



Safety & Security Council

**Wednesday, April 16, 2008
10:00 a.m. – 10:30 a.m.
102 House Office Building, Reed Hall**

ACTION PACKET

**Marco Rubio
Speaker**

**Dick Kravitz
Chair**

COUNCIL MEETING REPORT

Safety & Security Council

4/16/2008 10:00:00AM

Location: Reed Hall (102 HOB)

Attendance:

| | <i>Present</i> | <i>Absent</i> | <i>Excused</i> |
|----------------------|----------------|---------------|----------------|
| Dick Kravitz (Chair) | X | | |
| Sandra Adams | X | | |
| James Frishe | X | | |
| Luis Garcia | X | | |
| Audrey Gibson | X | | |
| Dorothy Hukill | X | | |
| Kurt Kelly | X | | |
| Marcelo Llorente | X | | |
| Mitch Needelman | X | | |
| Juan-Carlos Planas | X | | |
| Dennis Ross | X | | |
| Maria Sachs | X | | |
| William Snyder | X | | |
| Priscilla Taylor | X | | |
| Nicholas Thompson | X | | |
| Perry Thurston | X | | |
| Totals: | 16 | 0 | 0 |

Committee meeting was reported out: Wednesday, April 16, 2008 11:05:23AM

COUNCIL MEETING REPORT

Safety & Security Council

4/16/2008 10:00:00AM

Location: Reed Hall (102 HOB)

HB 417 : Failure to Redeliver Hired Vehicles

Favorable with Council Substitute

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|-----------------------|-----|----------------------|---------|-----------------|-----------------|
| Sandra Adams | X | | | | |
| James Frishe | X | | | | |
| Luis Garcia | X | | | | |
| Audrey Gibson | | | X | | |
| Dorothy Hukill | | | X | | |
| Kurt Kelly | X | | | | |
| Marcelo Llorente | X | | | | |
| Mitch Needelman | X | | | | |
| Juan-Carlos Planas | | | | X | |
| Dennis Ross | X | | | | |
| Maria Sachs | X | | | | |
| William Snyder | | | X | | |
| Priscilla Taylor | X | | | | |
| Nicholas Thompson | X | | | | |
| Perry Thurston | | | X | | |
| Dick Kravitz (Chair) | X | | | | |
| Total Yeas: 11 | | Total Nays: 0 | | | |

Committee meeting was reported out: Wednesday, April 16, 2008 11:05:23AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 417

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 WITHDRAWN (Y/N)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 _____

*Traveling Amendment
No Action Required*

1 Council/Committee hearing bill: Committee on Homeland Security
2 & Public Safety

3 Representative Culp offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (3) of section 817.52, Florida

8 Statutes, is amended to read:

9 817.52 Obtaining vehicles with the intent to defraud,
10 failing to return hired vehicle, or tampering with mileage
11 device of hired vehicle.--

12 (3) FAILURE TO REDELIVER HIRED VEHICLE.--Whoever,
13 after hiring a motor vehicle under an agreement to redeliver the
14 same to the person letting such motor vehicle or his or her
15 agent, at the termination of the period for which it was let,
16 shall, without the consent of such person or persons and with
17 intent to defraud, abandon or willfully refuse to redeliver such
18 vehicle as agreed commits ~~shall, upon conviction, be guilty of a~~
19 felony of the third degree, punishable as provided in s.

20 775.082, s. 775.083, or s. 775.084. No law enforcement agency
21 shall require information not required by this subsection to be
22 supplied in order to accept a report of a violation of this

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

23 subsection. A report accepted by a law enforcement agency under
24 this subsection shall be entered into the National Crime
25 Information Center and the Florida Crime Information Center
26 listing the hired vehicle as a stolen vehicle.

27 Section 2. This act shall take effect July 1, 2008.
28
29

30 -----
31 T I T L E A M E N D M E N T

32 Remove the entire title and insert:

33 An act relating to failure to redeliver hired vehicles;
34 amending s. 817.52, F.S.; providing that information not
35 required by this subsection shall not be required in order
36 to report the failure to redeliver that hired vehicle in
37 violation of the specified provision; requiring the entry
38 of reports of such failures in specified reporting systems;
39 providing an effective date.

