



CHAMBER ACTION

The Committee on Judiciary recommends the following:

Committee Substitute

Remove the entire bill and insert:

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; 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,



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29 comprehensive special act charter for the District, including
30 all current legislative authority granted to the District by its
31 several legislative enactments and any additional authority
32 granted by this act.

33 Section 2. Chapters 28922 (1953), 30606 (1955), 57-1178,
34 59-1093, 65-1286, 65-1287, 67-1131, 67-1144, 69-857, 69-868, 70-
35 592, 70-601, 74-426, 74-427, 74-428, 75-335, 75-341, 76-326, 76-
36 327, 78-471, 79-430, 80-455, 82-266, 84-394, 87-431, 88-483, 89-
37 408, 89-553, 94-436, 95-465, and 2000-418, Laws of Florida,
38 relating to the Canaveral Port District, are codified,
39 reenacted, amended, and repealed as herein provided.

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

42 ARTICLE I. Creation and Status

43 Section 1. There is created and established a port
44 district in Brevard County, which shall also be an independent
45 special taxing district and political subdivision of the state,
46 to be known as the "Canaveral Port District," which shall
47 consist of so much of Brevard County as lies north of that line
48 described as follows:

49
50 Beginning at a point where the west boundary line of said
51 Brevard County, Florida, intersects with the south
52 boundary line of Township 25 South, Range 35 East, and
53 proceeding thence easterly along the south boundary line
54 of Township 25 South to the intersection of the east
55 boundary line of Brevard County, Florida, with the south
56 boundary line of Township 25 South.



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

(a) District 1: Beginning at the intersection of the North line of Township 20 South(Brevard/Volusia County Line) and the Mean High Water Line of the Atlantic Ocean;
Thence meander southerly along said Mean High Water Line of the Atlantic Ocean to the South line of Township 22 South, Range 38 East;
Thence westerly along said South line to the centerline of the Intracoastal Waterway of the Indian River;
Thence northerly along said centerline to the easterly projection of the centerline of Buffalo Road, in Section 34, Township 21 South, Range 35 East;
Thence westerly along said centerline and its easterly projection to the centerline of North Washington Avenue(U.S. Highway #1);
Thence southerly along said centerline to the centerline of Malinda Lane;
Thence westerly along said centerline to the East line of the W 1/4 of Section 33, Township 21 South, Range 35 East;
Thence southerly along said east line to the centerline of Garden Street (State Road 406);



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84 | Thence easterly along said centerline to the centerline
85 | of Park Avenue (Old State Road 405);
86 | Thence southerly along said centerline to the centerline
87 | of Barna Avenue;
88 | Thence southerly along said centerline to the centerline
89 | of Harrison Street;
90 | Thence easterly along said centerline to the centerline
91 | of the Florida East Coast Railway;
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 Rosehill Avenue, in Section 22, Township 22 South,
96 | Range 35 East;
97 | Thence northerly along said centerline to the centerline
98 | of Knox McRae Drive;
99 | Thence northwesterly along said centerline to the
100 | centerline of Barna Avenue;
101 | Thence southerly along said centerline to the centerline
102 | of Cheney Highway (State Road 50);
103 | Thence westerly along said centerline to the centerline
104 | of the St. Johns River, also being the county line
105 | between Brevard and Orange Counties;
106 | Thence meander northerly along said centerline of the St.
107 | Johns River to the intersection of the Volusia, Brevard,
108 | Orange and Seminole County lines, said point also lying
109 | on the South line of Township 21 South, Range 33 East;



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110 Thence easterly along said South line of Township 21
111 South, also being the county line between Brevard and
112 Volusia Counties, to the East line of Range 33 East;
113 Thence northerly along said East line, also being the
114 county line between Brevard and Volusia Counties, to the
115 North line of Township 20 South, also being the Northwest
116 corner of Brevard County;
117 Thence easterly along said North Township line to the
118 point of beginning.

119
120 (b) District 2: Beginning at the intersection of
121 the easterly projection of Buffalo Road, in Section 34,
122 Township 21 South, Range 35 East and the centerline of
123 the Intracoastal Waterway of the Indian River;
124 Thence southerly along said centerline to easterly
125 projection of the centerline of Kings Highway;
126 Thence westerly along said centerline to the centerline
127 of Grissom Parkway (Tulsa Boulevard);
128 Thence southerly along said centerline to the centerline
129 of Ranch Road;
130 Thence westerly along said centerline to the centerline
131 of Interstate 95;
132 Thence southerly along said centerline to the centerline
133 of Fay Boulevard;
134 Thence easterly along said centerline to the centerline
135 of the Florida East Coast Railway;



136 Thence southerly along said centerline to the centerline
 137 of Broadway Boulevard, in Section 25, Township 23 South,
 138 Range 35 East;
 139 Thence easterly along said centerline and its easterly
 140 projection to the centerline of the Intracoastal Waterway
 141 of the Indian River;
 142 Thence southerly along said centerline to the centerline
 143 of the Beeline Expressway (State Road 528);
 144 Thence westerly along said centerline to the East line of
 145 Section 13, Township 24 South, Range 35 East;
 146 Thence southerly along said east line to the North right
 147 of way line of North Road;
 148 Thence northwesterly along said right of way line to the
 149 West line of Cocoa North Subdivision, Unit 1, as recorded
 150 in Plat Book 21 page 3, Public Records of Brevard County,
 151 Florida;
 152 Thence southerly along said West line to the North right
 153 of way line of London Boulevard;
 154 Thence westerly along said North right of way line to the
 155 West line of Cocoa North Subdivision, Unit 2, as record
 156 in Plat Book 21 page 10, Public Records of Brevard
 157 County, Florida;
 158 Thence northeasterly, northwesterly, westerly, and
 159 northerly along said West line to the South line of N 1/4
 160 of said Section 13, Township 24 South, Range 35 East,
 161 said point also being the North line of Cocoa North
 162 Subdivision, Unit 4, as recorded in Plat Book 26 page 44,
 163 Public Records of Brevard County, Florida;



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164 | Thence westerly along said South line to the North-South
165 | midsection line of said Section 13;
166 | Thence southerly along said North-South midsection line
167 | to the East-West midsection line of said Section 13;
168 | Thence westerly along said East-West midsection line(said
169 | line also being the North line of Cocoa North
170 | Subdivision, Unit 8, as recorded in Plat Book 31 page 65,
171 | Public Records of Brevard County, Florida) the to the
172 | centerline of Cox Road;
173 | Thence southerly along said centerline to the North line
174 | of the S 1/4 of the S 1/2 of the NE 1/4 of the NE 1/4 of
175 | Section 23, Township 24 South, Range 35 East;
176 | Thence westerly along said North line to the West line of
177 | the NE 1/4 of the NE 1/4 of said Section 23;
178 | Thence southerly along said West line to the South line
179 | of the N 1/4 of said Section 23;
180 | Thence westerly along said South line to the North-South
181 | Midsection line of said Section 23;
182 | Thence southerly along said North-South Midsection line
183 | to the East-West Midsection line of said Section 23;
184 | Thence easterly along said East-West Midsection line to
185 | the centerline of State Road 524;
186 | Thence northeasterly along said centerline to the
187 | centerline of Cox Road;
188 | Thence southerly along said centerline to the centerline
189 | of Lake Drive;
190 | Thence easterly along said centerline to the centerline
191 | of Clearlake Road (State Road 501);



192 Thence southerly along said centerline to the centerline
 193 of Pluckebaum Road;
 194 Thence westerly along said centerline to the centerline
 195 of Interstate 95;
 196 Thence southeasterly along said centerline to the
 197 centerline of Rockledge Creek;
 198 Thence westerly along said centerline and its westerly
 199 projection to the centerline of Lake Poinsett;
 200 Thence meander westerly along said centerline to the
 201 southwesterly projection of the centerline of State Road
 202 524;
 203 Thence northeasterly along said centerline and its
 204 southwesterly projection to the centerline of State Road
 205 520;
 206 Thence westerly along said centerline to the centerline
 207 of the St. Johns River, also being the county line
 208 between Brevard and Orange Counties;
 209 Thence meander northerly along said centerline to the
 210 centerline of Cheney Highway (State Road 50)
 211 Thence easterly along said centerline to the centerline
 212 of Barna Avenue;
 213 Thence northerly along said centerline to the centerline
 214 of Knox McRae Avenue;
 215 Thence southeasterly along said centerline to the
 216 centerline of Rosehill Avenue, in Section 22, Township 22
 217 South, Range 35 East;
 218 Thence southerly along said centerline to the centerline
 219 of Cheney Highway (State Road 50);



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220 Thence easterly along said centerline to the centerline
221 of the Florida East Coast Railway;
222 Thence northerly along said centerline to the centerline
223 of Harrison Street;
224 Thence westerly along said centerline to the centerline
225 of Barna Avenue;
226 Thence northerly along said centerline to the centerline
227 of Park Avenue (Old State Road 405);
228 Thence northerly along said centerline to the centerline
229 of Garden Street (State Road 406);
230 Thence westerly along said centerline to the East line of
231 the W 1/4 of Section 33, Township 21 South, Range 35 East
232 Thence northerly along said east line to the centerline
233 of Malinda Lane;
234 Thence easterly along said centerline to the centerline
235 of North Washington Avenue (U.S. Highway #1);
236 Thence northerly along said centerline to the centerline
237 of Buffalo Road, in Section 33, Township 21 South, Range
238 35 East;
239 Thence easterly along said centerline and its easterly
240 projection to the point of beginning.

