on to marry three other women and later adopted a baby girl, who is now grown. His current wife, Michelle, is in her 30s.

Hastings is listed on the dating Web site Match.com under the name "Livetotravel396."

He describes himself as a 51-year-old divorced business owner looking for a 29-to-40-year-old woman "who is appreciative of the good life and not the greedy type," his Web posting said.

Christine Hastings said her father asked her to sign a contract when she was in college so he could start a business, using her Social Security number, for the Olympics in Atlanta. She refused.

She said she stays in touch with her father by e-mail at least once a week, and has tried in vain to develop a closer relationship with him. She hopes one day her father will change his ways.

"I know he lives in fear of going to hell," she said. "I pray for him daily that he will ask God for forgiveness and turn his life around."

The Jewish Daily Forward

News

Thief Stole More Than Hearts on JDate

By SARA LISS

May 14, 2004

HOLLYWOOD, Fla. — An Orlando man who used the Jewish Internet dating service JDate to lure women into dating him was arrested in Broward County last week with bail set at \$21,000.

Police charged Ivan Urquiza, 34, with grand theft, attempting to use another person's identity without consent, and intimidating or threatening a witness or informant. According to the Broward County Sheriff's Office, Urquiza swindled at least 15 women, stealing credit card information, personal checks, a car, and identity information.

Though Urquiza is not Jewish, he told police he used the famous online dating service to attract Jewish women because he thought they would have more money than non-Jewish women.

JDate has been criticized in some traditionalist circles for not attempting to restrict its site to Jews.

Gail Laguna, a JDate spokesperson, said the online dating service is unable to monitor the activities of its users once they are offline.

"We don't do background checks," Laguna told the Forward during a phone interview from the company's headquarters in Los Angeles. "Anybody can join the site; we don't screen people. If there is nudity in the photos, or foul language and harassing e-mails, then we remove them from the site."

Laguna explained that dating has its perils, no matter what the venue. "We don't chaperone dates. We don't monitor what happens. People can lie about themselves if you meet them at a bar," Laguna said. "Whether you meet online or offline, bringing someone into your house is a risk."

The JDate site does offer "dating safety" and "help and advice" options to help users safeguard against "Internet Casanovas" — the term authorities are using to describe Urquiza and his ilk. Laguna said JDate is limited in its ability to help its estimated 700,000 users. In bold print, the site cautions: "Safety-wise, meeting on the Net is inherently similar to meeting offline."

So far, the police have been able to confirm that Urquiza met up with one of his victims on JDate — Shari Silkoff, an interior designer from Weston, Fla. Silkoff led the police to Urquiza when she filed a report after noticing that someone had been using her credit cards. She had met Urquiza through JDate, and they went on a few dates before she invited him home. Soon after that, she noticed \$2,500 worth of unauthorized charges on her MasterCard. According to detectives, Urquiza stole Silkoff's credit cards, credit card statements and information regarding her identity. Then, over the phone, Urquiza changed her personal information and created a new PIN number for her account. Working with police, Silkoff lured Urquiza on a date May 3, and police promptly arrested him. The car he was driving was stolen, and inside it police found other women's checks and credit cards.

The Miami Herald reported that Urquiza, a published poet, has a criminal record dating back to 1989, when he was arrested in a hit-and-run case in Miami. He also was arrested twice in 2003 on charges of disorderly intoxication and giving a false ID to an officer, as well as on charges of theft and resisting an officer. According to authorities, Urquiza has used several aliases while perpetrating his scams, including Vize Dumais, Vize Mariales, Zoran Rojas, Loren Rojas and Vincente Urquiza.

The investigation is ongoing, and authorities expect more women to come forward.

CBS2 Chicago

Nov 27, 2006 9:57 pm US/Central

Get The Dirt On Online Dating

Users Complain About Dangerous Match-Ups, Scams



Diann Burns
Reporting

(CBS) CHICAGO Millions of Americans have turned to online dating to find true love.

The ads promise "trust" and "long lasting relationships." But there's something companies are not advertising -- complaints like being matched to someone who's married, not receiving any matches, or worse. Here's the dirt on online dating.

A Chicago area teacher turned to eHamony to find her soul mate. After one year of using the service, she finally got a match. On the fourth date she says she got the shock of her life.

"He said he was a convicted sex offender," said Jodi. "I didn't understand how they could match a convicted child offender with a teacher."

She complained to eHarmony but says she never heard from the site. That was two years ago.

After CBS 2 inquired, she received this e-mail: "Michael from Chicago has been removed from eHarmony.com.... we do not disclose the reasons for Michael's removal."

If you're looking online for love, understand most dating services do not do background checks.

After paying nearly \$3,500 for a three-year membership to Great Expectations Patricia Fenoglio says she found "only two of the 50 profiles they showed me were actually active members. The others weren't even on the database."

Fenoglio says Great Expectations settled with her after she filed a lawsuit.

There is something else to keep in mind when dating online -- when it comes to men, the pickings may be slim.

"The dating services claim to be about 50/50 men to women, all the past employees we spoke to say it's closer to 20/80, 20 percent men, 80 percent women," said Joe Enoch at Consumersaffairs.com.

Microbiologist Valerie Benning was going through a divorce. She says she turned to Yahoo Personals to meet her Mr. Right.

"We would chat two or three times a day," Benning said.

He called himself Steve Reed and said he was a computer software engineer and single dad living in Lincoln Park.

"He started to send increasingly more and more romantic e-mails," Benning said.

Benning wanted to meet in person, but suddenly Reed had an emergency business trip to Nigeria. A few days later, he was begging for help.

"The hotel was going to throw him out... unless he got these money order cashed... about

\$5,000 each," Benning said.

