



1 A bill to be entitled

2 An act relating to the Canaveral Port District, Brevard
3 County; providing legislative intent; codifying, amending,
4 and reenacting special acts relating to the district;
5 providing severability; providing purpose and
6 construction; repealing chapters 28922 (1953), 30606
7 (1955), 57-1178, 59-1093, 65-1286, 65-1287, 67-1131, 67-
8 1144, 69-857, 69-868, 70-592, 70-601, 74-426, 74-427, 74-
9 428, 75-335, 75-341, 76-326, 76-327, 78-471, 79-430, 80-
10 455, 82-266, 84-394, 87-431, 88-483, 89-408, 89-553, 94-
11 436, 95-465, and 2000-418, Laws of Florida; providing an
12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Pursuant to section 189.429, Florida Statutes,
17 this act constitutes the codification of all special acts
18 relating to the Canaveral Port District. It is the intent of the
19 Legislature in enacting this law to provide a single,
20 comprehensive special act charter for the District, including
21 all current legislative authority granted to the District by its
22 several legislative enactments and any additional authority
23 granted by this act.

24 Section 2. Chapters 28922 (1953), 30606 (1955), 57-1178,
25 59-1093, 65-1286, 65-1287, 67-1131, 67-1144, 69-857, 69-868, 70-
26 592, 70-601, 74-426, 74-427, 74-428, 75-335, 75-341, 76-326, 76-
27 327, 78-471, 79-430, 80-455, 82-266, 84-394, 87-431, 88-483, 89-
28 408, 89-553, 94-436, 95-465, and 2000-418, Laws of Florida,



29 relating to the Canaveral Port District, are codified,
30 reenacted, amended, and repealed as herein provided.

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

33 ARTICLE I. Creation and Status

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

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

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

52
53 (a) District 1: Beginning at the intersection of
54 the North line of Township 20 South (Brevard/Volusia
55 County Line) and the Mean High Water Line of the Atlantic
56 Ocean;



57 | Thence meander southerly along said Mean High Water Line
 58 | of the Atlantic Ocean to the South line of Township 22
 59 | South, Range 38 East;
 60 | Thence westerly along said South line to the centerline
 61 | of the Intracoastal Waterway of the Indian River;
 62 | Thence northerly along said centerline to the easterly
 63 | projection of the centerline of Buffalo Road, in Section
 64 | 34, Township 21 South, Range 35 East;
 65 | Thence westerly along said centerline and its easterly
 66 | projection to the centerline of North Washington
 67 | Avenue(U.S. Highway #1);
 68 | Thence southerly along said centerline to the centerline
 69 | of Malinda Lane;
 70 | Thence westerly along said centerline to the East line of
 71 | the W 1/4 of Section 33, Township 21 South, Range 35
 72 | East;
 73 | Thence southerly along said east line to the centerline
 74 | of Garden Street (State Road 406);
 75 | Thence easterly along said centerline to the centerline
 76 | of Park Avenue (Old State Road 405);
 77 | Thence southerly along said centerline to the centerline
 78 | of Barna Avenue;
 79 | Thence southerly along said centerline to the centerline
 80 | of Harrison Street;
 81 | Thence easterly along said centerline to the centerline
 82 | of the Florida East Coast Railway;
 83 | Thence southerly along said centerline to the centerline
 84 | of Cheney Highway (State Road 50);



85 Thence westerly along said centerline to the centerline
86 of Rosehill Avenue, in Section 22, Township 22 South,
87 Range 35 East;
88 Thence northerly along said centerline to the centerline
89 of Knox McRae Drive;
90 Thence northwesterly along said centerline to the
91 centerline of Barna Avenue;
92 Thence southerly along said centerline to the centerline
93 of Cheney Highway (State Road 50);
94 Thence westerly along said centerline to the centerline
95 of the St. Johns River, also being the county line
96 between Brevard and Orange Counties;
97 Thence meander northerly along said centerline of the St.
98 Johns River to the intersection of the Volusia, Brevard,
99 Orange and Seminole County lines, said point also lying
100 on the South line of Township 21 South, Range 33 East;
101 Thence easterly along said South line of Township 21
102 South, also being the county line between Brevard and
103 Volusia Counties, to the East line of Range 33 East;
104 Thence northerly along said East line, also being the
105 county line between Brevard and Volusia Counties, to the
106 North line of Township 20 South, also being the Northwest
107 corner of Brevard County;
108 Thence easterly along said North Township line to the
109 point of beginning.

110
111 (b) District 2: Beginning at the intersection of
112 the easterly projection of Buffalo Road, in Section 34,



113 Township 21 South, Range 35 East and the centerline of
 114 the Intracoastal Waterway of the Indian River;
 115 Thence southerly along said centerline to easterly
 116 projection of the centerline of Kings Highway;
 117 Thence westerly along said centerline to the centerline
 118 of Grissom Parkway (Tulsa Boulevard);
 119 Thence southerly along said centerline to the centerline
 120 of Ranch Road;
 121 Thence westerly along said centerline to the centerline
 122 of Interstate 95;
 123 Thence southerly along said centerline to the centerline
 124 of Fay Boulevard;
 125 Thence easterly along said centerline to the centerline
 126 of the Florida East Coast Railway;
 127 Thence southerly along said centerline to the centerline
 128 of Broadway Boulevard, in Section 25, Township 23 South,
 129 Range 35 East;
 130 Thence easterly along said centerline and its easterly
 131 projection to the centerline of the Intracoastal Waterway
 132 of the Indian River;
 133 Thence southerly along said centerline to the centerline
 134 of the Beeline Expressway (State Road 528);
 135 Thence westerly along said centerline to the East line of
 136 Section 13, Township 24 South, Range 35 East;
 137 Thence southerly along said east line to the North right
 138 of way line of North Road;
 139 Thence northwesterly along said right of way line to the
 140 West line of Cocoa North Subdivision, Unit 1, as recorded



141 in Plat Book 21 page 3, Public Records of Brevard County,
142 Florida;
143 Thence southerly along said West line to the North right
144 of way line of London Boulevard;
145 Thence westerly along said North right of way line to the
146 West line of Cocoa North Subdivision, Unit 2, as record
147 in Plat Book 21 page 10, Public Records of Brevard
148 County, Florida;
149 Thence northeasterly, northwesterly, westerly, and
150 northerly along said West line to the South line of N 1/4
151 of said Section 13, Township 24 South, Range 35 East,
152 said point also being the North line of Cocoa North
153 Subdivision, Unit 4, as recorded in Plat Book 26 page 44,
154 Public Records of Brevard County, Florida;
155 Thence westerly along said South line to the North-South
156 midsection line of said Section 13;
157 Thence southerly along said North-South midsection line
158 to the East-West midsection line of said Section 13;
159 Thence westerly along said East-West midsection line (said
160 line also being the North line of Cocoa North
161 Subdivision, Unit 8, as recorded in Plat Book 31 page 65,
162 Public Records of Brevard County, Florida) the to the
163 centerline of Cox Road;
164 Thence southerly along said centerline to the North line
165 of the S 1/4 of the S 1/2 of the NE 1/4 of the NE 1/4 of
166 Section 23, Township 24 South, Range 35 East;
167 Thence westerly along said North line to the West line of
168 the NE 1/4 of the NE 1/4 of said Section 23;



169 Thence southerly along said West line to the South line
 170 of the N 1/4 of said Section 23;
 171 Thence westerly along said South line to the North-South
 172 Midsection line of said Section 23;
 173 Thence southerly along said North-South Midsection line
 174 to the East-West Midsection line of said Section 23;
 175 Thence easterly along said East-West Midsection line to
 176 the centerline of State Road 524;
 177 Thence northeasterly along said centerline to the
 178 centerline of Cox Road;
 179 Thence southerly along said centerline to the centerline
 180 of Lake Drive;
 181 Thence easterly along said centerline to the centerline
 182 of Clearlake Road (State Road 501);
 183 Thence southerly along said centerline to the centerline
 184 of Pluckebaum Road;
 185 Thence westerly along said centerline to the centerline
 186 of Interstate 95;
 187 Thence southeasterly along said centerline to the
 188 centerline of Rockledge Creek;
 189 Thence westerly along said centerline and its westerly
 190 projection to the centerline of Lake Poinsett;
 191 Thence meander westerly along said centerline to the
 192 southwesterly projection of the centerline of State Road
 193 524;
 194 Thence northeasterly along said centerline and its
 195 southwesterly projection to the centerline of State Road
 196 520;