241
242 (c) District 3: Beginning at the intersection of
243 the centerline of the Intracoastal Waterway of the Indian
244 River and the centerline of the Beeline Expressway (State
245 Road 528);



246 Thence southerly along said centerline of the
 247 Intracoastal Waterway to the South line of Township 25
 248 South;
 249 Thence westerly along said South line to the West line of
 250 Range 35 East, also being the county line between Osceola
 251 and Brevard Counties;
 252 Thence northerly along said West line intersection of the
 253 Brevard, Orange and Osceola County lines;
 254 Thence northerly along said Brevard and Orange County
 255 line to the centerline of State Road 520;
 256 Thence easterly along said centerline to the centerline
 257 of State Road 524;
 258 Thence southwesterly along said centerline and its
 259 southwesterly projection to the centerline of Lake
 260 Poinsett;
 261 Thence easterly along said centerline to the westerly
 262 projection of the centerline of Rockledge Creek;
 263 Thence easterly along said centerline and its westerly
 264 projection to the centerline of Interstate 95;
 265 Thence northwesterly along said centerline to the
 266 centerline of Pluckebaum Road;
 267 Thence easterly along said centerline to the centerline
 268 of Clearlake Road (State Road 501);
 269 Thence northerly along said centerline to the centerline
 270 of Lake Drive;
 271 Thence westerly along said centerline to the centerline
 272 of Cox Road;



273 Thence northerly along said centerline to the centerline
 274 of State Road 524;
 275 Thence southwesterly along said centerline to the East-
 276 West Midsection line of Section 23, Township 24 South,
 277 Range 35 East;
 278 Thence westerly along said East-West Midsection line to
 279 the North-South Midsection line of said Section 23;
 280 Thence northerly along said North-South Midsection line
 281 to the South line of the N 1/4 of said Section 23;
 282 Thence easterly along said South line to the West line of
 283 the NE 1/4 of the NE 1/4 of said Section 23;
 284 Thence northerly along said West line to the North line
 285 of the S 1/4 of the S 1/2 of the NE 1/4 of the NE 1/4 of
 286 said Section 23;
 287 Thence easterly along said North line to the centerline
 288 of Cox Road;
 289 Thence northerly along said centerline to the East-West
 290 Midsection line of Section 13, Township 24 South, Range
 291 35 East;
 292 Thence easterly along said East-West Midsection line to
 293 the North-South Midsection line of said Section 13;
 294 Thence northerly along said North-South Midsection line
 295 to the South line of the N 1/4 of said Section 13, said
 296 line also being the North line of Cocoa North
 297 Subdivision, Unit 4, as recorded in Plat Book 26 page 44,
 298 Public Records of Brevard County, Florida;



299 Thence easterly along said South line to the West line of
 300 Cocoa North Subdivision, Unit 2, as recorded in Plat Book
 301 21 page 10, Public Records of Brevard County, Florida;
 302 Thence southerly, easterly, southeasterly and
 303 southwesterly along said West line to the North right of
 304 way line of London Boulevard;
 305 Thence easterly along said North right of way line to the
 306 West line of Cocoa North Subdivision, Unit 1, as recorded
 307 in Plat Book 21 page 3, Public Records of Brevard County,
 308 Florida;
 309 Thence northerly along said West line and its northerly
 310 projection to the North right of way line of North road;
 311 Thence southeasterly along said North right of way line
 312 to the East line of Section 13, Township 24 South, Range
 313 35 East;
 314 Thence northerly along said East line to the centerline
 315 of the Beeline Expressway (State Road 528)
 316 Thence westerly along said centerline to the point of
 317 beginning.

318
 319 (d) District 4: Beginning at the intersection of
 320 the South line of Township 22 South, Range 38 East and
 321 the Mean High Water Line of the Atlantic Ocean;
 322 Thence southerly along said Mean High Water Line to the
 323 centerline of the Canaveral Port Authority Main Channel;
 324 Thence westerly along said centerline to the centerline
 325 of the Banana River;



326 Thence southerly along said centerline to the easterly
327 projection of the centerline of Morningside Drive, in
328 Section 30, Township 24 South, Range 37 East;
329 Thence westerly along said easterly projection and
330 centerline to the centerline of North Banana River Drive;
331 Thence northerly along said centerline to the South line
332 of Surfside Estates, Unit 1, as recorded in Plat Book 16
333 page 65, Public Records of Brevard County, Florida;
334 Thence westerly along said South line and its westerly
335 projection to the centerline of Sykes Creek;
336 Thence southerly along said centerline to the centerline
337 of Merritt Island Causeway (State Road 520);Thence
338 westerly along said centerline to the centerline of
339 Plumosa Street;
340 Thence northerly along said centerline to the centerline
341 of LeJeune Boulevard;
342 Thence northwesterly along said centerline to the
343 centerline of Palmetto Avenue;
344 Thence northeasterly along said centerline to the
345 centerline of East Merritt Avenue;
346 Thence westerly along said centerline to the centerline
347 of Fourth Street;
348 Thence northerly along said centerline to the centerline
349 of Alabama Avenue;
350 Thence westerly along said centerline to the centerline
351 of Fourth Place;
352 Thence northerly along said centerline to the centerline
353 of Needle Boulevard;



354 Thence westerly along said centerline to the centerline
 355 of North Courtenay Parkway;
 356 Thence southerly along said centerline to the centerline
 357 of Merritt Avenue;
 358 Thence westerly along said centerline and its westerly
 359 projection to the centerline of the Intracoastal Waterway
 360 of the Indian River;
 361 Thence northerly along said centerline to the easterly
 362 projection of the centerline of Broadway Boulevard, in
 363 Section 30, Township 23 South, Range 36 East;
 364
 365 Thence westerly along said easterly projection and
 366 centerline to the centerline of the Florida East Coast
 367 Railway;
 368 Thence northerly along said centerline to the centerline
 369 of Fay Boulevard;
 370 Thence westerly along said centerline to the centerline
 371 of Interstate 95;
 372 Thence northerly along said centerline to the centerline
 373 of Ranch Road;
 374 Thence easterly along said centerline to the centerline
 375 of Grissom Parkway (Tulsa Highway);Thence northerly along
 376 said centerline to the centerline of Kings Highway;
 377 Thence easterly along said centerline and its easterly
 378 projection to the centerline of the Intracoastal Waterway
 379 of the Indian River;
 380 Thence northerly along said centerline to the South line
 381 of Township 22 South;



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382 Thence easterly along said South line to the point of
383 beginning.

384
385 (e) District 5: Beginning at the intersection of
386 the centerline of the Canaveral Port Authority Main
387 Channel and the Mean High Water Line of the Atlantic
388 Ocean;
389 Thence meander southerly along said Mean High Water Line
390 to the North line of Patrick Air Force Base, also being
391 the South line of Orlando Beach Subdivision as recorded
392 in Plat Book 9 page 43, Public Records of Brevard County,
393 Florida, in Section 35, Township 25 South, Range 37 East;
394 Thence westerly along said North line to the centerline
395 of the Banana River;
396 Thence southerly along said centerline to the South line
397 of Township 25 South;
398 Thence westerly along said South line to the centerline
399 of the Intracoastal Waterway of the Indian River;
400 Thence northerly along said centerline to the westerly
401 projection of the centerline of West Merritt Avenue, said
402 line also being the North line of Section 34, Township 24
403 South, Range 36 East;
404 Thence easterly along said westerly projection and
405 centerline to the centerline of North Courtenay Parkway;
406 Thence northerly along said centerline to the centerline
407 of Needle Boulevard;
408 Thence easterly along said centerline to the centerline
409 of Fourth Place;



410 Thence southerly along said centerline to the centerline
 411 of Alabama Avenue;
 412 Thence easterly along said centerline to the centerline
 413 of Fourth Street;
 414 Thence southerly along said centerline to the centerline
 415 of East Merritt Avenue;
 416 Thence easterly along said centerline to the centerline
 417 of Palmetto Avenue;
 418 Thence southwesterly along said centerline to the
 419 centerline of LeJeune Boulevard;
 420 Thence southeasterly along said centerline to the
 421 centerline of Plumosa Street
 422 Thence southerly along said centerline to the centerline
 423 of Merritt Island Causeway (State Road 520);
 424 Thence easterly along said centerline to the centerline
 425 of Sykes Creek;
 426 Thence meander northerly along said centerline to the
 427 westerly projection of the South line of Surfside
 428 Estates, Unit 1, as recorded in Plat Book 16 page 65,
 429 Public Records of Brevard County, Florida;
 430 Thence easterly along said westerly projection and South
 431 line to the centerline of North Banana River Drive;
 432 Thence southerly along said centerline to the centerline
 433 of Morningside Drive, in Section 30, Township 24 South,
 434 Range 37 East;
 435 Thence easterly along said centerline and its easterly
 436 projection to the centerline of the Banana River;



437 Thence northerly along said centerline to the centerline
 438 of the Canaveral Port Authority Main Channel;
 439 Thence easterly along said centerline to the point of
 440 beginning.

