

Criminal & Civil Justice Policy Council

Tuesday, March 9, 2010

11:00 AM

404 HOB

Council Actions

**Larry Cretul
Speaker**

**William Snyder
Chair**

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council
3/9/2010 11:00:00AM

Location: 404 HOB

Summary:

Criminal & Civil Justice Policy Council

Tuesday March 09, 2010 11:00 am

HB 689	Favorable	Yeas: 13	Nays: 2
HB 985	Favorable	Yeas: 13	Nays: 0
PCB CCJP 10-05	Favorable	Yeas: 13	Nays: 0

Committee meeting was reported out: Tuesday, March 09, 2010 2:22:03PM

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council

3/9/2010 11:00:00AM

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, March 09, 2010 2:22:03PM

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council
3/9/2010 11:00:00AM

Location: 404 HOB
HB 689 : Negligence

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: 13		Total Nays: 2			

Appearances:

HB 689 Negligence
 Paul Anderson (General Public) - Proponent
 Florida Justice Association
 S Monroe St
 Tallahassee FL
 Phone: 850-224-9403

HB 689 Negligence
 Adam Babington, Director of Governmental Affairs (Lobbyist) - Proponent
 Florida Chamber of Commerce
 136 S Bronough St
 Tallahassee FL 32301
 Phone: 850-521-1224

HB 689 Negligence
 Warren Husband (Lobbyist) - Proponent
 Florida Restaurant & Lodging Association
 P O Box 10909
 Tallahassee FL 32302
 Phone: 850-205-9000

HB 689 Negligence
 William Large, President (Lobbyist) - Proponent
 Florida Justice Reform Institute
 210 S Monroe Street
 Tallahassee FL 32301
 Phone: 850-222-0170

Committee meeting was reported out: Tuesday, March 09, 2010 2:22:03PM

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council
3/9/2010 11:00:00AM

Location: 404 HOB

HB 689 Negligence
Ken Sobel (General Public) - Opponent
7460 NW 127 Terrace
Parkland FL 33076
Phone: 954-249-1078

HB 689 Negligence
Jim Smith, President (Lobbyist) - Proponent
Florida Petroleum Marketers & Convenience Stores
209 Office Plaza Dr.
Tallahassee FL 32301
Phone: 850-877-5178

HB 689 Negligence
Barbara DeVane, Secretary (Lobbyist) - Opponent
Florida Alliance for Retired Americans
625 E Brevard Street
Tallahassee FL 32308
Phone: 850-222-3969

HB 689 Negligence
Keri Hebrank (Lobbyist) - Proponent
Florida Building Material Association
7711 Deepwood Trail
Tallahassee FL 32317
Phone: 850-877-7838

HB 689 Negligence
Tammy Perdue, General Counsel (Lobbyist) - Proponent
Associated Industries of Florida
516 N Adams Street
Tallahassee FL 32301
Phone: 850-224-7173

HB 689 Negligence
Allen Douglas, Legislative Affairs Director (Lobbyist) - Proponent
National Federation of Independent Business
110 E Jefferson Street
Tallahassee FL 32301
Phone: 850-681-0416

HB 689 Negligence
Samantha Padgett, Deputy General Counsel (Lobbyist) - Proponent
Florida Retail Federation
227 S Adams Street
Tallahassee FL 32301
Phone: 850-222-4082

Committee meeting was reported out: Tuesday, March 09, 2010 2:22:03PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 689 (2010)