COUNCIL MEETING REPORT

Safety & Security Council

4/16/2008 10:00:00AM

Location: Reed Hall (102 HOB)

HB 555 : Domestic Violence

Favorable with Council Substitute

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|-----------------------|-----|----------------------|---------|-----------------|-----------------|
| Sandra Adams | X | | | | |
| James Frishe | X | | | | |
| Luis Garcia | X | | | | |
| Audrey Gibson | X | | | | |
| Dorothy Hukill | | | X | | |
| Kurt Kelly | X | | | | |
| Marcelo Llorente | X | | | | |
| Mitch Needelman | X | | | | |
| Juan-Carlos Planas | | | | X | |
| Dennis Ross | X | | | | |
| Maria Sachs | X | | | | |
| William Snyder | X | | | | |
| Priscilla Taylor | X | | | | |
| Nicholas Thompson | X | | | | |
| Perry Thurston | X | | | | |
| Dick Kravitz (Chair) | X | | | | |
| Total Yeas: 14 | | Total Nays: 0 | | | |

Appearances:

HB 555

Terri Poore, Director of Public Affairs (Lobbyist) - Proponent

Florida Council Against Sexual Violence

1311 N Paul Russell Road, Suite A-204

Tallahassee FL 32301

Phone: 850-297-2000

Committee meeting was reported out: Wednesday, April 16, 2008 11:05:23AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 555

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 _____

*Traveling Amendment
No Action Required*

1 Council/Committee hearing bill: Homeland Security & Public Safety

2 Representative Long offered the following:

3

4

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

5

Remove line 2 and insert:

6

An act relating to violations of injunctions for protection;

7

amending s. 784.047,

COUNCIL MEETING REPORT

Safety & Security Council

4/16/2008 10:00:00AM

Location: Reed Hall (102 HOB)

HB 581 : Court Costs for Drug Court Programs

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|---|-----|----------------------|---------|-----------------|-----------------|
| <input checked="" type="checkbox"/> Favorable | | | | | |
| Sandra Adams | X | | | | |
| James Frishe | X | | | | |
| Luis Garcia | X | | | | |
| Audrey Gibson | X | | | | |
| Dorothy Hukill | | | X | | |
| Kurt Kelly | X | | | | |
| Marcelo Llorente | X | | | | |
| Mitch Needelman | X | | | | |
| Juan-Carlos Planas | | | | X | |
| Dennis Ross | X | | | | |
| Maria Sachs | X | | | | |
| William Snyder | X | | | | |
| Priscilla Taylor | X | | | | |
| Nicholas Thompson | X | | | | |
| Perry Thurston | X | | | | |
| Dick Kravitz (Chair) | X | | | | |
| Total Yeas: 14 | | Total Nays: 0 | | | |

Appearances:

HB 581

William Janes, Director (Lobbyist) (State Employee) - Proponent
Governor's Office of Drug Control
400 S Monroe Street
Tallahassee FL 32399
Phone: 850-488-9557

HB 581

Mark Fontaine, Executive Director (Lobbyist) - Proponent
Florida Alcohol and Drug Abuse Association
2868 Mahan Drive, Suite 1
Tallahassee FL 32308
Phone: 850-878-2176

HB 581

Melanie May, Judge, 4th District Court of Appeal (State Employee) - Proponent
Florida Association of Drug Court Professionals
1325 Palm Beach Lakes Blvd
West Palm Beach FL 33402
Phone: 561-242-2028

Committee meeting was reported out: Wednesday, April 16, 2008 11:05:23AM

COUNCIL MEETING REPORT

Safety & Security Council

4/16/2008 10:00:00AM

Location: Reed Hall (102 HOB)

