

## House Bill No. 1635

An act relating to the Baker County Development Commission, an independent special district in Baker County; providing for codification of special laws regarding special districts pursuant to chapter 97-255, Laws of Florida; providing legislative intent; codifying and reenacting chapter 57-1129, Laws of Florida, as amended by chapter 59-1061, Laws of Florida; providing district status and boundaries; providing definitions; providing for membership; authorizing Baker County and its incorporated municipalities to contract with the Commission; prescribing the Commission's powers and duties, including the power to issue and validate revenue-anticipation certificates; providing restrictions; providing construction; providing an allocation from Baker County's share of tax on racing; providing a saving clause in the event any provision of the act is deemed invalid; providing an effective date.

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

Section 1. Intent.—Pursuant to chapter 97-255, Laws of Florida, this act constitutes the codification of all special acts relating to the Baker County Development Commission. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the Commission, including all current legislative authority granted to the Commission by its several legislative enactments and any additional authority granted by this act.

Section 2. Codification.—Chapter 57-1129, Laws of Florida, and chapter 59-1061, Laws of Florida, relating to the Baker County Development Commission, are codified, reenacted, amended, and repealed as herein provided.

Section 3. The Baker County Development Commission is re-created and the charter for such commission is re-created and reenacted to read:

Section 1. Status and boundaries.—The Baker County Development Commission is hereby declared to be an independent special district, a public corporation of the State of Florida, within the statutory boundaries of Baker County.

Section 2. Definitions.—When used in this act, the following words and terms, unless a different meaning appears clearly from the context, shall have the following meanings:

(1) “Commission” shall mean the Baker County Development Commission created by this act.

(2) “Project” shall mean and include the acquisition of lands, properties, and improvements for development, expansion, and promotion of industry, commerce, agriculture, natural resources, and vocational training, and the construction of buildings and plants for the purpose of selling, leasing, or renting such structures to private persons, firms, or corporations.

(3) “Cost of project” shall embrace the cost of construction, the cost of all land, properties, easements, rights, and franchises acquired, the cost of machinery and equipment, financing charges, interest prior to and during construction, cost of engineering, architectural, and legal expense, and plans and specifications and other expenses necessary or incident to determining the feasibility or practicability of the project, administrative expenses, and such other expenses as may be necessary or incident to the financing herein authorized for the construction of any project and placing the same in operation.

Section 3. Commission; creation and purpose.—For the purpose of performing such acts as shall be necessary for the sound planning for, and development of, Baker County, there is created a body corporate and politic to be known as the Baker County Development Commission, which is deemed to be a public corporation by that name, which body may contract and be contracted with and sue and be sued in all courts of law and equity.

Section 4. Membership; appointment, term of office.—The Commission shall be composed of seven members, each of whom shall be a freeholder and a qualified elector of the County. Members of the Commission shall be appointed by the Governor as follows: one member from each of the County Commission districts of the County as they are now or may hereafter be constituted, and two members from the County at large. Two of the members must be women. All appointments shall be from the same district as the outgoing member and shall be for 4-year terms except appointments to fill vacancies, which shall be for the unexpired term only. Any member of the Commission whose term has expired may remain in office until a replacement is appointed by the Governor.

Section 5. Ex officio members.—The mayor of each incorporated municipality and the chair of the Board of County Commissioners shall be ex officio members of the Commission.

Section 6. Chair and vice chair.—The Commission shall elect from its membership at its organizational meeting, and annually thereafter, a chair and a vice chair who shall act as secretary for the Commission.

Section 7. Quorum; transaction of business.—Any four members shall constitute a quorum for the transaction of the ordinary business of the Commission. However, any action with respect to any project of the Commission must be approved by not less than four affirmative votes. No business shall be transacted except at regularly called meetings and duly recorded in the minutes thereof.

Section 8. Compensation, travel expenses.—Members of the Commission shall serve without compensation but shall be reimbursed for travel expenses incurred in the performance of their duties as members of the Commission.

Section 9. Authority of County and Cities to contract.—Baker County and all incorporated Cities therein are expressly authorized to enter into contracts with the Commission as a public corporation.

Section 10. Powers and duties.—The Baker County Development Commission shall have the following powers:

- (1) To have a seal and alter the same at pleasure.
- (2) To acquire, hold, and dispose of personal property, including the stock of other corporations, for its corporate purposes.
- (3) To enter into contracts with Baker County and all incorporated Cities therein.
- (4) To acquire in its own name by purchase, on such terms and conditions and in such manner as it may deem proper, real property or liens or easements therein or franchises necessary or convenient for its corporate purposes, and to use the same, and to lease or make contracts with respect to the use or disposition of same in any manner the Commission deems to its best advantage. If the Commission shall deem it expedient to construct any project, or use any project already constructed, on lands the title to which shall then be in Baker County or in one of its incorporated Cities, the governing authorities of such County and Cities are authorized, in their discretion, to convey title to such lands, including any improvements thereon, to the Commission.
- (5) To select and appoint agents and employees, including engineers, architects, builders, and attorneys, and to fix their compensation.
- (6) To make contracts and to execute all instruments necessary or convenient, including contracts for construction, lease, rental, and sale of projects, or contracts with respect to the use of projects which it erects or acquires.
- (7) To construct, erect, acquire, own, repair, remodel, maintain, extend, improve, equip, operate, and manage projects, self-liquidating or otherwise, located on property owned or leased by the Commission, and to pay the costs of any such projects from the proceeds of revenue-anticipation certificates of the Commission or from any grant from Baker County or any of the incorporated Cities therein, or from any grant from the State, or from any contribution or loan by persons, firms, or corporations, all of which the Commission is hereby authorized to receive and accept and use.
- (8) To borrow money for any of its corporate purposes and to execute notes, mortgages, deeds to secure debt, trust deeds, and such other instruments as may be necessary or convenient to evidence and secure such borrowing.
- (9) To exercise any power granted by the laws of Florida to public or private corporations performing similar functions which is not in conflict with the State Constitution and the laws of Florida.
- (10) To do all things necessary or convenient to carry out the powers expressly conferred by this act.
- (11) To adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted and in which

the power granted to it may be enjoyed as the Commission may deem necessary or expedient in facilitating its business.

(12) To issue revenue-anticipation certificates for the purpose of paying all or any part of the cost of any project of the Commission. Such revenue-anticipation certificates shall be issued and validated under and in accordance with the applicable provisions of the laws of Florida.

(13) To perform such powers and duties as may from time to time be authorized by the Legislature.

Section 11. Creation of State and County debts prohibited.—The Commission shall not be empowered or authorized in any manner to create a debt as against the State, Baker County, or any of the incorporated Cities therein.

Section 12. Construction.—This act, being for the purpose of developing and promoting the public good and the welfare of Baker County and the incorporated Cities therein and their inhabitants, shall be liberally construed to effect the purposes thereof.

Section 13. There is hereby appropriated, for the purposes contained in this act, the first \$10,000 after the first \$58,000 of the moneys accruing to Baker County under the provisions of chapter 550, Florida Statutes.

Section 14. It is declared to be the legislative intent that if any section, subsection, sentence, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 4. Chapters 57-1129 and 59-1061, Laws of Florida, and all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

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

Approved by the Governor June 7, 2000.

Filed in Office Secretary of State June 7, 2000.