

By Senator Altman

24-00621A-10

20102214

1                                   A bill to be entitled  
2       An act relating to seaports; amending s. 288.063,  
3       F.S.; expanding the definition of the term  
4       "transportation project" to include certain projects  
5       for a seaport; creating s. 288.0635, F.S.; providing  
6       legislative findings and intent; designating seaport  
7       commerce as a target industry; requiring Enterprise  
8       Florida, Inc., to include in its annual report a  
9       description of state efforts to attract and preserve  
10      entities engaged in the movement of goods between  
11      Florida and international markets; amending s. 311.07,  
12      F.S.; increasing the minimum amount of funds that must  
13      be made available annually from the State  
14      Transportation Trust Fund to fund the Florida Seaport  
15      Transportation and Economic Development Program;  
16      amending s. 311.09, F.S.; increasing the minimum  
17      amount of funds that the Department of Transportation  
18      must request in its legislative budget request for the  
19      Florida Seaport Transportation and Economic  
20      Development grant program; requiring the Seaport  
21      Transportation and Economic Development Council to  
22      annually submit a list of projects to the Department  
23      of Transportation which can be made production-ready  
24      within a certain period; prohibiting the Department of  
25      Transportation from requiring the Transportation and  
26      Economic Development Council to identify certain  
27      projects for which funding is requested or to fund  
28      certain projects; requiring the council to allocate  
29      appropriations to the grant programs to certain

24-00621A-10

20102214

30 transportation projects; providing an effective date.

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

33  
34 Section 1. Subsection (3) of section 288.063, Florida  
35 Statutes, is amended to read:

36 288.063 Contracts for transportation projects.—

37 (3) With respect to any contract executed pursuant to this  
38 section, the term "transportation project" means a  
39 transportation facility as defined in s. 334.03(31), or a  
40 project for a seaport which is approved pursuant to s. 311.07,  
41 which is necessary in the judgment of the Office of Tourism,  
42 Trade, and Economic Development, to facilitate the economic  
43 development and growth of the state. Except for applications  
44 received before ~~prior to~~ July 1, 1996, such transportation  
45 projects shall be approved only as a consideration to attract  
46 new employment opportunities to the state or expand or retain  
47 employment in existing companies operating within the state, or  
48 to allow for the construction or expansion of a state or federal  
49 correctional facility in a county that has ~~with~~ a population of  
50 75,000 or fewer which ~~less than~~ creates new employment  
51 opportunities or expands or retains employment in the county.  
52 The Office of Tourism, Trade, and Economic Development shall  
53 institute procedures to ensure that small and minority  
54 businesses have equal access to funding provided under this  
55 section. Funding for approved transportation projects may  
56 include any expenses, other than administrative costs and  
57 equipment purchases specified in the contract, necessary for  
58 new, or improvement to existing, transportation facilities.

24-00621A-10

20102214

59 Funds made available pursuant to this section may not be  
60 expended in connection with the relocation of a business from  
61 one community to another community in this state unless the  
62 Office of Tourism, Trade, and Economic Development determines  
63 that without such relocation the business will move outside this  
64 state or determines that the business has a compelling economic  
65 rationale for the relocation which creates additional jobs.  
66 Subject to appropriation for projects under this section, any  
67 appropriation greater than \$10 million shall be allocated to  
68 each of the districts of the Department of Transportation to  
69 ensure equitable geographical distribution. Such allocated funds  
70 that remain uncommitted by the third quarter of the fiscal year  
71 shall be reallocated among the districts based on pending  
72 project requests.

73 Section 2. Section 288.0635, Florida Statutes, is created  
74 to read:

75 288.0635 Seaport commerce; legislative finding and policy;  
76 economic development strategy.—The Legislature finds that  
77 seaport commerce is the economic foundation for the promotion,  
78 enhancement, and development of tourism, agriculture,  
79 manufacturing, transportation, and construction sectors in this  
80 state. The policy of this state is to ensure that state economic  
81 development and transportation infrastructure strategies and  
82 programs provide incentives and resources to attract and  
83 preserve entities engaged in the movement of goods between  
84 Florida and international markets and between Florida and other  
85 seaports in the United States. The Office of Tourism, Trade, and  
86 Economic Development and Enterprise Florida, Inc., shall  
87 designate seaport commerce as a target industry and ensure that

24-00621A-10

20102214

88 all resources and incentives available are provided to attract  
89 and preserve that industry. Enterprise Florida, Inc., shall  
90 include in its annual report a description and evaluation of  
91 state efforts to attract and preserve entities engaged in the  
92 movement of goods between Florida and international markets.

93 Section 3. Subsection (2) of section 311.07, Florida  
94 Statutes, is amended to read:

95 311.07 Florida seaport transportation and economic  
96 development funding.—

97 (2) A minimum of \$30 ~~\$8~~ million per year shall be made  
98 available from the State Transportation Trust Fund to fund the  
99 Florida Seaport Transportation and Economic Development Program.

100 Section 4. Subsection (10) of section 311.09, Florida  
101 Statutes, is amended to read:

102 311.09 Florida Seaport Transportation and Economic  
103 Development Council.—

104 (10) The Department of Transportation shall include in its  
105 annual legislative budget request a Florida Seaport  
106 Transportation and Economic Development grant program for  
107 expenditure of funds of at least \$30 ~~not less than \$8~~ million  
108 per year. Such budget shall include funding for projects  
109 approved by the council which have been determined by each  
110 agency to be consistent and which have been determined by the  
111 Office of Tourism, Trade, and Economic Development to be  
112 economically beneficial. After the end of each fiscal year, the  
113 council shall ~~may~~ submit to the department a list of approved  
114 projects that can ~~could~~ be ~~made~~ production-ready within the next  
115 5 years following the end of the current fiscal year ~~2 years~~.  
116 The list shall be submitted as part of the needs and project

24-00621A-10

20102214

117 list prepared pursuant to s. 339.135 and the legislative budget  
118 request. However, the department may not require the council to  
119 identify a specific project as part of the legislative budget  
120 request or to fund a specific project from funds appropriated to  
121 the grant program. The council shall allocate appropriations  
122 received by the grant program to approved projects that will  
123 improve the movement and intermodal transportation of cargo or  
124 passengers in commerce and support the interests and purposes of  
125 ports in this state.

126 Section 5. This act shall take effect July 1, 2010.