

Justice Appropriations Subcommittee

Action Packet

March 19, 2014 9:00 a.m. – 11:00 a.m. Morris Hall

Justice Appropriations Subcommittee 3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Justice Appropriations Subcommittee

Wednesday March 19, 2014 09:00 am

CS/HB 183 Favorab	ble	Yeas:	12	Nays:	0
CS/HB 517 Favorab	ble	Yeas:	12	Nays:	0
CS/HB 659 Favorab Amendment 95	ble With Committee Substitute 58059 Adopted	Yeas:	12	Nays:	0
HB 841 Favorable		Yeas:	12	Nays:	0
CS/HB 989 Favorab	ble With Committee Substitute 80343 Adopted	Yeas:	12	Nays:	0
HB 7055 Favorable	With Committee Substitute	Yeas:	12	Nays:	0
Amendment 54	44769 Adopted				
Amendment 56	66285 Adopted				
Amendment 63	33359 Adopted				
Amendment 90	00615 Adopted				
Amendment 91	17101 Adopted				
PCB JUAS 14-01 Fa	avorable	Yeas:	11	Nays:	1
PCB JUAS 14-02 Fa	avorable	Yeas:	12	Nays:	0
PCB JUAS 14-03 Fa	evorable	Yeas:	12	Nays:	0

Justice Appropriations Subcommittee 3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	Present	Absent	Excused
Charles McBurney (Chair)	X		
W. Travis Cummings	X		
Manny Diaz, Jr.	X		
Dave Kerner	X		
Mike La Rosa	X		
Debbie Mayfield	X		
Larry Metz	X		
Jared Moskowitz	×		
Ray Pilon	X		
Darryl Rouson	X		
Elaine Schwartz		X	
Irving Slosberg	×		
Charles Van Zant	X		
Totals:	12	1	o

Justice Appropriations Subcommittee

3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

PCB JUAS 14-01 : Additional Judgeships

İ	X	Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
W. Travis Cummings	X				
Manny Diaz, Jr.	Х				
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz		X			
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		·····
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
	Total Yeas: 11	Total Nays: 1	_		

Justice Appropriations Subcommittee

3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

PCB JUAS 14-02 : Juvenile Detentions Costs

X Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
W. Travis Cummings	X				
Manny Diaz, Jr.	X				
Dave Kerner	X				
Mike La Rosa	X				•
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	x				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				•
Charles Van Zant	X				
Charles McBurney (Chair)	X				
	Total Yeas: 12	Total Nays: 0			

Appearances:

Hurley, Lisa (Lobbyist) - Proponent Florida Association of Counties 100 S Monroe St Tallahassee FL 32301

Phone: 850)922-4300

Desloge, Bryan, Commissioner Leon County (General Public) - Proponent

Florida Association of Counties

100 S. Monroe Street Tallahassee Florida 32301 Phone: 850-922-4300

Reilly, Andrea (Lobbyist) - Waive In Support

Hillsborough County 311 E. Park Avenue Tallahassee Florida 32301 Phone: 850-224-5081

Teaue, Kelley, Legislative Affairs Director (Lobbyist) - Waive In Support

Orange County 201 S. Rosalind Avenue

Orlando Florida

Meeker, Frank, Flagler City Board of County Commissioner (General Public) - Information Only

Flager City Bunnell Florida

Justice Appropriations Subcommittee 3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

PCB JUAS 14-02 : Juvenile Detentions Costs (continued)

Appearances: (continued)

Labrado, Edward, Director Intergovement Affairs (Lobbyist) - Opponent Broward County 115 S. Andrews Avenue

Fort Lauderdale Florida 33301

Phone: 954-357-7575

Welty, Jason, Chief of Staff (Lobbyist) (State Employee) - Information Only

Department of Juvenile Justice 2737 Centerview Drive

Tallahassee Florida 32399-3100

Phone: 850-717-2700

Justice Appropriations Subcommittee

3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

PCB JUAS 14-03 : Counsel in Proceedings for Executive Clemency

X X X		X		
		X		
X	'	X		
		X		
		7.7		
X				
X				10011
X				
X				
X				
X				
X				
X				
X				
Yea	Nay	No Vote	Absentee Yea	Absentee Nay
	X X X X X X X X	X X X X X X X	X X X X X X X X X X	X X X X X X X X X X X X X X X X X X X

