

1 A bill to be entitled
2 An act relating to the Baker County Development
3 Commission, an independent special district in
4 Baker County; providing for codification of
5 special laws regarding special districts
6 pursuant to chapter 97-255, Laws of Florida;
7 providing legislative intent; codifying and
8 reenacting chapter 57-1129, Laws of Florida, as
9 amended by chapter 59-1061, Laws of Florida;
10 providing district status and boundaries;
11 providing definitions; providing for
12 membership; authorizing Baker County and its
13 incorporated municipalities to contract with
14 the Commission; prescribing the Commission's
15 powers and duties, including the power to issue
16 and validate revenue-anticipation certificates;
17 providing restrictions; providing construction;
18 providing an allocation from Baker County's
19 share of tax on racing; providing a saving
20 clause in the event any provision of the act is
21 deemed invalid; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Intent.--Pursuant to chapter 97-255, Laws
26 of Florida, this act constitutes the codification of all
27 special acts relating to the Baker County Development
28 Commission. It is the intent of the Legislature in enacting
29 this law to provide a single, comprehensive special act
30 charter for the Commission, including all current legislative
31

1 authority granted to the Commission by its several legislative
2 enactments and any additional authority granted by this act.

3 Section 2. Codification.--Chapter 57-1129, Laws of
4 Florida, and chapter 59-1061, Laws of Florida, relating to the
5 Baker County Development Commission, are codified, reenacted,
6 amended, and repealed as herein provided.

7 Section 3. The Baker County Development Commission is
8 re-created and the charter for such commission is re-created
9 and reenacted to read:

10 Section 1. Status and boundaries.--The Baker County
11 Development Commission is hereby declared to be an independent
12 special district, a public corporation of the State of
13 Florida, within the statutory boundaries of Baker County.

14 Section 2. Definitions.--When used in this act, the
15 following words and terms, unless a different meaning appears
16 clearly from the context, shall have the following meanings:

17 (1) "Commission" shall mean the Baker County
18 Development Commission created by this act.

19 (2) "Project" shall mean and include the acquisition
20 of lands, properties, and improvements for development,
21 expansion, and promotion of industry, commerce, agriculture,
22 natural resources, and vocational training, and the
23 construction of buildings and plants for the purpose of
24 selling, leasing, or renting such structures to private
25 persons, firms, or corporations.

26 (3) "Cost of project" shall embrace the cost of
27 construction, the cost of all land, properties, easements,
28 rights, and franchises acquired, the cost of machinery and
29 equipment, financing charges, interest prior to and during
30 construction, cost of engineering, architectural, and legal
31 expense, and plans and specifications and other expenses

1 necessary or incident to determining the feasibility or
2 practicability of the project, administrative expenses, and
3 such other expenses as may be necessary or incident to the
4 financing herein authorized for the construction of any
5 project and placing the same in operation.

6 Section 3. Commission; creation and purpose.--For the
7 purpose of performing such acts as shall be necessary for the
8 sound planning for, and development of, Baker County, there is
9 created a body corporate and politic to be known as the Baker
10 County Development Commission, which is deemed to be a public
11 corporation by that name, which body may contract and be
12 contracted with and sue and be sued in all courts of law and
13 equity.

14 Section 4. Membership; appointment, term of
15 office.--The Commission shall be composed of seven members,
16 each of whom shall be a freeholder and a qualified elector of
17 the County. Members of the Commission shall be appointed by
18 the Governor as follows: one member from each of the County
19 Commission districts of the County as they are now or may
20 hereafter be constituted, and two members from the County at
21 large. Two of the members must be women. All appointments
22 shall be from the same district as the outgoing member and
23 shall be for 4-year terms except appointments to fill
24 vacancies, which shall be for the unexpired term only. Any
25 member of the Commission whose term has expired may remain in
26 office until a replacement is appointed by the Governor.

27 Section 5. Ex officio members.--The mayor of each
28 incorporated municipality and the chair of the Board of County
29 Commissioners shall be ex officio members of the Commission.

30 Section 6. Chair and vice chair.--The Commission shall
31 elect from its membership at its organizational meeting, and

1 annually thereafter, a chair and a vice chair who shall act as
2 secretary for the Commission.

3 Section 7. Quorum; transaction of business.--Any four
4 members shall constitute a quorum for the transaction of the
5 ordinary business of the Commission. However, any action with
6 respect to any project of the Commission must be approved by
7 not less than four affirmative votes. No business shall be
8 transacted except at regularly called meetings and duly
9 recorded in the minutes thereof.