197 Thence westerly along said centerline to the centerline
 198 of the St. Johns River, also being the county line
 199 between Brevard and Orange Counties;
 200 Thence meander northerly along said centerline to the
 201 centerline of Cheney Highway (State Road 50)
 202 Thence easterly along said centerline to the centerline
 203 of Barna Avenue;
 204 Thence northerly along said centerline to the centerline
 205 of Knox McRae Avenue;
 206 Thence southeasterly along said centerline to the
 207 centerline of Rosehill Avenue, in Section 22, Township 22
 208 South, Range 35 East;
 209 Thence southerly along said centerline to the centerline
 210 of Cheney Highway (State Road 50);
 211 Thence easterly along said centerline to the centerline
 212 of the Florida East Coast Railway;
 213 Thence northerly along said centerline to the centerline
 214 of Harrison Street;
 215 Thence westerly along said centerline to the centerline
 216 of Barna Avenue;
 217 Thence northerly along said centerline to the centerline
 218 of Park Avenue (Old State Road 405);
 219 Thence northerly along said centerline to the centerline
 220 of Garden Street (State Road 406);
 221 Thence westerly along said centerline to the East line of
 222 the W 1/4 of Section 33, Township 21 South, Range 35 East
 223 Thence northerly along said east line to the centerline
 224 of Malinda Lane;



225 Thence easterly along said centerline to the centerline
 226 of North Washington Avenue (U.S. Highway #1);
 227 Thence northerly along said centerline to the centerline
 228 of Buffalo Road, in Section 33, Township 21 South, Range
 229 35 East;
 230 Thence easterly along said centerline and its easterly
 231 projection to the point of beginning.

232
 233 (c) District 3: Beginning at the intersection of
 234 the centerline of the Intracoastal Waterway of the Indian
 235 River and the centerline of the Beeline Expressway (State
 236 Road 528);
 237 Thence southerly along said centerline of the
 238 Intracoastal Waterway to the South line of Township 25
 239 South;
 240 Thence westerly along said South line to the West line of
 241 Range 35 East, also being the county line between Osceola
 242 and Brevard Counties;
 243 Thence northerly along said West line intersection of the
 244 Brevard, Orange and Osceola County lines;
 245 Thence northerly along said Brevard and Orange County
 246 line to the centerline of State Road 520;
 247 Thence easterly along said centerline to the centerline
 248 of State Road 524;
 249 Thence southwesterly along said centerline and its
 250 southwesterly projection to the centerline of Lake
 251 Poinsett;



252 Thence easterly along said centerline to the westerly
253 projection of the centerline of Rockledge Creek;
254 Thence easterly along said centerline and its westerly
255 projection to the centerline of Interstate 95;
256 Thence northwesterly along said centerline to the
257 centerline of Pluckebaum Road;
258 Thence easterly along said centerline to the centerline
259 of Clearlake Road (State Road 501);
260 Thence northerly along said centerline to the centerline
261 of Lake Drive;
262 Thence westerly along said centerline to the centerline
263 of Cox Road;
264 Thence northerly along said centerline to the centerline
265 of State Road 524;
266 Thence southwesterly along said centerline to the East-
267 West Midsection line of Section 23, Township 24 South,
268 Range 35 East;
269 Thence westerly along said East-West Midsection line to
270 the North-South Midsection line of said Section 23;
271 Thence northerly along said North-South Midsection line
272 to the South line of the N 1/4 of said Section 23;
273 Thence easterly along said South line to the West line of
274 the NE 1/4 of the NE 1/4 of said Section 23;
275 Thence northerly along said West line to the North line
276 of the S 1/4 of the S 1/2 of the NE 1/4 of the NE 1/4 of
277 said Section 23;
278 Thence easterly along said North line to the centerline
279 of Cox Road;



280 Thence northerly along said centerline to the East-West
 281 Midsection line of Section 13, Township 24 South, Range
 282 35 East;
 283 Thence easterly along said East-West Midsection line to
 284 the North-South Midsection line of said Section 13;
 285 Thence northerly along said North-South Midsection line
 286 to the South line of the N 1/4 of said Section 13, said
 287 line also being the North line of Cocoa North
 288 Subdivision, Unit 4, as recorded in Plat Book 26 page 44,
 289 Public Records of Brevard County, Florida;
 290 Thence easterly along said South line to the West line of
 291 Cocoa North Subdivision, Unit 2, as recorded in Plat Book
 292 21 page 10, Public Records of Brevard County, Florida;
 293 Thence southerly, easterly, southeasterly and
 294 southwesterly along said West line to the North right of
 295 way line of London Boulevard;
 296 Thence easterly along said North right of way line to the
 297 West line of Cocoa North Subdivision, Unit 1, as recorded
 298 in Plat Book 21 page 3, Public Records of Brevard County,
 299 Florida;
 300 Thence northerly along said West line and its northerly
 301 projection to the North right of way line of North road;
 302 Thence southeasterly along said North right of way line
 303 to the East line of Section 13, Township 24 South, Range
 304 35 East;
 305 Thence northerly along said East line to the centerline
 306 of the Beeline Expressway (State Road 528)



307 Thence westerly along said centerline to the point of
308 beginning.

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



335 Thence northeasterly along said centerline to the
 336 centerline of East Merritt Avenue;
 337 Thence westerly along said centerline to the centerline
 338 of Fourth Street;
 339 Thence northerly along said centerline to the centerline
 340 of Alabama Avenue;
 341 Thence westerly along said centerline to the centerline
 342 of Fourth Place;
 343 Thence northerly along said centerline to the centerline
 344 of Needle Boulevard;
 345 Thence westerly along said centerline to the centerline
 346 of North Courtenay Parkway;
 347 Thence southerly along said centerline to the centerline
 348 of Merritt Avenue;
 349 Thence westerly along said centerline and its westerly
 350 projection to the centerline of the Intracoastal Waterway
 351 of the Indian River;
 352 Thence northerly along said centerline to the easterly
 353 projection of the centerline of Broadway Boulevard, in
 354 Section 30, Township 23 South, Range 36 East;
 355
 356 Thence westerly along said easterly projection and
 357 centerline to the centerline of the Florida East Coast
 358 Railway;
 359 Thence northerly along said centerline to the centerline
 360 of Fay Boulevard;
 361 Thence westerly along said centerline to the centerline
 362 of Interstate 95;



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

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



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



419 Estates, Unit 1, as recorded in Plat Book 16 page 65,
420 Public Records of Brevard County, Florida;
421 Thence easterly along said westerly projection and South
422 line to the centerline of North Banana River Drive;
423 Thence southerly along said centerline to the centerline
424 of Morningside Drive, in Section 30, Township 24 South,
425 Range 37 East;
426 Thence easterly along said centerline and its easterly
427 projection to the centerline of the Banana River;
428 Thence northerly along said centerline to the centerline
429 of the Canaveral Port Authority Main Channel;
430 Thence easterly along said centerline to the point of
431 beginning.