441
 442 (f) All of the aforesaid boundary lines and referenced
 443 points are as the same are situated and located on the date this
 444 provision becomes law, except that the shoreline of the Atlantic
 445 Ocean and channel centerlines of the waterways in said
 446 descriptions shall be as the same exists in fact from time to
 447 time.

448 Section 3. Commencing with the year 1982, and every 10
 449 years thereafter, the Canaveral Port Authority by resolution
 450 shall divide the Canaveral Port District into five (5)
 451 Commissioner Port Districts of contiguous territory as nearly
 452 equal in population as practicable according to the duly
 453 registered electors in the Canaveral Port District determined by
 454 the elector registration rolls of the Supervisor of Elections
 455 for Brevard County. On or before January 15th of each decennial
 456 year commencing with the year 1982, the Supervisor of Elections
 457 for Brevard County shall transmit to the Canaveral Port
 458 Authority a certified statement of all elector precincts lying
 459 in whole or in part in the Canaveral Port District and the
 460 number of electors in each precinct or partial precinct in the
 461 Canaveral Port District according to the most recent records of
 462 the Supervisor of Elections prior to the submission of such
 463 certified statement. On or before March 5th of each such
 464 decennial year, the Canaveral Port Authority shall divide and



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465 define the boundaries of each of the five (5) Commissioner Port
466 Districts based on the certified statement of elector precincts
467 and number of electors submitted by the Supervisor of Elections.
468 No Commissioner Port Districts shall have more than 22 percent
469 or less than 18 percent of the total number of duly registered
470 electors in the Canaveral Port District according to the
471 certified statement of the Supervisor of Elections. On or before
472 March 31st of each such decennial year, the Canaveral Port
473 Authority shall deliver to the Board of County Commissioners for
474 Brevard County and the Supervisor of Elections for Brevard
475 County a certified copy of the resolution by the Canaveral Port
476 Authority defining the boundaries of the five Commissioner Port
477 Districts determined hereunder, and the Commissioner Port
478 Districts so determined shall be and constitute the Commissioner
479 Port Districts to and until the same are again determined
480 decennially under this provision. As the five Commissioner Port
481 Districts are decennially determined and defined, the same shall
482 immediately supersede the previously determined and defined five
483 Commissioner Port Districts.

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

486 ARTICLE II. Definitions

487 Section 1. All references herein to "Harbor District" or
488 "Port District" shall be deemed to mean Canaveral Port District,
489 situated in Brevard County as described in Article I; and all
490 references herein to "Harbor Commissioners," "Port
491 Commissioners," or "Port Authority" shall be deemed to mean the
492 Canaveral Port Authority, the governing body of the Canaveral



493 Port District. All references herein to "Harbor Commissioners"
 494 or "Port Commissioners" shall be deemed to mean qualified
 495 commissioners or members constituting the Canaveral Port
 496 Authority. All references herein to "Port Canaveral" or "Port"
 497 shall be deemed to mean the Port of Canaveral, Brevard County,
 498 including the main entrance channels, turning basins, slips, and
 499 jetties, and including also all lands abutting on the navigable
 500 waters of said port.

501 ARTICLE III. Governing Authority

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

515 ARTICLE IV. General Grant of Powers

516 The Canaveral Port Authority, governing body of the
 517 Canaveral Port District, shall have additional powers as
 518 follows:

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



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

539 Section 2. To lay out, construct, condemn, purchase, own,
540 mortgage, add to, maintain, conduct, operate, build, equip,
541 manage, replace, enlarge, improve, regulate, control, repair,
542 fix, and establish jetties, piers, quays, wharves, docks,
543 warehouses, storehouses, breakwaters, bulkheads, public
544 landings, slips, seawalls, turning basins, harbors, ports,
545 waterways, channels, moles, bridges, catwalks, ferries and
546 causeways, drydocks, terminal facilities, canals, elevators,
547 grain bins, cold storage plants, icing plants and their
548 distribution, refrigerating plants, pre-cooling plants, bunkers,



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

574 Section 3. To exercise control over Port Canaveral,
575 Brevard County, and any and all parts thereof; to apply to
576 proper authorities of the United States Government for the right



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577 to establish, operate, and maintain a Foreign Trade Zone within
578 the limits of Brevard County and to establish, operate, and
579 maintain such Foreign Trade Zone; to apply for and obtain
580 permission from the United States Government to create, improve,
581 regulate, and control all waters, and natural or artificial
582 waterways within said Port Canaveral; to improve all navigable
583 and non-navigable waters situated within said Canaveral Port
584 District necessary or useful to the operation, improvement, and
585 maintenance of Port Canaveral; to construct, improve, and
586 maintain such inlets, slips, turning basins, and channels; to
587 make and give to the United States Government such guarantees
588 upon such terms and conditions as may be required; and to enact,
589 adopt, and establish rules and regulations for the complete
590 exercise of jurisdiction and control over all of said lands and
591 waters of said Port Canaveral within said Canaveral Port
592 District.

593 Section 4. To fix uniform rates of wharfage, dockage,
594 pilotage, warehousing, storage, port, and terminal charges upon
595 all harbor facilities and improvements located within said Port
596 District, whether owned by said Port Authority or otherwise, and
597 to fix and determine the rates, commissions, rentals, tolls, and
598 other charges for the use of harbor and area facilities and
599 improvements located within said Port District insofar as it may
600 be permissible for said Port Authority to do so under the
601 Constitution and laws of the State of Florida and under the
602 Constitution and laws of the United States of America.

603 Section 5. To exercise such police powers as the Port
604 Authority shall determine to be necessary for the effective



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605 control, regulation, and protection of Port Canaveral and for
606 the effective exercise of jurisdiction over said port.

607 Section 6. To grant franchises to any person, firm, or
608 corporation to construct, establish, operate, replace, repair,
609 fix, enlarge, maintain, improve, equip, manage, acquire, and
610 control jetties, piers, quays, wharves, docks, warehouses,
611 storehouses, breakwaters, bulkheads, public landings, slips,
612 seawalls, turning basins, harbors, ports, waterways, channels,
613 moles, bridges, catwalks, ferries, roads and causeways,
614 drydocks, terminal facilities, canals, elevators, grain bins,
615 cold storage plants, icing plants and their distribution,
616 refrigeration plants, pre-cooling plants, bunkers, oil tanks,
617 pipelines, locks, tidal basins, subways, tramways, cableways,
618 anchorage areas, depots, areas for abandoned ships, barges, or
619 other craft, airways, landing fields, conveyors, modern
620 appliances for economic handling, storing, and transportation of
621 freight and the handling of passenger traffic, systems of fresh
622 water supply, electric and steam generating stations and plants
623 and distribution systems therefor, sewage systems and sewage
624 disposal and treatment plants, telegraph and telephone systems
625 and lines, buried or on poles, gas lines and distribution
626 systems therefor for servicing the lands, properties, and
627 facilities now or hereafter owned, acquired, or controlled by
628 lease, franchise, or otherwise by Canaveral Port District or the
629 Canaveral Port Authority, and any and all areas adjacent
630 thereto, radio broadcasting stations and facilities, parking
631 lots and areas for off-street or off-road parking of motor
632 vehicles, barge lines, truck lines, steamship lines, shipping



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633 lines, roads and railroads within and without the territorial
634 limits of the Canaveral Port District, and other harbor and
635 harbor area improvements and facilities which the Port Authority
636 may determine to be necessary, feasible, and advantageous; and
637 in connection with the operation, improvement, and maintenance
638 of said port, to perform all customary services, including the
639 handling, weighing, measuring, regulation, control, inspection,
640 and reconditioning of all commodities and cargo received or
641 shipped through said port in the exercise of such franchise.
642 Nothing in this section shall be construed to limit the right of
643 the Port Authority to construct, maintain, and operate the port
644 facilities, as provided in section 2 of this article.

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



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660 development, and ownership of the transportation and warehousing
661 facilities used in connection with Port Canaveral.

