



Criminal & Civil Justice Policy Council

Tuesday, April 13, 2010

9:15 AM

404 HOB

Council Actions

**Larry Cretul
Speaker**

**William Snyder
Chair**

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council
4/13/2010 9:15:00AM

Location: 404 HOB

Summary:

Criminal & Civil Justice Policy Council

Tuesday April 13, 2010 09:15 am

CS/HB 317	Favorable	Yeas: 12	Nays: 0
CS/CS/HB 787	Favorable	Yeas: 11	Nays: 0
HJR 1399	Favorable With Council Substitute	Yeas: 10	Nays: 4
HB 1449	Favorable With Council Substitute	Yeas: 11	Nays: 4

Committee meeting was reported out: Tuesday, April 13, 2010 1:16:53PM

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council

4/13/2010 9:15:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
William Snyder (Chair)	X		
Sandra Adams	X		
Kevin Ambler	X		
Carl Domino	X		
Eric Eisnaugle	X		
Adam M. Fetterman	X		
Luis Garcia	X		
Audrey Gibson			X
Eduardo Gonzalez	X		
Tom Grady	X		
Doug Holder	X		
Julio Robaina	X		
Robert Schenck	X		
Perry Thurston	X		
James Waldman	X		
Michael Weinstein	X		
Totals:	15	0	1

Committee meeting was reported out: Tuesday, April 13, 2010 1:16:53PM

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council

4/13/2010 9:15:00AM

Location: 404 HOB
CS/HB 317 : Threats

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Kevin Ambler				X	
Carl Domino	X				
Eric Elsnaugle	X				
Adam M. Fetterman	X				
Luis Garcia	X				
Audrey Gibson			X		
Eduardo Gonzalez			X		
Tom Grady	X				
Doug Holder	X				
Julio Robaina	X				
Robert Schenck				X	
Perry Thurston	X				
James Waldman	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 12		Total Nays: 0			

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COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council

4/13/2010 9:15:00AM

Location: 404 HOB

CS/CS/HB 787 : Child Abduction Prevention

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Kevin Ambler				X	
Carl Domino	X				
Eric Eisnaugle	X				
Adam M. Fetterman	X				
Luis Garcia				X	
Audrey Gibson			X		
Eduardo Gonzalez			X		
Tom Grady	X				
Doug Holder	X				
Julio Robaina	X				
Robert Schenck				X	
Perry Thurston	X				
James Waldman	X				
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 11 Total Nays: 0					

Appearances:

HB 787 Child Abduction Prevention
 Carolyn Ann Vlk (General Public) - Proponent
 2155 67th Avenue S
 St. Petersburg FL 33712
 Phone: 727-565-6500

Committee meeting was reported out: Tuesday, April 13, 2010 1:16:53PM

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council

4/13/2010 9:15:00AM

Location: 404 HOB

HJR 1399 : Religious Freedom

Favorable With Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Kevin Ambler	X				
Carl Domino	X				
Eric Eisnaugle	X				
Adam M. Fetterman		X			
Luis Garcia		X			
Audrey Gibson			X		
Eduardo Gonzalez	X				
Tom Grady	X				
Doug Holder	X				
Julio Robaina			X		
Robert Schenck	X				
Perry Thurston		X			
James Waldman		X			
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 10		Total Nays: 4			

Appearances:

HJR 1399 Religious Freedom
 David Barkey, Southern Area Counsel (Lobbyist) - Opponent
 Anti-Defamation League
 621 NW 53rd St, Suite 450
 Boca Raton FL 33487
 Phone: 561-988-2912

HJR 1399 Religious Freedom
 Patricia Levesque, Executive Director - Proponent
 Foundation for Florida's Future
 215 S Monroe Street, Suite 100
 Tallahassee FL 32301
 Phone: 850-391-3070

HJR 1399 Religious Freedom
 Daria Dawson, Legislative Advocate (Lobbyist) - Opponent
 ACLU of Florida
 13448 N Meridian Rd
 Tallahassee FL 32312
 Phone: 850-459-1022