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

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



447 year commencing with the year 1982, the Supervisor of Elections
448 for Brevard County shall transmit to the Canaveral Port
449 Authority a certified statement of all elector precincts lying
450 in whole or in part in the Canaveral Port District and the
451 number of electors in each precinct or partial precinct in the
452 Canaveral Port District according to the most recent records of
453 the Supervisor of Elections prior to the submission of such
454 certified statement. On or before March 5th of each such
455 decennial year, the Canaveral Port Authority shall divide and
456 define the boundaries of each of the five (5) Commissioner Port
457 Districts based on the certified statement of elector precincts
458 and number of electors submitted by the Supervisor of Elections.
459 No Commissioner Port Districts shall have more than 22 percent
460 or less than 18 percent of the total number of duly registered
461 electors in the Canaveral Port District according to the
462 certified statement of the Supervisor of Elections. On or before
463 March 31st of each such decennial year, the Canaveral Port
464 Authority shall deliver to the Board of County Commissioners for
465 Brevard County and the Supervisor of Elections for Brevard
466 County a certified copy of the resolution by the Canaveral Port
467 Authority defining the boundaries of the five Commissioner Port
468 Districts determined hereunder, and the Commissioner Port
469 Districts so determined shall be and constitute the Commissioner
470 Port Districts to and until the same are again determined
471 decennially under this provision. As the five Commissioner Port
472 Districts are decennially determined and defined, the same shall
473 immediately supersede the previously determined and defined five
474 Commissioner Port Districts.



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

477 ARTICLE II. Definitions

478 Section 1. All references herein to "Harbor District" or
479 "Port District" shall be deemed to mean Canaveral Port District,
480 situated in Brevard County as described in Article I; and all
481 references herein to "Harbor Commissioners," "Port
482 Commissioners," or "Port Authority" shall be deemed to mean the
483 Canaveral Port Authority, the governing body of the Canaveral
484 Port District. All references herein to "Harbor Commissioners"
485 or "Port Commissioners" shall be deemed to mean qualified
486 commissioners or members constituting the Canaveral Port
487 Authority. All references herein to "Port Canaveral" or "Port"
488 shall be deemed to mean the Port of Canaveral, Brevard County,
489 including the main entrance channels, turning basins, slips, and
490 jetties, and including also all lands abutting on the navigable
491 waters of said port.

492 ARTICLE III. Governing Authority

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



503 States for the Southern District of the state, or in such other
 504 District Court of the United States to which Brevard County may
 505 hereafter be transferred.

506 ARTICLE IV. General Grant of Powers

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

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



530 Section 2. To lay out, construct, condemn, purchase, own,
531 mortgage, add to, maintain, conduct, operate, build, equip,
532 manage, replace, enlarge, improve, regulate, control, repair,
533 fix, and establish jetties, piers, quays, wharves, docks,
534 warehouses, storehouses, breakwaters, bulkheads, public
535 landings, slips, seawalls, turning basins, harbors, ports,
536 waterways, channels, moles, bridges, catwalks, ferries and
537 causeways, drydocks, terminal facilities, canals, elevators,
538 grain bins, cold storage plants, icing plants and their
539 distribution, refrigerating plants, pre-cooling plants, bunkers,
540 oil tanks, pipelines, locks, tidal basins, subways, tramways,
541 cableways, anchorage areas, depots, areas for abandoned or
542 derelict ships, barges, or other craft, airways, landing fields,
543 conveyors, modern appliances for economic handling, storing, and
544 transportation of freight and the handling of passenger traffic,
545 systems of fresh water supply, electric and steam generating
546 stations and plants and distribution systems therefor, sewage
547 systems and sewage disposal and treatment plants, telegraph and
548 telephone systems and lines, buried or on poles, gas lines and
549 distribution systems therefor for servicing the lands,
550 properties and facilities now or hereafter owned, acquired, or
551 controlled by lease, franchise, or otherwise, by Canaveral Port
552 District or the Canaveral Port Authority and any and all areas
553 adjacent thereto, radio broadcasting stations and facilities,
554 parking lots and areas for off-street or off-road parking of
555 motor vehicles, barge lines, truck lines, steamship lines,
556 shipping lines, roads and railroads, within and without the
557 territorial limits of Canaveral Port District, and all other



558 harbor and harbor area improvements and facilities which the
559 Port Authority may determine to be necessary, feasible, and
560 advantageous; and in connection with the operation, improvement,
561 and maintenance of said port, to perform all customary services,
562 including the handling, weighing, measuring, regulation,
563 control, inspection, and reconditioning of all commodities and
564 cargo received or shipped through said port.

565 Section 3. To exercise control over Port Canaveral,
566 Brevard County, and any and all parts thereof; to apply to
567 proper authorities of the United States Government for the right
568 to establish, operate, and maintain a Foreign Trade Zone within
569 the limits of Brevard County and to establish, operate, and
570 maintain such Foreign Trade Zone; to apply for and obtain
571 permission from the United States Government to create, improve,
572 regulate, and control all waters, and natural or artificial
573 waterways within said Port Canaveral; to improve all navigable
574 and non-navigable waters situated within said Canaveral Port
575 District necessary or useful to the operation, improvement, and
576 maintenance of Port Canaveral; to construct, improve, and
577 maintain such inlets, slips, turning basins, and channels; to
578 make and give to the United States Government such guarantees
579 upon such terms and conditions as may be required; and to enact,
580 adopt, and establish rules and regulations for the complete
581 exercise of jurisdiction and control over all of said lands and
582 waters of said Port Canaveral within said Canaveral Port
583 District.

584 Section 4. To fix uniform rates of wharfage, dockage,
585 pilotage, warehousing, storage, port, and terminal charges upon



586 all harbor facilities and improvements located within said Port
587 District, whether owned by said Port Authority or otherwise, and
588 to fix and determine the rates, commissions, rentals, tolls, and
589 other charges for the use of harbor and area facilities and
590 improvements located within said Port District insofar as it may
591 be permissible for said Port Authority to do so under the
592 Constitution and laws of the State of Florida and under the
593 Constitution and laws of the United States of America.

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

598 Section 6. To grant franchises to any person, firm, or
599 corporation to construct, establish, operate, replace, repair,
600 fix, enlarge, maintain, improve, equip, manage, acquire, and
601 control jetties, piers, quays, wharves, docks, warehouses,
602 storehouses, breakwaters, bulkheads, public landings, slips,
603 seawalls, turning basins, harbors, ports, waterways, channels,
604 moles, bridges, catwalks, ferries, roads and causeways,
605 drydocks, terminal facilities, canals, elevators, grain bins,
606 cold storage plants, icing plants and their distribution,
607 refrigeration plants, pre-cooling plants, bunkers, oil tanks,
608 pipelines, locks, tidal basins, subways, tramways, cableways,
609 anchorage areas, depots, areas for abandoned ships, barges, or
610 other craft, airways, landing fields, conveyors, modern
611 appliances for economic handling, storing, and transportation of
612 freight and the handling of passenger traffic, systems of fresh
613 water supply, electric and steam generating stations and plants



614 and distribution systems therefor, sewage systems and sewage
615 disposal and treatment plants, telegraph and telephone systems
616 and lines, buried or on poles, gas lines and distribution
617 systems therefor for servicing the lands, properties, and
618 facilities now or hereafter owned, acquired, or controlled by
619 lease, franchise, or otherwise by Canaveral Port District or the
620 Canaveral Port Authority, and any and all areas adjacent
621 thereto, radio broadcasting stations and facilities, parking
622 lots and areas for off-street or off-road parking of motor
623 vehicles, barge lines, truck lines, steamship lines, shipping
624 lines, roads and railroads within and without the territorial
625 limits of the Canaveral Port District, and other harbor and
626 harbor area improvements and facilities which the Port Authority
627 may determine to be necessary, feasible, and advantageous; and
628 in connection with the operation, improvement, and maintenance
629 of said port, to perform all customary services, including the
630 handling, weighing, measuring, regulation, control, inspection,
631 and reconditioning of all commodities and cargo received or
632 shipped through said port in the exercise of such franchise.
633 Nothing in this section shall be construed to limit the right of
634 the Port Authority to construct, maintain, and operate the port
635 facilities, as provided in section 2 of this article.