662 Section 8. To levy, assess, collect, and enforce ad
663 valorem taxes upon all of the real and personal property in the
664 Canaveral Port District for the purpose of defraying operating,
665 maintenance, and general administration expenses and other
666 necessary expenses incurred for the improvement of the port
667 facilities, and for the purchase of rights-of-way, of said
668 Canaveral Port Authority and Canaveral Port District, provided
669 that such levy shall not exceed 3 mills on the dollar in any one
670 year on the total assessed valuation of all taxable property
671 within said Canaveral Port District for such year; and the Port
672 Authority is authorized and empowered to issue its promissory
673 note or notes at the rate of interest, maturity, terms, and
674 conditions as directed by the Canaveral Port Authority, signed
675 in the name of the Canaveral Port Authority by the Chair and the
676 Secretary and the corporate seal affixed thereto, and the funds
677 derived therefrom to be used for the payment of operating,
678 maintenance, and general administration expenses, and for the
679 purchase of right-of-way, against or to be repaid from the
680 anticipated revenues to be derived from the said 3 mill ad
681 valorem tax, previously levied and assessed.

682 Section 9. To create and designate such offices,
683 departments, and divisions, other than those herein specifically
684 provided for, as the said Port Authority may determine to be
685 necessary; to prescribe the duties and compensation of such
686 officers and employees; to employ an attorney for the Port
687 Authority; and to fix and determine the compensation and duties



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688 of said attorney. The term of office of said attorney and all
689 appointees and employees shall be at the pleasure of the Port
690 Authority.

691 Section 10. To make rules and regulations consistent with
692 the Constitution and laws of the State of Florida, and with the
693 Constitution and laws of the United States of America, for the
694 promotion and conduct of navigation, commerce, and industry in
695 said Port Canaveral. Said rules and regulations shall be
696 reasonable and shall apply uniformly to all similarly situated.

697 Section 11. To make rules and regulations governing the
698 course, conduct, movement, stationing and restationing, berthing
699 and reberthing, fueling and refueling, loading, unloading, and
700 reloading, docking, storing, mooring, and anchoring of ships,
701 vessels, crafts, barges, skiffs, and boats within said Port
702 Canaveral and the navigable waters over which the said Port
703 Authority has jurisdiction; to remove all obstacles to
704 navigation, commerce, and industry in the waters of said Port
705 Canaveral and the navigable waters over which the said Port
706 Authority has jurisdiction; however, this power can only be
707 exercised within navigable waters, entrance channels, turning
708 basins, and slips in the waters of the said port.

709 Section 12. To prescribe, fix, and establish fines,
710 penalties, and punishment for the violation of the rules and
711 regulations of said Port Authority and to enforce such fines,
712 penalties, and punishments in such manner as the Port Authority
713 may by resolution determine. All fines and penalties so imposed
714 or levied shall be recoverable in the name of the Canaveral Port
715 Authority in any court of the state having jurisdiction over the



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716 amount involved and shall inure and belong to said Port
717 Authority.

718 Section 13. To enter into any contract with the Government
719 of the United States, or any agency thereof, which may be
720 necessary in order to procure assistance, appropriations,
721 grants, gifts, and aid for the deepening, widening, and
722 extending of channels and turning basins and the building,
723 construction, and maintenance of slips, wharves, breakwaters,
724 jetties, bulkheads, facilities, and any and all other port
725 improvements and facilities. To convey fee simple title to
726 lands to the United States Government for a United States Coast
727 Guard facility, to meet the requirements of local interests and
728 for other advisable port interests; with right of reversion of
729 said land in the event the same is either not used for said
730 purpose within 5 years after conveyance or there is an
731 abandonment of such use for 5 years.

732 Section 14. To exercise the right of eminent domain and to
733 condemn, appropriate, and acquire any property, both real and
734 personal, and any interest or estate therein which by resolution
735 the Port Authority shall determine to be necessary for the
736 deepening, widening, and extending of the channels, turning
737 basins, roads, and railroads and the building and construction
738 of slips, wharves, sheds, warehouses, breakwaters, jetties,
739 bulkheads, and any and all other port improvements and
740 facilities, said determination shall be conclusive, except in
741 the case of fraud or gross abuse of discretion; such
742 condemnation proceeding shall be exercised in the manner
743 provided in sections 73.01, 73.011, 73.02 through 73.12, 73.14,



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744 73.15, 73.17, 73.18, and 73.20, Florida Statutes, 1951, and acts
745 amendatory and supplementary thereto; and pursuant to the
746 following additional provisions, to-wit:

747 (a) The Port Authority, if satisfied with the verdict
748 rendered in a condemnation proceeding, shall, within 30 days
749 after the rendition of the judgment, file in the court in which
750 said proceeding was instituted its written acceptance of the
751 verdict and judgment and shall pay into court the compensation
752 ascertained by the jury. The court having jurisdiction of said
753 condemnation proceedings shall have the power to extend the time
754 within which said award shall be paid, not to exceed 18 months
755 from the date of the rendition of the judgment. Such award shall
756 bear interest at the rate of 6 percent per annum during such
757 extended period of time.

758 (b) The Port Authority shall defray the cost of
759 proceedings necessary to effectuate the purposes of this
760 section, provided that the Port Authority shall not be held
761 liable for costs in any action brought by any person or
762 plaintiff, unless the decision of the court shall be in favor of
763 such person or plaintiff, and in such case the court shall
764 determine and specify the costs which are to be paid by the said
765 Port Authority.

766 Section 15. To borrow money as herein provided.

767 Section 16. (a) The Port Authority shall have the power
768 and authority to execute and deliver all contracts, deeds,
769 leases, mortgages, promissory notes, franchises, assignments,
770 releases, and all other instruments necessary and convenient to
771 carry out the powers herein expressly or impliedly conferred,



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772 all of which shall be executed in the name of the Canaveral Port
773 Authority and signed by the Chair and the Secretary thereof and
774 its corporate seal affixed thereto; all checks and vouchers for
775 the disbursement of funds of the Port Authority shall be
776 executed in the manner and form as prescribed by the Port
777 Authority.

778 (b) The Port Authority shall have the power and authority
779 by majority vote at any regular meeting to lease the lands,
780 personal properties, and facilities for period not to exceed 10
781 years; or to encumber personal properties and facilities for not
782 more than \$10,000, and for a period not to exceed 5 years, to
783 secure the note or notes of the Port Authority authorized under
784 subsection (a) of said article and section, upon such terms and
785 conditions as the Port Authority shall determine.

786 (c) Any lease of the lands, personal properties, or
787 facilities of the Port Authority for a period of more than 10
788 years, or any encumbrance of the personal properties or
789 facilities of the Port Authority for more than \$10,000, and for
790 a period of more than 5 years, shall be first advertised in a
791 newspaper of general circulation published within the Canaveral
792 Port District for 15 days by three consecutive weekly
793 publications, stating the terms and the amount to be paid and
794 particularly describing the lands, personal properties, or
795 facilities to be leased or encumbered, except where it is
796 proposed to lease or to encumber such properties in favor of a
797 governmental agency, and provided that in the event a petition
798 is filed within 30 days after said advertisement is published,
799 signed by 10 percent of the qualified electors residing within



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800 the Canaveral Port District and therein requesting that the
801 question of leasing of the lands or of encumbering of the said
802 personal properties or facilities be decided by an election
803 called for that purpose. It will then be the duty of the Port
804 Authority to call an election to be held within the territory
805 constituting the Canaveral Port District, for the purpose of
806 determining whether or not said lease or said encumbrance as
807 described in said advertisement shall be executed. Said election
808 shall be held as provided in this act. If no such petition be
809 filed, then the lease or the encumbrance may be executed by the
810 Port Authority forthwith.

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

817 Section 18. To appoint a Pilot Commission consisting of
818 three or more members as the Port Authority may determine, a
819 Harbor-Master, a Deputy Harbor-Master, stevedores, longshoremen,
820 and all other persons necessary to properly transact the
821 shipping business at said port and to fix their powers, duties,
822 and compensation. The Port Authority is granted the power to
823 license stevedores as independent contractors for hire, and to
824 fix the terms and conditions of such licenses and to determine
825 the fees to be charged, to serve at the pleasure of the Port
826 Authority, unless terminated sooner by the licenses. The Port



827 Authority shall serve as a Pilot Commission until a Pilot
 828 Commission shall be appointed.

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

851 (b) The Port Authority is hereby authorized to secure said
 852 revenue certificates or revenue bonds by a pledge of the
 853 revenues of the port project, including revenues from all or any
 854 part of the facilities connected therewith, owned and operated



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855 by the Port Authority and in addition thereto, said revenue
856 certificates or revenue bonds may be secured by a lien on all or
857 any part of the personal properties of the Authority or the
858 District or the income derived therefrom, including the full
859 faith and credit of said Port District. Real property is
860 expressly excluded.

