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A bill to be entitled
 An act relating to the Canaveral Port District, Brevard
 County; providing legislative intent; codifying, amending,
 and reenacting special acts relating to the district;
 providing severability; providing purpose and
 construction; providing applicability; repealing chapters
 28922 (1953), 30606 (1955), 57-1178, 59-1093, 65-1286, 65-
 1287, 67-1131, 67-1144, 69-857, 69-868, 70-592, 70-601,
 74-426, 74-427, 74-428, 75-335, 75-341, 76-326, 76-327,
 78-471, 79-430, 80-455, 82-266, 84-394, 87-431, 88-483,
 89-408, 89-553, 94-436, 95-465, and 2000-418, Laws of
 Florida; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes,
this act constitutes the codification of all special acts
relating to the Canaveral Port District. It is the intent of the
Legislature in enacting this law to provide a single,
comprehensive special act charter for the District, including
all current legislative authority granted to the District by its
several legislative enactments and any additional authority
granted by this act.

Section 2. Chapters 28922 (1953), 30606 (1955), 57-1178,
59-1093, 65-1286, 65-1287, 67-1131, 67-1144, 69-857, 69-868, 70-
592, 70-601, 74-426, 74-427, 74-428, 75-335, 75-341, 76-326, 76-
327, 78-471, 79-430, 80-455, 82-266, 84-394, 87-431, 88-483, 89-
408, 89-553, 94-436, 95-465, and 2000-418, Laws of Florida,
relating to the Canaveral Port District, are codified,
reenacted, amended, and repealed as herein provided.



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31 Section 3. The charter for the Canaveral Port District is
 32 re-created and reenacted to read:

33 ARTICLE I. Creation and Status

34 Section 1. There is created and established a port
 35 district in Brevard County, which shall also be an independent
 36 special taxing district and political subdivision of the state,
 37 to be known as the "Canaveral Port District," which shall
 38 consist of so much of Brevard County as lies north of that line
 39 described as follows:

40
 41 Beginning at a point where the west boundary line of said
 42 Brevard County, Florida, intersects with the south
 43 boundary line of Township 25 South, Range 35 East, and
 44 proceeding thence easterly along the south boundary line
 45 of Township 25 South to the intersection of the east
 46 boundary line of Brevard County, Florida, with the south
 47 boundary line of Township 25 South.

48
 49 Section 2. The Canaveral Port District is divided into
 50 five Commissioner Port Districts, numbered one to five,
 51 inclusive, defined as follows:

52
 53 (a) District 1: Beginning at the intersection of
 54 the North line of Township 20 South (Brevard/Volusia
 55 County Line) and the Mean High Water Line of the Atlantic
 56 Ocean;
 57 Thence meander southerly along said Mean High Water Line
 58 of the Atlantic Ocean to the South line of Township 22
 59 South, Range 38 East;
 60 Thence westerly along said South line to the centerline



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61 of the Intracoastal Waterway of the Indian River;
 62 Thence northerly along said centerline to the easterly
 63 projection of the centerline of Buffalo Road, in Section
 64 34, Township 21 South, Range 35 East;
 65 Thence westerly along said centerline and its easterly
 66 projection to the centerline of North Washington Avenue
 67 (U.S. Highway #1);
 68 Thence southerly along said centerline to the centerline
 69 of Malinda Lane;
 70 Thence westerly along said centerline to the East line of
 71 the W 1/4 of Section 33, Township 21 South, Range 35
 72 East;
 73 Thence southerly along said east line to the centerline
 74 of Garden Street (State Road 406);
 75 Thence easterly along said centerline to the centerline
 76 of Park Avenue (Old State Road 405);
 77 Thence southerly along said centerline to the centerline
 78 of Barna Avenue;
 79 Thence southerly along said centerline to the centerline
 80 of Harrison Street;
 81 Thence easterly along said centerline to the centerline
 82 of the Florida East Coast Railway;
 83 Thence southerly along said centerline to the centerline
 84 of Cheney Highway (State Road 50);
 85 Thence westerly along said centerline to the centerline
 86 of Rosehill Avenue, in Section 22, Township 22 South,
 87 Range 35 East;
 88 Thence northerly along said centerline to the centerline
 89 of Knox McRae Drive;
 90 Thence northwesterly along said centerline to the



91 centerline of Barna Avenue;
 92 Thence southerly along said centerline to the centerline
 93 of Cheney Highway (State Road 50);
 94 Thence westerly along said centerline to the centerline
 95 of the St. Johns River, also being the county line
 96 between Brevard and Orange Counties;
 97 Thence meander northerly along said centerline of the St.
 98 Johns River to the intersection of the Volusia, Brevard,
 99 Orange and Seminole County lines, said point also lying
 100 on the South line of Township 21 South, Range 33 East;
 101 Thence easterly along said South line of Township 21
 102 South, also being the county line between Brevard and
 103 Volusia Counties, to the East line of Range 33 East;
 104 Thence northerly along said East line, also being the
 105 county line between Brevard and Volusia Counties, to the
 106 North line of Township 20 South, also being the Northwest
 107 corner of Brevard County;
 108 Thence easterly along said North Township line to the
 109 point of beginning.

110
 111 (b) District 2: Beginning at the intersection of
 112 the easterly projection of Buffalo Road, in Section 34,
 113 Township 21 South, Range 35 East and the centerline of
 114 the Intracoastal Waterway of the Indian River;
 115 Thence southerly along said centerline to easterly
 116 projection of the centerline of Kings Highway;
 117 Thence westerly along said centerline to the centerline of
 118 Grissom Parkway (Tulsa Boulevard);
 119 Thence southerly along said centerline to the centerline
 120 of Ranch Road;



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121 Thence westerly along said centerline to the centerline of
 122 Interstate 95;
 123 Thence southerly along said centerline to the centerline
 124 of Fay Boulevard;
 125 Thence easterly along said centerline to the centerline of
 126 the Florida East Coast Railway;
 127 Thence southerly along said centerline to the centerline
 128 of Broadway Boulevard, in Section 25, Township 23 South,
 129 Range 35 East;
 130 Thence easterly along said centerline and its easterly
 131 projection to the centerline of the Intracoastal Waterway
 132 of the Indian River;
 133 Thence southerly along said centerline to the centerline
 134 of the Beeline Expressway (State Road 528);
 135 Thence westerly along said centerline to the East line of
 136 Section 13, Township 24 South, Range 35 East;
 137 Thence southerly along said east line to the North right
 138 of way line of North Road;
 139 Thence northwesterly along said right of way line to the
 140 West line of Cocoa North Subdivision, Unit 1, as recorded
 141 in Plat Book 21 page 3, Public Records of Brevard County,
 142 Florida;
 143 Thence southerly along said West line to the North right
 144 of way line of London Boulevard;
 145 Thence westerly along said North right of way line to the
 146 West line of Cocoa North Subdivision, Unit 2, as record
 147 in Plat Book 21 page 10, Public Records of Brevard
 148 County, Florida;
 149 Thence northeasterly, northwesterly, westerly, and
 150 northerly along said West line to the South line of N 1/4



151 of said Section 13, Township 24 South, Range 35 East,
 152 said point also being the North line of Cocoa North
 153 Subdivision, Unit 4, as recorded in Plat Book 26 page 44,
 154 Public Records of Brevard County, Florida;
 155 Thence westerly along said South line to the North-South
 156 midsection line of said Section 13;
 157 Thence southerly along said North-South midsection line
 158 to the East-West midsection line of said Section 13;
 159 Thence westerly along said East-West midsection line
 160 (said line also being the North line of Cocoa North
 161 Subdivision, Unit 8, as recorded in Plat Book 31 page 65,
 162 Public Records of Brevard County, Florida) the to the
 163 centerline of Cox Road;
 164 Thence southerly along said centerline to the North line
 165 of the S 1/4 of the S 1/2 of the NE 1/4 of the NE 1/4 of
 166 Section 23, Township 24 South, Range 35 East;
 167 Thence westerly along said North line to the West line of
 168 the NE 1/4 of the NE 1/4 of said Section 23;
 169 Thence southerly along said West line to the South line
 170 of the N 1/4 of said Section 23;
 171 Thence westerly along said South line to the North-South
 172 Midsection line of said Section 23;
 173 Thence southerly along said North-South Midsection line
 174 to the East-West Midsection line of said Section 23;
 175 Thence easterly along said East-West Midsection line to
 176 the centerline of State Road 524;
 177 Thence northeasterly along said centerline to the
 178 centerline of Cox Road;
 179 Thence southerly along said centerline to the centerline
 180 of Lake Drive;



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181 Thence easterly along said centerline to the centerline
 182 of Clearlake Road (State Road 501);
 183 Thence southerly along said centerline to the centerline
 184 of Pluckebaum Road;
 185 Thence westerly along said centerline to the centerline
 186 of Interstate 95;
 187 Thence southeasterly along said centerline to the
 188 centerline of Rockledge Creek;
 189 Thence westerly along said centerline and its westerly
 190 projection to the centerline of Lake Poinsett;
 191 Thence meander westerly along said centerline to the
 192 southwesterly projection of the centerline of State Road
 193 524;
 194 Thence northeasterly along said centerline and its
 195 southwesterly projection to the centerline of State Road
 196 520;
 197 Thence westerly along said centerline to the centerline
 198 of the St. Johns River, also being the county line
 199 between Brevard and Orange Counties;
 200 Thence meander northerly along said centerline to the
 201 centerline of Cheney Highway (State Road 50)
 202 Thence easterly along said centerline to the centerline
 203 of Barna Avenue;
 204 Thence northerly along said centerline to the centerline
 205 of Knox McRae Avenue;
 206 Thence southeasterly along said centerline to the
 207 centerline of Rosehill Avenue, in Section 22, Township 22
 208 South, Range 35 East;
 209 Thence southerly along said centerline to the centerline
 210 of Cheney Highway (State Road 50);



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211 Thence easterly along said centerline to the centerline
 212 of the Florida East Coast Railway;
 213 Thence northerly along said centerline to the centerline
 214 of Harrison Street;
 215 Thence westerly along said centerline to the centerline
 216 of Barna Avenue;
 217 Thence northerly along said centerline to the centerline
 218 of Park Avenue (Old State Road 405);
 219 Thence northerly along said centerline to the centerline
 220 of Garden Street (State Road 406);
 221 Thence westerly along said centerline to the East line of
 222 the W 1/4 of Section 33, Township 21 South, Range 35 East
 223 Thence northerly along said east line to the centerline
 224 of Malinda Lane;
 225 Thence easterly along said centerline to the centerline
 226 of North Washington Avenue (U.S. Highway #1);
 227 Thence northerly along said centerline to the centerline
 228 of Buffalo Road, in Section 33, Township 21 South, Range
 229 35 East;
 230 Thence easterly along said centerline and its easterly
 231 projection to the point of beginning.

