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2 An act relating to Florida seaport
3 transportation and economic development
4 funding; amending s. 311.07, F.S.; adding
5 seaport security infrastructure measures to the
6 list of projects eligible for funding by grant
7 under the Florida Seaport Transportation and
8 Economic Development Program; exempting such
9 measures from certain matching fund
10 requirements; providing for expiration of such
11 provisions; authorizing seaports to request
12 specified changes in the purpose of work
13 program projects; providing for allocation and
14 use of specified federal funds; providing an
15 effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Paragraph (b) of subsection (3) of section
20 311.07, Florida Statutes, is amended to read:

21 311.07 Florida seaport transportation and economic
22 development funding.--

23 (3)

24 (b) Projects eligible for funding by grants under the
25 program are limited to the following port facilities or port
26 transportation projects:

27 1. Transportation facilities within the jurisdiction
28 of the port.

29 2. The dredging or deepening of channels, turning
30 basins, or harbors.

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1 3. The construction or rehabilitation of wharves,
2 docks, structures, jetties, piers, storage facilities, cruise
3 terminals, automated people mover systems, or any facilities
4 necessary or useful in connection with any of the foregoing.

5 4. The acquisition of container cranes or other
6 mechanized equipment used in the movement of cargo or
7 passengers in international commerce.

8 5. The acquisition of land to be used for port
9 purposes.

10 6. The acquisition, improvement, enlargement, or
11 extension of existing port facilities.

12 7. Environmental protection projects which are
13 necessary because of requirements imposed by a state agency as
14 a condition of a permit or other form of state approval; which
15 are necessary for environmental mitigation required as a
16 condition of a state, federal, or local environmental permit;
17 which are necessary for the acquisition of spoil disposal
18 sites and improvements to existing and future spoil sites; or
19 which result from the funding of eligible projects listed in
20 this paragraph ~~herein~~.

21 8. Transportation facilities as defined in s.
22 334.03(31) which are not otherwise part of the Department of
23 Transportation's adopted work program.

24 9. Seaport intermodal access projects identified in
25 the 5-year Florida Seaport Mission Plan as provided in s.
26 311.09(3).

27 10. Construction or rehabilitation of port facilities
28 as defined in s. 315.02, excluding any park or recreational
29 facilities, in ports listed in s. 311.09(1) with operating
30 revenues of \$5 million or less, provided that such projects
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1 create economic development opportunities, capital
2 improvements, and positive financial returns to such ports.

3 11. Seaport security measures. Such measures include:
4 a. Infrastructure security measures required by
5 seaport security plans approved by the Office of Drug Control
6 and the Department of Law Enforcement under s. 311.12,
7 including security gates, physical barriers, and
8 security-related lighting systems, equipment, or facilities to
9 be used for seaport security monitoring and recording, remote
10 surveillance systems, concealed recording systems, or other
11 security infrastructure, technology, vulnerability
12 assessments, or equipment that contributes to the overall
13 security of the seaport and its facilities as specified in the
14 security plans approved by the Office of Drug Control and the
15 Department of Law Enforcement under s. 311.12 or as otherwise
16 specifically found by the Department of Law Enforcement to be
17 a measure consistent with and supportive of such an approved
18 plan. Program funds for such measures may come from funds made
19 available under subsection (2) and s. 320.20(3) or (4).
20 Infrastructure measures required by an approved seaport
21 security plan or as otherwise found by the Department of Law
22 Enforcement to be consistent with and supportive of an
23 approved plan as authorized in this sub-subparagraph are not
24 subject to the matching fund requirements of paragraph (a) or
25 s. 320.20(3) or (4).

26 b. Law enforcement measures mandated by federal,
27 state, or local governmental agencies, including the
28 deployment of the Florida National Guard, local law
29 enforcement personnel, seaport security personnel, private
30 sector security personnel, or any combination thereof to
31 provide operational security services at any seaport

1 identified in s. 311.09(1). Program funds for such measures
2 may come from funds made available under subsection (2). Law
3 enforcement measures are subject to the matching fund
4 requirements of paragraph (a), except that any funds provided
5 for the Florida National Guard shall remain exempt from the
6 matching fund requirements of paragraph (a) through April 30,
7 2002.

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9 Notwithstanding s. 339.135(7) or any other provision of law to
10 the contrary, seaports may request that the department change
11 the purpose of a project in the 2000-2001 and 2001-2002 work
12 programs to a purpose authorized under this subparagraph.
13 Additional consideration shall be given to seaports having
14 operating revenues of \$14 million or less for operational
15 security and law enforcement measures for grants not to exceed
16 \$350,000. Any federal funds that are provided for port
17 security infrastructure improvements of which funds seaports
18 in this state are the beneficiaries shall be allocated in a
19 manner consistent with federal requirements and guidelines.
20 Federal funds obtained by a seaport for a specific security
21 infrastructure project, which project has also received state
22 seaport transportation and economic development funds, shall
23 be used to reimburse the state funds received by the seaport
24 under this subparagraph for the specific project. These
25 reimbursement funds must be used for projects and measures
26 authorized under subparagraphs 1.-10. This subparagraph shall
27 expire June 30, 2004.

28 Section 2. This act shall take effect upon becoming a
29 law.
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