861 (c) The issuance of said revenue bonds shall be authorized
862 by resolution of the Port Authority, which resolution may be
863 adopted at any regular meeting by a vote of a majority of the
864 members thereof. The revenue certificates or revenue bonds
865 issued hereunder shall bear such rate or rates of interest not
866 exceeding that provided by general law; may be in one or more
867 series; may bear such date or dates; may mature at such time or
868 times not exceeding 30 years after their respective dates, in
869 such medium of payment, at such place or places; may carry such
870 registration privileges; may be subject to such terms of
871 redemption; may be in such form or forms; and may be executed in
872 such manner and contain such terms and conditions as the Port
873 Authority may prescribe. The revenue certificates or revenue
874 bonds herein provided for may be issued by the Port Authority
875 upon the Authority first adopting an appropriate resolution
876 authorizing such issuance and without the question of issuing
877 said revenue certificates or revenue bonds being first
878 authorized by an election held for such purpose, provided that
879 the amount to be issued and the purpose for which issued shall
880 be advertised for at least 30 days prior thereto by publication
881 in a newspaper published in said District, which notice shall be
882 published in 3 weekly issues of said paper.



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883 Section 20. (a) The Port Authority is hereby further
884 authorized and empowered to issue revenue certificates or
885 revenue bonds authorized in section 19 of this act, supported by
886 an ad valorem tax, to be assessed against all the taxable
887 properties within the Port District for any of the purposes
888 mentioned in section 19 of this act.

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



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911 the qualified electors who reside in said Canaveral Port
912 District shall participate.

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



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938 in the ballot. Said ballots shall be in form substantially as
 939 follows:

940
 941 Official Ballot Canaveral Port District SPECIAL ELECTION (Insert
 942 Date) This election is held for the approval or disapproval of
 943 the issuance of \$_____ of Revenue Certificates (or
 944 Revenue Bonds) of Canaveral Port District, supported by an ad
 945 valorem tax, bearing interest at the rate of _____
 946 percentum per annum. Place a cross mark (x) in the space to the
 947 left (or right) of the proposition of your choice. FOR issuance
 948 of Revenue Certificates (or Revenue Bonds) of Canaveral Port
 949 District in the amount of \$_____ supported by an ad
 950 valorem tax to be issued against the taxable properties of the
 951 District, bearing interest at the rate of _____ percentum
 952 per annum, payable semiannually.

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

958
 959 If a majority of the votes cast in said election are in favor of
 960 the issuance of said certificates or bonds, then the Canaveral
 961 Port Authority shall be authorized to issue such certificates or
 962 bonds in the amount specified in said resolution calling such
 963 special election. The proceeds received therefrom shall be used
 964 by the Authority for the purposes stated in said resolution.



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965 (d) For the purpose of securing any of such revenue
966 certificates or revenue bonds, supported by an ad valorem tax,
967 authorized to be issued herein, the Port Authority, in addition
968 to pledging the net revenues and income of the Port Authority or
969 the Canaveral Port District, is hereby further authorized,
970 empowered, and directed to annually levy, assess, collect, and
971 enforce an ad valorem tax upon all the taxable property of the
972 Canaveral Port District, sufficient in amount to provide for the
973 payment of the interest to become due thereon and to provide for
974 a sinking fund sufficient in amount to discharge said
975 certificates or bonds at their respective maturities, which said
976 ad valorem tax so levied shall be in addition to all other taxes
977 provided herein.

978 (e) The Port Authority is additionally authorized and
979 empowered to borrow money at an interest rate not to exceed 7.5
980 percent per annum and maturity date not to exceed 1 year, from
981 any bank or other party, to create and maintain a sinking fund
982 for the payment as budgeted, of the principal and interest of
983 outstanding revenue certificates or revenue bonds; and to
984 execute its promissory note or notes therefor, signed in the
985 name of the Canaveral Port Authority by its Chair and its
986 Secretary and the corporate seal affixed thereto, all as
987 directed by the Board of Commissioners of the Canaveral Port
988 Authority, and said note or notes shall be payable from the
989 anticipated revenues to be derived from the previously levied
990 and assessed ad valorem tax as authorized in this section,
991 provided, however, such notes shall not exceed in any one year
992 75 percent of the current taxes levied in any one year by the



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993 Port Authority for the payment of the interest and redemption of
 994 the revenue bonds or revenue certificates of Canaveral Port
 995 Authority currently becoming due.

996 Section 21. (a) The manner in which the Port Authority
 997 shall exercise the levying, assessing, and collecting of any ad
 998 valorem tax provided herein shall be as follows: The County
 999 Property Appraiser of Brevard County, immediately after the tax
 1000 assessment of said county for any year after the passage of this
 1001 act has been reviewed and equalized by the Board of County
 1002 Commissioners of Brevard County, shall report in writing to the
 1003 Canaveral Port Authority the assessed valuation of all taxable
 1004 property within the territorial limits of the Canaveral Port
 1005 District, as assessed and equalized for state and county
 1006 taxation, and the Chief Financial Officer of the State of
 1007 Florida shall report to the Canaveral Port Authority at the time
 1008 he or she is, by law, required to report to the County Property
 1009 Appraiser of Brevard County the assessed valuation of all
 1010 railroad lines, railroad property, telephone and telegraph
 1011 lines, and telephone and telegraph properties within the
 1012 Canaveral Port District, over which he or she has jurisdiction
 1013 for valuation and assessment purposes and said assessed
 1014 valuation, placed on said properties, shall be the valuation for
 1015 taxation by the Port Authority.

1016 (b) The Port Authority shall, during each year, determine
 1017 by resolution the total amount to be raised from ad valorem
 1018 taxes levied and assessed upon all the taxable property located
 1019 within said Canaveral Port District to provide funds sufficient
 1020 in amount to pay the interest on said revenue certificates or



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1021 revenue bonds, which are supported by an ad valorem tax, as such
 1022 interest may become due; and also provide for a sinking fund
 1023 sufficient in amount to discharge the principal of revenue
 1024 certificates or revenue bonds at their respective maturities;
 1025 and at the same time the Port Authority shall determine the
 1026 amount to be required to pay the charges and costs for
 1027 operation, maintenance, general administration, capital
 1028 improvements, and the purchase of right-of-way. It shall adopt
 1029 its resolution levying an ad valorem tax against all of the
 1030 taxable property of the District sufficient to pay said
 1031 interest, sinking fund, charges, and costs, which tax, if so
 1032 levied, however, shall not exceed 3 mills on the dollar of
 1033 assessed value in any one year.

1034 (c) A certified copy of said tax resolution, executed in
 1035 the name of the Port Authority under the corporate seal of the
 1036 Port Authority by its Chair, and attested by its Secretary,
 1037 shall be made and delivered to the Board of County Commissioners
 1038 of Brevard County and the Chief Financial Officer of the State
 1039 of Florida, with all reasonable dispatch after the Port
 1040 Authority has received the total valuation of all taxable
 1041 properties to be assessed within the Canaveral Port District.
 1042 Upon the receipt of such resolution by said Board of County
 1043 Commissioners, it shall be the mandatory duty of said Board of
 1044 County Commissioners to order and direct the County Property
 1045 Appraiser of Brevard County to assess and levy, and the County
 1046 Tax Collector of Brevard County to collect, the tax, at the rate
 1047 fixed and determined by said resolution of the Port Authority,
 1048 upon all taxable properties located within said Canaveral Port



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1049 District, and said revenues and assessments so determined and
1050 made shall be included in the tax roll and warrant of said
1051 County Property Appraiser for each fiscal year hereafter. The
1052 said Tax Collector shall collect such taxes in the manner and at
1053 the same time as state and county taxes are collected and shall
1054 pay and remit the same upon the collection thereof to the Port
1055 Authority. It shall be the duty of the Chief Financial Officer
1056 of the State of Florida to assess and levy on all railroad lines
1057 and railroad property, all telephone and telegraph lines and
1058 telephone and telegraph property, and all other taxable property
1059 within his or her jurisdiction located within said Canaveral
1060 Port District a tax at the rate prescribed by said tax
1061 resolution of the Port Authority and to collect the said tax
1062 thereon in the same manner and at the same time as he or she is
1063 required by law to assess and collect such taxes for state and
1064 county purposes and pay and remit the same when collected to the
1065 Port Authority. All such taxes shall be disbursed and paid out
1066 by the Port Authority only for the purposes for which said taxes
1067 were levied, upon vouchers, checks, or warrants issued in such
1068 manner as the Port Authority, by resolution, may determine.

1069 (d) This act shall be full authority for the issuance of
1070 any of the revenue certificates and revenue bonds authorized
1071 herein, which said revenue certificates or revenue bonds shall
1072 have the qualities of negotiable paper under the law merchant
1073 and shall not be invalidated for any irregularity or defect in
1074 the proceedings for the issuance thereof and shall be
1075 incontestable in the hands of bona fide purchasers for value. No
1076 proceedings in respect to the issuance of any such revenue



1077 certificates or revenue bonds shall be necessary except such as
 1078 required by this act; however, such revenue certificates or
 1079 revenue bonds may be validated and confirmed in the way and
 1080 manner contemplated and provided by the general laws and
 1081 statutes of the state. The provisions of this act shall
 1082 constitute an irrevocable contract between the Port Authority
 1083 and the holders of any such revenue certificates or revenue
 1084 bonds, and of the coupons thereof issued pursuant to the
 1085 provisions hereof. Any holder of any of said revenue
 1086 certificates or revenue bonds or coupons may, either at law or
 1087 in equity, by suit, action, or mandamus, enforce and compel the
 1088 performance of any of the duties required by this act of any of
 1089 the officers or persons mentioned herein relating to said
 1090 revenue certificates or revenue bonds, or the levying,
 1091 assessing, and collection of the taxes provided for the payment
 1092 thereof.