Benning was torn and searched "romance scams" online and found this.

"People were cashing money orders and losing \$30, 40, 50,000 worth of money because the banks were holding them responsible. And I knew at that point I was almost taken in," Benning said.

She's not alone. Three-hundred eighty five members of a romance scams support group reported in a survey that they lost an average of \$7,500 each in similar scams. The U.S. Postal Service has confiscated millions of dollars in counterfeit money orders.

"This person that you have fallen in love with is probably carrying on this kind of cyber relationship with hundreds, if not thousands of people," said U.S. Postal Inspector David Colen.

Benning finally confronted her scammer

"I asked him, 'How could you do this?' And his answer was 'You Americans have plenty of money, you can send some to me,'" she said.

Benning reported Reed to Yahoo Personals, but it took two weeks for his profile to be removed. Yahoo Personals says it initially did not find that Reed had violated company policy.

Regarding the teacher who was matched to a convicted sex offender, eHarmony says, "We provide extensive and careful guidance to our users about proceeding safely... we were troubled to hear of this woman's experience and would like to remind everyone to follow basic guidelines when meeting someone new."



Perils of online dating prompt safety efforts

CNN - USA

BIRMINGHAM, Alabama (Reuters) -- Josie Phyllis Brown never had a chance against her 6-foot-6-inch killer, although his stature was one of the few things she ...

Perils of online dating prompt safety efforts

BIRMINGHAM, Alabama (Reuters) -- Josie Phyllis Brown never had a chance against her 6-foot-6-inch killer, although his stature was one of the few things she should have known from his Internet profile.

John Christopher Gaumer, who confessed to the murder and led Baltimore County police to Brown's body on February 7, listed his height and other attributes in his quest for dates on MySpace.com, a free Internet social site owned by News Corp. where mostly young people connect for friendship and romance.

Some personal profiles on the Web site are frighteningly revealing. People publish their birth dates, schools they attend, even clubs they will frequent on a given Saturday night, complete with a cell phone number for whomever might care to join them.

There are millions of people we're dealing with here and somehow people think they are all preachers," said Paul Falzone, chief executive of Together Dating service, a brick-and-mortar company that performs background checks on all members. Falzone says background checks result in 10 percent of applicants being rejected.

For most of the 40 million people using Internet sites for dating and socializing each month, a disastrous 15 minutes over coffee at Starbucks is the worst they will suffer.

But there is enough danger out there that some U.S. states are considering legislation to force Internet dating sites to police themselves, while companies that do background checks say business is booming.

Screening dates

Only a small percentage of "intimate partner violence" -- nearly 700,000 such incidents were reported to the U.S. Department of Justice in 2001 -- originate from Internet dating, according to Mark Brooks, editor of Online Personals, which monitors the dating industry.

For upstart online service True.com, even one assault is too much. The site performs background checks on every member, ferreting out sex offenders, felons and married people. About 11 percent of those who apply are rejected.

"To think a felon could find a victim, especially for a heinous crime, gives me the heebie-jeebies. I do all I can do to prevent that," said Herb Vest, chief executive of True.com.

Nevertheless, Robert Wells, convicted of lewd and lascivious acts with a child under 14, passed the True.com screening and posted a profile on that site. The company is suing him, claiming he committed wire fraud.

The small competitor is pressing for legislation to force big Web sites like Match.com and Yahoo! to perform background checks, or clearly state they don't. So far, California, Florida, Texas and Michigan have considered legislation.

Yahoo! and Match.com, the industry leaders with 6 million and 15 million monthly visitors respectively, continually stress dating safety.

Match.com forces the 60,000 people who sign up for the service each month to review its safety policies before they subscribe. On both sites, every profile is reviewed and approved by human eyes to screen out excess information or obscenity.

Around 15 percent of postings are rejected, according to Kristin Kelly, spokesperson for Match.com.

That is not enough for some.

Dark side of the Web

"The Internet has its dark side and they are not doing everything they can to keep sexual predators and gold diggers off these sites. If you don't police yourselves, the government will come in and police you," said Michigan state Sen. Alan Cropsy.

Cropsy has sponsored a bill that would force Web sites to do background checks, and it proposes posting a warning label on sites, much like those on cigarette packs.

Cropsy's legislation met vigorous resistance from the online industry.

"There are other ways to get to who that person is, rather than have the government ram a business model down your throat," said Abraham Smilowicz, chief executive of Webdate Inc.

Webdate uses real-time video as a safety measure, allowing prospective dates to chat and get a look at each other via Webcams.

Daters themselves are also stepping forward to create their own safeguards. Companies like Safedate and Honestyonline are springing up to run background checks for individuals and grant their stamp of approval.

Honestyonline will even come to a home, weigh prospective daters, take a picture and leave with bodily fluids to confirm disease-free status.

William Bollinger, executive vice president of National Background Data, said his business had grown 600 percent in the past two years.

Even a background check would not have saved Lori Leonard. The boyfriend she met via the Internet was convicted of her murder on January 27 in Hudson Falls, New York.

His record showed only misdemeanors from assaults on former girlfriends, not the sort of information churned up in basic background checks. Leonard endured two assaults before her death.

According to Dr. John Gray, author of "Men are from Mars, Women are from Venus," education is the solution.

"The warning signs often come out right away. Beware of someone who can solve all your problems or who comes on really strong," said Gray.

Copyright 2006 Reuters. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.



Victim outraged by predators' Web dating

By Michele McPhee

Wednesday, April 27, 2005 - Updated: 03:50 AM EST

It has been 17 years since that terrible day when Edmund LaChance offered his first rape victim a ride home, then raped her while holding a gun to her head.