233 (c) District 3: Beginning at the intersection of
 234 the centerline of the Intracoastal Waterway of the Indian
 235 River and the centerline of the Beeline Expressway (State
 236 Road 528);
 237 Thence southerly along said centerline of the
 238 Intracoastal Waterway to the South line of Township 25
 239 South;
 240 Thence westerly along said South line to the West line of



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241 Range 35 East, also being the county line between Osceola
 242 and Brevard Counties;
 243 Thence northerly along said West line intersection of the
 244 Brevard, Orange and Osceola County lines;
 245 Thence northerly along said Brevard and Orange County
 246 line to the centerline of State Road 520;
 247 Thence easterly along said centerline to the centerline
 248 of State Road 524;
 249 Thence southwesterly along said centerline and its
 250 southwesterly projection to the centerline of Lake
 251 Poinsett;
 252 Thence easterly along said centerline to the westerly
 253 projection of the centerline of Rockledge Creek;
 254 Thence easterly along said centerline and its westerly
 255 projection to the centerline of Interstate 95;
 256 Thence northwesterly along said centerline to the
 257 centerline of Pluckebaum Road;
 258 Thence easterly along said centerline to the centerline
 259 of Clearlake Road (State Road 501);
 260 Thence northerly along said centerline to the centerline
 261 of Lake Drive;
 262 Thence westerly along said centerline to the centerline
 263 of Cox Road;
 264 Thence northerly along said centerline to the centerline
 265 of State Road 524;
 266 Thence southwesterly along said centerline to the East-
 267 West Midsection line of Section 23, Township 24 South,
 268 Range 35 East;
 269 Thence westerly along said East-West Midsection line to
 270 the North-South Midsection line of said Section 23;



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271 Thence northerly along said North-South Midsection line
 272 to the South line of the N 1/4 of said Section 23;
 273 Thence easterly along said South line to the West line of
 274 the NE 1/4 of the NE 1/4 of said Section 23;
 275 Thence northerly along said West line to the North line
 276 of the S 1/4 of the S 1/2 of the NE 1/4 of the NE 1/4 of
 277 said Section 23;
 278 Thence easterly along said North line to the centerline
 279 of Cox Road;
 280 Thence northerly along said centerline to the East-West
 281 Midsection line of Section 13, Township 24 South, Range
 282 35 East;
 283 Thence easterly along said East-West Midsection line to
 284 the North-South Midsection line of said Section 13;
 285 Thence northerly along said North-South Midsection line
 286 to the South line of the N 1/4 of said Section 13, said
 287 line also being the North line of Cocoa North
 288 Subdivision, Unit 4, as recorded in Plat Book 26 page 44,
 289 Public Records of Brevard County, Florida;
 290 Thence easterly along said South line to the West line of
 291 Cocoa North Subdivision, Unit 2, as recorded in Plat Book
 292 21 page 10, Public Records of Brevard County, Florida;
 293 Thence southerly, easterly, southeasterly and
 294 southwesterly along said West line to the North right of
 295 way line of London Boulevard;
 296 Thence easterly along said North right of way line to the
 297 West line of Cocoa North Subdivision, Unit 1, as recorded
 298 in Plat Book 21 page 3, Public Records of Brevard County,
 299 Florida;
 300 Thence northerly along said West line and its northerly



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301 projection to the North right of way line of North road;
302 Thence southeasterly along said North right of way line
303 to the East line of Section 13, Township 24 South, Range
304 35 East;
305 Thence northerly along said East line to the centerline
306 of the Beeline Expressway (State Road 528)
307 Thence westerly along said centerline to the point of
308 beginning.

309
310 (d) District 4: Beginning at the intersection of
311 the South line of Township 22 South, Range 38 East and
312 the Mean High Water Line of the Atlantic Ocean;
313 Thence southerly along said Mean High Water Line to the
314 centerline of the Canaveral Port Authority Main Channel;
315 Thence westerly along said centerline to the centerline
316 of the Banana River;
317 Thence southerly along said centerline to the easterly
318 projection of the centerline of Morningside Drive, in
319 Section 30, Township 24 South, Range 37 East;
320 Thence westerly along said easterly projection and
321 centerline to the centerline of North Banana River Drive;
322 Thence northerly along said centerline to the South line
323 of Surfside Estates, Unit 1, as recorded in Plat Book 16
324 page 65, Public Records of Brevard County, Florida;
325 Thence westerly along said South line and its westerly
326 projection to the centerline of Sykes Creek;
327 Thence southerly along said centerline to the centerline
328 of Merritt Island Causeway (State Road 520);Thence
329 westerly along said centerline to the centerline of
330 Plumosa Street;



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331 Thence northerly along said centerline to the centerline
 332 of LeJeune Boulevard;
 333 Thence northwesterly along said centerline to the
 334 centerline of Palmetto Avenue;
 335 Thence northeasterly along said centerline to the
 336 centerline of East Merritt Avenue;
 337 Thence westerly along said centerline to the centerline
 338 of Fourth Street;
 339 Thence northerly along said centerline to the centerline
 340 of Alabama Avenue;
 341 Thence westerly along said centerline to the centerline
 342 of Fourth Place;
 343 Thence northerly along said centerline to the centerline
 344 of Needle Boulevard;
 345 Thence westerly along said centerline to the centerline
 346 of North Courtenay Parkway;
 347 Thence southerly along said centerline to the centerline
 348 of Merritt Avenue;
 349 Thence westerly along said centerline and its westerly
 350 projection to the centerline of the Intracoastal Waterway
 351 of the Indian River;
 352 Thence northerly along said centerline to the easterly
 353 projection of the centerline of Broadway Boulevard, in
 354 Section 30, Township 23 South, Range 36 East;
 355
 356 Thence westerly along said easterly projection and
 357 centerline to the centerline of the Florida East Coast
 358 Railway;
 359 Thence northerly along said centerline to the centerline
 360 of Fay Boulevard;



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361 Thence westerly along said centerline to the centerline
 362 of Interstate 95;
 363 Thence northerly along said centerline to the centerline
 364 of Ranch Road;
 365 Thence easterly along said centerline to the centerline
 366 of Grissom Parkway (Tulsa Highway);Thence northerly along
 367 said centerline to the centerline of Kings Highway;
 368 Thence easterly along said centerline and its easterly
 369 projection to the centerline of the Intracoastal Waterway
 370 of the Indian River;
 371 Thence northerly along said centerline to the South line
 372 of Township 22 South;
 373 Thence easterly along said South line to the point of
 374 beginning.

375
 376 (e) District 5: Beginning at the intersection of
 377 the centerline of the Canaveral Port Authority Main
 378 Channel and the Mean High Water Line of the Atlantic
 379 Ocean;
 380 Thence meander southerly along said Mean High Water Line
 381 to the North line of Patrick Air Force Base, also being
 382 the South line of Orlando Beach Subdivision as recorded
 383 in Plat Book 9 page 43, Public Records of Brevard County,
 384 Florida, in Section 35, Township 25 South, Range 37 East;
 385 Thence westerly along said North line to the centerline
 386 of the Banana River;
 387 Thence southerly along said centerline to the South line
 388 of Township 25 South;
 389 Thence westerly along said South line to the centerline
 390 of the Intracoastal Waterway of the Indian River;



391 Thence northerly along said centerline to the westerly
 392 projection of the centerline of West Merritt Avenue, said
 393 line also being the North line of Section 34, Township 24
 394 South, Range 36 East;
 395 Thence easterly along said westerly projection and
 396 centerline to the centerline of North Courtenay Parkway;
 397 Thence northerly along said centerline to the centerline
 398 of Needle Boulevard;
 399 Thence easterly along said centerline to the centerline
 400 of Fourth Place;
 401 Thence southerly along said centerline to the centerline
 402 of Alabama Avenue;
 403 Thence easterly along said centerline to the centerline
 404 of Fourth Street;
 405 Thence southerly along said centerline to the centerline
 406 of East Merritt Avenue;
 407 Thence easterly along said centerline to the centerline
 408 of Palmetto Avenue;
 409 Thence southwesterly along said centerline to the
 410 centerline of LeJeune Boulevard;
 411 Thence southeasterly along said centerline to the
 412 centerline of Plumosa Street
 413 Thence southerly along said centerline to the centerline
 414 of Merritt Island Causeway (State Road 520);
 415 Thence easterly along said centerline to the centerline
 416 of Sykes Creek;
 417 Thence meander northerly along said centerline to the
 418 westerly projection of the South line of Surfside
 419 Estates, Unit 1, as recorded in Plat Book 16 page 65,
 420 Public Records of Brevard County, Florida;



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421 Thence easterly along said westerly projection and South
 422 line to the centerline of North Banana River Drive;
 423 Thence southerly along said centerline to the centerline
 424 of Morningside Drive, in Section 30, Township 24 South,
 425 Range 37 East;
 426 Thence easterly along said centerline and its easterly
 427 projection to the centerline of the Banana River;
 428 Thence northerly along said centerline to the centerline
 429 of the Canaveral Port Authority Main Channel;
 430 Thence easterly along said centerline to the point of
 431 beginning.

432
 433 (f) All of the aforesaid boundary lines and referenced
 434 points are as the same are situated and located on the date this
 435 provision becomes law, except that the shoreline of the Atlantic
 436 Ocean and channel centerlines of the waterways in said
 437 descriptions shall be as the same exists in fact from time to
 438 time.

