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2 An act relating to transportation; amending s.  
3 311.22, F.S.; authorizing a 25-percent match of  
4 funds for certain dredging projects; amending  
5 s. 320.20, F.S.; requiring the Florida Seaport  
6 Transportation and Economic Development Council  
7 to submit to the Department of Transportation a  
8 list of recommended projects; requiring the  
9 department to approve final distribution of  
10 funds for selected projects for funding in the  
11 tentative work program; appropriating \$5  
12 million annually for funding the Florida  
13 Seaport Transportation and Economic Development  
14 Program as provided in ch. 311, F.S., and for  
15 funding seaport intermodal access projects of  
16 statewide significance in s. 341.053, F.S.;  
17 amending s. 334.351, F.S., relating to youth  
18 work experience programs in the Department of  
19 Transportation; providing criteria for  
20 participation in the program; amending s.  
21 339.08, F.S.; allowing moneys in the State  
22 Transportation Trust Fund to be used to pay the  
23 cost of the Enhanced Bridge Program; creating  
24 s. 339.282, F.S.; creating the Enhanced Bridge  
25 Program for Sustainable Transportation within  
26 the Department of Transportation; providing for  
27 the use of funds in the program; providing  
28 project guidelines for program funding;  
29 providing an effective date.

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

1           Section 1. Subsection (1) of section 311.22, Florida  
2 Statutes, is amended to read:

3           311.22 Additional authorization for funding certain  
4 dredging projects.--

5           (1) The Florida Seaport Transportation and Economic  
6 Development Council shall establish a program to fund dredging  
7 projects in counties having a population of fewer than 300,000  
8 according to the last official census. Funds made available  
9 under this program may be used to fund approved projects for  
10 the dredging or deepening of channels, turning basins, or  
11 harbors on a 25-percent local ~~50-50~~ matching basis with any  
12 port authority, as such term is defined in s. 315.02(2), which  
13 complies with the permitting requirements in part IV of  
14 chapter 373 and the local financial management and reporting  
15 provisions of part III of chapter 218.

16           Section 2. Subsections (3) and (4) of section 320.20,  
17 Florida Statutes, are amended, present subsection (5) of that  
18 section is redesignated as subsection (6) and a new subsection  
19 (5) is added to that section, to read:

20           320.20 Disposition of license tax moneys.--The revenue  
21 derived from the registration of motor vehicles, including any  
22 delinquent fees and excluding those revenues collected and  
23 distributed under the provisions of s. 320.081, must be  
24 distributed monthly, as collected, as follows:

25           (3) Notwithstanding any other provision of law except  
26 subsections (1) and (2), on July 1, 1996, and annually  
27 thereafter, \$15 million shall be deposited in the State  
28 Transportation Trust Fund solely for the purposes of funding  
29 the Florida Seaport Transportation and Economic Development  
30 Program as provided for in chapter 311. Such revenues shall  
31 be distributed on a 50-50 matching basis to any port listed in

1 s. 311.09(1) to be used for funding projects as described in  
2 s. 311.07(3)(b). Such revenues may be assigned, pledged, or  
3 set aside as a trust for the payment of principal or interest  
4 on bonds, tax anticipation certificates, or any other form of  
5 indebtedness issued by an individual port or appropriate local  
6 government having jurisdiction thereof, or collectively by  
7 interlocal agreement among any of the ports, or used to  
8 purchase credit support to permit such borrowings. However,  
9 such debt shall not constitute a general obligation of the  
10 State of Florida. The state does hereby covenant with holders  
11 of such revenue bonds or other instruments of indebtedness  
12 issued hereunder that it will not repeal or impair or amend in  
13 any manner which will materially and adversely affect the  
14 rights of such holders so long as bonds authorized by this  
15 section are outstanding. Any revenues which are not pledged  
16 to the repayment of bonds as authorized by this section may be  
17 utilized for purposes authorized under the Florida Seaport  
18 Transportation and Economic Development Program. This revenue  
19 source is in addition to any amounts provided for and  
20 appropriated in accordance with s. 311.07. The Florida  
21 Seaport Transportation and Economic Development Council shall  
22 submit to the Department of Transportation a list of  
23 recommended ~~approve distribution of funds to ports for~~  
24 projects that which have been identified ~~approved~~ pursuant to  
25 s. 311.09(5)-(9). The ~~council and the~~ Department of  
26 Transportation shall approve the final distribution of funds  
27 and include the selected projects for funding in the tentative  
28 work program developed pursuant to s. 339.135. The council and  
29 the Department of Transportation are authorized to perform  
30 such acts as are required to facilitate and implement the  
31 provisions of this subsection. To better enable the ports to