HJR 1399 Religious Freedom
 Michael Sheedy, Associate Director for Health (Lobbyist) - Proponent
 Florida Catholic Conference
 201 W Park Ave
 Tallahassee FL 32301
 Phone: 850-222-3803

Committee meeting was reported out: Tuesday, April 13, 2010 1:16:53PM

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council

4/13/2010 9:15:00AM

Location: 404 HOB

HJR 1399 Religious Freedom
Latha Krishnaiyer, Legislation Chair (General Public) - Opponent
Florida PTA
10405 NW 6th Street
Coral Springs FL 33071
Phone: 954-752-8373

HJR 1399 Religious Freedom
Rich Templin (Lobbyist) - Opponent
Florida AFL-CIO
135 S Monroe St
Tallahassee FL 32301
Phone: 850-224-6926

HJR 1399 Religious Freedom
Gabe Sheheane, Government Affairs (Lobbyist) - Proponent
Florida Chamber of Commerce
136 s Bronough St
Tallahassee FL 32301
Phone: 850-521-1200

HJR 1399 Religious Freedom
Kevin Watson (Lobbyist) - Opponent
Florida Education Association
201 S Adams Street
Tallahassee FL 32301
Phone: 850-224-2078

HJR 1399 Religious Freedom
Bill Bunkley, Legislative Consultant (Lobbyist) - Proponent
Florida Baptist Convention
1836 Jayclif Ct
Tallahassee FL
Phone: 850-942-4377

HJR 1399 Religious Freedom
Marilynn Wills, 2nd Vice President (General Public) - Opponent
League of Women Voters of Florida
2326 Kilkenny Dr, West
Tallahassee FL 32309
Phone: 850-893-4104

HJR 1399 Religious Freedom
Nathan Dunn, Vice President, Public Policy (Lobbyist) - Proponent
Florida Family Action
P O Box 10626
Tallahassee FL 32302
Phone: 850-567-8143

Committee meeting was reported out: Tuesday, April 13, 2010 1:16:53PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HJR 1399 (2010)

Amendment No.

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	_____	

*Amendable
4-13-10*

1 Council/Committee hearing bill: Criminal & Civil Justice Policy
2 Council
3 Representative(s) Precourt offered the following:
4

5 **Amendment (with ballot and title amendments)**

6 Remove everything after the resolving clause and insert:

7 That the following amendment to Section 3 of Article I of
8 the State Constitution is agreed to and shall be submitted to
9 the electors of this state for approval or rejection at the next
10 general election or at an earlier special election specifically
11 authorized by law for that purpose:

12 ARTICLE I

13 DECLARATION OF RIGHTS

14 SECTION 3. Religious freedom.—There shall be no law
15 respecting the establishment of religion or prohibiting or
16 penalizing the free exercise thereof. Religious freedom shall
17 not justify practices inconsistent with public morals, peace or
18 safety. An individual may not be barred from participating in
19 any public program because that individual has freely chosen to

Amendment No.

20 use his or her program benefits at a religious provider. No
21 ~~revenue of the state or any political subdivision or agency~~
22 ~~thereof shall ever be taken from the public treasury directly or~~
23 ~~indirectly in aid of any church, sect, or religious denomination~~
24 ~~or in aid of any sectarian institution.~~
25
26
27

28 -----
29 **B A L L O T A M E N D M E N T**

30 Remove lines 33-39 and insert:

31 RELIGIOUS FREEDOM.—Proposing an amendment to the State
32 Constitution to provide that an individual may not be barred
33 from participating in any public program because that individual
34 has chosen to use his or her program benefits at a religious
35 provider, and to delete the prohibition against using revenues
36 from the public treasury directly or indirectly in aid of any
37 church, sect, or religious denomination or in aid of any
38 sectarian institution.
39
40
41

42 -----
43 **T I T L E A M E N D M E N T**

44 Remove the entire title and insert:

45 A joint resolution proposing an amendment to Section 3 of
46 Article I of the State Constitution to provide that an
47 individual may not be barred from participating in any public

COUNCIL/COMMITTEE AMENDMENT

Bill No. HJR 1399 (2010)

Amendment No.