439 Section 3. Commencing with the year 1982, and every 10
 440 years thereafter, the Canaveral Port Authority by resolution
 441 shall divide the Canaveral Port District into five (5)
 442 Commissioner Port Districts of contiguous territory as nearly
 443 equal in population as practicable according to the duly
 444 registered electors in the Canaveral Port District determined by
 445 the elector registration rolls of the Supervisor of Elections
 446 for Brevard County. On or before January 15th of each decennial
 447 year commencing with the year 1982, the Supervisor of Elections
 448 for Brevard County shall transmit to the Canaveral Port
 449 Authority a certified statement of all elector precincts lying
 450 in whole or in part in the Canaveral Port District and the



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451 number of electors in each precinct or partial precinct in the
 452 Canaveral Port District according to the most recent records of
 453 the Supervisor of Elections prior to the submission of such
 454 certified statement. On or before March 5th of each such
 455 decennial year, the Canaveral Port Authority shall divide and
 456 define the boundaries of each of the five (5) Commissioner Port
 457 Districts based on the certified statement of elector precincts
 458 and number of electors submitted by the Supervisor of Elections.
 459 No Commissioner Port Districts shall have more than 22 percent
 460 or less than 18 percent of the total number of duly registered
 461 electors in the Canaveral Port District according to the
 462 certified statement of the Supervisor of Elections. On or before
 463 March 31st of each such decennial year, the Canaveral Port
 464 Authority shall deliver to the Board of County Commissioners for
 465 Brevard County and the Supervisor of Elections for Brevard
 466 County a certified copy of the resolution by the Canaveral Port
 467 Authority defining the boundaries of the five Commissioner Port
 468 Districts determined hereunder, and the Commissioner Port
 469 Districts so determined shall be and constitute the Commissioner
 470 Port Districts to and until the same are again determined
 471 decennially under this provision. As the five Commissioner Port
 472 Districts are decennially determined and defined, the same shall
 473 immediately supersede the previously determined and defined five
 474 Commissioner Port Districts.

475 Section 4. The District's charter may only be amended by
 476 special act of the Legislature.

477 ARTICLE II. Definitions

478 Section 1. All references herein to "Harbor District" or
 479 "Port District" shall be deemed to mean Canaveral Port District,
 480 situated in Brevard County as described in Article I; and all



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481 references herein to "Harbor Commissioners," "Port
482 Commissioners," or "Port Authority" shall be deemed to mean the
483 Canaveral Port Authority, the governing body of the Canaveral
484 Port District. All references herein to "Harbor Commissioners"
485 or "Port Commissioners" shall be deemed to mean qualified
486 commissioners or members constituting the Canaveral Port
487 Authority. All references herein to "Port Canaveral" or "Port"
488 shall be deemed to mean the Port of Canaveral, Brevard County,
489 including the main entrance channels, turning basins, slips, and
490 jetties, and including also all lands abutting on the navigable
491 waters of said port.

492 ARTICLE III. Governing Authority

493 Section 1. The governing authority of said Canaveral Port
494 District shall be known as the Canaveral Port Authority. Said
495 Canaveral Port Authority as a body politic and body corporate is
496 deemed a political subdivision of the State of Florida within
497 the meaning of sovereign immunity from taxation; it shall have
498 perpetual existence; it may adopt and use a common seal and
499 alter the same; it may contract and be contracted with; it may
500 sue in its corporate name in any of the courts in the several
501 states and in the courts of the United States, and may be sued
502 only in the courts of the state and the courts of the United
503 States for the Southern District of the state, or in such other
504 District Court of the United States to which Brevard County may
505 hereafter be transferred.

506 ARTICLE IV. General Grant of Powers

507 The Canaveral Port Authority, governing body of the Canaveral
508 Port District, shall have additional powers as follows:

509 Section 1. To acquire by grant, purchase, gift, devise,
510 condemnation, or in any other manner, all property, real or



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511 personal, or any estate or interest therein, within said
512 Canaveral Port District, which by resolution the said port
513 authority shall determine to be necessary for the purposes of
514 said Canaveral Port District; said determination shall be
515 conclusive, except in cases of fraud or gross abuse of
516 discretion; and to improve, maintain, lease, mortgage, or
517 otherwise encumber the same, or any part thereof, or any
518 interest or estate therein, and to sell, convey, and deliver the
519 legal title to certain land to an agency of Florida for
520 rights-of-way for a public toll highway between Port Canaveral,
521 Brevard County, and United States Highway No. 1 near City Point,
522 Brevard County; with right of reversion of said land upon
523 abandonment thereof by nonuser, or, in the event such public
524 toll highway be not constructed, whichever is sooner; and upon
525 such conditions as said Port Authority shall fix and determine,
526 as hereinafter provided; and said determination shall be deemed
527 conclusive, except in case of fraud or gross abuse of
528 discretion.

529 Section 2. To lay out, construct, condemn, purchase, own,
530 mortgage, add to, maintain, conduct, operate, build, equip,
531 manage, replace, enlarge, improve, regulate, control, repair,
532 fix, and establish jetties, piers, quays, wharves, docks,
533 warehouses, storehouses, breakwaters, bulkheads, public
534 landings, slips, seawalls, turning basins, harbors, ports,
535 waterways, channels, moles, bridges, catwalks, ferries and
536 causeways, drydocks, terminal facilities, canals, elevators,
537 grain bins, cold storage plants, icing plants and their
538 distribution, refrigerating plants, pre-cooling plants, bunkers,
539 oil tanks, pipelines, locks, tidal basins, subways, tramways,
540 cableways, anchorage areas, depots, areas for abandoned or



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541 derelict ships, barges, or other craft, airways, landing fields,
542 conveyors, modern appliances for economic handling, storing, and
543 transportation of freight and the handling of passenger traffic,
544 systems of fresh water supply, electric and steam generating
545 stations and plants and distribution systems therefor, sewage
546 systems and sewage disposal and treatment plants, telegraph and
547 telephone systems and lines, buried or on poles, gas lines and
548 distribution systems therefor for servicing the lands,
549 properties and facilities now or hereafter owned, acquired, or
550 controlled by lease, franchise, or otherwise, by Canaveral Port
551 District or the Canaveral Port Authority and any and all areas
552 adjacent thereto, radio broadcasting stations and facilities,
553 parking lots and areas for off-street or off-road parking of
554 motor vehicles, barge lines, truck lines, steamship lines,
555 shipping lines, roads and railroads, within and without the
556 territorial limits of Canaveral Port District, and all other
557 harbor and harbor area improvements and facilities which the
558 Port Authority may determine to be necessary, feasible, and
559 advantageous; and in connection with the operation, improvement,
560 and maintenance of said port, to perform all customary services,
561 including the handling, weighing, measuring, regulation,
562 control, inspection, and reconditioning of all commodities and
563 cargo received or shipped through said port.

564 Section 3. To exercise control over Port Canaveral,
565 Brevard County, and any and all parts thereof; to apply to
566 proper authorities of the United States Government for the right
567 to establish, operate, and maintain a Foreign Trade Zone within
568 the limits of Brevard County and to establish, operate, and
569 maintain such Foreign Trade Zone; to apply for and obtain
570 permission from the United States Government to create, improve,



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571 regulate, and control all waters, and natural or artificial
572 waterways within said Port Canaveral; to improve all navigable
573 and non-navigable waters situated within said Canaveral Port
574 District necessary or useful to the operation, improvement, and
575 maintenance of Port Canaveral; to construct, improve, and
576 maintain such inlets, slips, turning basins, and channels; to
577 make and give to the United States Government such guarantees
578 upon such terms and conditions as may be required; and to enact,
579 adopt, and establish rules and regulations for the complete
580 exercise of jurisdiction and control over all of said lands and
581 waters of said Port Canaveral within said Canaveral Port
582 District.

583 Section 4. To fix uniform rates of wharfage, dockage,
584 pilotage, warehousing, storage, port, and terminal charges upon
585 all harbor facilities and improvements located within said Port
586 District, whether owned by said Port Authority or otherwise, and
587 to fix and determine the rates, commissions, rentals, tolls, and
588 other charges for the use of harbor and area facilities and
589 improvements located within said Port District insofar as it may
590 be permissible for said Port Authority to do so under the
591 Constitution and laws of the State of Florida and under the
592 Constitution and laws of the United States of America.

593 Section 5. To exercise such police powers as the Port
594 Authority shall determine to be necessary for the effective
595 control, regulation, and protection of Port Canaveral and for
596 the effective exercise of jurisdiction over said port.

597 Section 6. To grant franchises to any person, firm, or
598 corporation to construct, establish, operate, replace, repair,
599 fix, enlarge, maintain, improve, equip, manage, acquire, and
600 control jetties, piers, quays, wharves, docks, warehouses,



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601 storehouses, breakwaters, bulkheads, public landings, slips,
 602 seawalls, turning basins, harbors, ports, waterways, channels,
 603 moles, bridges, catwalks, ferries, roads and causeways,
 604 drydocks, terminal facilities, canals, elevators, grain bins,
 605 cold storage plants, icing plants and their distribution,
 606 refrigeration plants, pre-cooling plants, bunkers, oil tanks,
 607 pipelines, locks, tidal basins, subways, tramways, cableways,
 608 anchorage areas, depots, areas for abandoned ships, barges, or
 609 other craft, airways, landing fields, conveyors, modern
 610 appliances for economic handling, storing, and transportation of
 611 freight and the handling of passenger traffic, systems of fresh
 612 water supply, electric and steam generating stations and plants
 613 and distribution systems therefor, sewage systems and sewage
 614 disposal and treatment plants, telegraph and telephone systems
 615 and lines, buried or on poles, gas lines and distribution
 616 systems therefor for servicing the lands, properties, and
 617 facilities now or hereafter owned, acquired, or controlled by
 618 lease, franchise, or otherwise by Canaveral Port District or the
 619 Canaveral Port Authority, and any and all areas adjacent
 620 thereto, radio broadcasting stations and facilities, parking
 621 lots and areas for off-street or off-road parking of motor
 622 vehicles, barge lines, truck lines, steamship lines, shipping
 623 lines, roads and railroads within and without the territorial
 624 limits of the Canaveral Port District, and other harbor and
 625 harbor area improvements and facilities which the Port Authority
 626 may determine to be necessary, feasible, and advantageous; and
 627 in connection with the operation, improvement, and maintenance
 628 of said port, to perform all customary services, including the
 629 handling, weighing, measuring, regulation, control, inspection,
 630 and reconditioning of all commodities and cargo received or



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631 shipped through said port in the exercise of such franchise.
 632 Nothing in this section shall be construed to limit the right of
 633 the Port Authority to construct, maintain, and operate the port
 634 facilities, as provided in section 2 of this article.