But when the victim, now 37, saw his picture in the Herald yesterday as part of a story on dating Web sites dedicated to convicts in Massachusetts prisons, memories of the crime that destroyed her life came flooding back.

"When I saw his face, I nearly threw up. I can't believe he is allowed to look for love on the Internet. He ruined my entire life," said the woman, now a single mom raising a son in Revere.

Yesterday the victim voiced her complaint to the Department of Correction Victims Advocates Office. Meanwhile, a growing number of people claim they have been harassed by people behind bars, and another Massachusetts convict, killer Kevin Jackmon, is under investigation for allegedly terrorizing a woman who responded to his ad on www.friendsbehindthewall.com.

A DOC spokeswoman, Diane Wiffin, insists prisoners do not have access to the Web. But there are a growing number of sites that include personal notes and photographs - often taken in the prisons.

LaChance's ad on www.inmateconnections.com was full of lies, right down to his age and his crimes, claiming he was in for manslaughter. In fact, LaChance is a two-time rapist, convicted of attacking the Revere woman in 1989 when she was 20. Within months of his release, he raped another woman with a boxcutter, stalking her outside the Everett store where she worked.

"Something has to be done," the Revere woman said. "These guys could find new victims with these ads."

Detroit Free Press

BY NATE TRELA
FREE PRESS STAFF WRITER

July 14, 2005

A Harrison Township man charged with threatening to have one woman assaulted if she broke up with him and swindling two others out of their savings faces at least four years in prison after admitting his guilt in Macomb County Circuit Court.

Robert Pugh, 62, pleaded guilty Wednesday in front of Judge Peter Maceroni to two counts of obtaining money under false pretenses, two counts of using a computer in the commission of a crime and one count of attempted extortion.

Pugh was charged late last year with extortion for threatening to have casino bouncers brutalize his then-girlfriend, a now 53-year-old South Lyon woman, if she broke up with him.

While out on bond in that case, police say he wooed divorcees and widows through Internet dating sites.

Two of the women -- a 69-year-old Garden City woman and a 65-year-old Bloomfield Hills woman -- gave him more than \$150,000 total after he gave them a sob story.

Pugh entered the plea when prosecutors agreed to a minimum sentence of 48 months in prison for both cases, which Macomb County Assistant Prosecutor John Latella said exceeded the maximum sentence called for under state guidelines. He faces a maximum of up to 25 years.

One count of conspiracy to obtain money under false pretenses and one count of extortion will be dropped at sentencing, scheduled for Aug. 24.

Elkhorn Man Gets 8 years for Assault

(Published Wednesday, March 30, 2005 10:41:29 AM CST)

By Mike Heine
Janesville Gazette Staff

ELKHORN-An Elkhorn man was sentenced to eight years in prison Tuesday for sexually assaulting a 22-year-old woman and for exposing a 16-year-old girl to sexually explicit materials via the Internet.

Jeffrey S. Akright, 25, denies sexually assaulting the woman, who he met online in November 2003. However, as part of a plea agreement that combined the two cases and substantially reduced the potential for a maximum prison term, Akright pleaded guilty to one count of third-degree sexual assault.

Akright was first charged with three counts of second-degree sexual assault.

While on bond for that case, Akright had conversations of a sexual nature with a **16-year-old** girl on the Internet in June. He also sent the girl a digital picture of his genitalia.

As part of the combined agreement, Akright pleaded guilty to causing a child to view sexual activity-a felony. An identical charge, along with three felony bail jumping charges and a charge of using a computer to facilitate a sex crime, were dropped as part of the plea.



Jeffrey Akright

As part of his sentence, Akright will be on extended supervision for eight years after his release from prison. He was credited with already serving 279 days in jail.

Akright was arrested June 23 after investigators from the Walworth County Sheriff's Department set up a sting operation using the same instant messenger service the 16-year-old girl used to communicate with Akright.

Investigators, who were tipped off by the girl's father, posed as a 15-year-old girl and had sexual conversations with Akright on several occasions. Akright sent the officers the same picture of his genitalia that he had sent to the 16-year-old.

A female officer arranged a meeting with Akright in a Lake Geneva parking lot. He was arrested shortly after he arrived.

According to Judge Robert Kennedy, who gave Akright the maximum sentence allowed for both crimes, Akright had a history of alleged sexual assaults involving several girls dating back to 1994. Several of those allegations closely resembled what Akright did to the 22-year-old woman, Kennedy said.

According to the compliant, Akright held the girl down and tried to kiss her and touch her

sexually. Akright said the woman made up the story because he told her she was not his type, according to information presented at the sentencing hearing.

Akright did not speak during the hearing.

Kennedy read from a presentence investigation report where Akright admitted to having anger issues possibly linked to alleged abuse from his childhood.

Akright apologized for what he had done and said his actions were stupid, Kennedy read from the report. Akright said he'd give 200 percent toward his rehabilitation.

Kennedy ordered Akright to undergo sex offender treatment and to never own or use a computer again. Akright's computer hard drive was to be destroyed.

Also, while on extended supervision, Akright is never to contact the victims or their families, any minors or even adult women, Kennedy ordered. If he does contact women, Akright must immediately inform them of his past convictions.



A date goes bad for Isanti woman

By Patrick Tepoorten, September 13, 2006

Much has been made in recent months about the risks of participating in online friends' groups such as Myspace.com. But an attempted kidnapping in Chisago County on Aug. 30 illustrates that there is no such thing as a "safe" internet.