Amendment No. 1

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 _____

*Withdrawn
3-9-10*

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

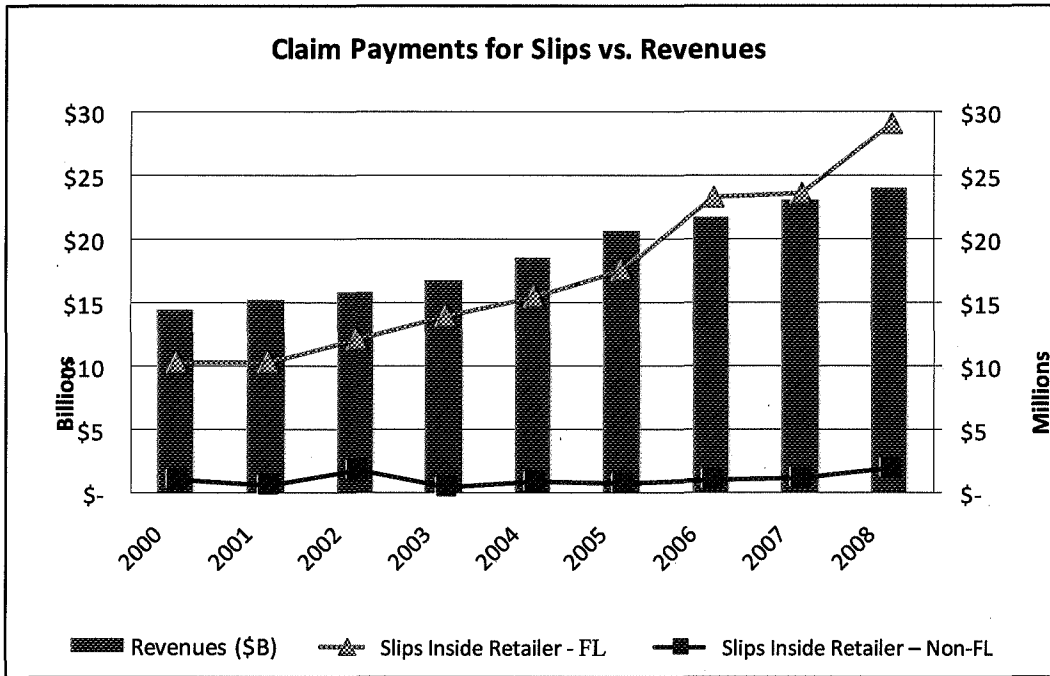
Amendment

6 Remove line 30 and insert:
7 therefore foreseeable.

9 A business establishment in possession and control of evidence
10 of the business' actual or constructive knowledge of the
11 condition of the premises at the time of the injury which
12 documents the existence of such evidence shall have the duty to
13 preserve such documentation and the evidence for a reasonable
14 period of time.

Impact of FS 768.0710 on Slip and Fall Claims Trends in Florida

1.



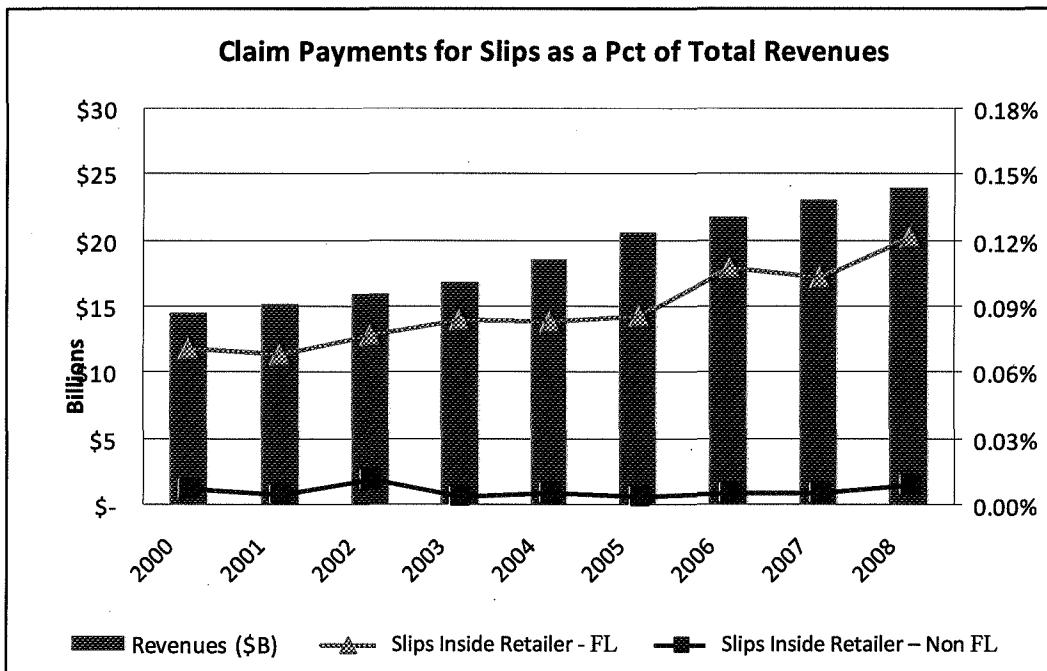
Annualized Growth Rate since 2000

Revenues: + 6.5%

Slips Inside Retailer - FL locations: + 13.9%

Slips Inside Retailer - Non FL locations: + 8.4%

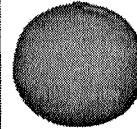
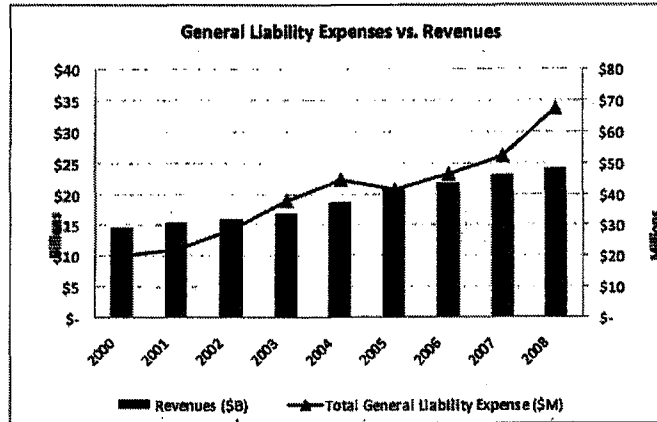
2.