635 Section 7. To enter into such contract, lease, or
 636 franchise with any common carrier or carriers and their
 637 respective successors and assigns as the Port Authority shall
 638 determine to be necessary for the development, improvement, and
 639 promotion of the transportation and warehousing facilities of
 640 Port Canaveral and the development, improvement, and promotion
 641 of Port Canaveral; to acquire by grant, purchase, gift, devise,
 642 condemnation, exchange, or in any other manner all land,
 643 easements, and rights of property deemed necessary or
 644 advantageous by the Port Authority for such purposes; to execute
 645 whatever arrangements, by contract or otherwise, may be
 646 necessary in the opinion of the Interstate Commerce Commission
 647 to perform and comply with all rules and regulations promulgated
 648 by the Interstate Commerce Commission or any other state or
 649 federal agency covering the operation, maintenance, improvement,
 650 development, and ownership of the transportation and warehousing
 651 facilities used in connection with Port Canaveral.

652 Section 8. To levy, assess, collect, and enforce ad
 653 valorem taxes upon all of the real and personal property in the
 654 Canaveral Port District for the purpose of defraying operating,
 655 maintenance, and general administration expenses and other
 656 necessary expenses incurred for the improvement of the port
 657 facilities, and for the purchase of rights-of-way, of said
 658 Canaveral Port Authority and Canaveral Port District, provided
 659 that such levy shall not exceed 3 mills on the dollar in any one
 660 year on the total assessed valuation of all taxable property



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661 within said Canaveral Port District for such year; and the Port
662 Authority is authorized and empowered to issue its promissory
663 note or notes at the rate of interest, maturity, terms, and
664 conditions as directed by the Canaveral Port Authority, signed
665 in the name of the Canaveral Port Authority by the Chair and the
666 Secretary and the corporate seal affixed thereto, and the funds
667 derived therefrom to be used for the payment of operating,
668 maintenance, and general administration expenses, and for the
669 purchase of right-of-way, against or to be repaid from the
670 anticipated revenues to be derived from the said 3 mill ad
671 valorem tax, previously levied and assessed.

672 Section 9. To create and designate such offices,
673 departments, and divisions, other than those herein specifically
674 provided for, as the said Port Authority may determine to be
675 necessary; to prescribe the duties and compensation of such
676 officers and employees; to employ an attorney for the Port
677 Authority; and to fix and determine the compensation and duties
678 of said attorney. The term of office of said attorney and all
679 appointees and employees shall be at the pleasure of the Port
680 Authority.

681 Section 10. To make rules and regulations consistent with
682 the Constitution and laws of the State of Florida, and with the
683 Constitution and laws of the United States of America, for the
684 promotion and conduct of navigation, commerce, and industry in
685 said Port Canaveral. Said rules and regulations shall be
686 reasonable and shall apply uniformly to all similarly situated.

687 Section 11. To make rules and regulations governing the
688 course, conduct, movement, stationing and restationing, berthing
689 and reberthing, fueling and refueling, loading, unloading, and
690 reloading, docking, storing, mooring, and anchoring of ships,



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691 vessels, crafts, barges, skiffs, and boats within said Port
 692 Canaveral and the navigable waters over which the said Port
 693 Authority has jurisdiction; to remove all obstacles to
 694 navigation, commerce, and industry in the waters of said Port
 695 Canaveral and the navigable waters over which the said Port
 696 Authority has jurisdiction; however, this power can only be
 697 exercised within navigable waters, entrance channels, turning
 698 basins, and slips in the waters of the said port.

699 Section 12. To prescribe, fix, and establish fines,
 700 penalties, and punishment for the violation of the rules and
 701 regulations of said Port Authority and to enforce such fines,
 702 penalties, and punishments in such manner as the Port Authority
 703 may by resolution determine. All fines and penalties so imposed
 704 or levied shall be recoverable in the name of the Canaveral Port
 705 Authority in any court of the state having jurisdiction over the
 706 amount involved and shall inure and belong to said Port
 707 Authority.

708 Section 13. To enter into any contract with the Government
 709 of the United States, or any agency thereof, which may be
 710 necessary in order to procure assistance, appropriations,
 711 grants, gifts, and aid for the deepening, widening, and
 712 extending of channels and turning basins and the building,
 713 construction, and maintenance of slips, wharves, breakwaters,
 714 jetties, bulkheads, facilities, and any and all other port
 715 improvements and facilities. To convey fee simple title to
 716 lands to the United States Government for a United States Coast
 717 Guard facility, to meet the requirements of local interests and
 718 for other advisable port interests; with right of reversion of
 719 said land in the event the same is either not used for said
 720 purpose within 5 years after conveyance or there is an



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721 abandonment of such use for 5 years.

722 Section 14. To exercise the right of eminent domain and to
723 condemn, appropriate, and acquire any property, both real and
724 personal, and any interest or estate therein which by resolution
725 the Port Authority shall determine to be necessary for the
726 deepening, widening, and extending of the channels, turning
727 basins, roads, and railroads and the building and construction
728 of slips, wharves, sheds, warehouses, breakwaters, jetties,
729 bulkheads, and any and all other port improvements and
730 facilities, said determination shall be conclusive, except in
731 the case of fraud or gross abuse of discretion; such
732 condemnation proceeding shall be exercised in the manner
733 provided in sections 73.01, 73.011, 73.02 through 73.12, 73.14,
734 73.15, 73.17, 73.18, and 73.20, Florida Statutes, 1951, and acts
735 amendatory and supplementary thereto; and pursuant to the
736 following additional provisions, to-wit:

737 (a) The Port Authority, if satisfied with the verdict
738 rendered in a condemnation proceeding, shall, within 30 days
739 after the rendition of the judgment, file in the court in which
740 said proceeding was instituted its written acceptance of the
741 verdict and judgment and shall pay into court the compensation
742 ascertained by the jury. The court having jurisdiction of said
743 condemnation proceedings shall have the power to extend the time
744 within which said award shall be paid, not to exceed 18 months
745 from the date of the rendition of the judgment. Such award shall
746 bear interest at the rate of 6 percent per annum during such
747 extended period of time.

748 (b) The Port Authority shall defray the cost of
749 proceedings necessary to effectuate the purposes of this
750 section, provided that the Port Authority shall not be held



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751 liable for costs in any action brought by any person or
752 plaintiff, unless the decision of the court shall be in favor of
753 such person or plaintiff, and in such case the court shall
754 determine and specify the costs which are to be paid by the said
755 Port Authority.

756 Section 15. To borrow money as herein provided.

757 Section 16. (a) The Port Authority shall have the power
758 and authority to execute and deliver all contracts, deeds,
759 leases, mortgages, promissory notes, franchises, assignments,
760 releases, and all other instruments necessary and convenient to
761 carry out the powers herein expressly or impliedly conferred,
762 all of which shall be executed in the name of the Canaveral Port
763 Authority and signed by the Chair and the Secretary thereof and
764 its corporate seal affixed thereto; all checks and vouchers for
765 the disbursement of funds of the Port Authority shall be
766 executed in the manner and form as prescribed by the Port
767 Authority.

768 (b) The Port Authority shall have the power and authority
769 by majority vote at any regular meeting to lease the lands,
770 personal properties, and facilities for period not to exceed 10
771 years; or to encumber personal properties and facilities for not
772 more than \$10,000, and for a period not to exceed 5 years, to
773 secure the note or notes of the Port Authority authorized under
774 subsection (a) of said article and section, upon such terms and
775 conditions as the Port Authority shall determine.

776 (c) Any lease of the lands, personal properties, or
777 facilities of the Port Authority for a period of more than 10
778 years, or any encumbrance of the personal properties or
779 facilities of the Port Authority for more than \$10,000, and for
780 a period of more than 5 years, shall be first advertised in a



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781 newspaper of general circulation published within the Canaveral
782 Port District for 15 days by three consecutive weekly
783 publications, stating the terms and the amount to be paid and
784 particularly describing the lands, personal properties, or
785 facilities to be leased or encumbered, except where it is
786 proposed to lease or to encumber such properties in favor of a
787 governmental agency, and provided that in the event a petition
788 is filed within 30 days after said advertisement is published,
789 signed by 10 percent of the qualified electors residing within
790 the Canaveral Port District and therein requesting that the
791 question of leasing of the lands or of encumbering of the said
792 personal properties or facilities be decided by an election
793 called for that purpose. It will then be the duty of the Port
794 Authority to call an election to be held within the territory
795 constituting the Canaveral Port District, for the purpose of
796 determining whether or not said lease or said encumbrance as
797 described in said advertisement shall be executed. Said election
798 shall be held as provided in this act. If no such petition be
799 filed, then the lease or the encumbrance may be executed by the
800 Port Authority forthwith.

801 Section 17. To regulate the speed, operation, docking,
802 storing, and conduct of all water craft of any kind plying or
803 using the waterways within said port and over which the Port
804 Authority has jurisdiction; however, this power shall be
805 exercised only within navigable waters, entrance channels,
806 turning basins, and slips in the waters of the port.

807 Section 18. To appoint a Pilot Commission consisting of
808 three or more members as the Port Authority may determine, a
809 Harbor-Master, a Deputy Harbor-Master, stevedores, longshoremen,
810 and all other persons necessary to properly transact the



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811 shipping business at said port and to fix their powers, duties,
812 and compensation. The Port Authority is granted the power to
813 license stevedores as independent contractors for hire, and to
814 fix the terms and conditions of such licenses and to determine
815 the fees to be charged, to serve at the pleasure of the Port
816 Authority, unless terminated sooner by the licenses. The Port
817 Authority shall serve as a Pilot Commission until a Pilot
818 Commission shall be appointed.

