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A bill to be entitled  
 An act relating to domestic security; amending s. 311.12, F.S.; providing for legislative review of seaports not in substantial compliance with statewide minimum security standards by November 2005; requiring the Legislature to review certain security costs by a specified date; prohibiting the expenditure of state funds for operational security costs without certification of need by the Office of Ports Administrator within the Department of Law Enforcement; creating s. 1004.64, F.S.; providing for the establishment of the Florida Institute for Nuclear Detection and Security within the Department of Nuclear and Radiological Engineering at the University of Florida; providing purpose of the institute; authorizing the institute to solicit and receive funds; providing activities and application areas of the institute; providing for a director and board of advisors of the institute; providing for selection of the director; providing for appointment and terms of board members; requiring an annual report; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (4) of section 311.12, Florida Statutes, is amended, and paragraphs (f) and (g) are added to said subsection, to read:

311.12 Seaport security standards.--  
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29 (e) In making security project or other funding decisions  
 30 applicable to each seaport listed in s. 311.09, the Legislature  
 31 may consider as authoritative the annual report of the  
 32 Department of Law Enforcement required by this section,  
 33 especially regarding each seaport's degree of substantial  
 34 compliance with the statewide minimum security standards  
 35 established by this section. The Legislature shall review any  
 36 seaport that is not in substantial compliance with the statewide  
 37 minimum security standards by November 2005, as reported by the  
 38 Department of Law Enforcement.

39 (f) By December 31, 2004, the Legislature shall review the  
 40 ongoing costs of operational security for seaports, the impacts  
 41 of this section on those costs, mitigating factors that may  
 42 reduce such costs without reducing security, and methods by  
 43 which seaports may implement operational security using a  
 44 combination of sworn law enforcement officers and private  
 45 security services.

46 (g) Subject to the provisions of this chapter and  
 47 appropriations made for seaport security, state funds may not be  
 48 expended for operational security costs without certification of  
 49 need for such expenditures by the Administrator for Seaport  
 50 Security Inspections within the Department of Law Enforcement.

51 Section 2. Section 1004.64, Florida Statutes, is created  
 52 to read:

53 1004.64 Florida Institute for Nuclear Detection and  
 54 Security.--

55 (1) There is created the Florida Institute for Nuclear  
 56 Detection and Security, which is established at the University  
 57 of Florida. The institute shall serve as a design-basis center

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58 for nonproliferation policies and for research, development,  
59 testing, and engineering projects that directly address and  
60 satisfy critical nuclear detection and security needs facing the  
61 state and the nation.

62 (2) The institute shall solicit and receive state,  
63 federal, and private funds for the purpose of conducting  
64 research and development in the area of nuclear security.  
65 Activities shall include, but not be limited to, the design and  
66 testing of innovative interrogation, detection, and assessment  
67 devices for monitoring nuclear material. Application areas shall  
68 include, but not be limited to, portal monitoring, wide-area  
69 search and cargo screening applications, structural monitoring  
70 for posttensioned bridges, biological and agricultural  
71 monitoring, and development of nonproliferation policies.

72 (3) The institute shall explore the development of devices  
73 for the identification of isotopes and materials in structural,  
74 agricultural, and biological systems of various types.

75 (4) Through research and instructional programs, the  
76 faculty associated with the institute shall contribute to the  
77 education and training of high-quality scientists and engineers  
78 in the application of engineering solutions to homeland  
79 security, detection, imaging, and interrogation systems, and  
80 nonproliferation policy.

81 (5) The institute shall be established within the  
82 Department of Nuclear and Radiological Engineering at the  
83 University of Florida and shall consist of faculty, support  
84 staff, and other staff funded by state, federal, and private  
85 funds collected for the purposes of the institute. The institute  
86 is authorized to hire a director, who may be appointed by the

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87 chair of the Department of Nuclear and Radiological Engineering,  
 88 in consultation with the dean of the College of Engineering. The  
 89 director of the institute must possess a national reputation in  
 90 the field of nuclear sciences and is to serve at the pleasure of  
 91 the chair.

92 (6) The activities of the institute shall be directed by a  
 93 board of advisors, consisting of eight members who shall serve  
 94 without compensation. Initial appointments to the board shall be  
 95 as follows:

96 (a) Two members shall be appointed by the dean of the  
 97 College of Engineering, each to serve a term of 2 years.

98 (b) Two members shall be appointed by the chair of the  
 99 Department of Nuclear and Radiological Engineering, each to  
 100 serve a term of 3 years.

101 (c) Two members shall be appointed by the president of the  
 102 university, each to serve a term of 3 years.

103 (d) Two members shall be appointed by the Governor, each  
 104 to serve a term of 4 years.

105  
 106 Such members shall include, but are not limited to, a Florida  
 107 citizen with an interest in public security; a faculty member of  
 108 the institute; a scientist with a national reputation in the  
 109 field of nuclear sciences; a person who has experience with the  
 110 nuclear energy industry; a person who has experience with  
 111 Federal Government programs in nuclear energy or homeland  
 112 security, or both; a Senator who serves on the Committee on Home  
 113 Defense, Public Security, and Ports, or other Senate standing  
 114 committee of similar jurisdiction; and a Representative who  
 115 serves on the Coordinating Committee on Public Security or other

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116 House of Representatives standing committee of similar  
117 jurisdiction. Initial members may serve one additional 4-year  
118 term. If the chair of the Department of Nuclear and Radiological  
119 Engineering hires a director of the institute, the director  
120 shall serve as an ex officio member of the board.

121 (7) At the first meeting of the board of advisors, the  
122 chair of the Department of Nuclear and Radiological Engineering  
123 shall act as chair of the board for purposes of convening the  
124 meeting, establishing the bylaws of the board, and electing a  
125 standing chair of the board from among the appointed members.

126 (8) Through the board of advisors, the institute shall  
127 prepare an annual report on its activities and progress. The  
128 report shall be reviewed for approval by the chair of the  
129 Department of Nuclear and Radiological Engineering. The annual  
130 report shall include recommendations on nuclear security and  
131 detection. Upon approval, the annual report shall be submitted  
132 to the Governor, the President of the Senate, and the Speaker of  
133 the House of Representatives. A copy of the report shall also be  
134 delivered to the United States National Nuclear Security  
135 Administration and the United States Department of Homeland  
136 Security. The reports shall be submitted no later than July 1 of  
137 each year, beginning in 2005.

138 Section 3. This act shall take effect upon becoming a law.