HB 931 : Residential Tenancies

Favorable with Council Substitute

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|-----------------------|-----|----------------------|---------|-----------------|-----------------|
| Sandra Adams | X | | | | |
| James Frishe | X | | | | |
| Luis Garcia | X | | | | |
| Audrey Gibson | X | | | | |
| Dorothy Hukill | | | X | | |
| Kurt Kelly | X | | | | |
| Marcelo Llorente | X | | | | |
| Mitch Needelman | X | | | | |
| Juan-Carlos Planas | X | | | | |
| Dennis Ross | X | | | | |
| Maria Sachs | X | | | | |
| William Snyder | X | | | | |
| Priscilla Taylor | X | | | | |
| Nicholas Thompson | X | | | | |
| Perry Thurston | X | | | | |
| Dick Kravitz (Chair) | X | | | | |
| Total Yeas: 15 | | Total Nays: 0 | | | |

Appearances:

HB 931

Ron Book (Lobbyist) - Opponent
Florida Apartment Association
209 S Adams
Tallahassee FL 32301

HB 931

Mac Stipanovich (Lobbyist) - Proponent
Florida Coalition Against Domestic Violence
Tallahassee FL
Phone: 850-545-8141

HB 931

Terri Poore, Director of Public Affairs (Lobbyist) - Proponent
Florida Council Against Sexual Violence
1311 N Paul Russell Road, Suite A-204
Tallahassee FL 32301
Phone: 850-297-2000

HB 931

Arthur Rosenberg (Lobbyist) - Proponent
Florida Legal Services
3000 Biscayne Blvd
Miami FL 33137
Phone: 850-509-2085

Committee meeting was reported out: Wednesday, April 16, 2008 11:05:23AM

COUNCIL MEETING REPORT

Safety & Security Council

4/16/2008 10:00:00AM

Location: Reed Hall (102 HOB)

HB 931

Freyja Harris, Program Director (Lobbyist) - Proponent

Florida Coalition for the Homeless

606 W 4th Ave, Suite 12

Tallahassee FL 32312

Phone: 850-412-0021

HB 931

Rayme Nuckles, CEO (General Public) - Proponent

Homeless Coalition of Hillsborough County

1507 East North Street

Tampa FL 33610

Phone: 813-404-7514

Committee meeting was reported out: Wednesday, April 16, 2008 11:05:23AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01 (for drafter's use only)

Bill No. **HB 931**

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 _____

*Favorable
4-16-08*

1 Council/Committee hearing bill: Safety & Security Council
2 Representative(s) Adams offered the following:

3
4 **Amendment**

5 Remove line 83 and insert:

6 1. A copy of a permanent injunction for protection against
7 domestic

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02 (for drafter's use only)

Bill No. **HB 931**

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 _____

*Favorable
4.16.08*

1 Council/Committee hearing bill: Safety & Security Council
2 Representative(s) Adams offered the following:

3

4 **Amendment**

5 Remove line 85 and insert:

6 permanent injunction for protection against repeat violence,
7 sexual

COUNCIL MEETING REPORT

Safety & Security Council

4/16/2008 10:00:00AM

Location: Reed Hall (102 HOB)

HB 941 : Claims to Escheated Property

Favorable with Council Substitute

| | Yea | Nay | No Vote | Absentee Yea | Absentee Nay |
|-----------------------|-----|----------------------|---------|-----------------|-----------------|
| Sandra Adams | X | | | | |
| James Frishe | X | | | | |
| Luis Garcia | X | | | | |
| Audrey Gibson | | | X | | |
| Dorothy Hukill | | | X | | |
| Kurt Kelly | X | | | | |
| Marcelo Llorente | X | | | | |
| Mitch Needelman | X | | | | |
| Juan-Carlos Planas | | | | X | |
| Dennis Ross | X | | | | |
| Maria Sachs | X | | | | |
| William Snyder | X | | | | |
| Priscilla Taylor | X | | | | |
| Nicholas Thompson | X | | | | |
| Perry Thurston | X | | | | |
| Dick Kravitz (Chair) | X | | | | |
| Total Yeas: 13 | | Total Nays: 0 | | | |

Appearances:

HB 941

Martha Edenfield (Lobbyist) - Proponent

Real Property, Probate and Trust Law Section of the Florida Bar

P O Box 10095

Tallahassee FL 32302

Phone: 850-222-3533

Committee meeting was reported out: Wednesday, April 16, 2008 11:05:23AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. HB 941