819 Section 19. (a) The Port Authority shall have the power
820 to borrow money from any state or federal agency or agencies,
821 private party or parties, and to secure the payment of the same
822 by the issuance of revenue certificates or revenue bonds (which
823 shall bear such denomination and be in such form as shall be
824 required by the Canaveral Port Authority), for the purpose of
825 carrying out any of the powers, projects, or purposes of the
826 Port Authority or Port District, or for the purpose of providing
827 funds to be used in the construction, operation, maintenance,
828 expansion, promotion, or repair of harbor facilities, and
829 improvements at Port Canaveral or for the purpose of deepening,
830 widening, constructing, or repairing of slips, channels, turning
831 basins, bulkheads, seawalls, jetties, breakwaters, warehouses,
832 or wharves at Canaveral Port, or for the purpose of
833 constructing, maintaining, or repairing platforms, railroads,
834 and railroad facilities, and serve as common carriers; to
835 construct, maintain, and repair streets, roads, or avenues
836 surrounding or adjacent to Canaveral Port; provided that such
837 revenue certificates or revenue bonds hereby authorized to be
838 issued and outstanding shall not bear a higher rate of interest
839 than provided by general law which shall be payable
840 semiannually.



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841 (b) The Port Authority is hereby authorized to secure said
842 revenue certificates or revenue bonds by a pledge of the
843 revenues of the port project, including revenues from all or any
844 part of the facilities connected therewith, owned and operated
845 by the Port Authority and in addition thereto, said revenue
846 certificates or revenue bonds may be secured by a lien on all or
847 any part of the personal properties of the Authority or the
848 District or the income derived therefrom, including the full
849 faith and credit of said Port District. Real property is
850 expressly excluded.

851 (c) The issuance of said revenue bonds shall be authorized
852 by resolution of the Port Authority, which resolution may be
853 adopted at any regular meeting by a vote of a majority of the
854 members thereof. The revenue certificates or revenue bonds
855 issued hereunder shall bear such rate or rates of interest not
856 exceeding that provided by general law; may be in one or more
857 series; may bear such date or dates; may mature at such time or
858 times not exceeding 30 years after their respective dates, in
859 such medium of payment, at such place or places; may carry such
860 registration privileges; may be subject to such terms of
861 redemption; may be in such form or forms; and may be executed in
862 such manner and contain such terms and conditions as the Port
863 Authority may prescribe. The revenue certificates or revenue
864 bonds herein provided for may be issued by the Port Authority
865 upon the Authority first adopting an appropriate resolution
866 authorizing such issuance and without the question of issuing
867 said revenue certificates or revenue bonds being first
868 authorized by an election held for such purpose, provided that
869 the amount to be issued and the purpose for which issued shall
870 be advertised for at least 30 days prior thereto by publication



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871 in a newspaper published in said District, which notice shall be
872 published in 3 weekly issues of said paper.

873 Section 20. (a) The Port Authority is hereby further
874 authorized and empowered to issue revenue certificates or
875 revenue bonds authorized in section 19 of this act, supported by
876 an ad valorem tax, to be assessed against all the taxable
877 properties within the Port District for any of the purposes
878 mentioned in section 19 of this act.

879 (b) Before the issuance of any of the said revenue
880 certificates or revenue bonds, such issue shall be authorized by
881 resolution of the Port Authority; which said resolution shall
882 state the amount of the certificates or bonds proposed to be
883 issued, the purpose or purposes for which issued, the
884 denomination for such certificates or bonds, the rate of
885 interest the same are to bear, and the time, place, and
886 conditions when, where, and upon which said certificates or
887 bonds, and the interest thereon, shall become due and payable.
888 However, such certificates or bonds shall be issued only after
889 they have been first approved by a majority vote of the
890 qualified electors residing in the Canaveral Port District in an
891 election held within the territory constituting the Canaveral
892 Port District. Such resolution, so adopted, shall name a day
893 for the holding of such election, and said Port Authority shall
894 give at least 30 days' notice of said election by publication in
895 a newspaper published in said District, once a week for 4
896 consecutive weeks during said period of 30 days. Said notice
897 shall state the time of the election and the purpose of the
898 election, and said certificates or bonds shall be issued only
899 after the same shall have been authorized and ratified by a
900 majority of the votes cast in said election and a majority of



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901 the qualified electors who reside in said Canaveral Port
902 District shall participate.

903 (c) All said qualified electors residing in said District
904 shall be entitled to vote in said election, which election shall
905 in all respects not herein expressly provided be called and held
906 and the result thereof determined in accordance with the
907 provisions of any applicable general statute now in force or
908 hereafter enacted. The place of voting in said election shall be
909 the same as the places for voting at the general elections
910 usually held within the territorial limits of said District.
911 Inspectors and clerks shall be appointed and qualified as in
912 case of general elections and they shall canvass the votes cast
913 and make due returns of the same without delay. Returns of said
914 elections shall be made to the Port Authority. It shall be the
915 duty of the Port Authority to cause to be prepared a sufficient
916 number of ballots to be used at such election, with such
917 description of said certificates or bonds to be voted on as the
918 Port Authority may prescribe. A separate statement giving the
919 amount of the certificate or bond issued and the interest
920 thereon, together with such other details as may be deemed
921 necessary or proper to inform the electors, shall be printed on
922 the ballots in connection with the question "FOR the Issuance of
923 Revenue Certificates or Revenue Bonds Supported by an Ad Valorem
924 Tax" and "AGAINST the Issuance of Revenue Certificates or
925 Revenue Bonds Supported by an Ad Valorem Tax." Directions to the
926 voters to express their choice by making an (x) mark in the
927 space to the right or the left of said question shall be stated
928 in the ballot. Said ballots shall be in form substantially as
929 follows:

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931 Official Ballot Canaveral Port District SPECIAL ELECTION (Insert
 932 Date) This election is held for the approval or disapproval of
 933 the issuance of \$_____ of Revenue Certificates (or
 934 Revenue Bonds) of Canaveral Port District, supported by an ad
 935 valorem tax, bearing interest at the rate of _____
 936 percentum per annum. Place a cross mark (x) in the space to the
 937 left (or right) of the proposition of your choice. FOR issuance
 938 of Revenue Certificates (or Revenue Bonds) of Canaveral Port
 939 District in the amount of \$_____ supported by an ad
 940 valorem tax to be issued against the taxable properties of the
 941 District, bearing interest at the rate of _____ percentum
 942 per annum, payable semiannually.

943 AGAINST Issuance of Revenue Certificates (or Revenue Bonds) of
 944 Canaveral Port District in the amount of \$_____
 945 supported by an ad valorem tax to be issued against the taxable
 946 properties of the District, bearing interest at the rate of
 947 _____ percentum per annum, payable semiannually.

948
 949 If a majority of the votes cast in said election are in favor of
 950 the issuance of said certificates or bonds, then the Canaveral
 951 Port Authority shall be authorized to issue such certificates or
 952 bonds in the amount specified in said resolution calling such
 953 special election. The proceeds received therefrom shall be used
 954 by the Authority for the purposes stated in said resolution.

955 (d) For the purpose of securing any of such revenue
 956 certificates or revenue bonds, supported by an ad valorem tax,
 957 authorized to be issued herein, the Port Authority, in addition
 958 to pledging the net revenues and income of the Port Authority or
 959 the Canaveral Port District, is hereby further authorized,
 960 empowered, and directed to annually levy, assess, collect, and



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961 enforce an ad valorem tax upon all the taxable property of the
 962 Canaveral Port District, sufficient in amount to provide for the
 963 payment of the interest to become due thereon and to provide for
 964 a sinking fund sufficient in amount to discharge said
 965 certificates or bonds at their respective maturities, which said
 966 ad valorem tax so levied shall be in addition to all other taxes
 967 provided herein.

968 (e) The Port Authority is additionally authorized and
 969 empowered to borrow money at an interest rate not to exceed 7.5
 970 percent per annum and maturity date not to exceed 1 year, from
 971 any bank or other party, to create and maintain a sinking fund
 972 for the payment as budgeted, of the principal and interest of
 973 outstanding revenue certificates or revenue bonds; and to
 974 execute its promissory note or notes therefor, signed in the
 975 name of the Canaveral Port Authority by its Chair and its
 976 Secretary and the corporate seal affixed thereto, all as
 977 directed by the Board of Commissioners of the Canaveral Port
 978 Authority, and said note or notes shall be payable from the
 979 anticipated revenues to be derived from the previously levied
 980 and assessed ad valorem tax as authorized in this section,
 981 provided, however, such notes shall not exceed in any one year
 982 75 percent of the current taxes levied in any one year by the
 983 Port Authority for the payment of the interest and redemption of
 984 the revenue bonds or revenue certificates of Canaveral Port
 985 Authority currently becoming due.

986 Section 21. (a) The manner in which the Port Authority
 987 shall exercise the levying, assessing, and collecting of any ad
 988 valorem tax provided herein shall be as follows: The County
 989 Property Appraiser of Brevard County, immediately after the tax
 990 assessment of said county for any year after the passage of this



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991 act has been reviewed and equalized by the Board of County
992 Commissioners of Brevard County, shall report in writing to the
993 Canaveral Port Authority the assessed valuation of all taxable
994 property within the territorial limits of the Canaveral Port
995 District, as assessed and equalized for state and county
996 taxation, and the Chief Financial Officer of the State of
997 Florida shall report to the Canaveral Port Authority at the time
998 he or she is, by law, required to report to the County Property
999 Appraiser of Brevard County the assessed valuation of all
1000 railroad lines, railroad property, telephone and telegraph
1001 lines, and telephone and telegraph properties within the
1002 Canaveral Port District, over which he or she has jurisdiction
1003 for valuation and assessment purposes and said assessed
1004 valuation, placed on said properties, shall be the valuation for
1005 taxation by the Port Authority.