Safe is likely how an Isanti woman felt when she agreed to set up a date with Ryan William Pageau, 32, of Forest Lake. After all, according to a criminal complaint against Pageau, they met at a Web site called Match.com, which bills itself as a highly reputable dating service. The site even includes daily advice from Dr. Phil McGraw, who is famous for his television advice show, "Dr. Phil."

The victim told investigators that she and Pageau communicated regularly online for two and a half months before she agreed to meet with him at a Forest Lake bar.

Yet, even after using a renowned service and spending months getting to know Pageau, the illusion of safety was soon shattered the night they met.

The victim first became concerned after a dinner in Forest Lake led to the Stacy Municipal bar. She believed that Pageau had too much alcohol to be driving, and attempted to call a friend from the bar restroom.

Pageau was refused service at the bar after a bartender noted Pageau appeared "obviously intoxicated."

The victim told Pageau that he was too drunk to drive in the parking lot of the bar, turned her back on him, and began to walk away.

Grabbing her from behind, Pageau allegedly pulled her into the car and put his hands around her throat. The victim recalls hearing a witness in the parking lot yell “hey, hey, hey,” to which Pageau responded that everything was fine. The victim’s plea to the contrary went unheard.

Pageau was observed a short time later weaving down Forest Blvd., near Wyoming, and was pulled over. As the Wyoming police officer approached the vehicle, Pageau sped away.

He would repeat that maneuver one more time before bursting through a fence and careening onto northbound Interstate 35, causing an accident that put a motorcyclist in the hospital with a broken leg and left the victim unconscious in her car.

According to police reports, the victim later told police that on both occasions Pageau feigned cooperation and pulled over she attempted to exit the vehicle, only to be thwarted by Pageau. Also thwarted was her attempt to call 911 on her cell phone.

During the chase, Pageau repeatedly threatened the victim, telling her to shut-up, saying, “If you say anything I will (expletive deleted) kill you.”

Pageau escaped on foot that night, but turned himself in to the Chisago County jail the next day. He is facing multiple charges for his conduct, including six felonies.

Kidnapping is the most serious of the charges with a possible 20 years in prison and/or \$35,000 fine. More charges include false imprisonment (three years, \$5,000), making terroristic threats (five years, \$10,000), two counts of criminal vehicular operation (three years, \$10,000 each), and fleeing a police officer (five years, \$10,000). He is also charged with second degree DWI and interfering with an emergency call. Both are gross misdemeanors.

Pageau is expected to appear in Chisago County court on Nov. 11 at 8:30 a.m. for an omnibus hearing.

According to the Bureau of Criminal Apprehension’s (BCA) criminal history database, available to the public online, Pageau has seven criminal convictions in the last 12 years.

That includes four felonies for various drug violations and fourth degree criminal sexual conduct. He has also been convicted of fleeing law enforcement and DWI.

The BCA’s criminal history search can be accessed at <https://cch.state.mn.us/Common/BCAHome.aspx>.

Although it is only complete to the level that jurisdictions have submitted information, it includes records of criminal behavior in Minnesota.

<http://www.ecmpostreview.com/2006/September/13adagobafois.html>



KVBC Las Vegas
By Nina Radetich

Crime Tracker 3 Special Report

Online Dating Awareness and Dangers, One Woman's Story

May 18, 2005, 6:42 PM CDT



It's Saturday night, and you don't have a date. Your friend, on the other hand, has got 'em lined up one after another. You see, she's entered the world of online dating, one of the most convenient ways to meet people nowadays. But does she know what she's getting into? In [Nina Radetich's Crime Tracker 3](#)

[report](#), the hidden dangers of online dating: One woman's harrowing story, and what you can learn from her experience.

"Any city you go to, whether it be Las Vegas or Podunk, people are going to say it's so hard to meet people in my city, but I just think it's hard in general." Hard to believe the woman voted Las Vegas' Sexiest Person in 2004 has ever had a tough time finding a date. Sonja Flaherty writes about her dating excursions in her relationship column in the Las Vegas Weekly. "It's about being single. There are good times, there's bad times, there's ups, there's downs."

Sonja has tried every avenue to meet people, partly for work partly because, "I am a romantic, I believe in love." Her logical next avenue? The internet. "This is pretty much what people do." She found a guy from California who piqued her interest. "I contacted him, and from the get go he was Mr. Good Guy, go to church on Sunday and am very close with my family." They corresponded for about a month, and eventually spoke on the phone. "I thought ch-ching... I struck gold." Before long, he'd planned a trip to come see her in person. "I said terrific. The first mistake I made was I said you can come to my house and pick me up." And they were off - to a popular local fundraiser, UNL-Vino. "Of course, at UNL-Vino there's a lot of wine involved. By the end of the evening, I was so infatuated, I thought, you know, this online dating, there's something to it."

CS/HB 575

**Document provided during
council meeting by
Bobbie Bean**

Our children deserve to be safe.



Call your Senators and Representatives today to ask for their support in passing the *Jeffrey Johnston Stand-Up for ALL Students Act*

If you don't care, who will?

**SHATTERED DREAMS
CAN COME TRUE,
IT COULD HAPPEN
TO YOU!**



My son at age 3.