636 Section 7. To enter into such contract, lease, or
637 franchise with any common carrier or carriers and their
638 respective successors and assigns as the Port Authority shall
639 determine to be necessary for the development, improvement, and
640 promotion of the transportation and warehousing facilities of
641 Port Canaveral and the development, improvement, and promotion



642 of Port Canaveral; to acquire by grant, purchase, gift, devise,
643 condemnation, exchange, or in any other manner all land,
644 easements, and rights of property deemed necessary or
645 advantageous by the Port Authority for such purposes; to execute
646 whatever arrangements, by contract or otherwise, may be
647 necessary in the opinion of the Interstate Commerce Commission
648 to perform and comply with all rules and regulations promulgated
649 by the Interstate Commerce Commission or any other state or
650 federal agency covering the operation, maintenance, improvement,
651 development, and ownership of the transportation and warehousing
652 facilities used in connection with Port Canaveral.

653 Section 8. To levy, assess, collect, and enforce ad
654 valorem taxes upon all of the real and personal property in the
655 Canaveral Port District for the purpose of defraying operating,
656 maintenance, and general administration expenses and other
657 necessary expenses incurred for the improvement of the port
658 facilities, and for the purchase of rights-of-way, of said
659 Canaveral Port Authority and Canaveral Port District, provided
660 that such levy shall not exceed 3 mills on the dollar in any one
661 year on the total assessed valuation of all taxable property
662 within said Canaveral Port District for such year; and the Port
663 Authority is authorized and empowered to issue its promissory
664 note or notes at the rate of interest, maturity, terms, and
665 conditions as directed by the Canaveral Port Authority, signed
666 in the name of the Canaveral Port Authority by the Chair and the
667 Secretary and the corporate seal affixed thereto, and the funds
668 derived therefrom to be used for the payment of operating,
669 maintenance, and general administration expenses, and for the



670 purchase of right-of-way, against or to be repaid from the
671 anticipated revenues to be derived from the said 3 mill ad
672 valorem tax, previously levied and assessed.

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

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

688 Section 11. To make rules and regulations governing the
689 course, conduct, movement, stationing and restationing, berthing
690 and reberthing, fueling and refueling, loading, unloading, and
691 reloading, docking, storing, mooring, and anchoring of ships,
692 vessels, crafts, barges, skiffs, and boats within said Port
693 Canaveral and the navigable waters over which the said Port
694 Authority has jurisdiction; to remove all obstacles to
695 navigation, commerce, and industry in the waters of said Port
696 Canaveral and the navigable waters over which the said Port
697 Authority has jurisdiction; however, this power can only be



698 exercised within navigable waters, entrance channels, turning
699 basins, and slips in the waters of the said port.

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

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

723 Section 14. To exercise the right of eminent domain and to
724 condemn, appropriate, and acquire any property, both real and
725 personal, and any interest or estate therein which by resolution



726 the Port Authority shall determine to be necessary for the
727 deepening, widening, and extending of the channels, turning
728 basins, roads, and railroads and the building and construction
729 of slips, wharves, sheds, warehouses, breakwaters, jetties,
730 bulkheads, and any and all other port improvements and
731 facilities, said determination shall be conclusive, except in
732 the case of fraud or gross abuse of discretion; such
733 condemnation proceeding shall be exercised in the manner
734 provided in sections 73.01, 73.011, 73.02 through 73.12, 73.14,
735 73.15, 73.17, 73.18, and 73.20, Florida Statutes, 1951, and acts
736 amendatory and supplementary thereto; and pursuant to the
737 following additional provisions, to-wit:

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

749 (b) The Port Authority shall defray the cost of
750 proceedings necessary to effectuate the purposes of this
751 section, provided that the Port Authority shall not be held
752 liable for costs in any action brought by any person or
753 plaintiff, unless the decision of the court shall be in favor of



754 such person or plaintiff, and in such case the court shall
755 determine and specify the costs which are to be paid by the said
756 Port Authority.

757 Section 15. To borrow money as herein provided.

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

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

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



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

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

808 Section 18. To appoint a Pilot Commission consisting of
809 three or more members as the Port Authority may determine, a



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

820 Section 19. (a) The Port Authority shall have the power
821 to borrow money from any state or federal agency or agencies,
822 private party or parties, and to secure the payment of the same
823 by the issuance of revenue certificates or revenue bonds (which
824 shall bear such denomination and be in such form as shall be
825 required by the Canaveral Port Authority), for the purpose of
826 carrying out any of the powers, projects, or purposes of the
827 Port Authority or Port District, or for the purpose of providing
828 funds to be used in the construction, operation, maintenance,
829 expansion, promotion, or repair of harbor facilities, and
830 improvements at Port Canaveral or for the purpose of deepening,
831 widening, constructing, or repairing of slips, channels, turning
832 basins, bulkheads, seawalls, jetties, breakwaters, warehouses,
833 or wharves at Canaveral Port, or for the purpose of
834 constructing, maintaining, or repairing platforms, railroads,
835 and railroad facilities, and serve as common carriers; to
836 construct, maintain, and repair streets, roads, or avenues
837 surrounding or adjacent to Canaveral Port; provided that such



838 revenue certificates or revenue bonds hereby authorized to be
839 issued and outstanding shall not bear a higher rate of interest
840 than provided by general law which shall be payable
841 semiannually.

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

852 (c) The issuance of said revenue bonds shall be authorized
853 by resolution of the Port Authority, which resolution may be
854 adopted at any regular meeting by a vote of a majority of the
855 members thereof. The revenue certificates or revenue bonds
856 issued hereunder shall bear such rate or rates of interest not
857 exceeding that provided by general law; may be in one or more
858 series; may bear such date or dates; may mature at such time or
859 times not exceeding 30 years after their respective dates, in
860 such medium of payment, at such place or places; may carry such
861 registration privileges; may be subject to such terms of
862 redemption; may be in such form or forms; and may be executed in
863 such manner and contain such terms and conditions as the Port
864 Authority may prescribe. The revenue certificates or revenue
865 bonds herein provided for may be issued by the Port Authority



866 upon the Authority first adopting an appropriate resolution
867 authorizing such issuance and without the question of issuing
868 said revenue certificates or revenue bonds being first
869 authorized by an election held for such purpose, provided that
870 the amount to be issued and the purpose for which issued shall
871 be advertised for at least 30 days prior thereto by publication
872 in a newspaper published in said District, which notice shall be
873 published in 3 weekly issues of said paper.

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

880 (b) Before the issuance of any of the said revenue
881 certificates or revenue bonds, such issue shall be authorized by
882 resolution of the Port Authority; which said resolution shall
883 state the amount of the certificates or bonds proposed to be
884 issued, the purpose or purposes for which issued, the
885 denomination for such certificates or bonds, the rate of
886 interest the same are to bear, and the time, place, and
887 conditions when, where, and upon which said certificates or
888 bonds, and the interest thereon, shall become due and payable.
889 However, such certificates or bonds shall be issued only after
890 they have been first approved by a majority vote of the
891 qualified electors residing in the Canaveral Port District in an
892 election held within the territory constituting the Canaveral
893 Port District. Such resolution, so adopted, shall name a day



894 for the holding of such election, and said Port Authority shall
895 give at least 30 days' notice of said election by publication in
896 a newspaper published in said District, once a week for 4
897 consecutive weeks during said period of 30 days. Said notice
898 shall state the time of the election and the purpose of the
899 election, and said certificates or bonds shall be issued only
900 after the same shall have been authorized and ratified by a
901 majority of the votes cast in said election and a majority of
902 the qualified electors who reside in said Canaveral Port
903 District shall participate.