10 Section 8. Compensation, travel expenses.--Members of
11 the Commission shall serve without compensation but shall be
12 reimbursed for travel expenses incurred in the performance of
13 their duties as members of the Commission.

14 Section 9. Authority of County and Cities to
15 contract.--Baker County and all incorporated Cities therein
16 are expressly authorized to enter into contracts with the
17 Commission as a public corporation.

18 Section 10. Powers and duties.--The Baker County
19 Development Commission shall have the following powers:

20 (1) To have a seal and alter the same at pleasure.

21 (2) To acquire, hold, and dispose of personal
22 property, including the stock of other corporations, for its
23 corporate purposes.

24 (3) To enter into contracts with Baker County and all
25 incorporated Cities therein.

26 (4) To acquire in its own name by purchase, on such
27 terms and conditions and in such manner as it may deem proper,
28 real property or liens or easements therein or franchises
29 necessary or convenient for its corporate purposes, and to use
30 the same, and to lease or make contracts with respect to the
31 use or disposition of same in any manner the Commission deems

1 to its best advantage. If the Commission shall deem it
2 expedient to construct any project, or use any project already
3 constructed, on lands the title to which shall then be in
4 Baker County or in one of its incorporated Cities, the
5 governing authorities of such County and Cities are
6 authorized, in their discretion, to convey title to such
7 lands, including any improvements thereon, to the Commission.

8 (5) To select and appoint agents and employees,
9 including engineers, architects, builders, and attorneys, and
10 to fix their compensation.

11 (6) To make contracts and to execute all instruments
12 necessary or convenient, including contracts for construction,
13 lease, rental, and sale of projects, or contracts with respect
14 to the use of projects which it erects or acquires.

15 (7) To construct, erect, acquire, own, repair,
16 remodel, maintain, extend, improve, equip, operate, and manage
17 projects, self-liquidating or otherwise, located on property
18 owned or leased by the Commission, and to pay the costs of any
19 such projects from the proceeds of revenue-anticipation
20 certificates of the Commission or from any grant from Baker
21 County or any of the incorporated Cities therein, or from any
22 grant from the State, or from any contribution or loan by
23 persons, firms, or corporations, all of which the Commission
24 is hereby authorized to receive and accept and use.

25 (8) To borrow money for any of its corporate purposes
26 and to execute notes, mortgages, deeds to secure debt, trust
27 deeds, and such other instruments as may be necessary or
28 convenient to evidence and secure such borrowing.

29 (9) To exercise any power granted by the laws of
30 Florida to public or private corporations performing similar
31

1 functions which is not in conflict with the State Constitution
2 and the laws of Florida.

3 (10) To do all things necessary or convenient to carry
4 out the powers expressly conferred by this act.

5 (11) To adopt, alter, or repeal its own bylaws, rules,
6 and regulations governing the manner in which its business may
7 be transacted and in which the power granted to it may be
8 enjoyed as the Commission may deem necessary or expedient in
9 facilitating its business.

10 (12) To issue revenue-anticipation certificates for
11 the purpose of paying all or any part of the cost of any
12 project of the Commission. Such revenue-anticipation
13 certificates shall be issued and validated under and in
14 accordance with the applicable provisions of the laws of
15 Florida.

16 (13) To perform such powers and duties as may from
17 time to time be authorized by the Legislature.

18 Section 11. Creation of State and County debts
19 prohibited.--The Commission shall not be empowered or
20 authorized in any manner to create a debt as against the
21 State, Baker County, or any of the incorporated Cities
22 therein.

23 Section 12. Construction.--This act, being for the
24 purpose of developing and promoting the public good and the
25 welfare of Baker County and the incorporated Cities therein
26 and their inhabitants, shall be liberally construed to effect
27 the purposes thereof.

28 Section 13. There is hereby appropriated, for the
29 purposes contained in this act, the first \$10,000 after the
30 first \$58,000 of the moneys accruing to Baker County under the
31 provisions of chapter 550, Florida Statutes.

1 Section 14. It is declared to be the legislative
2 intent that if any section, subsection, sentence, clause, or
3 provision of this act is held invalid, the remainder of the
4 act shall not be affected.

5 Section 4. Chapters 57-1129 and 59-1061, Laws of
6 Florida, and all laws or parts of laws in conflict with the
7 provisions of this act are hereby repealed.

8 Section 5. This act shall take effect upon becoming a
9 law.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31