1006 (b) The Port Authority shall, during each year, determine
1007 by resolution the total amount to be raised from ad valorem
1008 taxes levied and assessed upon all the taxable property located
1009 within said Canaveral Port District to provide funds sufficient
1010 in amount to pay the interest on said revenue certificates or
1011 revenue bonds, which are supported by an ad valorem tax, as such
1012 interest may become due; and also provide for a sinking fund
1013 sufficient in amount to discharge the principal of revenue
1014 certificates or revenue bonds at their respective maturities;
1015 and at the same time the Port Authority shall determine the
1016 amount to be required to pay the charges and costs for
1017 operation, maintenance, general administration, capital
1018 improvements, and the purchase of right-of-way. It shall adopt
1019 its resolution levying an ad valorem tax against all of the
1020 taxable property of the District sufficient to pay said



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1021 interest, sinking fund, charges, and costs, which tax, if so
 1022 levied, however, shall not exceed 3 mills on the dollar of
 1023 assessed value in any one year.

1024 (c) A certified copy of said tax resolution, executed in
 1025 the name of the Port Authority under the corporate seal of the
 1026 Port Authority by its Chair, and attested by its Secretary,
 1027 shall be made and delivered to the Board of County Commissioners
 1028 of Brevard County and the Chief Financial Officer of the State
 1029 of Florida, with all reasonable dispatch after the Port
 1030 Authority has received the total valuation of all taxable
 1031 properties to be assessed within the Canaveral Port District.
 1032 Upon the receipt of such resolution by said Board of County
 1033 Commissioners, it shall be the mandatory duty of said Board of
 1034 County Commissioners to order and direct the County Property
 1035 Appraiser of Brevard County to assess and levy, and the County
 1036 Tax Collector of Brevard County to collect, the tax, at the rate
 1037 fixed and determined by said resolution of the Port Authority,
 1038 upon all taxable properties located within said Canaveral Port
 1039 District, and said revenues and assessments so determined and
 1040 made shall be included in the tax roll and warrant of said
 1041 County Property Appraiser for each fiscal year hereafter. The
 1042 said Tax Collector shall collect such taxes in the manner and at
 1043 the same time as state and county taxes are collected and shall
 1044 pay and remit the same upon the collection thereof to the Port
 1045 Authority. It shall be the duty of the Chief Financial Officer
 1046 of the State of Florida to assess and levy on all railroad lines
 1047 and railroad property, all telephone and telegraph lines and
 1048 telephone and telegraph property, and all other taxable property
 1049 within his or her jurisdiction located within said Canaveral
 1050 Port District a tax at the rate prescribed by said tax



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1051 resolution of the Port Authority and to collect the said tax
 1052 thereon in the same manner and at the same time as he or she is
 1053 required by law to assess and collect such taxes for state and
 1054 county purposes and pay and remit the same when collected to the
 1055 Port Authority. All such taxes shall be disbursed and paid out
 1056 by the Port Authority only for the purposes for which said taxes
 1057 were levied, upon vouchers, checks, or warrants issued in such
 1058 manner as the Port Authority, by resolution, may determine.

1059 (d) This act shall be full authority for the issuance of
 1060 any of the revenue certificates and revenue bonds authorized
 1061 herein, which said revenue certificates or revenue bonds shall
 1062 have the qualities of negotiable paper under the law merchant
 1063 and shall not be invalidated for any irregularity or defect in
 1064 the proceedings for the issuance thereof and shall be
 1065 incontestable in the hands of bona fide purchasers for value. No
 1066 proceedings in respect to the issuance of any such revenue
 1067 certificates or revenue bonds shall be necessary except such as
 1068 required by this act; however, such revenue certificates or
 1069 revenue bonds may be validated and confirmed in the way and
 1070 manner contemplated and provided by the general laws and
 1071 statutes of the state. The provisions of this act shall
 1072 constitute an irrepealable contract between the Port Authority
 1073 and the holders of any such revenue certificates or revenue
 1074 bonds, and of the coupons thereof issued pursuant to the
 1075 provisions hereof. Any holder of any of said revenue
 1076 certificates or revenue bonds or coupons may, either at law or
 1077 in equity, by suit, action, or mandamus, enforce and compel the
 1078 performance of any of the duties required by this act of any of
 1079 the officers or persons mentioned herein relating to said
 1080 revenue certificates or revenue bonds, or the levying,



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1081 assessing, and collection of the taxes provided for the payment
1082 thereof.

1083 (e) The provisions of sections 193.321 through 193.327,
1084 Florida Statutes, 1967, shall not apply, and are hereby
1085 specifically repealed as to the power and authority of the
1086 Canaveral Port Authority to levy, assess, collect, and enforce
1087 ad valorem taxes as set forth in this act.

1088 Section 22. (a) The Board of Commissioners of the
1089 Canaveral Port Authority, Brevard County, is authorized to
1090 provide life, health, accident, hospitalization, or all or any
1091 part of such insurance for Canaveral Port Authority officers and
1092 employees, upon a group insurance plan. The Board shall
1093 advertise for bids and shall award said group insurance to the
1094 lowest and best bidder, provided that if no bids are received,
1095 the Board shall have the discretion to contract for such
1096 insurance on such terms and conditions as it may deem desirable.

1097 (b) The Board of Commissioners of the Canaveral Port
1098 Authority is authorized to pay all or any portion of the
1099 premiums for such group insurance as an operating expense. The
1100 said Board is further authorized to deduct periodically from the
1101 wages of any officer or employee, upon the written request of
1102 such officer or employee, any premium or portion of premium for
1103 any such insurance.

1104 Section 23. (a) Section 253.126, Florida Statutes, is
1105 hereby specifically repealed as to the Canaveral Port Authority.

1106 (b) The Canaveral Port Authority is granted the power and
1107 authority to establish bulkhead lines, authorize dredging and
1108 filling, and have jurisdiction under chapter 253, Florida
1109 Statutes, as to the lands and waters under the jurisdiction of
1110 the Canaveral Port Authority in lieu of the Board of County



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1111 Commissioners.

1112 (c) In the exercise of this grant of authority, the
 1113 Canaveral Port Authority shall comply with all applicable
 1114 provisions of chapter 253, Florida Statutes, to the same extent
 1115 as a Board of County Commissioners would comply with such
 1116 provisions under the same circumstances.

1117 Section 24. To comprehensively plan for urban and rural
 1118 transportation needs and to comprehensively plan for the use of
 1119 the lands, resources, and waters under its jurisdiction; to
 1120 participate in such planning with other public agencies as
 1121 defined in chapter 163, Florida Statutes; and to enter into
 1122 interlocal governmental agreements (including, without
 1123 limitation by this specific reference, Metropolitan Planning
 1124 Organizations contemplated under 23 U.S.C. section 134 and the
 1125 Urban Mass Transportation Act of 1964) in such transportation
 1126 and real property fields.

1127 ARTICLE V. Port Commissioners

1128 Section 1. The governing authority of the Canaveral Port
 1129 District is hereby created and shall be designated as the
 1130 Canaveral Port Authority, and shall consist of five Port
 1131 Commissioners, one Port Commissioner from each Commissioner Port
 1132 District, who shall be a qualified elector and reside within the
 1133 Commissioner Port District from which he or she is appointed or
 1134 nominated and elected. All Port Commissioners shall be elected
 1135 for 4-year terms, and said terms shall be arranged so that three
 1136 Port Commissioners are elected at one general election and two
 1137 Port Commissioners elected at the next ensuing general election.
 1138 The term of office of each Port Commissioner shall commence on
 1139 the first Tuesday after the first Monday in January following
 1140 his or her election.



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1141 Section 2. (a) Each Commissioner Port District shall be a
1142 residency district for all elections hereunder. The five Port
1143 Commissioners shall be nominated in the general primary and
1144 elected in the general election held in each Commissioner Port
1145 District next ensuing and at all subsequent general primaries
1146 and general elections thereafter upon the official county
1147 ballots.

1148 (b) Nomination of candidates shall be made by residency
1149 districts at the primary elections, by the various political
1150 parties, as the general laws of Florida provide for County
1151 Commissioners for Brevard County, at which primary elections the
1152 electors of the Canaveral Port District at large who are
1153 qualified to vote in such primary elections shall be entitled to
1154 vote. The Board of County Commissioners shall not print the name
1155 of any person as a candidate on the ballots for general
1156 elections unless he or she shall have been so nominated.

1157 (c) Candidates for nomination in primary elections shall
1158 pay the same filing fee to the Clerk of the Board of County
1159 Commissioners; file in the same manner the like oaths, sworn
1160 statements, and receipts for party assessments; be governed by
1161 the same restrictions; be subject to like party assessments by
1162 the County Executive Committees of the respective political
1163 parties; and in all respects comply with the general laws of
1164 Florida governing candidates for Board of County Commissioners
1165 in primaries.

1166 (d) Elections of candidates shall be at general elections
1167 as provided by the general laws of Florida, at which general
1168 elections all qualified electors residing within the Canaveral
1169 Port District shall be entitled to vote.

1170 Section 3. Any vacancy occurring on or in the said Board



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1171 of Commissioners of the Port Authority, whether caused by
1172 resignation, refusal, death, or the unconstitutionality of any
1173 part of this act, or for or on account of any other reason
1174 whatsoever, shall be filled for the unexpired portion of the
1175 corresponding term, or until the next ensuing general election,
1176 whichever may come sooner, by appointment by the Governor.

1177 Section 4. Every Port Commissioner, before he or she
1178 assumes office, shall be required to make oath that he or she
1179 will faithfully discharge the duties of his or her office and
1180 uphold and defend the laws and the Constitution of the State of
1181 Florida and give good and sufficient surety bond payable to the
1182 Governor for the use and benefit of the Canaveral Port Authority
1183 in the sum of \$2,000, conditioned for the faithful performance
1184 of the duties of his or her office, said bond to be approved by
1185 the Canaveral Port Authority and filed with the Secretary of
1186 State. Any and all premiums of the surety bonds shall be paid by
1187 the Port Authority as a necessary expense of said District.

1188 Section 5. As soon as practicable after the newly
1189 appointed or elected Port Commissioners shall have qualified,
1190 they shall meet and organize by the selection from among
1191 themselves of a Chair and a Vice-Chair, and shall also elect a
1192 Secretary and a Treasurer, provided, however, that the latter
1193 two offices may be held by one person and such person may or may
1194 not be a member of said Authority. A majority of the duly
1195 qualified members shall constitute a quorum. The Chair and the
1196 Secretary, if the latter be a member of said Port Authority,
1197 shall be entitled to vote at all meetings. Being a Port
1198 Commissioner of the Canaveral Port Authority shall not
1199 disqualify such Port Commissioner from holding any municipal,
1200 county, or state office.



