



MEMORANDUM

DATE: January 31, 2020

TO: Florida Port Directors

FROM: Michael Rubin, Vice President Governmental Affairs

SUBJECT: **LEGISLATIVE UPDATE – JANUARY 31ST**

The Legislature has completed the third week of Regular Session 2020, and the House and Senate released their initial budget legislation for Fiscal Year 2020/2021 on January 30th. We provide the following report on seaport/transportation-related legislation filed, and seaport issues included in the House and Senate budget recommendations:

1. **House and Senate Budget Recommendations for Fiscal Year 2020/2021 (PCB APC 20-01 by House Appropriations and SB 2500 by Senate Appropriations)**. The House and Senate released their initial budget recommendations for Fiscal Year 2020/2021 on Thursday, January 30th. The appropriation amounts for seaports in specific line items are identical. Both budgets include the following specific line items:
 - A. **Line Item 1920** -- \$15 million for debt reserve payments (FPFC 1996 Bond Refinance).
 - B. **Line Item 1921** -- \$10 million for debt reserve payments (FPFC 1999 Bond Refinance).
 - C. **Line Item 1922** -- \$88,110,883 for the FSTED Program, SIS, GM, SPII and other FDOT allocations in FDOT 5-Year Work Program.
 - D. **Line Item 1923** -- \$10,095,000 for the Seaport Investment Program/Bond debt reserve payments.
 - E. **Line Item 1925** -- \$74,438,222 for the FDOT Intermodal Development/Grants Program. This may or may not include some seaport projects.

In the Senate budget, line item 1922 also includes the following recommended proviso language for the FSTED Program Seaport Security Grant Program – “From the funds in Specific Appropriation 1922, \$2,000,000 is provided for the Seaport Security Grant Program, pursuant to section 311.12(6), Florida Statutes. The funding provided shall focus on filling seaport security technology gaps utilizing situational awareness tools and enhanced cyber security technologies.” This language is identical to the proviso language approved by the Florida Legislature last year.

Neither the initial House nor Senate budgets include any language or appropriations for “fuel distribution system infrastructure at state seaport fuel storage facilities” as recommended by the Governor’s budget recommendations.

The House and Senate will begin deliberations on their respective budgets next week in the full House and Senate appropriations committees.

2. **Transportation (CS/HB 395 by Representative Andrade and SB 1172 by Senator Albritton)**. HB 395 was heard in the House Transportation and Infrastructure Subcommittee on Tuesday, January 28th. The Subcommittee made several amendments to the bill and passed the bill out unanimously. The amendment removed several sections of the bill related to internal FDOT procedures and employment issues, and added the following issues to the bill:
 - A. Adds “luxury ground transportation network company” to the statutory list of Transportation Network Companies contained in section 627.748, F.S. Regulation of these companies would be preempted by that statute. That statute would still not prohibit “an airport or seaport from charging reasonable pickup fees consistent with any pickup fees charged to taxicab companies at that airport or seaport for their use of the airport’s or seaport’s facilities or prohibit the airport or seaport from designating locations for staging, pickup, and other similar operations at the airport or seaport.”
 - B. Provides proposed statutory language in section 327,59, F.S., concerning the removal of vessels under 500 gross tons at marinas located in a deepwater seaport after the U.S. Coast Guard sets condition Yankee at such seaport. Such vessels may not remain in a marina “that has been deemed not suitable for refuge during a hurricane.” The provision authorizes the marina owner/operator to remove the vessel if the owner of the vessel fails to remove the vessel.

CS/HB 395 has two more House committee references – Appropriations Subcommittee on Transportation and Tourism; and Committee on State Affairs.

SB 1172 has not been heard in any Senate committee to date. The Senate bill has three Senate committee references – Committee on Infrastructure and Security; Committee on Judiciary, and Committee on Appropriations.

3. **Marina Evacuations (HB 1329 by Representative Plasencia and SB 826 by Senator Mayfield)**. This legislation is similar to language amended on to CS/HB 395 referenced above concerning the removal of vessels under 500 gross tons at marinas located in a deepwater seaport after the declaration of a hurricane warning. The language in these bills does not currently include language authorizing the marina owner/operator to remove the vessel.

SB 826 has been scheduled for a hearing in the Senate Committee on Environment and Natural Resources on Monday, February 3rd at 4:00 p.m. The Senate bill has two more Senate committee references – Committee on Infrastructure and Security; and Committee on Rules.

HB 1329 has not been heard in any House committee to date. The House bill has three House committee references – Subcommittee on Agriculture and Natural Resources; Appropriations Subcommittee on Agriculture and Natural Resources; and Committee on State Affairs.

4. **FPC Lobby Group Meeting**: Because we are holding our FPC and FSTED meetings in Tallahassee next week, we will not hold an FPC Lobby Group meeting next week. Please join us at our reception Wednesday, February 5th from 6:00 p.m. until 7:00 p.m. at Capital City Consulting.

Please call or email us if you have any questions

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