

STORAGE NAME: h1489z.tr
DATE: June 1, 2000

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 00-xxx, Laws of Florida

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
TRANSPORTATION
FINAL ANALYSIS - LOCAL LEGISLATION**

BILL #: HB 1489
RELATING TO: Brevard Co./Canaveral Port Authority
SPONSOR(S): Representative Ball
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) TRANSPORTATION (EDC) YEAS 11 NAYS 0
- (2) COMMUNITY AFFAIRS (PRC) YEAS 10 NAYS 0
- (3)
- (4)
- (5)

I. SUMMARY:

This bill amends the special act creating the Canaveral Port Authority (Authority) in Brevard County to provide for reimbursement of the costs of official travel authorized by the Authority.

The bill is estimated to have an annual fiscal impact of \$2,000 to the Authority for reimbursement of travel expenses.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The Canaveral Harbor Port District, as presently structured, was created in 1953 by Chapter 28922, Laws of Florida. This special act created, organized and established a port district in Brevard County, and designated the area as the Canaveral Port District. The governing authority of the port district is the Canaveral Port Authority (Authority), which consists of five port commissioners. These five elected commissioners, act as a board of directors and have jurisdiction over all fiscal and regulatory policies and operations of the port. The port's administration and operations are carried out by an executive director and staff employed by the Authority.

Port Canaveral serves both cargo and cruise markets. Primary cargos are liquid (petroleum) and dry (cement and scrap steel) bulk products, and breakbulk, including lumber, salt, newsprint and frozen and fresh citrus. The Authority produces revenue through long-term leases of port property to businesses and through other rates and fees charged by the Authority. The Authority is authorized to levy ad valorem taxes, but in 1986, the Authority voted to cease levying taxes on property in the port district.

Section 112.061, Florida Statutes, sets forth per diem and travel expenses for public officers, employees, and other authorized persons. Paragraph (b) of section 112.061 provides that general law may contain an exemption to this section and that any special or local law will prevail over any conflicting provisions of this section.

Section 112.061, Florida Statutes, provides definitions and describes who has the authority to incur travel expenses. This section describes how to compute travel time for reimbursement and the rates of per diem and subsistence allowance. Under section 112.061(6), Florida Statutes, the traveler can either receive a \$50 per diem or be reimbursed for the actual expenses for lodging and a set amount for meals: \$3 for breakfast, \$6 for lunch, and \$12 for dinner.

C. EFFECT OF PROPOSED CHANGES:

The bill amends the Authority's special act to allow reimbursement to be paid for official travel. For in-state travel the reimbursement is the same as authorized for public officers and state employees by section 112.061, Florida Statutes. For out-of-state travel within the continental United States travel reimbursement is the same as authorized by section 112.061, Florida Statutes, except that reimbursement for meals will be \$5 for breakfast, \$11

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for lunch and \$22 for dinner. These specific meal allowances will be adjusted annually based on changes in the Consumer Price Index component for "urban consumers, food away from home."

For out-of-country travel, reimbursement is the same as authorized by section 112.061, Florida Statutes, except that meal reimbursement is tied to the daily meal rate authorized by the U.S. Department of State in its Standardized Regulations. These regulations establish different daily meal rates for various foreign countries based on the costs of an average breakfast, lunch, and dinner at facilities typically used by employees at that location, including taxes, service charges, and customary tips. The bill establishes a formula for dividing this daily rate into a reimbursement rate for each of the three daily meals.

D. SECTION-BY-SECTION ANALYSIS:

N/A

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 25, 2000

WHERE? Florida Today Newspaper, Brevard County

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

For information on the U.S. Department of State Standardized Regulations see the web site located at: <http://www.state.gov/www/perdiems/index.html>.

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V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VI. SIGNATURES:

COMMITTEE ON TRANSPORTATION:

Prepared by:

Phillip B. Miller

Staff Director:

John R. Johnston

AS REVISED BY THE COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Kyle V. Mitchell

Staff Director:

Joan Highsmith-Smith

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON TRANSPORTATION:

Prepared by:

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Staff Director:

John R. Johnston