904 (c) All said qualified electors residing in said District
905 shall be entitled to vote in said election, which election shall
906 in all respects not herein expressly provided be called and held
907 and the result thereof determined in accordance with the
908 provisions of any applicable general statute now in force or
909 hereafter enacted. The place of voting in said election shall be
910 the same as the places for voting at the general elections
911 usually held within the territorial limits of said District.
912 Inspectors and clerks shall be appointed and qualified as in
913 case of general elections and they shall canvass the votes cast
914 and make due returns of the same without delay. Returns of said
915 elections shall be made to the Port Authority. It shall be the
916 duty of the Port Authority to cause to be prepared a sufficient
917 number of ballots to be used at such election, with such
918 description of said certificates or bonds to be voted on as the
919 Port Authority may prescribe. A separate statement giving the
920 amount of the certificate or bond issued and the interest
921 thereon, together with such other details as may be deemed



922 necessary or proper to inform the electors, shall be printed on
 923 the ballots in connection with the question "FOR the Issuance of
 924 Revenue Certificates or Revenue Bonds Supported by an Ad Valorem
 925 Tax" and "AGAINST the Issuance of Revenue Certificates or
 926 Revenue Bonds Supported by an Ad Valorem Tax." Directions to the
 927 voters to express their choice by making an (x) mark in the
 928 space to the right or the left of said question shall be stated
 929 in the ballot. Said ballots shall be in form substantially as
 930 follows:

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

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

949



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

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

969 (e) The Port Authority is additionally authorized and
 970 empowered to borrow money at an interest rate not to exceed 7.5
 971 percent per annum and maturity date not to exceed 1 year, from
 972 any bank or other party, to create and maintain a sinking fund
 973 for the payment as budgeted, of the principal and interest of
 974 outstanding revenue certificates or revenue bonds; and to
 975 execute its promissory note or notes therefor, signed in the
 976 name of the Canaveral Port Authority by its Chair and its
 977 Secretary and the corporate seal affixed thereto, all as



978 directed by the Board of Commissioners of the Canaveral Port
979 Authority, and said note or notes shall be payable from the
980 anticipated revenues to be derived from the previously levied
981 and assessed ad valorem tax as authorized in this section,
982 provided, however, such notes shall not exceed in any one year
983 75 percent of the current taxes levied in any one year by the
984 Port Authority for the payment of the interest and redemption of
985 the revenue bonds or revenue certificates of Canaveral Port
986 Authority currently becoming due.

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



1005 valuation, placed on said properties, shall be the valuation for
1006 taxation by the Port Authority.

1007 (b) The Port Authority shall, during each year, determine
1008 by resolution the total amount to be raised from ad valorem
1009 taxes levied and assessed upon all the taxable property located
1010 within said Canaveral Port District to provide funds sufficient
1011 in amount to pay the interest on said revenue certificates or
1012 revenue bonds, which are supported by an ad valorem tax, as such
1013 interest may become due; and also provide for a sinking fund
1014 sufficient in amount to discharge the principal of revenue
1015 certificates or revenue bonds at their respective maturities;
1016 and at the same time the Port Authority shall determine the
1017 amount to be required to pay the charges and costs for
1018 operation, maintenance, general administration, capital
1019 improvements, and the purchase of right-of-way. It shall adopt
1020 its resolution levying an ad valorem tax against all of the
1021 taxable property of the District sufficient to pay said
1022 interest, sinking fund, charges, and costs, which tax, if so
1023 levied, however, shall not exceed 3 mills on the dollar of
1024 assessed value in any one year.

1025 (c) A certified copy of said tax resolution, executed in
1026 the name of the Port Authority under the corporate seal of the
1027 Port Authority by its Chair, and attested by its Secretary,
1028 shall be made and delivered to the Board of County Commissioners
1029 of Brevard County and the Chief Financial Officer of the State
1030 of Florida, with all reasonable dispatch after the Port
1031 Authority has received the total valuation of all taxable
1032 properties to be assessed within the Canaveral Port District.



1033 Upon the receipt of such resolution by said Board of County
1034 Commissioners, it shall be the mandatory duty of said Board of
1035 County Commissioners to order and direct the County Property
1036 Appraiser of Brevard County to assess and levy, and the County
1037 Tax Collector of Brevard County to collect, the tax, at the rate
1038 fixed and determined by said resolution of the Port Authority,
1039 upon all taxable properties located within said Canaveral Port
1040 District, and said revenues and assessments so determined and
1041 made shall be included in the tax roll and warrant of said
1042 County Property Appraiser for each fiscal year hereafter. The
1043 said Tax Collector shall collect such taxes in the manner and at
1044 the same time as state and county taxes are collected and shall
1045 pay and remit the same upon the collection thereof to the Port
1046 Authority. It shall be the duty of the Chief Financial Officer
1047 of the State of Florida to assess and levy on all railroad lines
1048 and railroad property, all telephone and telegraph lines and
1049 telephone and telegraph property, and all other taxable property
1050 within his or her jurisdiction located within said Canaveral
1051 Port District a tax at the rate prescribed by said tax
1052 resolution of the Port Authority and to collect the said tax
1053 thereon in the same manner and at the same time as he or she is
1054 required by law to assess and collect such taxes for state and
1055 county purposes and pay and remit the same when collected to the
1056 Port Authority. All such taxes shall be disbursed and paid out
1057 by the Port Authority only for the purposes for which said taxes
1058 were levied, upon vouchers, checks, or warrants issued in such
1059 manner as the Port Authority, by resolution, may determine.



1060 (d) This act shall be full authority for the issuance of
1061 any of the revenue certificates and revenue bonds authorized
1062 herein, which said revenue certificates or revenue bonds shall
1063 have the qualities of negotiable paper under the law merchant
1064 and shall not be invalidated for any irregularity or defect in
1065 the proceedings for the issuance thereof and shall be
1066 incontestable in the hands of bona fide purchasers for value. No
1067 proceedings in respect to the issuance of any such revenue
1068 certificates or revenue bonds shall be necessary except such as
1069 required by this act; however, such revenue certificates or
1070 revenue bonds may be validated and confirmed in the way and
1071 manner contemplated and provided by the general laws and
1072 statutes of the state. The provisions of this act shall
1073 constitute an irrevocable contract between the Port Authority
1074 and the holders of any such revenue certificates or revenue
1075 bonds, and of the coupons thereof issued pursuant to the
1076 provisions hereof. Any holder of any of said revenue
1077 certificates or revenue bonds or coupons may, either at law or
1078 in equity, by suit, action, or mandamus, enforce and compel the
1079 performance of any of the duties required by this act of any of
1080 the officers or persons mentioned herein relating to said
1081 revenue certificates or revenue bonds, or the levying,
1082 assessing, and collection of the taxes provided for the payment
1083 thereof.

1084 (e) The provisions of sections 193.321 through 193.327,
1085 Florida Statutes, 1967, shall not apply, and are hereby
1086 specifically repealed as to the power and authority of the



1087 Canaveral Port Authority to levy, assess, collect, and enforce
1088 ad valorem taxes as set forth is this act.

1089 Section 22. (a) The Board of Commissioners of the
1090 Canaveral Port Authority, Brevard County, is authorized to
1091 provide life, health, accident, hospitalization, or all or any
1092 part of such insurance for Canaveral Port Authority officers and
1093 employees, upon a group insurance plan. The Board shall
1094 advertise for bids and shall award said group insurance to the
1095 lowest and best bidder, provided that if no bids are received,
1096 the Board shall have the discretion to contract for such
1097 insurance on such terms and conditions as it may deem desirable.

1098 (b) The Board of Commissioners of the Canaveral Port
1099 Authority is authorized to pay all or any portion of the
1100 premiums for such group insurance as an operating expense. The
1101 said Board is further authorized to deduct periodically from the
1102 wages of any officer or employee, upon the written request of
1103 such officer or employee, any premium or portion of premium for
1104 any such insurance.

1105 Section 23. (a) Section 253.126, Florida Statutes, is
1106 hereby specifically repealed as to the Canaveral Port Authority.

1107 (b) The Canaveral Port Authority is granted the power and
1108 authority to establish bulkhead lines, authorize dredging and
1109 filling, and have jurisdiction under chapter 253, Florida
1110 Statutes, as to the lands and waters under the jurisdiction of
1111 the Canaveral Port Authority in lieu of the Board of County
1112 Commissioners.

1113 (c) In the exercise of this grant of authority, the
1114 Canaveral Port Authority shall comply with all applicable



1115 provisions of chapter 253, Florida Statutes, to the same extent
1116 as a Board of County Commissioners would comply with such
1117 provisions under the same circumstances.