1093 (e) The provisions of sections 193.321 through 193.327,
 1094 Florida Statutes, 1967, shall not apply, and are hereby
 1095 specifically repealed as to the power and authority of the
 1096 Canaveral Port Authority to levy, assess, collect, and enforce
 1097 ad valorem taxes as set forth in this act.

1098 Section 22. (a) The Board of Commissioners of the
 1099 Canaveral Port Authority, Brevard County, is authorized to
 1100 provide life, health, accident, hospitalization, or all or any
 1101 part of such insurance for Canaveral Port Authority officers and
 1102 employees, upon a group insurance plan. The Board shall
 1103 advertise for bids and shall award said group insurance to the
 1104 lowest and best bidder, provided that if no bids are received,



1105 the Board shall have the discretion to contract for such
 1106 insurance on such terms and conditions as it may deem desirable.

1107 (b) The Board of Commissioners of the Canaveral Port
 1108 Authority is authorized to pay all or any portion of the
 1109 premiums for such group insurance as an operating expense. The
 1110 said Board is further authorized to deduct periodically from the
 1111 wages of any officer or employee, upon the written request of
 1112 such officer or employee, any premium or portion of premium for
 1113 any such insurance.

1114 Section 23. (a) Section 253.126, Florida Statutes, is
 1115 hereby specifically repealed as to the Canaveral Port Authority.

1116 (b) The Canaveral Port Authority is granted the power and
 1117 authority to establish bulkhead lines, authorize dredging and
 1118 filling, and have jurisdiction under chapter 253, Florida
 1119 Statutes, as to the lands and waters under the jurisdiction of
 1120 the Canaveral Port Authority in lieu of the Board of County
 1121 Commissioners.

1122 (c) In the exercise of this grant of authority, the
 1123 Canaveral Port Authority shall comply with all applicable
 1124 provisions of chapter 253, Florida Statutes, to the same extent
 1125 as a Board of County Commissioners would comply with such
 1126 provisions under the same circumstances.

1127 Section 24. To comprehensively plan for urban and rural
 1128 transportation needs and to comprehensively plan for the use of
 1129 the lands, resources, and waters under its jurisdiction; to
 1130 participate in such planning with other public agencies as
 1131 defined in chapter 163, Florida Statutes; and to enter into
 1132 interlocal governmental agreements (including, without



1133 limitation by this specific reference, Metropolitan Planning
 1134 Organizations contemplated under 23 U.S.C. section 134 and the
 1135 Urban Mass Transportation Act of 1964) in such transportation
 1136 and real property fields.

1137 ARTICLE V. Port Commissioners

1138 Section 1. The governing authority of the Canaveral Port
 1139 District is hereby created and shall be designated as the
 1140 Canaveral Port Authority, and shall consist of five Port
 1141 Commissioners, one Port Commissioner from each Commissioner Port
 1142 District, who shall be a qualified elector and reside within the
 1143 Commissioner Port District from which he or she is appointed or
 1144 nominated and elected. All Port Commissioners shall be elected
 1145 for 4-year terms, and said terms shall be arranged so that three
 1146 Port Commissioners are elected at one general election and two
 1147 Port Commissioners elected at the next ensuing general election.
 1148 The term of office of each Port Commissioner shall commence on
 1149 the first Tuesday after the first Monday in January following
 1150 his or her election.

1151 Section 2. (a) Each Commissioner Port District shall be a
 1152 residency district for all elections hereunder. The five Port
 1153 Commissioners shall be nominated in the general primary and
 1154 elected in the general election held in each Commissioner Port
 1155 District next ensuing and at all subsequent general primaries
 1156 and general elections thereafter upon the official county
 1157 ballots.

1158 (b) Nomination of candidates shall be made by residency
 1159 districts at the primary elections, by the various political
 1160 parties, as the general laws of Florida provide for County



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1161 Commissioners for Brevard County, at which primary elections the
 1162 electors of the Canaveral Port District at large who are
 1163 qualified to vote in such primary elections shall be entitled to
 1164 vote. The Board of County Commissioners shall not print the name
 1165 of any person as a candidate on the ballots for general
 1166 elections unless he or she shall have been so nominated.

1167 (c) Candidates for nomination in primary elections shall
 1168 pay the same filing fee to the Clerk of the Board of County
 1169 Commissioners; file in the same manner the like oaths, sworn
 1170 statements, and receipts for party assessments; be governed by
 1171 the same restrictions; be subject to like party assessments by
 1172 the County Executive Committees of the respective political
 1173 parties; and in all respects comply with the general laws of
 1174 Florida governing candidates for Board of County Commissioners
 1175 in primaries.

1176 (d) Elections of candidates shall be at general elections
 1177 as provided by the general laws of Florida, at which general
 1178 elections all qualified electors residing within the Canaveral
 1179 Port District shall be entitled to vote.

1180 Section 3. Any vacancy occurring on or in the said Board
 1181 of Commissioners of the Port Authority, whether caused by
 1182 resignation, refusal, death, or the unconstitutionality of any
 1183 part of this act, or for or on account of any other reason
 1184 whatsoever, shall be filled for the unexpired portion of the
 1185 corresponding term, or until the next ensuing general election,
 1186 whichever may come sooner, by appointment by the Governor.

1187 Section 4. Every Port Commissioner, before he or she
 1188 assumes office, shall be required to make oath that he or she



1189 will faithfully discharge the duties of his or her office and
 1190 uphold and defend the laws and the Constitution of the State of
 1191 Florida and give good and sufficient surety bond payable to the
 1192 Governor for the use and benefit of the Canaveral Port Authority
 1193 in the sum of \$2,000, conditioned for the faithful performance
 1194 of the duties of his or her office, said bond to be approved by
 1195 the Canaveral Port Authority and filed with the Secretary of
 1196 State. Any and all premiums of the surety bonds shall be paid by
 1197 the Port Authority as a necessary expense of said District.

1198 Section 5. As soon as practicable after the newly
 1199 appointed or elected Port Commissioners shall have qualified,
 1200 they shall meet and organize by the selection from among
 1201 themselves of a Chair and a Vice-Chair, and shall also elect a
 1202 Secretary and a Treasurer, provided, however, that the latter
 1203 two offices may be held by one person and such person may or may
 1204 not be a member of said Authority. A majority of the duly
 1205 qualified members shall constitute a quorum. The Chair and the
 1206 Secretary, if the latter be a member of said Port Authority,
 1207 shall be entitled to vote at all meetings. Being a Port
 1208 Commissioner of the Canaveral Port Authority shall not
 1209 disqualify such Port Commissioner from holding any municipal,
 1210 county, or state office.

1211 Section 6. The annual salary allowance of each Port
 1212 Commissioner shall be determined and adopted by the Board of
 1213 Commissioners of the Canaveral Port Authority at the regular
 1214 meeting held in September 2003, to be effective commencing
 1215 October 1, 2003. The salary allowance established in September
 1216 2003, shall not exceed the average annual salary paid to Port



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1217 Commissioners of those other special district seaports which
1218 have an established annual salary for Port Commissioners. The
1219 salary allowance shall be payable monthly and apply to all
1220 services rendered by each Port Commissioner under this act. The
1221 salary allowance adopted as provided herein may be adjusted
1222 annually by the Board of Commissioners of the Canaveral Port
1223 Authority; however, any increase in the annual salary allowance
1224 shall not exceed the average percentage increase in the salaries
1225 of state career service employees as determined pursuant to
1226 section 145.19, Florida Statutes, for the fiscal year just
1227 concluded.

1228 Section 7. All meetings of the said Port Authority shall
1229 be open to the public and shall be held at the office of the
1230 Port Authority. Records of all business transacted by the Port
1231 Authority shall be kept and preserved in substantial Minute
1232 Books by the Secretary as a permanent record, and the Minute
1233 Books or excerpts therefrom, duly certified by the Secretary
1234 under the seal of the Port Authority, shall be prima facie
1235 evidence in all courts of the proceedings of the Port Authority.
1236 The Port Authority shall have power to prescribe by resolution
1237 rules for the conduct of its meetings not inconsistent herewith.

1238 Section 8. The expense accounts of Port Commissioners and
1239 employees shall be itemized in writing and submitted to the Port
1240 Authority in session.