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1201 Section 6. The annual salary allowance of each Port
1202 Commissioner shall be determined and adopted by the Board of
1203 Commissioners of the Canaveral Port Authority at the regular
1204 meeting held in September 2003, to be effective commencing
1205 October 1, 2003. The salary allowance established in September
1206 2003, shall not exceed the average annual salary paid to Port
1207 Commissioners of those other special district seaports which
1208 have an established annual salary for Port Commissioners. The
1209 salary allowance shall be payable monthly and apply to all
1210 services rendered by each Port Commissioner under this act. The
1211 salary allowance adopted as provided herein may be adjusted
1212 annually by the Board of Commissioners of the Canaveral Port
1213 Authority; however, any increase in the annual salary allowance
1214 shall not exceed the average percentage increase in the salaries
1215 of state career service employees as determined pursuant to
1216 section 145.19, Florida Statutes, for the fiscal year just
1217 concluded.

1218 Section 7. All meetings of the said Port Authority shall
1219 be open to the public and shall be held at the office of the
1220 Port Authority. Records of all business transacted by the Port
1221 Authority shall be kept and preserved in substantial Minute
1222 Books by the Secretary as a permanent record, and the Minute
1223 Books or excerpts therefrom, duly certified by the Secretary
1224 under the seal of the Port Authority, shall be prima facie
1225 evidence in all courts of the proceedings of the Port Authority.
1226 The Port Authority shall have power to prescribe by resolution
1227 rules for the conduct of its meetings not inconsistent herewith.

1228 Section 8. The expense accounts of Port Commissioners and
1229 employees shall be itemized in writing and submitted to the Port
1230 Authority in session.



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ARTICLE VI. Additional Powers

Section 1. The Canaveral Port Authority shall have the power to impose a franchise or excise tax upon businesses and occupations carried on or operated under and by virtue of any franchise or franchises granted by the Port Authority in a sum equal to 0.5 percent of the gross receipts of such businesses or occupations. The administration of this section and the collection of this franchise tax are hereby vested in the Canaveral Port Authority, and said Port Authority is authorized to make, promulgate, and enforce such reasonable rules and regulations relating to the administration and enforcement of this law and the collection of said franchise tax as may be deemed expedient, independently of all other remedies and proceedings authorized by law for the enforcement and collection of said franchise tax, a right of action, by suit in the name of the Canaveral Port Authority, is hereby created; and such suit may be maintained and prosecuted, and all proceedings taken, to the same effect and extent as for the enforcement of a right of action for debt or assumpsit, or substitute forms of action therefor, and any and all remedies available in such actions including attachment and garnishment shall be and are hereby made available to the said Canaveral Port Authority in the enforcement of the payment of any franchise tax accruing hereunder, provided that the Port Authority shall not be required to post bond in any such actions or proceedings.

Section 2. In the further interest of the advancement, promotion, regulation, and control of Port Canaveral, and in the interest of safety, order, convenience, and the general welfare of the public, the Port Authority is authorized and empowered to adopt a plan or plans, and amend the same from time to time, for



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1261 the zoning of the Harbor area for the purpose of regulating the
 1262 location and establishment of trades, industries, and
 1263 manufacturing establishments and other use of the property
 1264 within said Port Canaveral.

1265 ARTICLE VII. Personnel

1266 Section 1. The Port Authority may appoint a Port Manager,
 1267 who, under the direction and supervision of the Port Authority,
 1268 shall be the administration head of the Port District and Port
 1269 Authority, and he or she shall hold office at the pleasure of
 1270 the Port Authority. The Port Manager shall be chosen solely on
 1271 the basis of his or her experience and executive and
 1272 administrative ability and any other qualifications the Port
 1273 Authority may require.

1274 Section 2. The Port Manager shall have such duties and
 1275 authority in the administration, maintenance, expansion, and
 1276 operation of Port Canaveral as the Port Authority shall assign
 1277 to him or her, including the promotion of the business and
 1278 affairs of Port Canaveral including, but not limited to, travel
 1279 to and from meetings of industrialists in convention or by
 1280 industry, necessary subsistence, entertainment of business
 1281 guests at Port Canaveral or elsewhere, within or without the
 1282 state, and meals for staff members at regular or special
 1283 meetings of the Port Authority, and shall ratify past such
 1284 expenditures. The Port Manager shall keep and maintain an
 1285 account of the expenses involved in the performance of his or
 1286 her duties and submit the same to the Port Authority for
 1287 approval at any regular meeting.

1288 Section 3. The Port Manager shall receive such
 1289 compensation as may be agreed.

1290 Section 4. Official travel authorized by the Canaveral



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1291 Port Authority shall be reimbursed by the Authority in
 1292 accordance with the following provisions:

1293 (a) All official travel performed within the state shall
 1294 be reimbursable in accordance with section 112.061, Florida
 1295 Statutes.

1296 (b) Official travel outside of the state but within the
 1297 continental United States shall be reimbursable in accordance
 1298 with section 112.061, Florida Statutes, with the exception of
 1299 the reimbursement rates for meals. The reimbursement rates for
 1300 meals shall be as follows:

- | | | |
|------|---------------------|-----------------|
| 1301 | | |
| 1302 | <u>1. Breakfast</u> | <u>\$5.00.</u> |
| 1303 | <u>2. Lunch</u> | <u>\$11.00.</u> |
| 1304 | <u>3. Dinner</u> | <u>\$22.00.</u> |
| 1305 | | |

1306 On October 1 of each year, the above meal rates will be adjusted
 1307 by the Consumer Price Index, "All urban consumers, food away
 1308 from home," by the change in the 12-month period preceding
 1309 October 1.

1310 (c) Official travel outside of the continental United
 1311 States shall be reimbursable in accordance with section 112.061,
 1312 Florida Statutes, with the exception of meals. The reimbursement
 1313 rates for meals shall be in accordance with the United States
 1314 Department of State Standardized Regulations, Per diem
 1315 Supplement for all foreign areas. Once the daily meal rate has
 1316 been determined by the applicable travel location, the following
 1317 percentage rates will apply to the maximum daily rate allowed:

- | | | |
|------|---------------------|-----------------------------------|
| 1318 | | |
| 1319 | <u>1. Breakfast</u> | <u>14% of daily maximum rate.</u> |
| 1320 | <u>2. Lunch</u> | <u>28% of daily maximum rate.</u> |



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1321 3. Dinner 58% of daily maximum rate.

1322

1323 ARTICLE VIII. Levy of Taxes

1324 Section 1. The Port Authority shall not, during any one
 1325 year, levy a tax in any greater sum or amount than shall be
 1326 necessary for the following purposes:

1327 (a) A tax not exceeding 3 mills on the dollar of the total
 1328 assessed valuations of all taxable property, both real and
 1329 personal, within said Canaveral Port District for each year.
 1330 Said tax shall constitute an Administration Fund for the
 1331 operation, maintenance, and general administration expenses, and
 1332 for the purchase of rights-of-way.

1333 (b) A tax for the purpose of paying the principal and
 1334 interest on revenue certificates and revenue bonds outstanding,
 1335 and for the proper sinking funds for the protection thereof, and
 1336 not exceeding in the aggregate the sum of \$7,500,000 in
 1337 principal, as the same severally mature in accordance with their
 1338 tenor.

1339 Section 2. At the time of the adoption of the tax
 1340 resolution as provided hereinabove, the Port Authority shall
 1341 prepare and adopt a financial budget for the ensuing fiscal
 1342 year. Said budget shall contain an estimate of all items of
 1343 expenditure contemplated or anticipated for the ensuing fiscal
 1344 year, and an estimate of all sources of revenue. Said budget
 1345 shall be spread upon the permanent records of the Port
 1346 Authority.

1347 Section 3. All revenues received by the Port Authority
 1348 from the operation of Port Canaveral, other than specifically
 1349 pledged, shall be paid into the Administration Fund and be used
 1350 for operation, expansion, maintenance, and general



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1351 administration purposes and expenses, and for the purchase of
 1352 rights-of-way. Any part of the Administration Fund remaining
 1353 unused or unpledged at the close of each fiscal year may, in the
 1354 discretion of the Port Authority, be transferred to the sinking
 1355 fund maintained for bonds, or to purchase obligations of the
 1356 Port Authority at the lowest market price.

1357 ARTICLE IX. Prohibitions

1358 Section 1. No member of the Port Authority or other
 1359 officer or employee shall purchase supplies, goods, or materials
 1360 for use by the Port District or Port Authority from himself or
 1361 herself or from any firm or corporation in which he or she is
 1362 interested, directly or indirectly, nor in any manner share in
 1363 the proceeds of such purchases. The Port Authority shall not be
 1364 obligated for the purchase price of such supplies, goods, or
 1365 materials so purchased. No Port Commissioner or other officer or
 1366 employee shall bid or enter into or be in any manner interested
 1367 in any contract for public work to which the said Port Authority
 1368 may be a party. Any Port Commissioner who shall violate the
 1369 provisions hereof shall be deemed guilty of malfeasance in
 1370 office, provided that no Port Commissioner who shall have
 1371 recorded his or her vote against the letting of such contract or
 1372 against such illegal purchase or who shall have been absent at
 1373 the taking of the vote thereon shall be deemed guilty of a
 1374 violation of this provision. All moneys or things of value paid
 1375 or delivered pursuant to such contract or purchase may be
 1376 recovered by the Port Authority.

1377 ARTICLE X. Notification of Claims

1378 Section 1. Every claim, whether ex contractu or ex
 1379 delicto, whether liquidated or unliquidated, whether vested or
 1380 contingent, against the Port Authority or Canaveral Port



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1381 District shall be filed, signed by the claimant or his or her
 1382 duly authorized agent, with the Port Authority within 3 months
 1383 after the time said claim shall become due or arise, and shall
 1384 be barred if not so filed; said writing representing said claim
 1385 shall, as particularly as is known to the claimant, set out the
 1386 details of said claim and specify the names of the witnesses, if
 1387 any, whom the claimant relies upon to support his or her claim.