Justice Appropriations Subcommittee

3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 183 : Drivers Leaving the Scene of a Crash

	Total Yeas: 12	Total Nays:	0		
Charles McBurney (Chair)	X				
Charles Van Zant	X				
Irving Slosberg	X				
Elaine Schwartz			X		
Darryl Rouson	X				
Ray Pilon	X				
Jared Moskowitz	X				
Larry Metz	х				
Debbie Mayfield	x				
Mike La Rosa	×				
Dave Kerner	X				
Manny Diaz, Jr.	x				
W. Travis Cummings	X				
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay

Appearances:

Troianello, Chris (General Public) - Information Only Aaron Cohen Law Initiative 3817 Indian Trail Destin Florida

Phone: 978-361-6110

Harrison, Kate (General Public) - Proponent AAron Cohen Law Initiative 403 Hayden Rd. Apt. 143 Tallahassee Florida 32304

Phone: 850-591-1323

Allen, Kristen, State Victim Services Manager (General Public) - Waive In Support

Mothers Against Drunk Driving 1018 Thomasville Rd. #101 Tallahassee Florida 32303

Phone: 850-681-0061

Taylor, Don, Lieutenant, Volusia County Sheriff's Office (General Public) - Waive In Support

Florida Sheriff's Association 1706 S. Woodland Blvd.

Deland Florida 32720

Phone: 386-943-7806

Kiettner, Michael - Waive In Support Hillsborough County Sheriff's Office

2008 E. 8th Avenue Tampa Florida 37602 Phone: 813-247-8555

Justice Appropriations Subcommittee 3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 183 : Drivers Leaving the Scene of a Crash (continued)

Appearances: (continued)

Sharkey, Jeff, CA6, President (Lobbyist) - Waive In Support

Florida Bicycle Association 106 E. College Avenue Tallahassee Florida Phone: 850-224-1660

Fabrizio, Frank, Chief - Information Only Florida Police Chief's 4301 Penninsula Drive Sorres Inlet Florida

McCarty, Jess, Asst. County Atty. - Waive In Support Miami Dade County 111 NW 1st Street

Miami Florida 33128 Phone: 305-979-7110

Johnson, Rob, Legislative Director (Lobbyist) - Waive In Support

Attorney General PL-01, Capitol Tallahassee Florida 32399

Phone: 850-245-0155

Pitts, Brian - Information Only

Justice-2-Jesus 1119 Newton Ave. S. St. Petersburg FL 33705 Phone: 727-897-9291

Justice Appropriations Subcommittee

3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 517: Fraudulent Controlled Substance Prescriptions

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
W. Travis Cummings	X				
Manny Diaz, Jr.	X				
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X	***			
Jared Moskowitz	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X	***			
	Total Yeas: 12	Total Nays:	0		

Justice Appropriations Subcommittee

3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)
CS/HB 659: Protective Orders

X Favorable With Committee Substitute

	Total Yeas: 12	Total Nays: 0			
Charles McBurney (Chair)	X				
Charles Van Zant	X				
Irving Slosberg	X				
Elaine Schwartz			X		
Darryl Rouson	X				
Ray Pilon	X				
Jared Moskowitz	X				
Larry Metz	X				
Debbie Mayfield	X				
Mike La Rosa	X				
Dave Kerner	X				
Manny Diaz, Jr.	X				
W. Travis Cummings	X				
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay

CS/HB 659 Amendments

Amendment 958059

X Adopted

Appearances:

Taylor, Don, Lieutenant, Volusia County Sheriff's Office (General Public) - Waive In Support

Florida Sheriff's Association 1706 S. Woodland Bivd. Deland Florida 32720 Phone: 386-943-7866

Pitts, Brian (General Public) - Information Only

Justice-2-Jesus 1119 Newton Ave. S. St. Petersburg FL 33705 Phone: 727-897-9291

Bill No. CS/HB 659 (2014)