1 cooperate to their mutual advantage, the governing body of  
2 each port may exercise powers provided to municipalities or  
3 counties in s. 163.01(7)(d) subject to the provisions of  
4 chapter 311 and special acts, if any, pertaining to a port.  
5 The use of funds provided pursuant to this subsection are  
6 limited to eligible projects listed in this subsection.  
7 Income derived from a project completed with the use of  
8 program funds, beyond operating costs and debt service, shall  
9 be restricted to further port capital improvements consistent  
10 with maritime purposes and for no other purpose. Use of such  
11 income for nonmaritime purposes is prohibited. The provisions  
12 of s. 311.07(4) do not apply to any funds received pursuant to  
13 this subsection. The revenues available under this subsection  
14 shall not be pledged to the payment of any bonds other than  
15 the Florida Ports Financing Commission Series 1996 and Series  
16 1999 Bonds currently outstanding; provided, however, such  
17 revenues may be pledged to secure payment of refunding bonds  
18 to refinance the Florida Ports Financing Commission Series  
19 1996 and Series 1999 Bonds. ~~No refunding bonds secured by~~  
20 ~~revenues available under this subsection may be issued with a~~  
21 ~~final maturity later than the final maturity of the Florida~~  
22 ~~Ports Financing Commission Series 1996 and Series 1999 Bonds~~  
23 ~~or which provide for higher debt service in any year than is~~  
24 ~~currently payable on such bonds.~~ Any revenue bonds or other  
25 indebtedness issued after July 1, 2000, including ~~other than~~  
26 refunding bonds shall be issued by the Division of Bond  
27 Finance at the request of the Department of Transportation  
28 pursuant to the State Bond Act.

29 (4) Notwithstanding any other provision of law except  
30 subsections (1), (2), and (3), on July 1, 1999, and annually  
31 thereafter, \$10 million shall be deposited in the State

1 Transportation Trust Fund solely for the purposes of funding  
2 the Florida Seaport Transportation and Economic Development  
3 Program as provided in chapter 311 and for funding seaport  
4 intermodal access projects of statewide significance as  
5 provided in s. 341.053. Such revenues shall be distributed to  
6 any port listed in s. 311.09(1), to be used for funding  
7 projects as follows:

8 (a) For any seaport intermodal access projects that  
9 are identified in the 1997-1998 Tentative Work Program of the  
10 Department of Transportation, up to the amounts needed to  
11 offset the funding requirements of this section.

12 (b) For seaport intermodal access projects as  
13 described in s. 341.053(5) that are identified in the 5-year  
14 Florida Seaport Mission Plan as provided in s. 311.09(3).  
15 Funding for such projects shall be on a matching basis as  
16 mutually determined by the Florida Seaport Transportation and  
17 Economic Development Council and the Department of  
18 Transportation, provided a minimum of 25 percent of total  
19 project funds shall come from any port funds, local funds,  
20 private funds, or specifically earmarked federal funds.

21 (c) On a 50-50 matching basis for projects as  
22 described in s. 311.07(3)(b).

23 (d) For seaport intermodal access projects that  
24 involve the dredging or deepening of channels, turning basins,  
25 or harbors; or the rehabilitation of wharves, docks, or  
26 similar structures. Funding for such projects shall require a  
27 25 percent match of the funds received pursuant to this  
28 subsection. Matching funds shall come from any port funds,  
29 federal funds, local funds, or private funds.

