

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Domestic Security Committee

BILL: SB 2620

SPONSOR: Senator Sebesta

SUBJECT: Relating to Seaports

DATE: April 14, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Pardue</u>	<u>Skelton</u>	<u>DS</u>	Favorable
2.	_____	_____	<u>TR</u>	_____
3.	_____	_____	<u>JA</u>	_____
4.	_____	_____	<u>WM</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill requires the Department of Law Enforcement to develop and implement, on or before July 1, 2006, a program to conduct, at least biennially, an underwater survey of each deepwater port in this state which serves cargo or passenger vessels.

II. Present Situation:

Section 311.09, F. S., establishes the Florida Seaport Transportation Economic Development Council (FSTED) and identifies Florida's fourteen regulated public seaports. Currently twelve of the seaports are considered active and the remaining two are considered inactive for regulatory purposes.

Section 311.12, F. S., provides for seaport security standards for Florida's regulated public seaports. Each active seaport must maintain a security plan relating to the specific and identifiable needs of the seaport. The security plan must be in substantial compliance with the standards set forth in the section and must be reviewed by the Office of Drug Control Policy and the Department of Law Enforcement. The Department of Law Enforcement is authorized to conduct periodic inspections or operations at each seaport to assess port security and compliance with the standards. The department is also required to conduct at least one unannounced inspection annually at each seaport and annually provide a report to the Governor, the President of the Senate, the Speaker of the House, and the chief administrator of each seaport indicating observations, findings, and any recommendations resulting from the inspection.

Prior to 2000, seaport security in Florida was focused on supply chain theft prevention to protect the commercial interests of seaport tenants. Since 2001 considerable effort and resources have been devoted to improving physical security and security operations at Florida's regulated public

seaports to meet the ongoing concerns about drug trafficking and the emerging threat of terrorism. Florida pursued a successful strategy for seaport security improvements through grant funding now administered by the Transportation Security Administration of the Department of Homeland Security. However, these federal grants are restricted to pre-approved physical infrastructure improvements.

While the Department of Law Enforcement provides an oversight role, responsibility for security remains with the U. S. Coast Guard Captain of the Port and the local port authority for each seaport.

III. Effect of Proposed Changes:

This bill requires the Department of Law Enforcement to develop and implement, on or before July 1, 2006, a program to conduct, at least biennially, an underwater survey of each deepwater port in this state which serves cargo or passenger vessels. The survey shall be conducted using a sonar scanning system that generates highly detailed two- and three-dimensional maps and charts.

The bill appropriates \$1.5 million to the department to administer the act.

The bill provides for an effective date of July 1, 2005.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill appropriates \$1.5 million to the Department of Law Enforcement for the development and implementation of a program to conduct underwater port surveys. Recurring costs to conduct subsequent biennial surveys as required by the bill are unknown at this time.

VI. Technical Deficiencies:

The term “deepwater port” used in the bill is not defined and may or may not be interpreted as the same as those seaports identified in s. 311.09, F. S.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill’s sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