48 | program because of choosing to use public benefits at a
49 | religious provider and to delete a prohibition against using
50 | public revenues in aid of any church, sect, or religious
51 | denomination or any sectarian institution.

am 1-
am 1

COUNCIL/COMMITTEE AMENDMENT

Bill No. HJR 1399 (2010)

Amendment No.

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 _____

*Failed
4.13.10*

1 Council/Committee hearing bill: Criminal & Civil Justice Policy
2 Council

3 Representative Fetterman offered the following:

4
5 **Amendment** *to Amendment 1* (with directory, ballot, and title amendments)

6 Remove lines ~~22-27~~ *18-24* and insert:
7 safety. No revenue of the state or any political subdivision or
8 agency thereof shall ever be taken from the public treasury
9 directly or indirectly in aid of any church, sect, or religious
10 denomination or in aid of any sectarian institution.

11 *do not remove new language, remove strike on lines*
12 *20-24*

14 **D I R E C T O R Y A M E N D M E N T**

15 Remove line ~~11~~ *7* and insert:

16 That the following reenactment of Section 3 of Article I of
17
18
19 -----

COUNCIL/COMMITTEE AMENDMENT

Bill No. HJR 1399 (2010)

Amendment No.

BALLOT AMENDMENT

Remove lines ~~35-39~~ and insert:

RELIGIOUS FREEDOM.—Proposing the reenactment of section 3, Article I of the State Constitution to provide that there shall be no law respecting the establishment of religion or prohibiting or penalizing the free exercise thereof; that religious freedom shall not justify practices inconsistent with public morals, peace, or safety; and that no revenue of the state or any political subdivision or agency thereof shall ever be taken from the public treasury directly or indirectly in aid of a any church, sect, or religious denomination or in aid of any sectarian institution.

TITLE AMENDMENT

Remove lines ~~45-51~~ and insert:

A joint resolution proposing the reenactment of Section 3 of Article I of the State Constitution relating to religious freedom.

am 2 - am 1



Withdrawn
4.13.10

HOUSE OF REPRESENTATIVES

Council/Committee on _____

Date 4/13/10 Action _____

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Council/Committee, but **not** on House Floor)

Amendment No. AA1

Bill No. 1399

(For filing with the Clerk, Council, Committee and Member Amendments **must** be prepared by House Bill Drafting Services (Rule 12.1))

Representative(s)/The Council/Committee on WALDMAN

offered the following amendment: _____

Amendment:

on page 2, line(s) 20,

insert: use his or her program benefits
at a program qualified religious
provider.

Copy to Council/Committee Administrative Assistant

am 3-am1



HOUSE OF REPRESENTATIVES

failed
4.13.10

Council/Committee on _____

Date 4/13/10 Action _____

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Council/Committee, but **not** on House Floor)

Amendment No. AA2

Bill No. 1399

(For filing with the Clerk, Council, Committee and Member Amendments **must** be prepared by House Bill Drafting Services (Rule 12.1))

Representative(s)/The Council/Committee on WALDMAN

offered the following amendment: _____

Amendment:

on page 2, line(s) remove 20

insert: use his or her program benefits at a religious provider that is a qualified program provider.

Copy to Council/Committee Administrative Assistant

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council

4/13/2010 9:15:00AM

Location: 404 HOB

HB 1449 : Parental Notice of Abortion

Favorable With Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Kevin Ambler	X				
Carl Domino		X			
Eric Eisnagle	X				
Adam M. Fetterman		X			
Luis Garcia	X				
Audrey Gibson			X		
Eduardo Gonzalez	X				
Tom Grady	X				
Doug Holder	X				
Julio Robaina	X				
Robert Schenck	X				
Perry Thurston		X			
James Waldman		X			
Michael Weinstein	X				
William Snyder (Chair)	X				
Total Yeas: 11		Total Nays: 4			

Appearances:

HB 1449 Parental Notice of Abortion
 Daria Dawson, Legislative Advocate (Lobbyist) - Opponent
 ACLU of Florida
 13448 N Meridian Rd
 Tallahassee FL 32312
 Phone: 850-459-1022

