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HB 1089

2017 Legislature

1
 2 An act relating to the Ocean Highway and Port
 3 Authority, Nassau County; amending ch. 2005-293, Laws
 4 of Florida; updating authority powers consistent with
 5 ch. 311, Florida Statutes; deleting obsolete language;
 6 providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Subsections (2) and (6) of section 7,
 11 subsection (2) of section 30, and sections 31, 34, and 35 of
 12 section 3 of chapter 2005-293, Laws of Florida, as amended, are
 13 amended to read:

14 Section 7. Specific powers.—The authority shall have the
 15 following powers, in addition to all other powers conferred by
 16 this act:

17 (2) To lay out, construct, condemn, purchase, own,
 18 acquire, add to, extend, enlarge, maintain, conduct, operate,
 19 build, equip, manage, furnish, replace, enlarge, improve, lease,
 20 sell, regulate, finance, control, repair, and establish office
 21 and administrative buildings to be used and occupied in whole or
 22 in part by the authority, wharves, docks, slips, channels,
 23 jetties, piers, quays, terminals, sidings, shipyards, marine
 24 railways, terminal facilities, harbors, ports, waterways, moles,
 25 canals, cold storage plants, terminal icing plants,

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26 refrigerating plants, precooling plants, locks, tidal basins,
27 trainways, cableways, anchorage areas, depots, warehouses,
28 industrial parks, industrial and manufacturing plants,
29 commercial, business, residential, mercantile, and other related
30 projects, motels, conveyors, appliances for economical handling,
31 storage, and transportation of freight and the handling of
32 passenger traffic, and all other harbor improvements and
33 facilities which by resolution the board of commissioners may
34 determine to be necessary; to create, construct, extend,
35 enlarge, establish, improve, and maintain transportation
36 facilities as provided in s. 311.07(3)(b)8., Florida Statutes,
37 intermodal facilities and intermodal facilities infrastructure
38 as provided in ss. 311.07(3)(b)9. and 311.101, Florida Statutes,
39 and a freight logistics zone and an intermodal logistics center,
40 as provided in ss. 311.103 and 311.101, Florida Statutes; and to
41 perform all customary services, including the handling,
42 weighing, measuring, regulation, control, inspection, and
43 reconditioning of all commodities and cargoes received or
44 shipped through any port or harbor within the jurisdiction of
45 the authority.

46 (6) To lay out, construct, condemn, purchase, own,
47 acquire, add to, maintain, conduct, operate, build, equip,
48 manage, replace, enlarge, improve, regulate, control, repair,
49 and establish roads, ferries, either separately or as parts of
50 roads, streets, alleys, parks, boulevards, viaducts, tunnels,

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51 causeways, bridges, and other transportation facilities within
52 Nassau County, extending beyond Nassau County, or extending to
53 or into the State of Georgia and may avail of any applicable
54 federal law with respect to any such roads, ferries, streets,
55 alleys, parks, boulevards, viaducts, tunnels, causeways,
56 bridges, and other transportation facilities in the construction
57 and operation thereof and the charging of tolls and fees for the
58 services and facilities thereof; to lay out, construct, condemn,
59 purchase, own, acquire, add to, maintain, conduct, operate,
60 build, equip, manage, replace, enlarge, improve, regulate,
61 control, repair, and establish educational and research
62 facilities, including, but not limited to, those devoted to
63 marine construction and marine science, navigation, and
64 propulsion; hydroponics, aquaculture, and mariculture;
65 agriculture and silviculture; and transportation, logistics, and
66 supply chain management; hotels; and~~7~~ radio stations; to create,
67 construct, extend, enlarge, establish, erect, install, and
68 maintain any and all manner of cable, communication, cellular
69 telephone, fiber-optic, microwave, and other data and
70 information transmission facilities and their transmission
71 equipment, including any cable, conduit, line, wire, or other
72 means necessary for the transmission of high-speed data, signal,
73 voice internet, and all other utility and telecommunication
74 services, and any and all recreational facilities, including
75 yacht basins, docks, piers, wharves, fishing piers, public