1241 ARTICLE VI. Additional Powers

1242 Section 1. The Canaveral Port Authority shall have the
1243 power to impose a franchise or excise tax upon businesses and
1244 occupations carried on or operated under and by virtue of any



1245 franchise or franchises granted by the Port Authority in a sum
 1246 equal to 0.5 percent of the gross receipts of such businesses or
 1247 occupations. The administration of this section and the
 1248 collection of this franchise tax are hereby vested in the
 1249 Canaveral Port Authority, and said Port Authority is authorized
 1250 to make, promulgate, and enforce such reasonable rules and
 1251 regulations relating to the administration and enforcement of
 1252 this law and the collection of said franchise tax as may be
 1253 deemed expedient, independently of all other remedies and
 1254 proceedings authorized by law for the enforcement and collection
 1255 of said franchise tax, a right of action, by suit in the name of
 1256 the Canaveral Port Authority, is hereby created; and such suit
 1257 may be maintained and prosecuted, and all proceedings taken, to
 1258 the same effect and extent as for the enforcement of a right of
 1259 action for debt or assumpsit, or substitute forms of action
 1260 therefor, and any and all remedies available in such actions
 1261 including attachment and garnishment shall be and are hereby
 1262 made available to the said Canaveral Port Authority in the
 1263 enforcement of the payment of any franchise tax accruing
 1264 hereunder, provided that the Port Authority shall not be
 1265 required to post bond in any such actions or proceedings.

1266 Section 2. In the further interest of the advancement,
 1267 promotion, regulation, and control of Port Canaveral, and in the
 1268 interest of safety, order, convenience, and the general welfare
 1269 of the public, the Port Authority is authorized and empowered to
 1270 adopt a plan or plans, and amend the same from time to time, for
 1271 the zoning of the Harbor area for the purpose of regulating the
 1272 location and establishment of trades, industries, and



1273 manufacturing establishments and other use of the property
 1274 within said Port Canaveral.

1275 ARTICLE VII. Personnel

1276 Section 1. The Port Authority may appoint a Port Manager,
 1277 who, under the direction and supervision of the Port Authority,
 1278 shall be the administration head of the Port District and Port
 1279 Authority, and he or she shall hold office at the pleasure of
 1280 the Port Authority. The Port Manager shall be chosen solely on
 1281 the basis of his or her experience and executive and
 1282 administrative ability and any other qualifications the Port
 1283 Authority may require.

1284 Section 2. The Port Manager shall have such duties and
 1285 authority in the administration, maintenance, expansion, and
 1286 operation of Port Canaveral as the Port Authority shall assign
 1287 to him or her, including the promotion of the business and
 1288 affairs of Port Canaveral including, but not limited to, travel
 1289 to and from meetings of industrialists in convention or by
 1290 industry, necessary subsistence, entertainment of business
 1291 guests at Port Canaveral or elsewhere, within or without the
 1292 state, and meals for staff members at regular or special
 1293 meetings of the Port Authority, and shall ratify past such
 1294 expenditures. The Port Manager shall keep and maintain an
 1295 account of the expenses involved in the performance of his or
 1296 her duties and submit the same to the Port Authority for
 1297 approval at any regular meeting.

1298 Section 3. The Port Manager shall receive such
 1299 compensation as may be agreed.



1300 Section 4. Official travel authorized by the Canaveral
 1301 Port Authority shall be reimbursed by the Authority in
 1302 accordance with the following provisions:

1303 (a) All official travel performed within the state shall
 1304 be reimbursable in accordance with section 112.061, Florida
 1305 Statutes.

1306 (b) Official travel outside of the state but within the
 1307 continental United States shall be reimbursable in accordance
 1308 with section 112.061, Florida Statutes, with the exception of
 1309 the reimbursement rates for meals. The reimbursement rates for
 1310 meals shall be as follows:

- 1311
- | | | |
|------|---------------------|-----------------|
| 1312 | 1. <u>Breakfast</u> | <u>\$5.00.</u> |
| 1313 | 2. <u>Lunch</u> | <u>\$11.00.</u> |
| 1314 | 3. <u>Dinner</u> | <u>\$22.00.</u> |
- 1315

1316 On October 1 of each year, the above meal rates will be adjusted
 1317 by the Consumer Price Index, "All urban consumers, food away
 1318 from home," by the change in the 12-month period preceding
 1319 October 1.

1320 (c) Official travel outside of the continental United
 1321 States shall be reimbursable in accordance with section 112.061,
 1322 Florida Statutes, with the exception of meals. The reimbursement
 1323 rates for meals shall be in accordance with the United States
 1324 Department of State Standardized Regulations, Per diem
 1325 Supplement for all foreign areas. Once the daily meal rate has
 1326 been determined by the applicable travel location, the following
 1327 percentage rates will apply to the maximum daily rate allowed:



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- 1. Breakfast 14% of daily maximum rate.
- 2. Lunch 28% of daily maximum rate.
- 3. Dinner 58% of daily maximum rate.

ARTICLE VIII. Levy of Taxes

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

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

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

Section 2. At the time of the adoption of the tax resolution as provided hereinabove, the Port Authority shall prepare and adopt a financial budget for the ensuing fiscal year. Said budget shall contain an estimate of all items of expenditure contemplated or anticipated for the ensuing fiscal year, and an estimate of all sources of revenue. Said budget



1355 shall be spread upon the permanent records of the Port
 1356 Authority.

1357 Section 3. All revenues received by the Port Authority
 1358 from the operation of Port Canaveral, other than specifically
 1359 pledged, shall be paid into the Administration Fund and be used
 1360 for operation, expansion, maintenance, and general
 1361 administration purposes and expenses, and for the purchase of
 1362 rights-of-way. Any part of the Administration Fund remaining
 1363 unused or unpledged at the close of each fiscal year may, in the
 1364 discretion of the Port Authority, be transferred to the sinking
 1365 fund maintained for bonds, or to purchase obligations of the
 1366 Port Authority at the lowest market price.

1367 ARTICLE IX. Prohibitions

1368 Section 1. No member of the Port Authority or other
 1369 officer or employee shall purchase supplies, goods, or materials
 1370 for use by the Port District or Port Authority from himself or
 1371 herself or from any firm or corporation in which he or she is
 1372 interested, directly or indirectly, nor in any manner share in
 1373 the proceeds of such purchases. The Port Authority shall not be
 1374 obligated for the purchase price of such supplies, goods, or
 1375 materials so purchased. No Port Commissioner or other officer or
 1376 employee shall bid or enter into or be in any manner interested
 1377 in any contract for public work to which the said Port Authority
 1378 may be a party. Any Port Commissioner who shall violate the
 1379 provisions hereof shall be deemed guilty of malfeasance in
 1380 office, provided that no Port Commissioner who shall have
 1381 recorded his or her vote against the letting of such contract or
 1382 against such illegal purchase or who shall have been absent at



1383 the taking of the vote thereon shall be deemed guilty of a
 1384 violation of this provision. All moneys or things of value paid
 1385 or delivered pursuant to such contract or purchase may be
 1386 recovered by the Port Authority.

1387 ARTICLE X. Notification of Claims

1388 Section 1. Every claim, whether ex contractu or ex
 1389 delicto, whether liquidated or unliquidated, whether vested or
 1390 contingent, against the Port Authority or Canaveral Port
 1391 District shall be filed, signed by the claimant or his or her
 1392 duly authorized agent, with the Port Authority within 3 months
 1393 after the time said claim shall become due or arise, and shall
 1394 be barred if not so filed; said writing representing said claim
 1395 shall, as particularly as is known to the claimant, set out the
 1396 details of said claim and specify the names of the witnesses, if
 1397 any, whom the claimant relies upon to support his or her claim.

1398 ARTICLE XI. Statute of Limitations

1399 Section 1. No statute heretofore or hereafter enacted by
 1400 the Legislature, prescribing and fixing the time in which action
 1401 shall be brought, and commonly known as the "Statute of
 1402 Limitations," shall apply to any action, suit, or proceeding
 1403 instituted and prosecuted by the Port Authority or the Canaveral
 1404 Port District.

1405 ARTICLE XII. Exemption From Taxation

1406 Section 1. All property, real and personal, tangible and
 1407 intangible, now owned or hereinafter acquired and held by the
 1408 Canaveral Port Authority, the governing authority of the
 1409 Canaveral Port District, shall be exempt from all taxation



1410 levied and assessed pursuant to the Constitution and laws of the
 1411 State of Florida by any taxing unit.

1412 ARTICLE XIII. Exemption From Judgment Liens

1413 Section 1. No judgment or decree, writ of execution, or
 1414 any other writ issued or tendered against the said Canaveral
 1415 Port Authority shall be a lien upon the real or personal
 1416 property now owned or hereafter acquired and held by the said
 1417 Port Authority. All property, both real and personal, tangible
 1418 and intangible, now owned or hereafter acquired and held by the
 1419 said Port Authority shall be exempt from sale, under writ of
 1420 execution and any other judicial sale.

