

By the Committee on Military Affairs and Domestic Security; and
Senator Hill

583-05763-08

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1 A bill to be entitled

2 An act relating to seaport security standards; amending s.
3 311.12, F.S.; revising the membership of the Seaport
4 Security Standards Advisory Council; amending s. 311.09,
5 F.S.; revising the membership of the Florida Seaport
6 Transportation and Economic Development Council; revising
7 the duties of the Florida Seaport Transportation and
8 Economic Development Council; requiring at least one
9 annual council meeting; requiring an annual analysis and
10 assessment of the economic impact of security on public
11 seaports; requiring an annual report with recommendations
12 to the Legislature; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Paragraph (b) of subsection (8) of section
17 311.12, Florida Statutes, is amended to read:

18 311.12 Seaport security standards; inspections; compliance;
19 appeals.--

20 (8)

21 (b)1. The members of the Seaport Security Standards
22 Advisory Council shall be appointed by the Governor and consist
23 of the following:

- 24 a. Two seaport directors.
25 b. Two seaport security directors.
26 c. One designee from the Department of Law Enforcement.
27 d. One designee from the Office of Motor Carrier Compliance
28 of the Department of Transportation.
29 e. One designee from the Attorney General's Office.

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30 f. One designee from the Department of Agriculture and
31 Consumer Services.

32 g. One designee from the Office of Tourism, Trade, and
33 Economic Development.

34 h. One designee from the Office of Drug Control.

35 i. Two designees from an organization that represents the
36 tenants of the seaports listed in s. 311.09(1).

37 j. Two designees from a labor organization, as defined in
38 s.447.02, which represents seaport workers at the seaports listed
39 in s. 311.09(1).

40 k. One designee from the Division of Law Enforcement of the
41 Fish and Wildlife Conservation Commission.

42 l. Two designees of sheriffs who have law enforcement
43 responsibilities on the seaports listed in s. 311.09(1).

44 m. One designee of a police chief who has law enforcement
45 responsibilities on the seaports listed in s. 311.09(1).

46 2. In addition to the members designated in subparagraph
47 1., the council may invite a representative of the United States
48 Coast Guard to attend and participate in council meetings as an
49 ex officio, nonvoting member of the council.

50 Section 2. Subsection (1) of section 311.09, Florida
51 Statutes, is amended, and subsection (13) is added to that
52 section, to read:

53 311.09 Florida Seaport Transportation and Economic
54 Development Council.--

55 (1) The Florida Seaport Transportation and Economic
56 Development Council is created within the Department of
57 Transportation. The council consists of the following 19 ~~17~~
58 members: the port director, or the port director's designee, of

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59 | each of the ports of Jacksonville, Port Canaveral, Fort Pierce,
60 | Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg,
61 | Tampa, Port St. Joe, Panama City, Pensacola, Key West, and
62 | Fernandina; the secretary of the Department of Transportation or
63 | his or her designee; the director of the Office of Tourism,
64 | Trade, and Economic Development or his or her designee; ~~and~~ the
65 | secretary of the Department of Community Affairs or his or her
66 | designee; one designee from an organization that represents the
67 | tenants of the state's seaports listed in s. 311.09(1); and one
68 | designee from a labor organization, as defined in s. 447.02,
69 | representing seaport workers at the state's seaports listed in s.
70 | 311.09(1).

71 | (13) (a) The council shall convene at least one meeting
72 | annually in order to consult with the appropriate maritime
73 | security committees, the Seaport Security Standards Advisory
74 | Council, the Department of Law Enforcement, port tenants, and
75 | other affected parties, and to analyze and assess actual and
76 | possible impacts of seaport security on commerce and trade.

77 | (b) Pursuant to paragraph (a), the council shall consider
78 | in its analysis the cost of security on the seaports listed in
79 | this section. Such analysis shall include, but need not be
80 | limited to, the impact of seaport security on seaport operational
81 | and capital costs that are the result of requirements enacted by
82 | federal law individually, state law individually, and a
83 | combination of both federal and state law and shall exclude costs
84 | related to the routine business and safety operations of a port;
85 | the impact of seaport security costs on the ability of the
86 | seaports to fund enhanced commercial operations; the economic
87 | impact resulting from actual and potential criminal activity

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88 associated with seaport operations, including cargo theft, human
89 trafficking, and the smuggling of illegal drugs through the
90 public seaports; and the economic impact, including tax revenue
91 loss, to the state of a successful terrorism event at a seaport
92 covered under this section.

93 (c) The council shall make recommendations to promote the
94 flow of legitimate trade and travel through the state's seaports
95 and report its analysis and recommendations to the President of
96 the Senate and the Speaker of the House of Representatives
97 annually.

98 Section 3. This act shall take effect July 1, 2008.