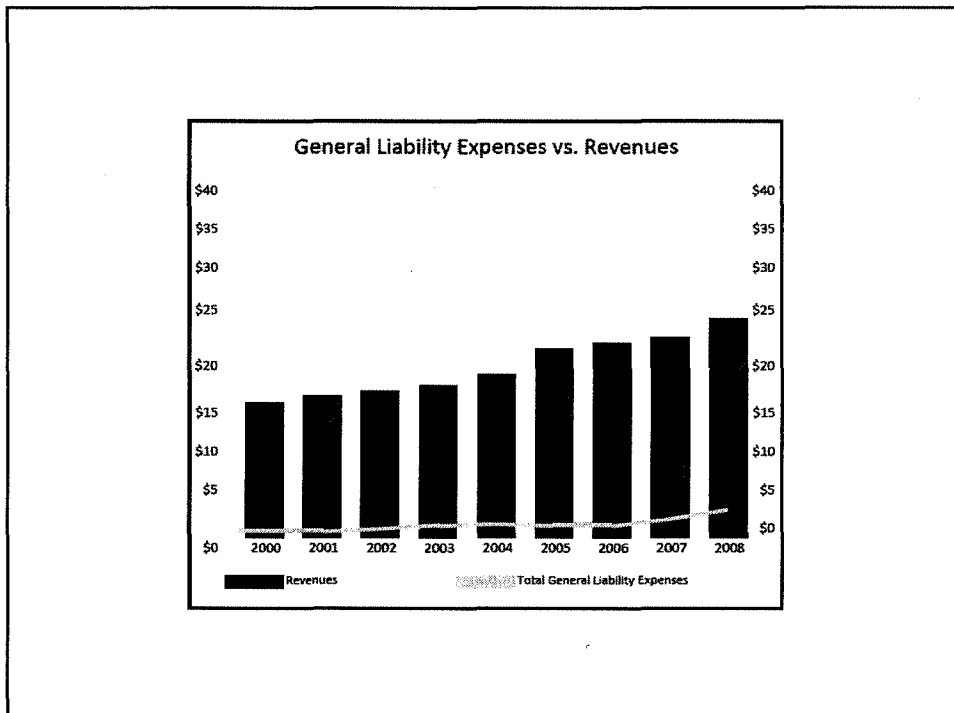
COMPARING APPLES TO ORANGES

Impact of FS 768.0710 on Slip and Fall Claims Trends

1.



Annualized Growth Rate since 2000
 Revenues = 6.5%
 Total General Liability Expense + 16.3%

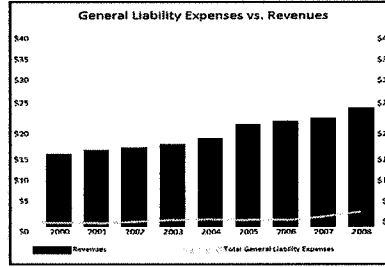
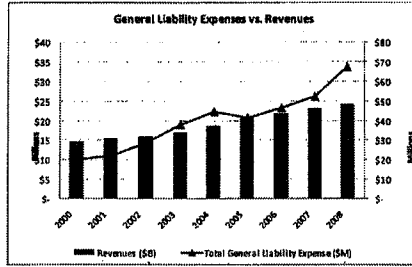


Direct Comparison of Data Shows How Misleading It Is.

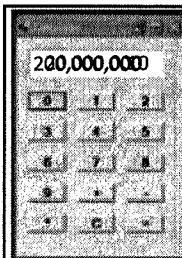
Impact of FS 768.0710 on Slip and Fall Claims Trends

Impact of FS 768.0710 on Slip and Fall Claims Trends

1.

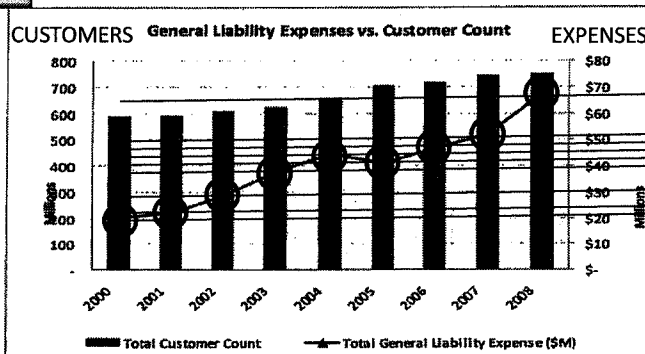


Annualized Growth Rate since 2000
 Revenues +6.5%
 Total General Liability Expense +16.3%



