



Civil Justice Subcommittee

Thursday, April 28, 2011

9:00 AM

Morris Hall

Action Packet

**Dean Cannon
Speaker**

**Eric Eisnaugle
Chair**

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

4/28/2011 9:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Civil Justice Subcommittee

Thursday April 28, 2011 09:00 am

HB 545	Favorable With Committee Substitute	Yeas: 11	Nays: 3
HB 1151	Favorable	Yeas: 11	Nays: 4
HB 1315	Favorable With Committee Substitute	Yeas: 9	Nays: 6

Committee meeting was reported out: Thursday, April 28, 2011 11:16:57AM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

4/28/2011 9:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Eric Eisnaugle (Chair)	X		
Mack Bernard	X		
Clay Ford	X		
Matt Gaetz	X		
Bill Hager	X		
Shawn Harrison	X		
Martin Kiar	X		
Larry Metz	X		
Kathleen Passidomo	X		
Darren Soto	X		
Cynthia Stafford	X		
Kelli Stargel	X		
Richard Steinberg	X		
W. Gregory Steube	X		
Michael Weinstein	X		
Totals:	15	0	0

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

4/28/2011 9:00:00AM

Location: Morris Hall (17 HOB)

HB 545 : Relief/Estrada/USF Board of Trustees

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford		X			
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford				X	
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein	X				
Eric Eisnaugle (Chair)	X				
Total Yeas: 11		Total Nays: 3			

Appearances:

HB 545

Stipanovich, Mac (Lobbyist) - Information Only

USF

Tallahassee FL 32309

Phone: 850-545-8141

HB 545

Meek, Terry (Lobbyist) - Waive In Opposition

Council of Florida Medical School Deans

PO Box 13441

Tallahassee FL 32317

Phone: (850)893-7821

HB 545

Searcy, Chris (General Public) - Proponent

Counsel for the Estrada Family

P O Drawer 3626

West Palm Beach FL 33402

Phone: 561-308-2453

HB 545

Brewton, Wilbur (Lobbyist) - Information Only

University of Florida Foundation, Inc

PO Box 113125

Gainesville FL 32611-3125

Phone: (850)222-7718

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

4/28/2011 9:00:00AM

Location: Morris Hall (17 HOB)

HB 545

Daly, Kathleen (Lobbyist) - Waive In Opposition

Florida State University

PO Box 3061440

Tallahassee FL 32305-1440

Phone: (850)644-4453

HB 545

Mann, David (Lobbyist) - Waive In Opposition

Florida Atlantic University

777 Glades Rd

Boca Raton FL 33431

Phone: (561)297-2003

HB 545

Holsenbeck, Daniel (Lobbyist) - Waive In Opposition

University of Central Florida

PO Box 160002

Orlando FL 32816-0002

Phone: (407)823-2387

Committee meeting was reported out: Thursday, April 28, 2011 11:16:57AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS/HB 545 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

*Jarrable
4-28-11*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2 Representative(s) Abruzzo offered the following:

Amendment (with title amendment)

Remove lines 135-138 and insert:

6 Section 2. The sum of \$7,500,000 shall be paid by the
7 University of South Florida to Daniel and Amara Estrada, parents
8 and natural guardians of Caleb Estrada.

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

Remove lines 111-129 and insert:

15 WHEREAS, the University of South Florida tendered \$200,000
16 pursuant to the statutory limits of liability set forth in s.
17 768.28, Florida Statutes, NOW, THEREFORE,

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

4/28/2011 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1151 : Relief/Eric Brody/Broward County Sheriff's Office

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard		X			
Clay Ford		X			
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein	X				
Eric Eisnaugle (Chair)	X				
Total Yeas: 11		Total Nays: 4			

Appearances:

HB 1151

Block Jr., Lawrence (Lobbyist) - Proponent

Guardianship of Eric Brody

11800 NW 39th St

Sunrise FL 33323

Phone: (850)599-1980

HB 1151

Antonacci, Peter (Lobbyist) - Opponent

Counsel, Ranger

301 S Bronough

Tallahassee FL

Phone: 850-222-7717

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

4/28/2011 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1315 : Relief/Melvin and Alma Colindres/City of Miami

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard		X			
Clay Ford		X			
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Klar		X			
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford		X			
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein	X				
Eric Eisnaugle (Chair)	X				
Total Yeas: 9		Total Nays: 6			

Appearances:

HB 1315

Antonacci, Peter (Lobbyist) - Opponent

Counsel, Meadowbrook

301 S Bronough

Tallahassee FL

Phone: 850-222-7717

HB 1315

Book, Ronald (Lobbyist) - Opponent

City of Miami

3500 Pan American Dr

Miami FL 33130

Phone: (305)935-1866

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1315 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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
4.28.11*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2 Representative(s) Diaz offered the following:

Amendment (with title amendment)

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

Remove lines 28-53 and insert:

WHEREAS, the police officers then placed Kevin Colindres into custody, handcuffing him behind the back and taking him out of the house, where the police officers placed him prone on the ground and applied a hobble restraint to his ankles, and

WHEREAS, in violation of their training and the City of Miami's policies and procedures, the police officers left Kevin Colindres prone on the ground and applied weight to his back, and

WHEREAS, in violation of their training and the City of Miami's policies and procedures, the police officers left Kevin Colindres in this position in excess of 10 minutes, and

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1315 (2011)

Amendment No. 1

19 WHEREAS, in violation of their training and the City of
20 Miami's policies and procedures, the police officers failed to
21 appropriately check Kevin Colindres' vital signs, and

22 WHEREAS, in violation of their training and the City of
23 Miami's policies and procedures, upon realizing that Kevin
24 Colindres had stopped breathing, the officers failed to advise
25 the fire rescue department of the urgency of the matter, thereby
26 delaying the response by fire rescue personnel, and
27