1118 Section 24. To comprehensively plan for urban and rural
1119 transportation needs and to comprehensively plan for the use of
1120 the lands, resources, and waters under its jurisdiction; to
1121 participate in such planning with other public agencies as
1122 defined in chapter 163, Florida Statutes; and to enter into
1123 interlocal governmental agreements (including, without
1124 limitation by this specific reference, Metropolitan Planning
1125 Organizations contemplated under 23 U.S.C. section 134 and the
1126 Urban Mass Transportation Act of 1964) in such transportation
1127 and real property fields.

1128 ARTICLE V. Port Commissioners

1129 Section 1. The governing authority of the Canaveral Port
1130 District is hereby created and shall be designated as the
1131 Canaveral Port Authority, and shall consist of five Port
1132 Commissioners, one Port Commissioner from each Commissioner Port
1133 District, who shall be a qualified elector and reside within the
1134 Commissioner Port District from which he or she is appointed or
1135 nominated and elected. All Port Commissioners shall be elected
1136 for 4-year terms, and said terms shall be arranged so that three
1137 Port Commissioners are elected at one general election and two
1138 Port Commissioners elected at the next ensuing general election.
1139 The term of office of each Port Commissioner shall commence on
1140 the first Tuesday after the first Monday in January following
1141 his or her election.



1142 Section 2. (a) Each Commissioner Port District shall be a
1143 residency district for all elections hereunder. The five Port
1144 Commissioners shall be nominated in the general primary and
1145 elected in the general election held in each Commissioner Port
1146 District next ensuing and at all subsequent general primaries
1147 and general elections thereafter upon the official county
1148 ballots.

1149 (b) Nomination of candidates shall be made by residency
1150 districts at the primary elections, by the various political
1151 parties, as the general laws of Florida provide for County
1152 Commissioners for Brevard County, at which primary elections the
1153 electors of the Canaveral Port District at large who are
1154 qualified to vote in such primary elections shall be entitled to
1155 vote. The Board of County Commissioners shall not print the name
1156 of any person as a candidate on the ballots for general
1157 elections unless he or she shall have been so nominated.

1158 (c) Candidates for nomination in primary elections shall
1159 pay the same filing fee to the Clerk of the Board of County
1160 Commissioners; file in the same manner the like oaths, sworn
1161 statements, and receipts for party assessments; be governed by
1162 the same restrictions; be subject to like party assessments by
1163 the County Executive Committees of the respective political
1164 parties; and in all respects comply with the general laws of
1165 Florida governing candidates for Board of County Commissioners
1166 in primaries.

1167 (d) Elections of candidates shall be at general elections
1168 as provided by the general laws of Florida, at which general



1169 elections all qualified electors residing within the Canaveral
1170 Port District shall be entitled to vote.

1171 Section 3. Any vacancy occurring on or in the said Board
1172 of Commissioners of the Port Authority, whether caused by
1173 resignation, refusal, death, or the unconstitutionality of any
1174 part of this act, or for or on account of any other reason
1175 whatsoever, shall be filled for the unexpired portion of the
1176 corresponding term, or until the next ensuing general election,
1177 whichever may come sooner, by appointment by the Governor.

1178 Section 4. Every Port Commissioner, before he or she
1179 assumes office, shall be required to make oath that he or she
1180 will faithfully discharge the duties of his or her office and
1181 uphold and defend the laws and the Constitution of the State of
1182 Florida and give good and sufficient surety bond payable to the
1183 Governor for the use and benefit of the Canaveral Port Authority
1184 in the sum of \$2,000, conditioned for the faithful performance
1185 of the duties of his or her office, said bond to be approved by
1186 the Canaveral Port Authority and filed with the Secretary of
1187 State. Any and all premiums of the surety bonds shall be paid by
1188 the Port Authority as a necessary expense of said District.

1189 Section 5. As soon as practicable after the newly
1190 appointed or elected Port Commissioners shall have qualified,
1191 they shall meet and organize by the selection from among
1192 themselves of a Chair and a Vice-Chair, and shall also elect a
1193 Secretary and a Treasurer, provided, however, that the latter
1194 two offices may be held by one person and such person may or may
1195 not be a member of said Authority. A majority of the duly
1196 qualified members shall constitute a quorum. The Chair and the



1197 Secretary, if the latter be a member of said Port Authority,
1198 shall be entitled to vote at all meetings. Being a Port
1199 Commissioner of the Canaveral Port Authority shall not
1200 disqualify such Port Commissioner from holding any municipal,
1201 county, or state office.

1202 Section 6. The annual salary allowance of each Port
1203 Commissioner shall be determined and adopted by the Board of
1204 Commissioners of the Canaveral Port Authority at the regular
1205 meeting held in September 2003, to be effective commencing
1206 October 1, 2003. The salary allowance established in September
1207 2003, shall not exceed the average annual salary paid to Port
1208 Commissioners of those other special district seaports which
1209 have an established annual salary for Port Commissioners. The
1210 salary allowance shall be payable monthly and apply to all
1211 services rendered by each Port Commissioner under this act. The
1212 salary allowance adopted as provided herein may be adjusted
1213 annually by the Board of Commissioners of the Canaveral Port
1214 Authority; however, any increase in the annual salary allowance
1215 shall not exceed the average percentage increase in the salaries
1216 of state career service employees as determined pursuant to
1217 section 145.19, Florida Statutes, for the fiscal year just
1218 concluded.

1219 Section 7. All meetings of the said Port Authority shall
1220 be open to the public and shall be held at the office of the
1221 Port Authority. Records of all business transacted by the Port
1222 Authority shall be kept and preserved in substantial Minute
1223 Books by the Secretary as a permanent record, and the Minute
1224 Books or excerpts therefrom, duly certified by the Secretary



1225 under the seal of the Port Authority, shall be prima facie
 1226 evidence in all courts of the proceedings of the Port Authority.
 1227 The Port Authority shall have power to prescribe by resolution
 1228 rules for the conduct of its meetings not inconsistent herewith.

1229 Section 8. The expense accounts of Port Commissioners and
 1230 employees shall be itemized in writing and submitted to the Port
 1231 Authority in session.

1232 ARTICLE VI. Additional Powers

1233 Section 1. The Canaveral Port Authority shall have the
 1234 power to impose a franchise or excise tax upon businesses and
 1235 occupations carried on or operated under and by virtue of any
 1236 franchise or franchises granted by the Port Authority in a sum
 1237 equal to 0.5 percent of the gross receipts of such businesses or
 1238 occupations. The administration of this section and the
 1239 collection of this franchise tax are hereby vested in the
 1240 Canaveral Port Authority, and said Port Authority is authorized
 1241 to make, promulgate, and enforce such reasonable rules and
 1242 regulations relating to the administration and enforcement of
 1243 this law and the collection of said franchise tax as may be
 1244 deemed expedient, independently of all other remedies and
 1245 proceedings authorized by law for the enforcement and collection
 1246 of said franchise tax, a right of action, by suit in the name of
 1247 the Canaveral Port Authority, is hereby created; and such suit
 1248 may be maintained and prosecuted, and all proceedings taken, to
 1249 the same effect and extent as for the enforcement of a right of
 1250 action for debt or assumpsit, or substitute forms of action
 1251 therefor, and any and all remedies available in such actions
 1252 including attachment and garnishment shall be and are hereby



1253 made available to the said Canaveral Port Authority in the
 1254 enforcement of the payment of any franchise tax accruing
 1255 hereunder, provided that the Port Authority shall not be
 1256 required to post bond in any such actions or proceedings.

1257 Section 2. In the further interest of the advancement,
 1258 promotion, regulation, and control of Port Canaveral, and in the
 1259 interest of safety, order, convenience, and the general welfare
 1260 of the public, the Port Authority is authorized and empowered to
 1261 adopt a plan or plans, and amend the same from time to time, for
 1262 the zoning of the Harbor area for the purpose of regulating the
 1263 location and establishment of trades, industries, and
 1264 manufacturing establishments and other use of the property
 1265 within said Port Canaveral.