Impact of FS 768.0710 on Slip and Fall Claims Trends

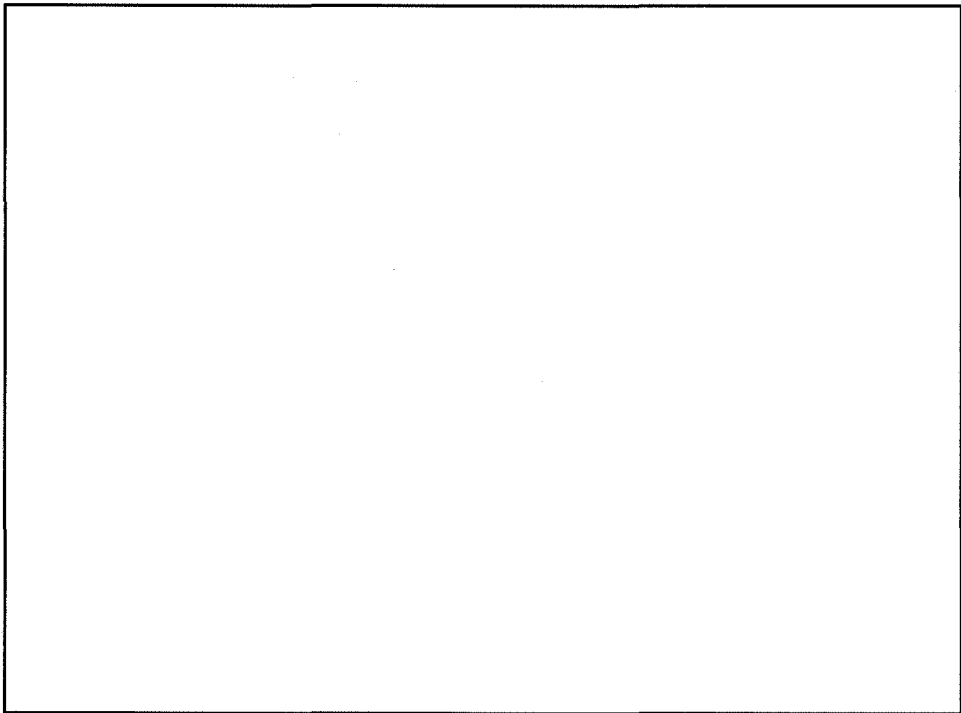
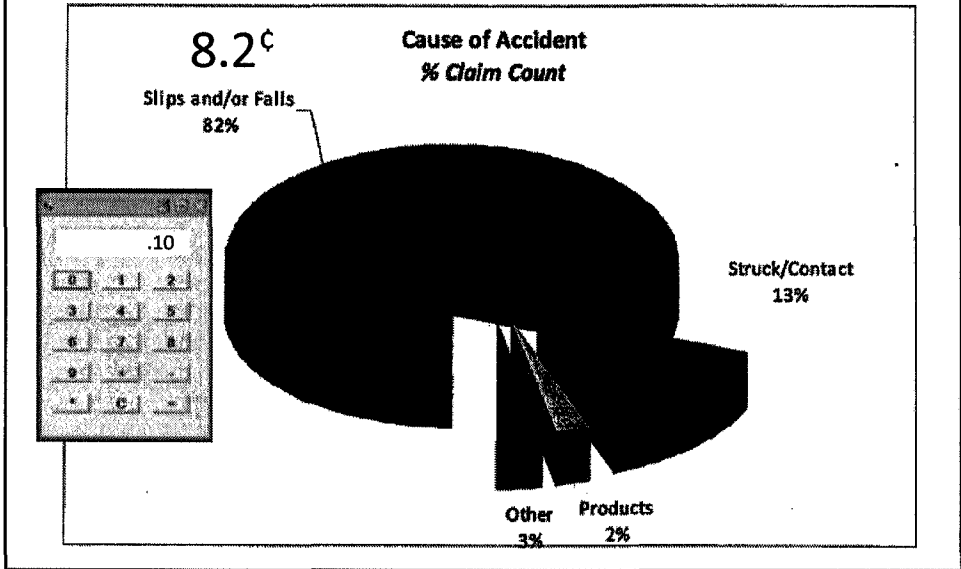
3.



Annualized Growth Rate since 2000
 Customer Count: + 3.2% (number of transactions at register)
 Total General Liability Expense: + 16.3%

Impact of FS 768.0710 on Slip and Fall Claims Trends

5.



COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council
3/9/2010 11:00:00AM

Location: 404 HOB

HB 985 : Peddling at Camp Meetings

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: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 09, 2010 2:22:03PM

COUNCIL MEETING REPORT
Criminal & Civil Justice Policy Council
3/9/2010 11:00:00AM

Location: 404 HOB

PCB CCJP 10-05 : Juvenile Justice Repealer

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: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 09, 2010 2:22:03PM