Three batteries and an escort to the clinic. This is my story, to be brief, my son was beaten on the school bus by a student while in transit to the middle school. The boy who beat him, on the school bus, was in the same first period class as my son, and there again he was battered in the locker room (where no supervision was provided). As if that wasn't bad enough, the boy who

BULLYING –
it's in our children's school, at their bus stop and on their school bus! Someone needs to be accountable. Someone should have done something about this... **ANYTHING!**

battered my son was able to escort him to the school clinic beaten and threatened for the third time. Three separate incidences by the same student... all on the same day! My child was beaten to the point that another student

commented – he thought my son was going into a coma. It took the bravery of other students to pull this bully off of my son. Where was everybody else? On numerous occasions some intervention from the school staff and resource officers could have prevented this situation from intensifying and could have defused further actions from this bully. My son thought he was going to die and held on to the thought of getting back home to safety. My son was airlifted to Tampa General for head trauma and other injuries, due to these batteries, and still suffers emotionally from the magnitude of the batteries and threats that occurred from this incident. Schools should provide a safe environment to learn and a place where students know they are protected. Ironically, the boy who assaulted my son received a mere five-day suspension, from Sebring Middle School, rather than being expelled for the severity of his actions.

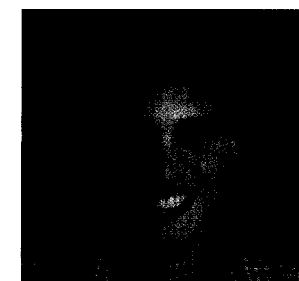
It's a sad state-of-affairs to know your child is nothing but a number, and that these issues, relating to bullying, happen so frequently that the school's staff has become calloused to the feelings of parents and children affected by violence in their school. As parents, our children are our most precious gifts. So, when a tragedy occurs, not only does it affect the victim, but it also impacts the family unit. We rely on our schools and law enforcement agencies to "Serve and Protect," protocols and procedures that have clear, concise language to enforce the safety, well-being and rights of our children while in the care of our schools. I keep asking myself these questions,

"How could this horrific event continue to happen – with no accountability? And why is Highlands County schools and law enforcement agencies so ill-equipped to handle these kinds of situations?" Pertinent information should be released promptly. In our case we did not know of the first confrontation on the school bus, or the third confrontation, until days later. For twenty-two agonizing minutes I had to contemplate whether my son would live or die. There should be accountability for endangering my son's life. How many children have to suffer and ultimately die from the effects of bullying before something is done.

Please take my story as an "eye-opener." Most people are under the false pretense that all schools are a safe haven for our children. As of now, there is no official "Bully Bill" in the State of Florida. And, until such bill passes, our children are at risk.

*Sincerely,
Bobbie Bean*

**NO LONGER CAN
YOU LOOK AWAY.**



*My son, at age 14,
just prior to this
horrific event.*

Bullying is a significant problem among our youth, and is steadily increasing. Many experts fear bullying has become so widespread and commonplace, that society has become oblivious to its extensive harm.

Bullying includes a wide variety of behaviors that serve no purpose other than to harm, harass, intimidate, humiliate, or dehumanize one or more persons. It can involve direct attacks (such as hitting, threatening or intimidating, maliciously teasing and taunting, name-calling, making sexual remarks, and stealing or damaging belongings) or more subtle, indirect attacks (such as spreading rumors or encouraging others to reject or exclude someone).

Bullying can lead a young person to feel tense, anxious, and afraid. It can negatively impact their concentration in school, and can often lead them to avoid school – potentially resulting in social isolation, depression, self-harm, and even suicide. The target often develops low self-esteem and decreased feelings of self-worth. Bullying can be devastating with lifelong consequences. Targets often take drastic measures; either turning their pain and anger outward, becoming bullies themselves... carrying weapons for protection or seeking violent revenge. Others turn their pain and frustration inward, harming themselves, in an attempt to escape. Researchers have found that years later, long after the bullying has stopped, adults who were bullied have higher levels of depression and poorer self-esteem than other adults.

Bullying is often a warning sign that children and teens are headed for trouble and are at risk for serious violence. Teens (particularly boys) who bully are more likely to engage in other antisocial/delinquent behavior (e.g., vandalism, shoplifting, truancy, and drug use) into adulthood. They are four times more likely than non-bullies to be convicted of crimes by age 24, with 60 percent of bullies having at least one criminal conviction.

Almost 30 percent of youth (over 5.7 million) are estimated to be involved in bullying as either a bully, a target of bullying, or both.

It is estimated that 160,000 children (15% of all school absenteeism) miss school each day due to fear of attack or intimidation by other students.

Young bullies carry a one-in-four chance of having a criminal record by age 30.

American schools harbor approximately 2.1 million bullies and 2.7 million of their victims.

One in seven students is either a bully or victim.

56% of students have personally witnessed some type of bullying at school.

71% of students report incidents of bullying as a problem at their school.

One out of 20 students has seen a student with a gun at school.

Cyber bullying occurs when bullies use the Internet or cell phones to send mean or intimidating messages, post pictures on the web, or spread mean rumors about the victim.

**Bullying must be taken seriously.
Too many children are being emotionally and/or physically injured due to apathy.**

WHAT CAN BE DONE TO STOP BULLYING?

Many effective, research-based programs have been developed to reduce bullying in schools. Studies have found that bullying is more likely to occur in schools where there is a lack of adult supervision during breaks, where teachers and students are indifferent to or accept bullying behavior, and where rules against bullying are not consistently enforced.

Approaches that simply crack down on individual bullies are seldom effective. In schools where there has been a schoolwide commitment to end bullying, incidents have been reduced by up to 50 percent. One effective approach focuses on changing school and classroom climates

by: raising awareness about bullying, increasing teacher and parent involvement and supervision, forming clear rules and strong social norms against bullying, and providing support and protection for ALL students. This approach involves

teachers, principals, students, and everyone associated with the school, including janitors, cafeteria workers, bus drivers and crossing guards. Students pledge not to bully other students, to help students who are bullied, and to make a point to include students who are left out.