1421 ARTICLE XIV. Appeals Bond

1422 Section 1. The Port Authority and Canaveral Port District
 1423 shall not be required to execute, give, or file any bond
 1424 required by law to be filed in an attachment, injunction,
 1425 receivership, garnishment, or replevin proceedings, or in the
 1426 prosecution of an appeal or writ of error. The Canaveral Port
 1427 District and Port Authority may supersede any appealable
 1428 judgment, decree, or order rendered in any of the courts within
 1429 the state, of which it feels aggrieved, by prosecuting an appeal
 1430 or writ of error therefrom, pursuant to law, without giving or
 1431 filing a supersedeas bond as otherwise required by law.

1432 ARTICLE XV. Removal of Port Commissioners by Governor

1433 Section 1. No court shall have the power or jurisdiction
 1434 to appoint any officer of the court to exercise the duties and
 1435 powers of the Port Authority or any Port Commissioner. In the
 1436 event any Port Commissioner shall be guilty of intentional and
 1437 willful malfeasance, nonfeasance, or misfeasance in office, or



1438 commission of a felony, he or she shall be subject to be removed
 1439 by the Governor in the manner provided for the removal of county
 1440 officers.

1441 ARTICLE XVI. Inspection of Books and Records

1442 Section 1. The books, audits, and records of the Port
 1443 Authority shall at all reasonable hours on regular business days
 1444 be open to inspection as provided by law. All moneys of the Port
 1445 Authority shall be at all times kept fully and adequately
 1446 secured.

1447 Section 2. The books and public records of the Port
 1448 Authority shall be audited by the State Auditing Department at
 1449 the time the books of the county officials of Brevard County are
 1450 audited.

1451 Section 3. The fiscal year of the Port Authority shall
 1452 begin October 1 of each year and end September 30 of each year.

1453 ARTICLE XVII. Contracts; Competition

1454 Section 1. No contract shall be let by the Port Authority
 1455 for any construction, improvement, repair, or building, nor
 1456 shall any goods, supplies, or materials for Canaveral Port
 1457 District purposes or uses be purchased when the amount to be
 1458 paid by the Canaveral Port District or the Port Authority shall
 1459 exceed \$15,000, unless notice thereof shall be advertised at
 1460 least three times, once each week for 3 consecutive weeks in a
 1461 newspaper of general circulation in the Canaveral Port District,
 1462 calling for bids upon the work to be done or the goods,
 1463 supplies, or materials to be purchased by the Port Authority,
 1464 and in each case the bid of the lowest responsible bidder shall
 1465 be accepted, unless the Port Authority may, in its discretion,



1466 reject all bids. The Port Authority may also require the deposit
 1467 of cash or a certified check, not to exceed \$1,000 or 15 percent
 1468 of the bid, as evidence of good faith on the part of the
 1469 bidders, such deposit to be returned when the bid is rejected or
 1470 performance bond deposited or contract completed. All other
 1471 things being equal, preference shall be given by the Port
 1472 Authority in making all purchases and the letting of all
 1473 contracts to residents of the Canaveral Port District.

1474 Section 2. In the event it is reasonably expected that the
 1475 cost amount of a contract under section 1 of this article shall
 1476 be greater than \$5,000 but less than \$15,000, then the Port
 1477 Manager or his or her designee shall do the following:

1478 (a) Obtain at least three telephonic bid offers to perform
 1479 such work or furnish such property from at least three
 1480 independent persons or business entities responsible in the
 1481 subject business endeavor under consideration.

1482 (b) Make a record of the offers.

1483 (c) After obtaining and recording such offers, award the
 1484 contract to the lowest responsible bidder of those solicited as
 1485 provided in this article.

1486 Section 3. In lieu of the competitive bid requirements set
 1487 forth in sections 1 and 2 of this article, the Port Authority
 1488 may utilize purchase agreements or contracts of any state
 1489 agency, county, school board, or municipality, or of the Federal
 1490 Government or its agencies, which agreements or contracts have
 1491 been competitively bid for the purchase of goods, supplies, or
 1492 materials for Canaveral Port District purposes.

1493 ARTICLE XVIII. Leases and Encumbrances



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1494 Section 1. Whether an election shall be required to be
1495 held to decide whether or not a lease for more than 10 years, or
1496 an encumbrance for more than \$10,000 for a period of more than 5
1497 years of or against the land, personal properties, or facilities
1498 of the Port Authority, shall be in accordance with the
1499 provisions of Article IV, Section 16, subsection(c) hereinabove;
1500 however, no lease shall exceed an initial period of 50 years or
1501 any renewal or renewals thereof, excepting leases for the
1502 purpose of the construction and development of hotels,
1503 convention centers, festive market places, and world trade
1504 centers, which lease shall not exceed an initial period of 99
1505 years or any renewal or renewals thereof. If an encumbrance
1506 exceeds \$100,000, a referendum as provided for in Article IV,
1507 Section 16, subsection (c) shall be required when said
1508 referendum is requested by a petition bearing the signatures of
1509 1 percent of the qualified electors.

1510 Section 2. It shall be the duty of the Port Authority to
1511 give at least 30 days' notice of any such election by
1512 publication in a newspaper published within said Canaveral Port
1513 District for at least 30 days prior to the date of said
1514 election, which notice shall be published once a week for 4
1515 consecutive weekly issues.

1516 Section 3. Said notice shall state the description of the
1517 lands, personal properties, or facilities to be leased or
1518 encumbered and the sum to be received by the Port Authority
1519 therefor.

1520 Section 4. All qualified electors residing in the
1521 Canaveral Port District shall be entitled to vote in said



1522 election, which election shall in all respects not herein
 1523 expressly provided be called and held and the results thereof
 1524 determined in accordance with the provisions of any applicable
 1525 general statute of the state now in force or hereafter enacted.
 1526 The places for voting in said election shall be the same as the
 1527 places for voting at the general elections usually held within
 1528 the territorial limits of the Canaveral Port District.
 1529 Inspectors and clerks shall be appointed and qualified as in
 1530 case of general elections, and they shall canvass the votes cast
 1531 and make due returns of the same without delay. The returns of
 1532 said election shall be made to the Port Authority.

1533 Section 5. It shall be the duty of the Port Authority to
 1534 cause to be prepared a sufficient number of ballots to be used
 1535 at such elections with such description of the lands, personal
 1536 properties, or facilities to be leased or encumbered and the sum
 1537 to be received therefor; a description of the purposes therefor;
 1538 and the amount and rate of interest, together with other
 1539 details, to be voted on.

1540 Section 6. Said ballots shall be in form substantially as
 1541 follows:

1542
 1543 OFFICIAL BALLOT

1544 CANAVERAL PORT DISTRICT

1545 Special election (Insert date)

1546 This election is held for the approval or disapproval of (insert
 1547 subject matter),

1548 Place a cross (x) mark in the space to the left of the
 1549 proposition of your choice.



1550 () FOR (insert subject matter)
 1551 () AGAINST (insert subject matter)

1552
 1553 Section 7. If a majority of the qualified electors
 1554 residing in said Canaveral Port District who shall participate
 1555 in such election shall cast their votes in favor of the
 1556 execution and delivery of the lease of the encumbrance, it shall
 1557 become the duty of the Canaveral Port Authority to execute and
 1558 deliver the lease or the encumbrance as authorized in said
 1559 election.

1560 ARTICLE XIX. Severability Clause

1561 Section 1. If any section, subsection, paragraph,
 1562 subparagraph, sentence, clause, or phrase of this act is, for
 1563 any reason, held to be unconstitutional or invalid, such holding
 1564 shall not affect the validity of the remaining portions of this
 1565 act, the Legislature hereby declaring that it would have enacted
 1566 this act and each and every section, subsection, paragraph,
 1567 subparagraph, sentence, clause, and phrase thereof, irrespective
 1568 of the fact that any one or more of the sections, subsections,
 1569 paragraphs, subparagraphs, sentences, clauses, or phrases
 1570 thereof may be declared to be unconstitutional or otherwise
 1571 ineffective.

1572 ARTICLE XX. Declaration of Public Purposes

1573 Section 1. It is hereby determined and declared by the
 1574 Legislature that all of the powers conferred upon the District
 1575 by this act and the exercise of such powers constitute and are
 1576 proper public purposes and are for the welfare and benefit of
 1577 the District and its inhabitants.



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1578 Section 2. The provisions of this act shall be liberally
 1579 construed to effectuate the purposes set forth herein.

1580 Section 4. Chapters 28922 (1953), 30606 (1955), 57-1178,
 1581 59-1093, 65-1286, 65-1287, 67-1131, 67-1144, 69-857, 69-868, 70-
 1582 592, 70-601, 74-426, 74-427, 74-428, 75-335, 75-341, 76-326, 76-
 1583 327, 78-471, 79-430, 80-455, 82-266, 84-394, 87-431, 88-483, 89-
 1584 408, 89-553, 94-436, 95-465, and 2000-418, Laws of Florida, are
 1585 repealed.

1586 Section 5. This act shall take effect upon becoming a law.