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1 Such revenues may be assigned, pledged, or set aside as a  
2 trust for the payment of principal or interest on bonds, tax  
3 anticipation certificates, or any other form of indebtedness  
4 issued by an individual port or appropriate local government  
5 having jurisdiction thereof, or collectively by interlocal  
6 agreement among any of the ports, or used to purchase credit  
7 support to permit such borrowings. However, such debt shall  
8 not constitute a general obligation of the state. This state  
9 does hereby covenant with holders of such revenue bonds or  
10 other instruments of indebtedness issued hereunder that it  
11 will not repeal or impair or amend this subsection in any  
12 manner which will materially and adversely affect the rights  
13 of holders so long as bonds authorized by this subsection are  
14 outstanding. Any revenues that are not pledged to the  
15 repayment of bonds as authorized by this section may be  
16 utilized for purposes authorized under the Florida Seaport  
17 Transportation and Economic Development Program. This revenue  
18 source is in addition to any amounts provided for and  
19 appropriated in accordance with s. 311.07 and subsection (3).  
20 The Florida Seaport Transportation and Economic Development  
21 Council shall submit to the Department of Transportation a  
22 list if recommended ~~approve distribution of funds to ports for~~  
23 projects that have been identified ~~approved~~ pursuant to s.  
24 311.09(5)-(9), or for seaport intermodal access projects  
25 identified in the 5-year Florida Seaport Mission Plan as  
26 provided in s. 311.09(3) ~~and mutually agreed upon by the FSTED~~  
27 ~~Council and the Department of Transportation.~~ The Department  
28 of Transportation shall approve the final distribution of  
29 funds and include the selected projects for funding in the  
30 tentative work program developed pursuant to s. 339.135. All  
31 contracts for actual construction of projects authorized by

1 | this subsection must include a provision encouraging  
2 | employment of participants in the welfare transition program.  
3 | The goal for employment of participants in the welfare  
4 | transition program is 25 percent of all new employees employed  
5 | specifically for the project, unless the Department of  
6 | Transportation and the Florida Seaport Transportation and  
7 | Economic Development Council demonstrate that such a  
8 | requirement would severely hamper the successful completion of  
9 | the project. In such an instance, Workforce Florida, Inc.,  
10 | shall establish an appropriate percentage of employees that  
11 | must be participants in the welfare transition program. The  
12 | council and the Department of Transportation are authorized to  
13 | perform such acts as are required to facilitate and implement  
14 | the provisions of this subsection. To better enable the ports  
15 | to cooperate to their mutual advantage, the governing body of  
16 | each port may exercise powers provided to municipalities or  
17 | counties in s. 163.01(7)(d) subject to the provisions of  
18 | chapter 311 and special acts, if any, pertaining to a port.  
19 | The use of funds provided pursuant to this subsection is  
20 | limited to eligible projects listed in this subsection. The  
21 | provisions of s. 311.07(4) do not apply to any funds received  
22 | pursuant to this subsection. The revenues available under this  
23 | subsection shall not be pledged to the payment of any bonds  
24 | other than the Florida Ports Financing Commission Series 1996  
25 | and Series 1999 Bonds currently outstanding; provided,  
26 | however, such revenues may be pledged to secure payment of  
27 | refunding bonds to refinance the Florida Ports Financing  
28 | Commission Series 1996 and Series 1999 Bonds. ~~No refunding~~  
29 | ~~bonds secured by revenues available under this subsection may~~  
30 | ~~be issued with a final maturity later than the final maturity~~  
31 | ~~of the Florida Ports Financing Commission Series 1996 and~~

1 ~~Series 1999 Bonds or which provide for higher debt service in~~  
2 ~~any year than is currently payable on such bonds.~~ Any revenue  
3 bonds or other indebtedness issued after July 1, 2000,  
4 including other than refunding bonds shall be issued by the  
5 Division of Bond Finance at the request of the Department of  
6 Transportation pursuant to the State Bond Act.

7 (5) Notwithstanding any other provision of law except  
8 subsections (1), (2), (3), and (4), on July 1, 2006, and  
9 annually thereafter, \$5 million shall be deposited in the  
10 State Transportation Trust Fund solely for the purposes of  
11 funding the Florida Seaport Transportation and Economic  
12 Development Program as provided in chapter 311 and for funding  
13 seaport intermodal access projects of statewide significance  
14 as provided in s. 341.053. Such revenues shall be distributed  
15 to any port listed in s. 311.09(1), to be used for funding  
16 projects as follows:

17 (a) For any seaport intermodal access projects that  
18 are identified in the tentative work program of the Department  
19 of Transportation for fiscal years 2006-2007 to 2010-2011, up  
20 to the amounts needed to offset the funding requirements of  
21 this section.