Together we must push our legislators to pass the **“Jeffrey Johnston Stand-Up for ALL Students Act.”** Communication between homes, schools, law enforcement agencies and the community is essential. Action is needed to protect children who are bullied, and provide intervention for students that exhibit chronic bullying behavior. Enacting laws and policies such as those laid out in Jeff’s Bill will mandate the implementation of effective bullying prevention and intervention programs in Florida schools and help to keep ALL of our children safe!

**Call your
Senators and
Representatives
today to ask for
their support in
passing Jeff’s Bill**

SUMMARY OF PROPOSED BULLY PREVENTION BILL – SB114

This bill would prohibit bullying and harassment which substantially interferes with student’s educational performance, opportunities, or benefits and/or substantially disrupts the orderly operation of a school. The bill would provide a clear definition of bullying and harassment. It would require each school district to adopt a policy prohibiting such behaviors. Bill SB114 would require the Department of Education to develop a model with minimum requirements for the contents of the district policies. Policies must provide a system for anonymous reporting. The Jeffrey Johnston Bill would require Department of Education approval of a school district’s policy. School districts would be required to document implementation and compliance in reporting procedures as a prerequisite for receipt of safe school funds.



Demand that schools crack down on bullies by requiring districts to adopt policies prohibiting harassment, intimidation and bullying!

CS/HB 1231

**Document given to
members during council
meeting by
Representative Hukill**

To: House Appropriations Committee
 404 South Monroe Street, 201 The Capitol
 Tallahassee, FL 32399-1100

Date: 4/4/07

From:

Agency Affected: FL Department of Law Enforcement Telephone: 850.410.7001
 Program Manager: Donna Uzzell Telephone: 850.410.7100
 Agency Contact: Lynn Dodson Telephone: 850.410.7001
 Respondent: Jean Itzin Telephone: 850.410.7980

RE: HOUSE BILL # 1231 Relating to Prostitution (Hukill)

Identical / Compare / Similar: 2712 (Storms))

Revised to reflect provisions contained in the amendment adopted on 3/28/07 by the House Safety and Security Council
AND to reflect potential savings in fiscal if the bill is further amended to required Internet posting of only felons

Summary: Increases penalties for procuring minor for prostitution; revises provisions re sex trafficking; revises provisions prohibiting deriving support or maintenance from earnings of prostitution; prohibits owner or operator of any adult entertainment establishment or unlicensed massage establishment from allowing it to be used for advertising, facilitating, soliciting, promoting, or arranging certain prohibited activities, etc. **requires FDLE to create website containing certain information about persons convicted of specified violations**

I. FISCAL IMPACT ON STATE AGENCIES:	(FY 07-08)	(FY 08-09)	(FY 09-10)	
	Amount / FTE	Amount / FTE	Amount / FTE	
A. Revenues				
1. Recurring	\$18,750	\$25,000	\$25,000	
(estimated average 250 offenders per year convicted of a felony violation of Chapter 796.)				
2. Non-Recurring				
B. Expenditures	Please see charts below			
3 Positions	159,071	159,071	159,071	Salary & Benefits
Standard Expense for 3 Positions	29,745	19,467	19,467	Expense
Standard OCO for 3 Positions	3,900			Operating Capital
Standard HR Services for 3 Positions	1,203	1,203	1,203	Outlay
Hardware/Software				Human Resources
TOTAL	\$467,255	\$214,996	\$214,996	Services Expense

Funds from Operating Trust Fund: FDLE needs spending authority from the Trust Fund and authority to create these 3 positions.

The costs to create and maintain a database and programming to support data entry, update and deletion have been reduced by eliminating proposed test and development hardware. The remaining hardware and software costs are necessary to support an ongoing system and to ensure that internet access to other information and services is not compromised. The data sources and business rules for this database are new and different from any existing program at FDLE. Many existing programs are governed at least in part by federal laws.

By focusing the law on felons, FDLE will be able to work with one data source – the Department of Corrections (DC) – rather than 67 clerks with their own systems. DC will have photographs and data on these offenders and developing/managing data transfer protocols will be less costly than ongoing interfaces with the 67 clerks.

NOTE: The effective date for the bill is July 1, 2007. FDLE will not be able to develop and implement a new information reporting and Internet posting system by that date. We recommend that the effective date for Section 10 of the bill be changed to October 1, 2007

II. ESTIMATED FISCAL IMPACT ON LOCAL GOVERNMENTS: (Counties, Municipalities, School Districts, and Special Districts)
Impact to Clerks of Court who will have to report data on persons convicted or adjudication withheld on violations of Chapter 796 to FDLE within 10 days of sentencing. They are required to submit photographs, which is something they do not currently capture or submit.

III. ESTIMATED FISCAL IMPACT ON PRIVATE SECTOR:
N/A

IV. COMMENTS:

FDLE anticipates creating a new reporting mechanism for receiving the mandated data from the Clerks of Court. This will require new programming and hardware, and technical support for implementation and maintenance:

Item/Enhancement	Year 1 Development Cost	Recurring Maintenance Cost	Notes
Purchase Production Application Server for CJNET	\$8,500	\$0	
Purchase Production Application Server for Internet	\$17,000	\$0	
Purchase Database Server for Production and Disk	\$36,000	\$0	
Purchase Database Server for Test	\$9,000	\$0	
Purchase Database Server for Development	\$8,000	\$0	
Purchase Oracle License - for Production	\$147,371	\$26,575	*recurring cost for maintenance of Oracle License
Purchase Application Server License and Software	\$38,446	\$7,689	*BEA license for 4cpu (recurring cost for yearly maintenance)
Scanner	\$8,989	\$991	* purchase and install scanner recurring is annual maintenance
Hardware / Software Total	273,306	35,255	
	Year 1	Recurring	

*ASSUMPTION - Clerk will provide images directly via CJNET (match to prostitution demographic data via OBTS number)

NOTE - Current CCH system technology does not provide the capability to receive or store images

Based on FDLE's experience with the seal and expunge process and the posting of other offender data on the Internet, three Government Analyst I positions are needed for the continued coordination with Clerks of Court on submission, quality control on the internet postings and the operation of the program. One attorney is needed to manage interactions with attorneys representing subjects whose data is posted on line.