Amendment No.1

COMMITTEE/SUBCOMMITTEE	ACTION	1 1 Jed
ADOPTED <u></u>	(Y/N)	Kas/18/10
ADOPTED AS AMENDED	(Y/N)	3/111
ADOPTED W/O OBJECTION	(Y/N)	
FAILED TO ADOPT	(Y/N)	
WITHDRAWN	(Y/N)	
OTHER	- CONTROL CONT	

Committee/Subcommittee hearing bill: Justice Appropriations Subcommittee

Representative Mayfield offered the following:

Amendment

Remove lines 29-85 and insert:

(5)

1

2

3

4 5

6 7

8

9

10

11

12

13

14

15

16

17

- (c) Any such ex parte temporary injunction is shall be effective for a fixed period not to exceed 15 days unless after a full hearing, a final injunction is issued on the same case.

 In that instance, the temporary injunction remains in full force and effect until the final injunction is served upon the respondent.
- (d) A full hearing, as provided by this section, shall be set for a date no later than the date when the <u>ex parte</u> temporary injunction ceases to be effective. The court may grant a continuance of the hearing before or during a hearing for good

Amendment No.1

cause shown by any party. The need to obtain service of process constitutes good cause. A temporary, which shall include a continuance to obtain service of process. Any injunction that is already served must shall be extended, if necessary, so that it remains to remain in full force and effect during any period of continuance.

Section 2. Paragraph (c) of subsection (6) of section 784.046, Florida Statutes, is amended to read:

784.046 Action by victim of repeat violence, sexual violence, or dating violence for protective injunction; dating violence investigations, notice to victims, and reporting; pretrial release violations; public records exemption.—

(6)

- c) Any such ex parte temporary injunction is shall be effective for a fixed period not to exceed 15 days, and. However, an ex parte temporary injunction granted under subparagraph (2)(c)2. is effective for 15 days following the date the respondent is released from incarceration unless after a full hearing, a final injunction is issued on the same case. In that instance, the temporary injunction remains in full force and effect until the final injunction is served upon the respondent.
- (d) A full hearing, as provided by this section, shall be set for a date no later than the date when the <u>ex parte</u> temporary injunction ceases to be effective. The court may grant a continuance of the <u>ex parte injunction and the full</u> hearing

Amendment No.1

before or during the a hearing, for good cause shown by any party. The need to obtain service of process constitutes good cause. A temporary injunction that is already served must be extended, if necessary, so that it remains in full force and effect during any period of continuance.

Section 3. Paragraph (c) of subsection (5) of section 784.0485, Florida Statutes, is amended to read:

784.0485 Stalking; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement.—

(5)

- (c) Any such ex parte temporary injunction is effective for a fixed period not to exceed 15 days <u>unless after a full</u> hearing, a final injunction is issued on the same case. In that instance, the temporary injunction remains in full force and effect until the final injunction is served upon the respondent.
- (d) A full hearing, as provided in this section, shall be set for a date no later than the date when the ex parte temporary injunction ceases to be effective. The court may grant a continuance of the hearing before or during a hearing for good cause shown by any party. The need to obtain service of process constitutes good cause. A temporary, which must shall include a continuance to obtain service of process. An injunction that is already served must shall be extended, if necessary, so that it

COMMITTEE/SUBCOMMITTEE AMENDMENT Bill No. CS/HB 659 (2014)

Amendment No.1

69 remains to remain in full force and effect during any period of continuance.

71

Justice Appropriations Subcommittee

3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

HB 841 : Crime Stoppers Trust Fund

X	Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
W. Travis Cummings	X				
Manny Diaz, Jr.	X				
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			Х		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
	Total Yeas: 12	Total Nays: 0			

Appearances:

Taylor, Don, Lieutenant, Volusia County Sheriff's Office (General Public) - Waive In Support

Florida Sheriff's Association

1706 S. Woodland Blvd.

Deland Florida 32720

Phone: 386-943-7866

Fabrizio, Frank, Chief (General Public) - Waive In Support

Florida Police Chief's 4301 Penninsula Drive Sorres Inlet Florida

Pitts, Brian (General Public) - Information Only

Trustee-Justice-2-Jesus 1119 Newton Avenue South

S. Petersburg Florida 33705

Phone: 727-897-9291

Justice Appropriations Subcommittee 3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 989: Human Trafficking

X Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
W. Travis Cummings	X	""			
Manny Diaz, Jr.	X				
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Ray Pilon	X				
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
	Total Yeas: 12	Total Nays: 0			

CS/HB 989 Amendments

Amendment 480343

X Adopted

Appearances:

Datz, Amy (General Public) - Information Only Self 1130 Crestview Avenue

Tallahassee Florida 323032 Phone: 850-322-7599

Delgado, Ingrid, Assoc. for Social Concerns (Lobbyist) (General Public) - Waive In Support

Florida Conference of Catholic Bishops

W. Park Avenue

Tallahassee Florida 32301 Phone: 850-205-6826

Pitts, Brian (General Public) - Information Only

Trustee-Justice-2-Jesus 1119 Newton Avenue South S. Petersburg Florida 33705 Phone: 727-897-9291

Committee meeting was reported out: Wednesday, March 19, 2014 2:44:16PM

COMMITTEE/SUBCOMMITTEE AMENDMENT Bill No. CS/HB 989 (2014)

Amendment No.1

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

Adopted 3/19/14

Committee/Subcommittee hearing bill: Justice Appropriations Subcommittee

Representative Trujillo offered the following:

Amendment

Remove lines 162-165 and insert:

(c) The victim's need for assistance must be certified by a certified rape crisis center or domestic violence center certified in this state or by the state attorney or statewide prosecutor having jurisdiction over the offense.

12

1

2

3

4 5

6

7

8

9

10

11

480343 - h0989 line 162 Trujillo (amendment #1).docx

Published On: 3/18/2014 6:51:57 PM

Justice Appropriations Subcommittee

3/19/2014 9:00:00AM

Location: Morris Half (17 HOB)

HB 7055 : Juvenile Justice

X Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
W. Travis Cummings	X				
Manny Diaz, Jr.	X				
Dave Kerner	X				
Mike La Rosa	X				
Debbie Mayfield	X				
Larry Metz	X				
Jared Moskowitz	X				
Ray Pilon	X				,
Darryl Rouson	X				
Elaine Schwartz			X		
Irving Slosberg	X				
Charles Van Zant	X				
Charles McBurney (Chair)	X				
	Total Yeas: 12	Total Nays:	0		

HB 7055 Amendments

Ame	ndment 544769
X	Adopted

Amendment 566285

X Ac	lopted
------	--------

Amendment 633359

X Adopted

Amendment 900615

X	Adopted

Amendment 917101

X	Adopted
---	---------

Appearances:

Walters, Wansley, Secretary (Lobbyist) - Proponent Florida Department of Juvenile Justice 2737 Centenia Drive

Tallahassee Florida Phone: 850-544-8935

Justice Appropriations Subcommittee 3/19/2014 9:00:00AM

Location: Morris Hall (17 HOB)

HB 7055 : Juvenile Justice (continued)

Appearances: (continued)

Dawson, Chris (Lobbyist) - Waive In Support Florida Smart Justice Alliance 301 E. Pine Street, Ste. 1400

Orlando Florida 32801 Phone: 850-449-0066

Drzewiecki, Angela (Lobbyist) (General Public) - Waive In Support Juvenile Justice Coalition including the James Madison Institute 123 S. Adams Street Tallahassee Florida 32302

Phone: 850-545-8872

Holt, Julianne, Public Defender (State Employee) (General Public) - Waive In Support

Florida Public Defender Association, Inc 700 East Twiggs Street, 5th Floo

Tampa Florida 33672 Phone: 813-272-5980

Pitts, Brian (General Public) - Information Only

Trustee-Justice-2-Jesus 1119 Newton Avenue South S. Petersburg Florida 33705

Phone: 727-897-9291

Myers, Cathy, Ex-Director (Lobbyist) (General Public) - Waive In Support Florida Juvenile Justice Assn.
3333 W. Pensacola
Tallahassee Florida 32309

Sexton, Samantha, Associate Director of Government Affairs (General Public) - Waive In Support

PACE Center for Girls One West Adams St. #301 Jacksonville Florida 32202 Phone: 904-383-9403

Print Date: 3/19/2014 3:00 pm Leagis ® Page 10 of 14

Bill No. HB 7055 (2014)

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

Committee/Subcommittee hearing bill: Justice Appropriations Subcommittee

Representative Pilon offered the following:

Amendment

Remove lines 238-239 and insert:

(h) To care for children in the least restrictive and most appropriate service environments, ensuring that children assessed as low and moderate risk to reoffend are not committed to residential programs.