22 (b) For seaport intermodal access projects as  
23 described in s. 341.053(5) which are identified in the 5-year  
24 Florida Seaport Mission Plan as provided in s. 311.09(3), at  
25 least a 25-percent match of the funds received pursuant to  
26 this subsection. Matching funds shall come from any port  
27 funds, federal funds, local funds, or private funds.

28 (c) For seaport projects, funds on a 50-50 matching  
29 basis as described in s. 311.07(3)(b).

30 (d) For seaport intermodal access projects that  
31 involve the dredging or deepening of channels, turning basins,



1 or harbors or the rehabilitation of wharves, docks, or similar  
2 structures, at least a 25-percent match of the funds received  
3 pursuant to this subsection. Matching funds shall come from  
4 any port funds, federal funds, local funds, or private funds.  
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6 Such revenues may be assigned, pledged, or set aside as a  
7 trust for the payment of principal or interest on bonds, tax  
8 anticipation certificates, or any other form of indebtedness  
9 issued by the Division of Bond Finance at the request of the  
10 Department of Transportation pursuant to the State Bond Act.  
11 However, such debt shall not constitute a general obligation  
12 of the state. This state does hereby covenant with holders of  
13 such revenue bonds or other instruments of indebtedness issued  
14 hereunder that it will not repeal or impair or amend this  
15 subsection in any manner that will materially and adversely  
16 affect the rights of holders so long as bonds authorized by  
17 this subsection are outstanding. Any revenues that are not  
18 pledged to the repayment of bonds as authorized by this  
19 section may be used for purposes authorized under the Florida  
20 Seaport Transportation and Economic Development Program. This  
21 revenue source is in addition to any amounts provided for and  
22 appropriated in accordance with s. 311.07 and subsections (3)  
23 and (4). The Florida Seaport Transportation and Economic  
24 Development Council shall submit to the Department of  
25 Transportation a list of recommended projects that have been  
26 identified pursuant to s. 311.0(5)-(9) or for seaport  
27 intermodal access projects identified in the 5-year Florida  
28 Seaport Mission Plan as provided in s. 311.09(3). The  
29 Department of Transportation shall approve the final  
30 distribution of funds and include the selected projects for  
31 funding in the tentative work program developed pursuant to s.

1 339.135. The council and the Department of Transportation are  
2 authorized to perform such acts as are required to facilitate  
3 and implement the provisions of this subsection. To better  
4 enable the ports to cooperate to their mutual advantage, the  
5 governing body of each port may exercise powers provided to  
6 municipalities or counties in s. 163.01(7)(d) subject to the  
7 provisions of chapter 311 and special acts, if any, pertaining  
8 to a port. The use of funds provided pursuant to this  
9 subsection is limited to eligible projects listed in this  
10 subsection. The provisions of s. 311.07(4) do not apply to any  
11 funds received pursuant to this subsection.

12 Section 3. Section 334.351, Florida Statutes, is  
13 amended to read:

14 334.351 Youth work experience program; findings and  
15 intent; authority to contract; limitation.--

16 (1) The Legislature finds and declares that young men  
17 and women of the state should be given an opportunity to  
18 obtain public service work and training experience that  
19 protects and conserves the valuable resources of the state and  
20 promotes participation in other community enhancement  
21 projects. Notwithstanding the requirements of chapters 287 and  
22 337, the Department of Transportation is authorized to  
23 contract with public agencies and nonprofit organizations for  
24 the performance of work related to the construction and  
25 maintenance of transportation-related facilities by youths  
26 enrolled in youth work experience programs. The total amount  
27 of contracts entered into by the department under this section  
28 in any fiscal year may not exceed the amount specifically  
29 appropriated by the Legislature for this program.