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 _____

*favourable
4.16.08*

Council/Committee hearing bill: Safety & Security Council
Representative Frishe offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (6) of section 732.103, Florida Statutes, is amended to read:

732.103 Share of other heirs.--The part of the intestate estate not passing to the surviving spouse under s. 732.102, or the entire intestate estate if there is no surviving spouse, descends as follows:

(6) If none of the foregoing, and if any of the descendants of the decedent's great-grandparents were Holocaust victims as defined in s. 626.9543(3)(a), including such victims in countries cooperating with the discriminatory policies of Nazi Germany, then to the descendants of the great-grandparents. The court shall allow any such descendant to meet a reasonable, not unduly restrictive, standard of proof to substantiate his or her lineage. This subsection only applies only to estate property deposited with the Chief Financial Officer pursuant to s. 732.107, regardless of whether the specified 10-year

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

23 ~~escheatment period has run, escheated property~~ and shall cease
24 to be effective for proceedings filed after December 31, 2010
25 ~~2004~~.

26 Section 2. Subsection (2) of section 732.402, Florida
27 Statutes, is amended to read:

28 732.402 Exempt property.--

29 (2) Exempt property shall consist of:

30 (a) Household furniture, furnishings, and appliances in
31 the decedent's usual place of abode up to a net value of \$20,000
32 ~~\$10,000~~ as of the date of death.

33 (b) Up to two motor vehicles as defined in s. 316.003(21),
34 each of which do not have a gross vehicle weight in excess of
35 15,000 pounds, All automobiles held in the decedent's name and
36 regularly used by the decedent or members of the decedent's
37 immediate family as their personal vehicles automobiles.

38 (c) All qualified tuition programs authorized by s. 529 of
39 the Internal Revenue Code, including, but not limited to,
40 advance payment contracts under s. 1009.98 and participation
41 agreements under s. 1009.981 Stanley G. Tate Florida Prepaid
42 College Program contracts purchased and Florida College Savings
43 agreements established under part IV of chapter 1009.

44 (d) All benefits paid pursuant to s. 112.1915.

45 Section 3. Subsection (1) of section 733.602, Florida
46 Statutes, is amended to read:

47 733.602 General duties.--

48 (1) A personal representative is a fiduciary who shall
49 observe the standards of care applicable to trustees ~~as~~
50 ~~described by part VII of chapter 736~~. A personal representative
51 is under a duty to settle and distribute the estate of the
52 decedent in accordance with the terms of the decedent's will and
53 this code as expeditiously and efficiently as is consistent with

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

54 the best interests of the estate. A personal representative
55 shall use the authority conferred by this code, the authority in
56 the will, if any, and the authority of any order of the court,
57 for the best interests of interested persons, including
58 creditors.

59 Section 4. This act shall take effect July 1, 2008.
60
61

62 -----
63 T I T L E A M E N D M E N T

64 Remove the entire title and insert:
65

66 An act relating to probate; amending s. 732.103, F.S.;
67 authorizing intestate property that has escheated to the
68 state to descend to certain Holocaust descendants prior to
69 the 10-year escheatment period; extending the effective
70 date of this provision; amending s. 732.402, F.S.;
71 revising the list of property that is exempt from most
72 claims against the estate; amending s. 733.602, F.S.;
73 revising which standard of care is applicable to a
74 personal representative responsible for settling an
75 estate; providing an effective date.
76
77

COUNCIL MEETING REPORT

Safety & Security Council

4/16/2008 10:00:00AM

Location: Reed Hall (102 HOB)

Summary:

Safety & Security Council

Wednesday April 16, 2008 10:00 am

| | | | |
|--------|-----------------------------------|----------|---------|
| HB 417 | Favorable with Council Substitute | Yeas: 11 | Nays: 0 |
| HB 555 | Favorable with Council Substitute | Yeas: 14 | Nays: 0 |
| HB 581 | Favorable | Yeas: 14 | Nays: 0 |
| HB 931 | Favorable with Council Substitute | Yeas: 15 | Nays: 0 |
| HB 941 | Favorable with Council Substitute | Yeas: 13 | Nays: 0 |

Committee meeting was reported out: Wednesday, April 16, 2008 11:05:23AM