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76 | beaches, ~~beach casinos,~~ cabanas, pavilions, entertainment and
77 | eating places, swimming pools, bath houses, stadiums, athletic
78 | fields, parks, concert halls, auditoriums, golf courses,
79 | playgrounds, parking lots, gardens, conservatories, and all
80 | necessary or convenient appurtenances to any or all of same; and
81 | to lay out, construct, condemn, purchase, own, acquire, add to,
82 | maintain, conduct, operate, build, equip, manage, extend,
83 | replace, enlarge, improve, regulate, control, repair, and
84 | establish any works or property, real or personal, for supplying
85 | public utility services, including ~~electricity,~~ gas, water,
86 | sewer, ~~and~~ local transportation, and the generation of
87 | electricity from all sources, including, but not limited to,
88 | solar panels and solar energy from all sources, wind energy from
89 | all sources, including turbines and windmills, and hydroelectric
90 | power through collection of kinetic energy from the ebb and flow
91 | of tides, within and without Nassau County or in Baker County or
92 | Duval County, and to use the streets, roads, avenues, and other
93 | public places in connection therewith, provided that no such
94 | utility properties shall be acquired, constructed, owned,
95 | operated, or maintained by such port authority within the limits
96 | of any incorporated city or town unless and until the governing
97 | body of such city or town shall have by appropriate ordinance
98 | consented thereto. The authority is hereby authorized and
99 | empowered to establish, charge, and collect necessary and
100 | reasonable fees, admissions, tolls, rates, rentals, and charges

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101 for any or all of the services or facilities of any works,
 102 undertakings, or properties. The authority is authorized to
 103 finance the cost of any such project, in whole or in part, from
 104 the proceeds of revenue obligations issued pursuant to this act.

105 Section 30. Organic oil refineries ~~refinery~~; acquisition
 106 and construction.—It is determined and declared that:

107 (2) The acquisition, construction, and equipping by the
 108 authority of an oil refinery and related facilities for the
 109 refinement of organic oils of any kind, including fish oils,
 110 pine oils, and tung oils, to be leased for operation to a
 111 private corporation are in part a discharge of such
 112 responsibility and constitute a public purpose for the financing
 113 of which revenue obligations of the port authority may be
 114 issued. This shall not include any authority to construct a
 115 petroleum refinery.

116 Section 31. Authorization.—The authority is authorized to
 117 acquire, construct, and equip an organic oil refinery and
 118 related facilities, including, but not limited to, buildings,
 119 site improvements, fixtures, machinery, and equipment.

120 Section 34. Toll road; authority to construct.—The
 121 authority shall have power to construct any a toll road or other
 122 transportation infrastructure or intermodal facility in ~~from a~~
 123 ~~point or points in the City of Fernandina Beach,~~ Nassau County,
 124 or as the southeastern terminus and from a point or points
 125 within ~~1 mile northerly of the intersection of U.S. Highway~~

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126 ~~Number 17 and State Highway Number 200 at Yulee, Nassau County,~~
 127 ~~as the southwestern terminus, which southwestern terminus shall~~
 128 ~~not cross over, under, or extend westerly of U.S. Highway Number~~
 129 ~~17, to a point or points in the vicinity of Brunswick, Georgia,~~
 130 as its northerly terminus, or any part or parts thereof.

131 Section 35. Sale of bonds authorized.—Any ~~Such~~ toll road,
 132 or other transportation infrastructure or intermodal facility
 133 referred to in this charter section 34, or any part or parts
 134 thereof, may be constructed and financed by the Ocean Highway
 135 and Port Authority in the manner provided in this act, and other
 136 statutes relating to the authority. It is the express intention
 137 of this section that the authority may construct and finance the
 138 toll road or other transportation infrastructure or intermodal
 139 facility in its entirety at the general locations referred to in
 140 section 34, or any part or parts thereof, either at one time or
 141 separately from time to time, and that the exact locations of
 142 the routes and termini of the toll road or other transportation
 143 infrastructure or intermodal facility, or any part or parts
 144 thereof, shall be determined in the administrative discretion of
 145 the authority, and that such determination of such exact routes
 146 and termini shall not be required prior to the authorization,
 147 validation, or sale of any bonds or other obligations issued by
 148 the authority to finance the toll road, or any part or parts
 149 thereof.

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