30 (2) Any youth who is participating in a nonprofit  
31 youth organization that provides services under contract to

1 the department must be certified by the youth organization as  
2 a resident of this state and must possess a valid Florida  
3 driver's license or identification card.

4 (3) Before awarding a contract under this section, the  
5 department must consider the following criteria when selecting  
6 a nonprofit youth organization to perform work on  
7 transportation-related facilities:

8 (a) The number of participants receiving  
9 life-management skills training;

10 (b) The number of participants receiving high school  
11 diplomas or GEDs;

12 (c) The number of participants receiving scholarships;

13 (d) The number of participants receiving bonuses;

14 (e) The number of participants who have secured  
15 full-time jobs; and

16 (f) The other programs or services that support the  
17 development of disadvantaged youths.

18 (4) Each nonprofit youth organization under contract  
19 with the department must:

20 (a) Submit an annual report to the department by  
21 January 1 of each year. The report must include, but need not  
22 be limited to, the applicable performance of the organization  
23 when measured by the criteria in subsection (3) for the  
24 organization's most recently completed fiscal year.

25 (b) Submit an independent audit of the organization's  
26 financial records to the department each year. The  
27 organization's contract with the department must allow the  
28 department the right to inspect the organization's financial  
29 and program records.

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1           (c) Demonstrate participation in a peer assessment or  
2 review process, such as the National Association of Service  
3 and Conservation Corps "Excellence in Corps Operations."

4           Section 4. Paragraph (j) of subsection (1) of section  
5 339.08, Florida Statutes, is amended to read:

6           339.08 Use of moneys in State Transportation Trust  
7 Fund.--

8           (1) The department shall expend moneys in the State  
9 Transportation Trust Fund accruing to the department, in  
10 accordance with its annual budget. The use of such moneys  
11 shall be restricted to the following purposes:

12           (j) To pay the cost of county or municipal road  
13 projects selected in accordance with the County Incentive  
14 Grant Program created in s. 339.2817, ~~and~~ the Small County  
15 Outreach Program created in s. 339.2818, and the Enhanced  
16 Bridge Program created in s. 339.282.

17           Section 5. Section 339.282, Florida Statutes, is  
18 created to read:

19           339.282 Enhanced Bridge Program for Sustainable  
20 Transportation.--

21           (1) There is created within the Department of  
22 Transportation the Enhanced Bridge Program for Sustainable  
23 Transportation for the purpose of providing funds to improve  
24 the sufficiency rating of local bridges and to improve  
25 congested roads on the State Highway System or local corridors  
26 on which high-cost bridges are located in order to improve a  
27 corridor or provide an alternative corridor.

28           (2) Matching funds provided from the program may fund  
29 up to 50 percent of project costs.

30           (3) The department shall allocate a minimum of 25  
31 percent of funding available for the program for local bridge

1 projects to replace, rehabilitate, paint, or install scour  
2 countermeasures to highway bridges located on public roads,  
3 other than those on the State Highway System. A project to be  
4 funded must, at a minimum:

5 (a) Be classified as a structurally deficient bridge  
6 having a poor condition rating for the deck, superstructure,  
7 substructure component, or culvert;

8 (b) Have a sufficiency rating of 35 or below; and

9 (c) Have average daily traffic of at least 500  
10 vehicles.

11 (4) Special consideration shall be given to bridges  
12 that are closed to all traffic or that have a load restriction  
13 of less than 10 tons.

14 (5) The department shall allocate remaining funding  
15 available for the program to improve highly congested roads on  
16 the State Highway System or local corridors on which high-cost  
17 bridges are located in order to improve the corridor or  
18 provide an alternative corridor. A project to be funded must,  
19 at a minimum:

20 (a) Be on or provide direct relief to an existing  
21 corridor that is backlogged or constrained; and

22 (b) Be a major bridge having an estimated cost greater  
23 than \$25 million.

24 (6) Preference shall be given to bridge projects  
25 located on corridors that connect to the Strategic Intermodal  
26 System, created under s. 339.64, and that have been identified  
27 as regionally significant in accordance with s.  
28 339.155(5)(c), (d), and (e).

29 Section 6. This act shall take effect July 1, 2006.  
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