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CS/HB 915

2021 Legislature

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An act relating to the Port of Palm Beach District, Palm Beach County; amending chapter 2017-199, Laws of Florida; deleting provisions requiring certain persons to execute and deliver a bond within a specified time period after assuming office; revising the annual salary of commissioners; revising the term "port manager" to "port director"; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Sections 6 and 7 of Article V, sections 1, 3, 4, and 5 of Article VI, section 11 of Article VII, and Articles XII and XVII of section 3 of chapter 2017-199, Laws of Florida, are amended to read:

ARTICLE V. ELECTION OF BOARD OF COMMISSIONERS.—

Section 6. ~~Bond of commissioners. Within 30 days after assuming the duties of the office of Commissioner of the Port of Palm Beach District, each commissioner shall execute and deliver to the Port of Palm Beach District a good and sufficient bond, executed by himself or herself as principal and a surety company licensed to do business in the state as surety, in the principal sum of \$25,000 conditioned upon his or her faithful performance as such Commissioner of the Port of Palm Beach District of the~~

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26 | ~~duties thereof. Each bond so given shall be approved by and~~
 27 | ~~filed with the board. The failure of any person who is elected~~
 28 | ~~or who is appointed as commissioner to give such bond within 30~~
 29 | ~~days after he or she has assumed such office shall create a~~
 30 | ~~vacancy in such office.~~

31 | ~~Section 7.~~ Vacancies in board.—Any vacancy occurring on
 32 | the board shall be filled by the other commissioners appointing
 33 | a person to hold such office for the unexpired term; however, if
 34 | there should be as many as two vacancies simultaneously, for any
 35 | cause whatsoever, said vacancies shall be filled by appointment
 36 | by the Governor and the commission members so appointed by the
 37 | Governor shall serve until the next general election is held
 38 | within the district, at which time said vacancies shall be
 39 | filled according to the election laws of the State of Florida,
 40 | and as provided in Article V and this article, with the term of
 41 | office of each commissioner so elected to be for the unexpired
 42 | term of the commission seat on the board that he or she is
 43 | filling, or for a full term of 2 or 4 years, as the case may be.

44 | ARTICLE VI. ORGANIZATION AND COMPENSATION OF BOARD OF
 45 | COMMISSIONERS.—

46 | Section 1. Organization of board.—In the month of January
 47 | following each general election, as soon as practicable, newly
 48 | elected ~~after the~~ Commissioners of the Port of Palm Beach
 49 | District shall be sworn in. After the newly elected
 50 | commissioners have been sworn in and seated, all the

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51 ~~commissioners present elected and have qualified, they shall~~
 52 ~~meet and~~ elect the officers of the district as hereinafter
 53 provided.

54 Section 3. Salary of commissioners—The salary of each
 55 commissioner, regardless of the office that he or she shall
 56 hold, shall be \$12,500 ~~\$9,500~~ per annum payable in monthly
 57 installments.

58 Section 4. ~~Secretary-treasurer bond. The secretary-~~
 59 ~~treasurer of the Port of Palm Beach District shall execute and~~
 60 ~~deliver to said district a good and sufficient bond, executed by~~
 61 ~~himself or herself as principal with a surety company licensed~~
 62 ~~to do business in the State of Florida as surety, in the~~
 63 ~~principal sum of \$25,000, conditioned upon his or her faithful~~
 64 ~~performance as secretary-treasurer of the Port of Palm Beach~~
 65 ~~District and his or her duties thereof, with said bond to be in~~
 66 ~~addition to the bond given by each of the commissioners as~~
 67 ~~provided in section 6 of Article V. Said bond shall be approved~~
 68 ~~by and filed with the board, and if the secretary-treasurer~~
 69 ~~should fail to give such bond within 30 days after he or she has~~
 70 ~~assumed the office of secretary-treasurer, said misfeasance~~
 71 ~~shall create a vacancy in such office and a vacancy on the~~
 72 ~~board.~~

73 ~~Section 5.~~ Present officers to continue.—The organization
 74 of the present Board of Commissioners of the Port of Palm Beach
 75 District shall continue, and the officers as selected by the

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76 | commission shall continue in office, as the officers of the
 77 | district, as provided hereinabove.

78 | ARTICLE VII. DEFINITIONS.—As used in this charter, the
 79 | following words and terms shall be taken to include the
 80 | following meanings, when the context shall require or permit:

81 | Section 11. "Port director ~~manager~~" means the person
 82 | managing the operation of the port marine facilities as
 83 | designated by the board.

84 | ARTICLE XII. EMPLOYMENT OF ~~PORT MANAGER, EMPLOYEES, AND~~
 85 | ~~CONSULTANTS.~~—

86 | ~~Section 1. Port manager and employees. The board of~~
 87 | ~~commissioners shall have the authority to employ a port manager~~
 88 | ~~and to prescribe his or her duties and compensation; however,~~
 89 | ~~the manager of the Port of Palm Beach District shall not be a~~
 90 | ~~commissioner of the Port of Palm Beach District. The board of~~
 91 | ~~commissioners may employ or may authorize the manager to employ~~
 92 | ~~agents, clerks, and servants to administer any project under the~~
 93 | ~~rules, regulations, directions, and supervision of the port~~
 94 | ~~manager or the board and may exact of said manager, agent,~~
 95 | ~~clerk, or servant a good and sufficient bond with proper surety~~
 96 | ~~thereon to secure the faithful performance of his or her or~~
 97 | ~~their duties in an amount and in the form determined by the~~
 98 | ~~board.~~

99 | ~~Section 2. Consultants.~~—The board shall have full power to
 100 | employ, or direct the port director to employ, ~~such~~ consultants

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101 and professional persons as said board shall deem fit and
102 necessary and to prescribe the compensation to be paid to such
103 ~~said~~ consultants or professional persons. Any such contracts
104 shall be reduced to writing and shall be signed by the
105 consultant or professional person and by the board, with an
106 executed copy to be filed by the secretary-treasurer of the
107 board.

108 ARTICLE XVII. DISBURSEMENT OF FUNDS.—All funds of the
109 district shall be disbursed upon the order of said board signed
110 by any two officers thereof; however, the board may disburse
111 funds of the district into an impress account and, when
112 establishing said account, may authorize and designate the port
113 director ~~manager~~ or other employee of the district to disburse
114 funds from said particular impress account, upon such directions
115 as the board shall give, all in keeping with good business
116 practices. The port director ~~manager~~ or employee of the district
117 who has the authority to disburse funds of the district from any
118 account indicated hereinabove shall at all times be bonded with
119 a fidelity bond in at least an amount equal to the maximum
120 amount of funds that would be held in said account at any one
121 time and be subject to withdrawal by the director ~~manager~~ or
122 employee.

123 Section 2. This act shall take effect upon becoming a law.