1266 ARTICLE VII. Personnel

1267 Section 1. The Port Authority may appoint a Port Manager,
 1268 who, under the direction and supervision of the Port Authority,
 1269 shall be the administration head of the Port District and Port
 1270 Authority, and he or she shall hold office at the pleasure of
 1271 the Port Authority. The Port Manager shall be chosen solely on
 1272 the basis of his or her experience and executive and
 1273 administrative ability and any other qualifications the Port
 1274 Authority may require.

1275 Section 2. The Port Manager shall have such duties and
 1276 authority in the administration, maintenance, expansion, and
 1277 operation of Port Canaveral as the Port Authority shall assign
 1278 to him or her, including the promotion of the business and
 1279 affairs of Port Canaveral including, but not limited to, travel
 1280 to and from meetings of industrialists in convention or by



1281 industry, necessary subsistence, entertainment of business
 1282 guests at Port Canaveral or elsewhere, within or without the
 1283 state, and meals for staff members at regular or special
 1284 meetings of the Port Authority, and shall ratify past such
 1285 expenditures. The Port Manager shall keep and maintain an
 1286 account of the expenses involved in the performance of his or
 1287 her duties and submit the same to the Port Authority for
 1288 approval at any regular meeting.

1289 Section 3. The Port Manager shall receive such
 1290 compensation as may be agreed.

1291 Section 4. Official travel authorized by the Canaveral
 1292 Port Authority shall be reimbursed by the Authority in
 1293 accordance with the following provisions:

1294 (a) All official travel performed within the state shall
 1295 be reimbursable in accordance with section 112.061, Florida
 1296 Statutes.

1297 (b) Official travel outside of the state but within the
 1298 continental United States shall be reimbursable in accordance
 1299 with section 112.061, Florida Statutes, with the exception of
 1300 the reimbursement rates for meals. The reimbursement rates for
 1301 meals shall be as follows:

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

1307 On October 1 of each year, the above meal rates will be adjusted
 1308 by the Consumer Price Index, "All urban consumers, food away



1309 from home," by the change in the 12-month period preceding
 1310 October 1.

1311 (c) Official travel outside of the continental United
 1312 States shall be reimbursable in accordance with section 112.061,
 1313 Florida Statutes, with the exception of meals. The reimbursement
 1314 rates for meals shall be in accordance with the United States
 1315 Department of State Standardized Regulations, Per diem
 1316 Supplement for all foreign areas. Once the daily meal rate has
 1317 been determined by the applicable travel location, the following
 1318 percentage rates will apply to the maximum daily rate allowed:

- 1320 1. Breakfast 14% of daily maximum rate.
- 1321 2. Lunch 28% of daily maximum rate.
- 1322 3. Dinner 58% of daily maximum rate.

1324 ARTICLE VIII. Levy of Taxes

1325 Section 1. The Port Authority shall not, during any one
 1326 year, levy a tax in any greater sum or amount than shall be
 1327 necessary for the following purposes:

1328 (a) A tax not exceeding 3 mills on the dollar of the total
 1329 assessed valuations of all taxable property, both real and
 1330 personal, within said Canaveral Port District for each year.
 1331 Said tax shall constitute an Administration Fund for the
 1332 operation, maintenance, and general administration expenses, and
 1333 for the purchase of rights-of-way.

1334 (b) A tax for the purpose of paying the principal and
 1335 interest on revenue certificates and revenue bonds outstanding,
 1336 and for the proper sinking funds for the protection thereof, and



1337 not exceeding in the aggregate the sum of \$7,500,000 in
1338 principal, as the same severally mature in accordance with their
1339 tenor.

1340 Section 2. At the time of the adoption of the tax
1341 resolution as provided hereinabove, the Port Authority shall
1342 prepare and adopt a financial budget for the ensuing fiscal
1343 year. Said budget shall contain an estimate of all items of
1344 expenditure contemplated or anticipated for the ensuing fiscal
1345 year, and an estimate of all sources of revenue. Said budget
1346 shall be spread upon the permanent records of the Port
1347 Authority.

1348 Section 3. All revenues received by the Port Authority
1349 from the operation of Port Canaveral, other than specifically
1350 pledged, shall be paid into the Administration Fund and be used
1351 for operation, expansion, maintenance, and general
1352 administration purposes and expenses, and for the purchase of
1353 rights-of-way. Any part of the Administration Fund remaining
1354 unused or unpledged at the close of each fiscal year may, in the
1355 discretion of the Port Authority, be transferred to the sinking
1356 fund maintained for bonds, or to purchase obligations of the
1357 Port Authority at the lowest market price.

1358 ARTICLE IX. Prohibitions

1359 Section 1. No member of the Port Authority or other
1360 officer or employee shall purchase supplies, goods, or materials
1361 for use by the Port District or Port Authority from himself or
1362 herself or from any firm or corporation in which he or she is
1363 interested, directly or indirectly, nor in any manner share in
1364 the proceeds of such purchases. The Port Authority shall not be



1365 obligated for the purchase price of such supplies, goods, or
1366 materials so purchased. No Port Commissioner or other officer or
1367 employee shall bid or enter into or be in any manner interested
1368 in any contract for public work to which the said Port Authority
1369 may be a party. Any Port Commissioner who shall violate the
1370 provisions hereof shall be deemed guilty of malfeasance in
1371 office, provided that no Port Commissioner who shall have
1372 recorded his or her vote against the letting of such contract or
1373 against such illegal purchase or who shall have been absent at
1374 the taking of the vote thereon shall be deemed guilty of a
1375 violation of this provision. All moneys or things of value paid
1376 or delivered pursuant to such contract or purchase may be
1377 recovered by the Port Authority.

1378 ARTICLE X. Notification of Claims

1379 Section 1. Every claim, whether ex contractu or ex
1380 delicto, whether liquidated or unliquidated, whether vested or
1381 contingent, against the Port Authority or Canaveral Port
1382 District shall be filed, signed by the claimant or his or her
1383 duly authorized agent, with the Port Authority within 3 months
1384 after the time said claim shall become due or arise, and shall
1385 be barred if not so filed; said writing representing said claim
1386 shall, as particularly as is known to the claimant, set out the
1387 details of said claim and specify the names of the witnesses, if
1388 any, whom the claimant relies upon to support his or her claim.

1389 ARTICLE XI. Statute of Limitations

1390 Section 1. No statute heretofore or hereafter enacted by
1391 the Legislature, prescribing and fixing the time in which action
1392 shall be brought, and commonly known as the "Statute of



1393 Limitations," shall apply to any action, suit, or proceeding
 1394 instituted and prosecuted by the Port Authority or the Canaveral
 1395 Port District.

1396 ARTICLE XII. Exemption From Taxation

1397 Section 1. All property, real and personal, tangible and
 1398 intangible, now owned or hereinafter acquired and held by the
 1399 Canaveral Port Authority, the governing authority of the
 1400 Canaveral Port District, shall be exempt from all taxation
 1401 levied and assessed pursuant to the Constitution and laws of the
 1402 State of Florida by any taxing unit.

1403 ARTICLE XIII. Exemption From Judgment Liens

1404 Section 1. No judgment or decree, writ of execution, or
 1405 any other writ issued or tendered against the said Canaveral
 1406 Port Authority shall be a lien upon the real or personal
 1407 property now owned or hereafter acquired and held by the said
 1408 Port Authority. All property, both real and personal, tangible
 1409 and intangible, now owned or hereafter acquired and held by the
 1410 said Port Authority shall be exempt from sale, under writ of
 1411 execution and any other judicial sale.

1412 ARTICLE XIV. Appeals Bond

1413 Section 1. The Port Authority and Canaveral Port District
 1414 shall not be required to execute, give, or file any bond
 1415 required by law to be filed in an attachment, injunction,
 1416 receivership, garnishment, or replevin proceedings, or in the
 1417 prosecution of an appeal or writ of error. The Canaveral Port
 1418 District and Port Authority may supersede any appealable
 1419 judgment, decree, or order rendered in any of the courts within
 1420 the state, of which it feels aggrieved, by prosecuting an appeal



1421 or writ of error therefrom, pursuant to law, without giving or
 1422 filing a supersedeas bond as otherwise required by law.