1388 ARTICLE XI. Statute of Limitations

1389 Section 1. No statute heretofore or hereafter enacted by
 1390 the Legislature, prescribing and fixing the time in which action
 1391 shall be brought, and commonly known as the "Statute of
 1392 Limitations," shall apply to any action, suit, or proceeding
 1393 instituted and prosecuted by the Port Authority or the Canaveral
 1394 Port District.

1395 ARTICLE XII. Exemption From Taxation

1396 Section 1. All property, real and personal, tangible and
 1397 intangible, now owned or hereinafter acquired and held by the
 1398 Canaveral Port Authority, the governing authority of the
 1399 Canaveral Port District, shall be exempt from all taxation
 1400 levied and assessed pursuant to the Constitution and laws of the
 1401 State of Florida by any taxing unit.

1402 ARTICLE XIII. Exemption From Judgment Liens

1403 Section 1. No judgment or decree, writ of execution, or
 1404 any other writ issued or tendered against the said Canaveral
 1405 Port Authority shall be a lien upon the real or personal
 1406 property now owned or hereafter acquired and held by the said
 1407 Port Authority. All property, both real and personal, tangible
 1408 and intangible, now owned or hereafter acquired and held by the
 1409 said Port Authority shall be exempt from sale, under writ of
 1410 execution and any other judicial sale.



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1440ARTICLE XIV. Appeals Bond

Section 1. The Port Authority and Canaveral Port District shall not be required to execute, give, or file any bond required by law to be filed in an attachment, injunction, receivership, garnishment, or replevin proceedings, or in the prosecution of an appeal or writ of error. The Canaveral Port District and Port Authority may supersede any appealable judgment, decree, or order rendered in any of the courts within the state, of which it feels aggrieved, by prosecuting an appeal or writ of error therefrom, pursuant to law, without giving or filing a supersedeas bond as otherwise required by law.

ARTICLE XV. Removal of Port Commissioners by Governor

Section 1. No court shall have the power or jurisdiction to appoint any officer of the court to exercise the duties and powers of the Port Authority or any Port Commissioner. In the event any Port Commissioner shall be guilty of intentional and willful malfeasance, nonfeasance, or misfeasance in office, or commission of a felony, he or she shall be subject to be removed by the Governor in the manner provided for the removal of county officers.

ARTICLE XVI. Inspection of Books and Records

Section 1. The books, audits, and records of the Port Authority shall at all reasonable hours on regular business days be open to inspection as provided by law. All moneys of the Port Authority shall be at all times kept fully and adequately secured.

Section 2. The books and public records of the Port Authority shall be audited by the State Auditing Department at the time the books of the county officials of Brevard County are audited.



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1441 Section 3. The fiscal year of the Port Authority shall
1442 begin October 1 of each year and end September 30 of each year.

1443 ARTICLE XVII. Contracts; Competition

1444 Section 1. No contract shall be let by the Port Authority
1445 for any construction, improvement, repair, or building, nor
1446 shall any goods, supplies, or materials for Canaveral Port
1447 District purposes or uses be purchased when the amount to be
1448 paid by the Canaveral Port District or the Port Authority shall
1449 exceed \$15,000, unless notice thereof shall be advertised at
1450 least three times, once each week for 3 consecutive weeks in a
1451 newspaper of general circulation in the Canaveral Port District,
1452 calling for bids upon the work to be done or the goods,
1453 supplies, or materials to be purchased by the Port Authority,
1454 and in each case the bid of the lowest responsible bidder shall
1455 be accepted, unless the Port Authority may, in its discretion,
1456 reject all bids. The Port Authority may also require the deposit
1457 of cash or a certified check, not to exceed \$1,000 or 15 percent
1458 of the bid, as evidence of good faith on the part of the
1459 bidders, such deposit to be returned when the bid is rejected or
1460 performance bond deposited or contract completed. All other
1461 things being equal, preference shall be given by the Port
1462 Authority in making all purchases and the letting of all
1463 contracts to residents of the Canaveral Port District.

1464 Section 2. In the event it is reasonably expected that the
1465 cost amount of a contract under section 1 of this article shall
1466 be greater than \$5,000 but less than \$15,000, then the Port
1467 Manager or his or her designee shall do the following:

1468 (a) Obtain at least three telephonic bid offers to perform
1469 such work or furnish such property from at least three
1470 independent persons or business entities responsible in the



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1471 subject business endeavor under consideration.

1472 (b) Make a record of the offers.

1473 (c) After obtaining and recording such offers, award the
 1474 contract to the lowest responsible bidder of those solicited as
 1475 provided in this article.

1476 Section 3. In lieu of the competitive bid requirements set
 1477 forth in sections 1 and 2 of this article, the Port Authority
 1478 may utilize purchase agreements or contracts of any state
 1479 agency, county, school board, or municipality, or of the Federal
 1480 Government or its agencies, which agreements or contracts have
 1481 been competitively bid for the purchase of goods, supplies, or
 1482 materials for Canaveral Port District purposes.

1483 ARTICLE XVIII. Leases and Encumbrances

1484 Section 1. Whether an election shall be required to be
 1485 held to decide whether or not a lease for more than 10 years, or
 1486 an encumbrance for more than \$10,000 for a period of more than 5
 1487 years of or against the land, personal properties, or facilities
 1488 of the Port Authority, shall be in accordance with the
 1489 provisions of Article IV, Section 16, subsection (c)
 1490 hereinabove; however, no lease shall exceed an initial period of
 1491 50 years or any renewal or renewals thereof, excepting leases
 1492 for the purpose of the construction and development of hotels,
 1493 convention centers, festive market places, and world trade
 1494 centers, which lease shall not exceed an initial period of 99
 1495 years or any renewal or renewals thereof. If an encumbrance
 1496 exceeds \$100,000, a referendum as provided for in Article IV,
 1497 Section 16, subsection (c) shall be required when said
 1498 referendum is requested by a petition bearing the signatures of
 1499 1 percent of the qualified electors.

1500 Section 2. It shall be the duty of the Port Authority to



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1501 give at least 30 days' notice of any such election by
1502 publication in a newspaper published within said Canaveral Port
1503 District for at least 30 days prior to the date of said
1504 election, which notice shall be published once a week for 4
1505 consecutive weekly issues.

1506 Section 3. Said notice shall state the description of the
1507 lands, personal properties, or facilities to be leased or
1508 encumbered and the sum to be received by the Port Authority
1509 therefor.

1510 Section 4. All qualified electors residing in the
1511 Canaveral Port District shall be entitled to vote in said
1512 election, which election shall in all respects not herein
1513 expressly provided be called and held and the results thereof
1514 determined in accordance with the provisions of any applicable
1515 general statute of the state now in force or hereafter enacted.
1516 The places for voting in said election shall be the same as the
1517 places for voting at the general elections usually held within
1518 the territorial limits of the Canaveral Port District.
1519 Inspectors and clerks shall be appointed and qualified as in
1520 case of general elections, and they shall canvass the votes cast
1521 and make due returns of the same without delay. The returns of
1522 said election shall be made to the Port Authority.

1523 Section 5. It shall be the duty of the Port Authority to
1524 cause to be prepared a sufficient number of ballots to be used
1525 at such elections with such description of the lands, personal
1526 properties, or facilities to be leased or encumbered and the sum
1527 to be received therefor; a description of the purposes therefor;
1528 and the amount and rate of interest, together with other
1529 details, to be voted on.

1530 Section 6. Said ballots shall be in form substantially as



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1531 follows:

1532

1533 OFFICIAL BALLOT

1534 CANAVERAL PORT DISTRICT

1535 Special election (Insert date)

1536 This election is held for the approval or disapproval of (insert
 1537 subject matter),

1538 Place a cross (x) mark in the space to the left of the proposition
 1539 of your choice.

1540 () FOR (insert subject matter)

1541 () AGAINST (insert subject matter)

1542

1543 Section 7. If a majority of the qualified electors
 1544 residing in said Canaveral Port District who shall participate
 1545 in such election shall cast their votes in favor of the
 1546 execution and delivery of the lease of the encumbrance, it shall
 1547 become the duty of the Canaveral Port Authority to execute and
 1548 deliver the lease or the encumbrance as authorized in said
 1549 election.

1550 ARTICLE XIX. Severability Clause

1551 Section 1. If any section, subsection, paragraph,
 1552 subparagraph, sentence, clause, or phrase of this act is, for
 1553 any reason, held to be unconstitutional or invalid, such holding
 1554 shall not affect the validity of the remaining portions of this
 1555 act, the Legislature hereby declaring that it would have enacted
 1556 this act and each and every section, subsection, paragraph,
 1557 subparagraph, sentence, clause, and phrase thereof, irrespective
 1558 of the fact that any one or more of the sections, subsections,
 1559 paragraphs, subparagraphs, sentences, clauses, or phrases
 1560 thereof may be declared to be unconstitutional or otherwise



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1561 ineffective.

1562 ARTICLE XX. Declaration of Public Purposes

1563 Section 1. It is hereby determined and declared by the
 1564 Legislature that all of the powers conferred upon the District
 1565 by this act and the exercise of such powers constitute and are
 1566 proper public purposes and are for the welfare and benefit of
 1567 the District and its inhabitants.

1568 Section 2. The provisions of this act shall be liberally
 1569 construed to effectuate the purposes set forth herein.

1570 Section 4. Chapters 28922 (1953), 30606 (1955), 57-1178,
 1571 59-1093, 65-1286, 65-1287, 67-1131, 67-1144, 69-857, 69-868, 70-
 1572 592, 70-601, 74-426, 74-427, 74-428, 75-335, 75-341, 76-326, 76-
 1573 327, 78-471, 79-430, 80-455, 82-266, 84-394, 87-431, 88-483, 89-
 1574 408, 89-553, 94-436, 95-465, and 2000-418, Laws of Florida, are
 1575 repealed.

1576 Section 5. All other laws, or parts thereof, inconsistent
 1577 herewith are hereby declared to be inapplicable to the
 1578 provisions of this act.

1579 Section 6. This act shall take effect upon becoming a law.