1 FTE - Systems Programming Consultant (salary & benefits)	\$64,255	64,255	Year 1: Design data structure to collect Prostitution data identifiers and images Create CJNET Data Maintenance program to manage data entry and data quality Create Internet application to allow public to search and view prostitution information Create Standard Ad-Hoc Reports Respond to Information Request for Prostitution data Develop daily transfer process between CCH and newly created Prostitution database Develop maintenance mechanism whereby errors created from daily transfer process are corrected Develop Method to receive images (booking photos) in jpeg standard format along with obts # and person identifiers Create process to load and match images to Prostitution demographic data Create Process to handle errors on images that failed to match RDBMS Installation and Configuration Recurring: Maintenance / Enhancement of System / Database / Coordination of data sharing with other agencies
Standard OCO	\$1,300	\$0	
Standard Expense	\$9,915	\$6,489	
HR	\$401	\$401	
	\$75,871	\$71,145	

Year 1 Year 2 Year 3

2 Government Analyst:

Salaries		72,936	72,936	72,936
Benefits		21,880	21,880	21,880
Standard Expense		19,830	12,978	12,978
Standard OCO		2,600		
Standard HR Services		802	802	802
	Total	118,048	108,596	108,596

TOTAL FOR 3 POSITIONS

	Year 1	Year 2	Year 3
	\$193,919	\$179,741	\$179,741

HARDWARE/SOFTWARE 273,306 35,255 35,255

TOTAL COSTS \$467,255 \$214,996 \$214,996

SEE SUBSTANTIVE ANALYSIS FOR ADDITIONAL COMMENTS

CS/HB 1231

**Document provided during
council meeting by
Cathy Paris, Women in
Need Network**

Operation China Doll - Orlando, FL

Li Ping Ding, a Chinese-born naturalized U.S. citizen, was arrested on Friday March 30, 2007 in connection with a two-year investigation dubbed "Operation China Doll" into an illicit industry which often exploits illegal immigrants. She was booked on 16 counts of deriving support and proceeds of prostitution, two counts of solicitation to commit prostitution, and one count each of maintaining a place for prostitution and racketeering.

Some of the women who cooperated after their arrests, told agents they had paid as much as \$50,000 to be smuggled into the United States through Canada. The women were forced to live in servitude because of their immigration status; they were living in squalor sleeping on the floors of back rooms in the massage parlors. The investigation revealed that they could as much as \$500 a day in tips, but due to the inordinate smuggling fees they were being charged, these women were living in slave-like conditions.

While some of these women may have voluntarily entered into prostitution, those who were paying off \$50,000 smuggling fees were victims of sex trafficking. They were living in squalor and sleeping on the floor in back rooms located at the massage parlors.

Li Ping Ding placed an ad advertising the sale of one of her massage parlors in March 2007. It was through this ad that police launched the sting operation that led to her arrest. Investigators say she offered to sell one of her massage parlors to an undercover Metropolitan Bureau of Investigation agent posing as a New York-based buyer. She told him that the business would pay for itself in three months.

Sex trafficking and prostitution are not victim-less crimes. While some prostitutes freely decide on this profession, their decision is based on past history of abuse. Lack of support services during their young years of being sexually abused, have led them into this life.

Sex trafficking is without choice or option. Modern day slavery is very real and it exists here in our country and in our state. Florida is the second busiest port in our nation for human trafficking and sex trafficking is the number one illicit activity. Women and children are forced into sex slavery, which is disguised as prostitution. We have women and children being sold 20 and 30 times a day, forced to submit to rape and sexual depravity.

Many victims of sex trafficking are killed to set an example to the others; for failing to meet their quota; and because they have outlived their usefulness. Others are resold to other brothel owners.

"Human Trafficking is a form of modern day slavery. It is an abomination before God and an offense against human dignity."

Special needs of trafficking victims:

Immediate assistance:

- Housing, food, medical, safety and security, language interpretation and legal services

Mental health assistance

- Counseling

Income assistance

- Cash, living assistance

Legal status

- T visa, immigration, certification

Central Florida Man Arrested for Organizing Sex Trips with Minors

A Florida man has been arrested for allegedly arranging for men in the United States to travel to Honduras to have sex with young teenage girls, Assistant Attorney General Alice S. Fisher of the Criminal Division and U.S. Attorney Paul I. Perez of the Middle District of Florida announced on May 11, 2006.

Gary B. Evans, 58, was arrested in his home in Cocoa Beach, Fla. on a criminal complaint that charges him with arranging for the travel of a person to engage in illicit sexual conduct - specifically, a commercial sex act with a person under 18 years of age. If convicted, Evans faces a maximum sentence of 30 years in prison.

According to the affidavit, submitted in support of the criminal complaint, in August 2005, Evans contacted the operator of a Web site which purported to sell "sex tour" packages to overseas locations. According to the Web site, the tour price would include an under-age companion who would have sex with the traveler. Evans allegedly proposed a partnership with the operator of the Web site in which they would jointly operate tours to Honduras and Costa Rica, where clients would pay to have sex with minors. However, the Web site was actually part of an undercover investigation being conducted by FBI agents who are part of the Innocence Images task force based in Calverton, Md.

