

CHAPTER 2021-247

Committee Substitute for House Bill No. 915

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

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

ARTICLE VI. ORGANIZATION AND COMPENSATION OF BOARD OF COMMISSIONERS.—

Section 1. Organization of board.—In the month of January following each general election, as soon as practicable, newly elected after the Commissioners of the Port of Palm Beach District shall be sworn in. After

~~the newly elected commissioners have been sworn in and seated, all the commissioners present elected and have qualified, they shall meet and elect the officers of the district as hereinafter provided.~~

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

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

~~Section 5. Present officers to continue.—The organization of the present Board of Commissioners of the Port of Palm Beach District shall continue, and the officers as selected by the commission shall continue in office, as the officers of the district, as provided hereinabove.~~

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

Section 11. “Port director manager” means the person managing the operation of the port marine facilities as designated by the board.

ARTICLE XII. EMPLOYMENT OF PORT MANAGER, EMPLOYEES, AND CONSULTANTS.—

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

~~Section 2.—Consultants.—The board shall have full power to employ, or direct the port director to employ, such consultants and professional persons~~

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

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

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

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.