

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 Administrator for Seaport Security Inspections 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.--
 (4)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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