



810504

LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

04/30/2013 10:27 AM

Senator Brandes moved the following:

1 **Senate Amendment to Amendment (740626) (with title**
2 **amendment)**

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4 Between lines 4378 and 4379
5 insert:

6 Section 85. (1) The Florida Transportation Commission is
7 directed to contract for a statewide study, funded by the
8 Department of Transportation, to evaluate the feasibility of
9 consolidating any existing port districts and port authorities,
10 and all of their assets, rights, powers, authority, duties, and
11 bond liabilities, into one or more port districts and port
12 authorities.

13 (2) The study shall evaluate and develop findings and



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14 recommendations regarding the feasibility and benefits of
15 consolidating any of the existing port districts and port
16 authorities and all of their assets, rights, powers,
17 authorities, duties, debts, and bond liabilities, into one or
18 more port districts and port authorities. The study shall
19 include recommendations for any necessary legislation to
20 accomplish the recommended consolidations.

21 (3) The study shall review and consider those matters
22 deemed relevant, including, but not limited to, the following:

23 (a) The lands and facilities, including submerged lands,
24 owned or leased by each identified port district and port
25 authority.

26 (b) The current land use designations and county zoning
27 designations for such locations and facilities.

28 (c) The current services provided by each of the existing
29 ports.

30 (d) The conditions and length of each contract or lease for
31 the use of the existing port facilities, income generated by
32 each contract or lease, renewal options available, and the
33 obligations and debts owed to the existing port facilities under
34 each contract or lease.

35 (e) Contracts and leases with vendors, service providers,
36 and others.

37 (f) The income and expenses of each port, including, but
38 not limited to, salaries and benefits, current and projected
39 pension and other similar retirement obligations, and number,
40 years of service, and employment status of all employees.

41 (g) The master plan and five-year operational plan of each
42 of the existing ports, including proposed staffing, building



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43 acquisition or construction, debt issuance, and budget of each
44 of the existing ports.

45 (h) The fiscal capacity of the existing ports.

46 (i) Security plans and costs associated with implementing
47 the plans, including all contracts for the provision of security
48 at the existing ports.

49 (j) All current, proposed, or anticipated improvements,
50 development, or construction in the areas under the jurisdiction
51 of the existing ports.

52 (k) All agreements between the existing ports and any
53 common carrier, and any port terminal operator.

54 (l) Any collective bargaining agreements.

55 (m) All permits issued by any governmental entity affecting
56 or related to the existing ports.

57 (n) Any pending governmental permits or permit
58 applications.

59 (o) Finance plans, bond obligations, loans, pledges of
60 revenue, liens, or other financing arrangements related to the
61 existing ports or the existing ports facilities.

62 (p) The feasibility of constructing and managing a new
63 cruise terminal west of the Skyway Bridge.

64 (q) The efficacy of the use of public-private partnerships
65 and public-private operating partnerships with respect to any
66 consolidated port district and port authority.

67 (4) The commission shall comply with any applicable public
68 records exemptions relating to information collected for the
69 study, including but not limited to confidential proprietary
70 information and trade secrets, and the contract shall include a
71 requirement that the contractor comply with any such public



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72 records exemptions.

73 (5) The final report shall address the matters identified
74 in this section and any other matters the commission deems
75 relevant to the creation of one or more consolidated port
76 authorities and port districts. The final report shall be
77 submitted to the Governor, the President of the Senate, and the
78 Speaker of the House of Representatives by February 1, 2014.
79 This section is repealed upon submission of the final report.

80
81 ===== T I T L E A M E N D M E N T =====

82 And the title is amended as follows:

83 Delete line 4830

84 and insert:

85 deceptive trade practice; directing the Florida
86 Transportation Commission to contract for a statewide
87 study, funded by the Department of Transportation,
88 evaluating the feasibility of consolidating any
89 existing port districts and port authorities into one
90 or more port districts and port authorities; requiring
91 a report; providing effective dates.

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