10 11

1

2

3

4

5

6 7

8

Bill No. HB 7055 (2014)

Amendment No. 2

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

Adorsted 14 3 19 14

Committee/Subcommittee hearing bill: Justice Appropriations Subcommittee

Representative Pilon offered the following:

Amendment

Remove lines 1290-1291 and insert:

of a preliminary screening and may be followed by a

comprehensive assessment. The comprehensive assessment may

consist of a full mental health, cognitive impairment, substance

abuse, or psychosexual evaluation. The intake

11

10

1 2

3

4 5

6

7

8

9

H7055 line 1290 Pilon (amendment #2) 917101

Bill No. HB 7055 (2014)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION $\langle /(Y/N) \rangle$ ADOPTED ADOPTED AS AMENDED (Y/N) ADOPTED W/O OBJECTION (Y/N) FAILED TO ADOPT (Y/N) __ (Y/N) WITHDRAWN OTHER

Committee/Subcommittee hearing bill: Justice Appropriations Subcommittee

Representative Pilon offered the following:

Amendment

Remove lines 1793-1809 and insert:

- (2) A child who is charged with committing an offense that is classified as an act of of domestic violence as defined in s. 741.28 and whose risk assessment instrument indicates secure detention is not appropriate who does not meet detention eriteria may be held in secure detention if the court makes specific written findings that:
 - (a) Respite care for the child is not available; or-
- (b) It is necessary to place the child in secure detention in order to protect the victim from injury.

The child may not be held in secure detention under this subsection for more than 48 hours unless ordered by the court. After 48 hours, the court shall hold a hearing if the state

H7055 line 1793 Pilon (Amendment #3)

544769

13 14

1

2

3

4

5

6

7

8

9

10

11

12

15 16

17

Bill No. HB 7055 (2014)

Amendment No. 3

20 attorney or victim requests that secure detention be continued.

21 The child may continue to be held in detention care if the court

makes a specific, written finding that respite care is

unavailable or it detention care is necessary to protect the

24

22

23

H7055 line 1793 Pilon (Amendment #3)

Bill No. HB 7055 (2014)

Amendment No. 4

Adozted 14

COMMITTEE/SUBCOMMIT	TEE ACTION
ADOPTED	<u> </u>
ADOPTED AS AMENDED	(Y/N)
ADOPTED W/O OBJECTION	(Y/N)
FAILED TO ADOPT	(Y/N)
WITHDRAWN	(Y/N)
OTHER	

Committee/Subcommittee hearing bill: Justice Appropriations

Subcommittee

1 2

3

4

5

6

7

8

9

Representative Pilon offered the following:

Amendment

Remove line 3203 and insert:

Section 50. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2014.

633359 - h7055 line 3203 Pilon (amendment #4).docx

Published On: 3/18/2014 12:41:57 PM

Bill No. HB 7055 (2014)

Amendment No. 5

COMMITTEE/SUBCOMM	TTTEE ACTION	Ado 3 ted 14
ADOPTED	(Y/N)	3/19/1
ADOPTED AS AMENDED	(Y/N)	
ADOPTED W/O OBJECTION	(Y/N)	
FAILED TO ADOPT	(Y/N)	
WITHDRAWN	(Y/N)	
OTHER	**************************************	
Amendment (with ti Remove line 2935 a		
Section 43. Effec	tive October,	1, 2014, section 985.702,
Florida Statutes, is cr	<u>:eated</u>	
T I !	TLE AMEN	DMENT
TI: Remove line 147 an		DMENT

H7055 line 2935 Pilon (amendment #5)

definitions; providing for