

1 A bill to be entitled
2 An act relating to the Port St. Joe Port Authority,
3 Franklin, Gadsden, Gulf, and Liberty Counties;
4 amending chapter 2000-488, Laws of Florida; expanding
5 the Port St. Joe Port Authority to include Franklin,
6 Gadsden, and Liberty Counties; revising membership of
7 the governing body of the authority; providing for
8 transition; providing for staggered terms; providing
9 an effective date.

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

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13 **Section 1. Sections 1, 2, 3, 4, 6, and 7 and subsection**
14 **(12) of 8 of section 3 of chapter 2000-488, Laws of Florida, are**
15 **amended to read:**

16 Section 1. Creation; boundaries.—There is hereby created a
17 body corporate to be known as the Port St. Joe Port Authority
18 with the corporate powers to sue and be sued and with the
19 additional powers specified herein. Said authority shall be a
20 public agency for the development of commerce and the port of
21 Port St. Joe. The boundaries of the Port St. Joe Port Authority
22 shall embrace and include all of Franklin, Gadsden, Gulf, and
23 Liberty Counties.

24 Section 2. Governing Body.—

25 (1) The Port St. Joe Port Authority shall consist of five
26 (5) commissioners who shall constitute said authority. The said
27 five (5) members shall be appointed by the Governor, with two
28 (2) members who are residents of Gulf County and one (1) member
29 from each of Franklin, Gadsden, and Liberty Counties who shall
30 be a resident of the respective county. ~~from the date this act~~
31 ~~becomes a law, the first appointments shall be three (3) for~~
32 ~~four (4) years and two (2) for two (2) years. Thereafter All~~
33 appointments shall be for a term of four (4) years from the
34 expiration of the previous term and all vacancies shall be
35 filled by the Governor for the unexpired term. No commissioner
36 shall be an officer or employee of the City of Port St. Joe,
37 Franklin County, Gadsden County, Florida, the County of Gulf
38 County, Liberty County, or the State of Florida, excepting
39 members of the militia or notaries public. No more than two (2)
40 of the commissioners shall be persons who are primarily engaged
41 in the maritime business, ~~and no person shall be eligible for~~
42 ~~appointment as commissioner except freeholders of the City of~~
43 ~~Port St. Joe or Gulf County, Florida.~~ The commissioners
44 constituting the Port St. Joe Port Authority shall select one
45 (1) of their members as chair and the term of office of the
46 chair shall be two (2) years from the date of his or her
47 selection. The commissioners shall receive no compensation for
48 their services but the authority is hereby allowed travel and
49 other expenses which shall be paid as other expenses. Three (3)

50 commissioners shall constitute a quorum for the purpose of
51 conducting business, exercising its powers, and for all other
52 purposes.

53 (2) Notwithstanding subsection (1) of this section, the
54 offices and terms of all members of the authority as of the
55 effective date of this act shall end as of the effective date of
56 this act, but such members may continue to serve until a
57 successor in office is appointed by the Governor. In order to
58 provide for staggered terms, one (1) member who is a resident of
59 Gulf County and one (1) member who is a resident of Gadsden
60 County initially appointed to the authority after the effective
61 date of this act shall serve two (2) year terms.

62 Section 3. Employees.—The Port St. Joe Port Authority is
63 hereby empowered to employ an executive director of the
64 authority whose compensation shall be fixed by resolution of the
65 commissioners of said authority. And the said authority is
66 empowered to employ its own counsel, secretary, technical
67 experts, and such other employees, permanent and temporary, as
68 it may require, and it is empowered to determine the
69 qualifications, duties, and compensation of such employees. None
70 of the said employees shall be covered by any local civil
71 service laws now or hereafter in effect with respect to
72 employees of the City of Port St. Joe or Franklin County,
73 Gadsden County, Gulf County, or Liberty County.

74 Section 4. Powers.—The Port St. Joe Port Authority, as
75 hereby created, is hereby authorized and empowered:

76 (1) To own and acquire property or facilities by purchase,
77 lease, easement, eminent domain, gift, or transfer from the City
78 of Port St. Joe or from Franklin County, Gadsden County, Gulf
79 County, or Liberty County, the United States of America, the
80 State of Florida, any agencies thereof, corporations, or
81 individuals,

82 (2) To acquire, construct, maintain, and operate: port
83 terminal facilities; warehouses; wharves; docks; drydocks;
84 quays; yacht basins; bridges; ship basins; breakwaters;
85 foundation for shipways; fitting out docks; shipyards; marine
86 railways; railroads; repair shops; loading and unloading,
87 packaging and refrigeration facilities; and all other harbor,
88 port, commercial, and industrial improvements and facilities,

89 (3) To enter into contracts or leases with individuals,
90 corporations, any municipality, the State of Florida, and the
91 United States of America, or any other public body to operate
92 facilities owned or leased by said port authority,

93 (4) To enter into contracts for furthering the business,
94 operation, and maintenance of shipping facilities and harbor and
95 port improvements within the boundaries of the authority ~~Gulf~~
96 ~~County~~.

97 Section 6. Limitation of Powers.—The Port St. Joe Port
98 Authority, as hereby created, shall have no power or authority

99 to bind or commit the City of Port St. Joe, a municipal
100 corporation, or Franklin County, Gadsden County, Gulf County, or
101 Liberty County, in any manner, directly or indirectly; and the
102 said City of Port St. Joe or Franklin County, Gadsden County,
103 Gulf County, or Liberty County shall not be liable or
104 responsible in any manner for any of the debts, liabilities,
105 obligations, acts, or omissions of the Port St. Joe Port
106 Authority or any of its officers or employees. All persons
107 dealing with the said authority are hereby charged with full
108 notice of this limitation and its powers.

109 Section 7. Appropriations from local governments ~~City of~~
110 ~~Port St. Joe and Gulf County.~~ The City of Port St. Joe, as well
111 as Franklin, Gadsden, Gulf, and Liberty Counties, ~~and also Gulf~~
112 ~~County~~ are empowered to appropriate and contribute to the Port
113 St. Joe Port Authority such sums of money for the operation
114 expenses of the said authority as the commission of the said
115 city and the county commission may from year to year determine
116 through the city's and county's budgets. Such sums of money as
117 are so appropriated and contributed by the City of Port St. Joe
118 and the aforementioned counties ~~Gulf County~~ shall be paid to the
119 Port St. Joe Port Authority upon its requisition signed by the
120 chair and any two (2) other members thereof. The County
121 Commission of Gulf County may pledge the second gas tax or may
122 levy a millage and the City of Port St. Joe may levy a millage
123 to finance said Port St. Joe Port Authority.

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124 Section 8. Minimum Charter Requirements.—

125 (12) The District's geographic boundary limitations shall
126 consist of all of Franklin, Gadsden, Gulf, and Liberty Counties
127 ~~be the same as those of Gulf County.~~

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