

Bill No. CS for CS for SB 972

Amendment No.     

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Hargrett moved the following amendment:

**Senate Amendment (with title amendment)**

On page 13, between lines 19 and 20,

insert:

Section 7. Subsection (6) of section 311.07, Florida Statutes, is amended to read:

311.07 Florida seaport transportation and economic development funding.--(6) The Department of Transportation shall ensure ~~subject~~ any project that receives funds pursuant to this section and s. 320.20 is audited ~~to a final audit~~. The department may adopt rules and perform such other acts as are necessary or convenient to ensure that the final audits are conducted and that any deficiency or questioned costs noted by the audit are resolved.

Section 8. Subsections (1), (11) and (12) of section 311.09, Florida Statutes, are amended and a new subsection (11) is added to that section to read:

311.09 Florida Seaport Transportation and Economic Development Council.--

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1           (11) The council shall create a committee composed of  
2 a representative from the Department of Community Affairs, the  
3 Department of Transportation, a representative from the Office  
4 of Tourism, Trade, and Economic Development, and a  
5 representative from the council selected by the voting  
6 membership to review a project modification. The committee  
7 shall establish criteria to be used in the review of a project  
8 modification. The committee, acting for the council, shall  
9 determine the impact of such modification and whether it  
10 requires the project to be resubmitted to the council for  
11 approval or disapproval pursuant to subsection (5).

12           (12)~~(11)~~ The council shall meet at the call of its  
13 chairperson, at the request of a majority of its membership,  
14 or at such times as may be prescribed in its bylaws. However,  
15 the council must meet at least semiannually. A majority of  
16 voting members of the council constitutes a quorum for the  
17 purpose of transacting the business of the council. All  
18 members of the council are voting members ~~except for members~~  
19 ~~representing the Department of Transportation; the Department~~  
20 ~~of Community Affairs; and the Office of Tourism, Trade, and~~  
21 ~~Economic Development.~~ A vote of the majority of the voting  
22 members present is sufficient for any action of the council,  
23 except that a member representing the Department of  
24 Transportation, the Department of Community Affairs, or the  
25 Office of Tourism, Trade, and Economic Development may vote to  
26 overrule any action of the council approving a project  
27 pursuant to subsection (5). The ~~unless the~~ bylaws of the  
28 council may require a greater vote for a particular action.

29           (13)~~(12)~~ Members of the council shall serve without  
30 compensation but are entitled to receive reimbursement for per  
31 diem and travel expenses as provided in s. 112.061. The

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1 council may elect to provide an administrative staff to  
 2 provide services to the council on matters relating to the  
 3 Florida Seaport Transportation and Economic Development  
 4 Program and the council. The cost for such administrative  
 5 services shall be paid by all ports that receive funding from  
 6 the Florida Seaport Transportation and Economic Development  
 7 Program, based upon a pro rata formula measured by each  
 8 recipient's share of the funds as compared to the total funds  
 9 disbursed to all recipients during the year. The share of  
 10 costs for administrative services shall be paid in its total  
 11 amount by the recipient port upon execution by the port and  
 12 the Department of Transportation of a joint participation  
 13 agreement for each council-approved project or as otherwise  
 14 directed by the council, and such payment is in addition to  
 15 the matching funds required to be paid by the recipient port.

16 Section 9. Section 311.101, Florida Statutes, is  
 17 created to read:

18 311.101 Department of Transportation; Seaport and  
 19 Intermodal Development.--

20 (1) There is created within the Office of the State  
 21 Public Transportation Administrator of the Department of  
 22 Transportation, the Office of Seaport and Intermodal  
 23 Development to enhance Florida's global competitiveness,  
 24 productivity, and efficiency in international trade and the  
 25 movement of people and goods to and from Florida's intermodal  
 26 facilities. The Office of Seaport Development and Intermodal  
 27 Development shall have the following duties and  
 28 responsibilities:

29 (a) Advise and assist the State Public Transportation  
 30 Administrator and the Secretary of the Department of  
 31 Transportation in all seaport and intermodal matters.

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1           (b) Coordinate the activities of the department and  
2 its district offices with respect to all seaport and  
3 intermodal matters.

4           (c) Review candidate projects approved by the Florida  
5 Seaport Transportation and Economic Development Council to  
6 determine consistency with the Florida Transportation Plan and  
7 the department's adopted work program pursuant to s. 311.09(7)

8           (d) Review for consistency pursuant to s. 311.09(7)  
9 seaport intermodal access projects, as described in s.  
10 341.053(5) and funded pursuant to ss. 320.20(4) and (5).

11           (e) Review any proposed project scope modification  
12 made to eligible projects approved by the Florida Seaport  
13 Transportation and Economic Development Council pursuant to s.  
14 311.09(11).

15           (f) Direct required audit reviews pursuant to s.  
16 311.07(6) of any project that receives funds pursuant to this  
17 chapter.

18           (g) Administer seaport and intermodal development  
19 activities of the department pursuant to ss. 311.14, 320.20,  
20 and 341.053.

21           (h) Carry out any other seaport and intermodal  
22 activities assigned to it by the Secretary of the Department  
23 of Transportation to work cooperatively with the Florida  
24 Seaport Transportation and Economic Development Council and  
25 others in administering provisions pursuant to chapter 311,  
26 and ss. 320.20 and 341.053.

27           (i) By February 1 of each year, the Department of  
28 Transportation shall submit to the Governor, the President of  
29 the Senate, the Speaker of the House of Representatives, a  
30 complete and detailed report on state seaport development  
31 efforts conducted during the year.

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(Redesignate subsequent sections.)

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

And the title is amended as follows:

On page 1, line 16, after the first semicolon

insert:

amending s. 311.07, F.S.; ensuring port  
projects are audited; amending s. 311.09, F.S.;  
authorizing voting membership on the Florida  
Seaport Trade and Economic Development Council;  
creating a project modification committee;  
creating 311.101, F.S.; creating the Office of  
Seaport and Intermodal Development within the  
Office of the State Public Transportation  
Administrator; providing duties and  
responsibilities;