1423 ARTICLE XV. Removal of Port Commissioners by Governor

1424 Section 1. No court shall have the power or jurisdiction
 1425 to appoint any officer of the court to exercise the duties and
 1426 powers of the Port Authority or any Port Commissioner. In the
 1427 event any Port Commissioner shall be guilty of intentional and
 1428 willful malfeasance, nonfeasance, or misfeasance in office, or
 1429 commission of a felony, he or she shall be subject to be removed
 1430 by the Governor in the manner provided for the removal of county
 1431 officers.

1432 ARTICLE XVI. Inspection of Books and Records

1433 Section 1. The books, audits, and records of the Port
 1434 Authority shall at all reasonable hours on regular business days
 1435 be open to inspection as provided by law. All moneys of the Port
 1436 Authority shall be at all times kept fully and adequately
 1437 secured.

1438 Section 2. The books and public records of the Port
 1439 Authority shall be audited by the State Auditing Department at
 1440 the time the books of the county officials of Brevard County are
 1441 audited.

1442 Section 3. The fiscal year of the Port Authority shall
 1443 begin October 1 of each year and end September 30 of each year.

1444 ARTICLE XVII. Contracts; Competition

1445 Section 1. No contract shall be let by the Port Authority
 1446 for any construction, improvement, repair, or building, nor
 1447 shall any goods, supplies, or materials for Canaveral Port
 1448 District purposes or uses be purchased when the amount to be



1449 paid by the Canaveral Port District or the Port Authority shall
1450 exceed \$15,000, unless notice thereof shall be advertised at
1451 least three times, once each week for 3 consecutive weeks in a
1452 newspaper of general circulation in the Canaveral Port District,
1453 calling for bids upon the work to be done or the goods,
1454 supplies, or materials to be purchased by the Port Authority,
1455 and in each case the bid of the lowest responsible bidder shall
1456 be accepted, unless the Port Authority may, in its discretion,
1457 reject all bids. The Port Authority may also require the deposit
1458 of cash or a certified check, not to exceed \$1,000 or 15 percent
1459 of the bid, as evidence of good faith on the part of the
1460 bidders, such deposit to be returned when the bid is rejected or
1461 performance bond deposited or contract completed. All other
1462 things being equal, preference shall be given by the Port
1463 Authority in making all purchases and the letting of all
1464 contracts to residents of the Canaveral Port District.

1465 Section 2. In the event it is reasonably expected that the
1466 cost amount of a contract under section 1 of this article shall
1467 be greater than \$5,000 but less than \$15,000, then the Port
1468 Manager or his or her designee shall do the following:

1469 (a) Obtain at least three telephonic bid offers to perform
1470 such work or furnish such property from at least three
1471 independent persons or business entities responsible in the
1472 subject business endeavor under consideration.

1473 (b) Make a record of the offers.

1474 (c) After obtaining and recording such offers, award the
1475 contract to the lowest responsible bidder of those solicited as
1476 provided in this article.



1477 Section 3. In lieu of the competitive bid requirements set
 1478 forth in sections 1 and 2 of this article, the Port Authority
 1479 may utilize purchase agreements or contracts of any state
 1480 agency, county, school board, or municipality, or of the Federal
 1481 Government or its agencies, which agreements or contracts have
 1482 been competitively bid for the purchase of goods, supplies, or
 1483 materials for Canaveral Port District purposes.

1484 ARTICLE XVIII. Leases and Encumbrances

1485 Section 1. Whether an election shall be required to be
 1486 held to decide whether or not a lease for more than 10 years, or
 1487 an encumbrance for more than \$10,000 for a period of more than 5
 1488 years of or against the land, personal properties, or facilities
 1489 of the Port Authority, shall be in accordance with the
 1490 provisions of Article IV, Section 16, subsection(c) hereinabove;
 1491 however, no lease shall exceed an initial period of 50 years or
 1492 any renewal or renewals thereof, excepting leases for the
 1493 purpose of the construction and development of hotels,
 1494 convention centers, festive market places, and world trade
 1495 centers, which lease shall not exceed an initial period of 99
 1496 years or any renewal or renewals thereof. If an encumbrance
 1497 exceeds \$100,000, a referendum as provided for in Article IV,
 1498 Section 16, subsection (c) shall be required when said
 1499 referendum is requested by a petition bearing the signatures of
 1500 1 percent of the qualified electors.

1501 Section 2. It shall be the duty of the Port Authority to
 1502 give at least 30 days' notice of any such election by
 1503 publication in a newspaper published within said Canaveral Port
 1504 District for at least 30 days prior to the date of said



1505 election, which notice shall be published once a week for 4
1506 consecutive weekly issues.

1507 Section 3. Said notice shall state the description of the
1508 lands, personal properties, or facilities to be leased or
1509 encumbered and the sum to be received by the Port Authority
1510 therefor.

1511 Section 4. All qualified electors residing in the
1512 Canaveral Port District shall be entitled to vote in said
1513 election, which election shall in all respects not herein
1514 expressly provided be called and held and the results thereof
1515 determined in accordance with the provisions of any applicable
1516 general statute of the state now in force or hereafter enacted.
1517 The places for voting in said election shall be the same as the
1518 places for voting at the general elections usually held within
1519 the territorial limits of the Canaveral Port District.
1520 Inspectors and clerks shall be appointed and qualified as in
1521 case of general elections, and they shall canvass the votes cast
1522 and make due returns of the same without delay. The returns of
1523 said election shall be made to the Port Authority.

1524 Section 5. It shall be the duty of the Port Authority to
1525 cause to be prepared a sufficient number of ballots to be used
1526 at such elections with such description of the lands, personal
1527 properties, or facilities to be leased or encumbered and the sum
1528 to be received therefor; a description of the purposes therefor;
1529 and the amount and rate of interest, together with other
1530 details, to be voted on.

1531 Section 6. Said ballots shall be in form substantially as
1532 follows:



1533
 1534 OFFICIAL BALLOT
 1535 CANAVERAL PORT DISTRICT
 1536 Special election (Insert date)
 1537 This election is held for the approval or disapproval of (insert
 1538 subject matter),
 1539 Place a cross (x) mark in the space to the left of the
 1540 proposition of your choice.
 1541 () FOR (insert subject matter)
 1542 () AGAINST (insert subject matter)

1543
 1544 Section 7. If a majority of the qualified electors
 1545 residing in said Canaveral Port District who shall participate
 1546 in such election shall cast their votes in favor of the
 1547 execution and delivery of the lease of the encumbrance, it shall
 1548 become the duty of the Canaveral Port Authority to execute and
 1549 deliver the lease or the encumbrance as authorized in said
 1550 election.

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



1561 thereof may be declared to be unconstitutional or otherwise
 1562 ineffective.

1563 ARTICLE XX. Declaration of Public Purposes

1564 Section 1. It is hereby determined and declared by the
 1565 Legislature that all of the powers conferred upon the District
 1566 by this act and the exercise of such powers constitute and are
 1567 proper public purposes and are for the welfare and benefit of
 1568 the District and its inhabitants.

1569 Section 2. The provisions of this act shall be liberally
 1570 construed to effectuate the purposes set forth herein.

1571 Section 4. Chapters 28922 (1953), 30606 (1955), 57-1178,
 1572 59-1093, 65-1286, 65-1287, 67-1131, 67-1144, 69-857, 69-868, 70-
 1573 592, 70-601, 74-426, 74-427, 74-428, 75-335, 75-341, 76-326, 76-
 1574 327, 78-471, 79-430, 80-455, 82-266, 84-394, 87-431, 88-483, 89-
 1575 408, 89-553, 94-436, 95-465, and 2000-418, Laws of Florida, are
 1576 repealed.

1577 Section 5. This act shall take effect upon becoming a law.