In several emails, online and during phone conversations in September 2005, Evans allegedly agreed to arrange for two clients to travel to Honduras to engage in sex with two girls ages 14-year-old and 16. The agreed price for the hotel, expenses and sex was \$1,000.

According to the affidavit, on May 6, 2006, undercover agents from the Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) met three alleged associates of Evans in Honduras. The three associates ultimately brought two girls, who appeared to be between the ages of 14 and 16, to the hotel. After briefly meeting the girls, the undercover agents told the associates that they had to return to the United States to attend to an emergency. At that point, the girls safely left the hotel.

The sexual exploitation of children is a global problem, and U.S. law enforcement is working beyond our borders to protect the innocent from sexual predators," said Assistant Attorney General Alice S. Fisher of the Criminal. "We will do everything in our power to prosecute those who facilitate sex with minors and those who travel overseas and commit these horrible crimes."

Isabel, age 15 from Venezuela – drugged, kidnapped, shipped to America in a dark freight bin on a small boat, and forced into prostitution in Central Florida

- * Forced to work as a prostitute for 11 months
- * Forced to service as many as 30 men a day from the local military bases
- * One of her "johns" reported the brothel to the police
- * Rescued in a FBI raid a week later

Ginger, age 16 from Indonesia – Mail Order Bride

- * Married Jim, moved to Tampa and was forced into prostitution by her husband – to pay off the \$20,000 he said it cost to bring her here
- * First night as a prostitute, Ginger met some of Jim's other wives
- * He threatened to sell her to a brothel that would force her to service 30 men a night
- * Arrested for prostitution – turned over to the Dept. of Juvenile Justice

Human Trafficking Programs

Our human trafficking programs are designed to suit your needs; the programs can range from half-day seminars to three day training programs. Case studies pertinent to your region will be included in your training. All training programs include curriculum material.

Sample Training Modules

- * Modern Day Slavery ~ Human Trafficking Revealed
- * Human Trafficking: How Much Do You Know?
- * Recognizing Human Trafficking Victims
- * United States Response to Human Trafficking
- * Law Enforcement: Dealing with Trafficking Victims
- * Health Care Professionals: Health Issues of Trafficking Victims
- * Building a Community Response to Human Trafficking

- * We have additional modules to choose from, depending upon your needs and the length of desired program.

Additional Topics Covered in Training Programs

- *Smuggling versus Trafficking
- * How to Recognize a Trafficking Victim
- * Legal ramifications – Immigration & Visas
- * The Methods of Trafficking
- * Communicating with trafficking victims
- * Questions to ask & how to ask them
- * Building trust with victims
- * Special needs of victims
- * Where to find trafficking victims
- * Case studies

Experience

We have successfully worked with Senator Burt Saunders, Senator Gwen Margolis, State Representative Dennis Baxley and State Representative Larry Cretul to combat human trafficking.

We have successfully trained attendees from the following professions:

- Politicians
- Political support staff
- ICE Agents (Immigration & Customs Enforcement)
- Law enforcement (Sheriff departments, police officers, DOT)
- Attorneys
- Judges
- Counselors, therapists, and psychologists
- Teachers
- School Board members
- Case management workers
- Court clerks
- DCF staff
- Children's Home Society
- Kimberly's Cottage
- Guardian Ad Litem
- Social workers
- Victim advocates
- Clergy
- Ministries
- Medical personnel
- Concerned community members
- Human resource specialists

Our trainers are seasoned professionals with more than 10 years of training experience. All presentations are multi-media and interactive. Our program encourages audience participation through exercises, role playing, and situational scenarios.

Contact us for more information: 352-427-9227

To receive a quote, please include location and expected number of attendees.

Our Founder: Catherine Paris

Catherine is an expert in the fields of domestic violence and human trafficking. She has created educational programs, written curricula, speaks, and trains on these topics. She is available as a consultant; please contact her for further information at: c_paris@WomenInNeedNetwork.org

Human Rights Experience:

- * CEO & Founder of Women In Need Network
- * WIN International Training Institute
- * M.I.T. / SloanSpace: Chair of Gender Issues & Human Rights Working Group
- * Speaker
- * Trainer
- * Author
- * Developer of Curricula

Writing Experience:

Books

Modern Slave Trade: Human Trafficking Revealed - Available April 2007
Information Every Woman Should: Domestic Violence Handbook

Curricula

Faith Based Community Response to Family Violence
Effects of Family Violence on Children
Family Violence: Justice For All
Human Trafficking: How Much Do You Know?
The Cost of Domestic Violence in the Workplace
Sexual Harassment in the Workplace
Helping Male Victims of Domestic Violence
Train the Trainer (3 day program)
Train the Jailor - Domestic Violence Programs for Prisons

Additionally, Catherine Paris has been listed in the following publications:

Who's Who – American Business & Professional Women – Honors Edition
Who's Who – American Business & Professional Women
Who's Who – American High School Students

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building

CS/HB 1325 : Entertainment Industry Economic Development

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Charles Dean	X				
Bill Galvano	X				
Andy Gardiner	X				
Michael Grant	X				
Adam Hasner	X				
Will Kendrick			X		
Dick Kravitz	X				
Stan Mayfield			X		
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross			X		
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 31		Total Nays: 0			

Appearances:

Gabe Sheheane (Lobbyist) - Proponent
 FL Chamber of Commerce
 136 S. Bronough Street
 Tampa FL
 Phone: 850-284-8335

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/5/2007 9:00:00AM

Location: 212 Knott Building
Paul Sirmons - Proponent
State Film Commission
The Capitol - #2001
Tallahassee FL 32399

Committee meeting was reported out: Thursday, April 05, 2007 6:39:38PM