HB 1449 Parental Notice of Abortion
 Jessica Lowe-Minor, Legislative Field Manager (Lobbyist) - Opponent
 Florida Alliance of Planned Parenthood Affiliates
 736 Central Avenue
 Sarasota FL 34236
 Phone: 850-566-5440

HB 1449 Parental Notice of Abortion
 Bill Bunkley, Legislative Consultant (Lobbyist) - Proponent
 Florida Baptist Convention
 1836 Jayclif Ct
 Tallahassee FL
 Phone: 850-942-4377

HB 1449 Parental Notice of Abortion
 Nathan Dunn, Vice President, Public Policy (Lobbyist) - Proponent
 Florida Family Action
 P O Box 10626
 Tallahassee FL 32302
 Phone: 850-567-8143

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Criminal & Civil Justice Policy Council

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Location: 404 HOB

HB 1449 Parental Notice of Abortion

Michael Sheedy, Associate Director for Health (Lobbyist) - Proponent

Florida Catholic Conference

201 W Park Ave

Tallahassee FL 32301

Phone: 850-222-3803

HB 1449 Parental Notice of Abortion

Anthony Verdugo, Founder and Executive Director (Lobbyist) - Proponent

Christian Family Coalition

P O Box 650216

Miami FL 33265

Phone: 786-447-6431

Committee meeting was reported out: Tuesday, April 13, 2010 1:16:53PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **HB 1449**

COUNCIL 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
4.13.10*

1 Council hearing bill: Criminal and Civil Justice Policy Council
 2 Representative(s) Stargel offered the following:

Amendment (with Title amendment)

Remove line(s) 240-251:

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

Remove line(s) 17-18 and insert:

child abuse; providing for severability; providing an effective
date.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1449 (2010)

Amendment No. 2

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
4-13-10

1 Council/Committee hearing bill: Health & Family Services Policy
2 Council
3 Representative(s) Stargel offered the following:

4
5 **Amendment**

6
7 Delete lines 119 - 120 and insert:

8
9 (a) A minor may petition any circuit court in the a judicial
10 circuit ~~within the jurisdiction of the District Court of Appeal~~
11

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 1449 (2010)

Amendment No. 3

COUNCIL/COMMITTEE ACTION

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

*favorable
4-13-10*

1 Council/Committee hearing bill: Criminal & Civil Justice Policy
2 Council
3 Representative(s) Stargel offered the following:

4
5 **Amendment**

6 Remove lines 235-236 and insert:
7 notice, the reason the waiver was granted shall be included in
8 the report according to whether the court found the minor to be
9 either sufficiently mature, a victim of sexual abuse, a victim
10 of child abuse, or the court found that notification of a parent
11 or guardian was not in the best interest of the minor. The
12 report shall also indicate the number of petitions filed by
13 minors whose primary residence was outside of Florida at the
14 time their petition was filed.
15

Amendment No. 4

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
4.13.10*

1 Council/Committee hearing bill: Criminal & Civil Justice Policy
 2 Council
 3 Representative(s) Grady offered the following:

Amendment

Between lines 175 and 176, insert:

3. Whether the minor is aware that:

8 a. Payment of medical expenses associated with carrying
 9 the child to term is available for eligible pregnant minors
 10 under Medicaid, the Florida Healthy Kids program, many private
 11 insurance plans and numerous faith and philanthropic resources;
 12 and

13 b. There is a shortage of newborn babies available for
 14 adoption, and that the demand is very high from qualified
 15 families.

16



HOUSE OF REPRESENTATIVES

failed
4.13.10

Council/Committee on

Fetterman

Date

Action

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Council/Committee, but **not** on House Floor)

Amendment No.

Bill No.

1449

(For filing with the Clerk, Council, Committee and Member Amendments **must** be prepared by House Bill Drafting Services (Rule 12.1))

Representative(s)/The Council/Committee on

offered the following amendment:

Amendment:

to Amendment 4

on page

6, 16

, line(s)

c.) - ~~that~~ that government assistance is not or may not be available to assist with the rearing of the child.

Copy to Council/Committee Administrative Assistant