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CS/HB 1633, Engrossed 1

2021 Legislature

1
 2 An act relating to Okaloosa Gas District, Okaloosa,
 3 Santa Rosa, and Walton Counties; amending ch. 2000-
 4 443, Laws of Florida; revising the territorial limits
 5 and area of service of the district to include all of
 6 Santa Rosa County and all of Walton County; providing
 7 exceptions; revising the membership of the Board of
 8 Directors to include one member appointed by each of
 9 the Board of County Commissioners of Santa Rosa and
 10 Walton Counties; revising the director's fee for each
 11 meeting attended by a member of the Board of
 12 Directors; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Sections 3 and 8 of section 2 of chapter 2000-
 17 443, Laws of Florida, are amended to read:

18 Section 3. Area of service.—The territorial limits and
 19 area of service of the District shall be Okaloosa County,
 20 Florida, and the following described areas in Santa Rosa County,
 21 Florida, and Walton County, Florida, to-wit:

22 (1) In Santa Rosa County, all of Santa Rosa County ~~an area~~
 23 ~~20 miles wide, extending from the eastern boundary of Santa Rosa~~
 24 ~~County, to the western boundary of said county, the center line~~
 25 ~~of which shall be the presently existing transmission line of~~

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26 | ~~the District, excepting, however, from the above described area~~
 27 | ~~of Santa Rosa County:~~

28 | (a) The area within the corporate limits of the City Town
 29 | of Milton and the surrounding territory presently served by the
 30 | gas distribution system of said city town; however, nothing in
 31 | this act shall be construed to restrict or limit the City of
 32 | Milton's right to serve gas customers within its territorial
 33 | grants and in all areas where the district territories overlap
 34 | with territories of the City of Milton authorized by chapter 61-
 35 | 2489 and chapter 71-773, Laws of Florida;

36 | (b) The area adjacent to State Highway 87 (Brewton
 37 | Highway) from the intersection of said highway and the
 38 | transmission line of the District northerly along said highway
 39 | for a distance of 2 miles;

40 | (c) The area adjacent to the New Chumuckla Highway from
 41 | the intersection of said highway and State Highway 87 (Brewton
 42 | Highway) westerly along said New Chumuckla Highway for a
 43 | distance of 2 miles; ~~and~~

44 | (d) The area adjacent to said Highway and the transmission
 45 | line of the District east of Milton, in a westerly direction
 46 | along said Highway 90 to the corporate limits of the City Town
 47 | of Milton; ~~;~~

48 | (e) The area within the corporate limits of the City of
 49 | Gulf Breeze and the area from the eastern boundary of the
 50 | corporate limits of the City of Gulf Breeze extending easterly

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51 approximately 11 miles to the line defined as the eastern
 52 boundary of Sections 4, 9, 16, 21 and 28 of Township 2 South,
 53 Range 27 West, which extends north and south from Santa Rosa
 54 Sound to East Bay;

55 (f) The area from the line defined as the eastern boundary
 56 of Sections 4, 9, 16, 21 and 28 of Township 2 South, Range 27
 57 West, which extends north and south from Santa Rosa Sound to
 58 East Bay, and extending easterly to the line starting at the
 59 intersection US Highway 98 and Shannon Drive, going due south to
 60 Santa Rosa Sound, thence turning due north continuing to Manatee
 61 Road; thence turning west until the intersection of Basswood
 62 Drive; thence turning north until intersecting the Tom King
 63 Bayou tributary south of Cove Road; thence following this branch
 64 northwest to Tom King Bayou, thence north to East Bay is
 65 presently claimed as a service area by the District and by the
 66 City of Gulf Breeze and shall not be deemed to be included or
 67 excluded as a service area for the District. The service rights
 68 for this area shall be determined by a final nonappealable order
 69 of the Florida Public Service Commission or any successor
 70 agency; and

71 (g) The area within the corporate limits of the Town of
 72 Jay and the existing customers presently served by the gas
 73 distribution system of said town.

74 (2) In Walton County, all of Walton County extending from
 75 the eastern boundary of Walton County to the western boundary of

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76 | said county, excepting, however, from the above described area
 77 | of Walton County, that area lying south of the section lines
 78 | commencing at the Western Boundary of Walton County at the
 79 | Northwest corner of Section 31, Township 4 North, Range 21 West
 80 | and running easterly along the northern section lines of
 81 | Sections 31, 32, 33, 34, 35, and 36 of Township 4 North, Range
 82 | 21 West, Sections 31, 32, 33, 34, 35, and 36 of Township 4
 83 | North, Range 20 West, Sections 31, 32, 33, 34, 35, and 36 of
 84 | Township 4 North, Range 19 West, and Section 31, 32, and 33 of
 85 | Township 4 North, Range 18 West, ending at the Eastern Boundary
 86 | of Walton County located at the Northeast corner of Section 33,
 87 | Township 4 North, Range 18, south to the current gas
 88 | distribution system of the City of DeFuniak Springs, the area
 89 | within the corporate limits of the City of DeFuniak Springs and
 90 | the customers served by the gas distribution system of said
 91 | city. However, should the District request in writing to the
 92 | city and the city agrees through written agreement, the District
 93 | is authorized to serve any mutually agreed portion of the
 94 | excepted area above ~~the area shall be all of that portion of~~
 95 | ~~Walton County lying south of Highway 20 and 10 miles north of~~
 96 | ~~Highway 20.~~

97 |
 98 | The District may acquire a supply of gas either within or
 99 | without the District's territorial limits and area of service
 100 | and may transport and transmit gas from the point of such

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101 acquisition to the system or systems of the District. The
 102 District may also sell and transport gas for delivery beyond the
 103 territorial limits and area of service of the District and
 104 acquire, finance, operate, maintain, extend, and improve gas
 105 transmission lines, laterals, and facilities beyond the
 106 territorial limits and area of service of the District for such
 107 purposes and also for the purpose of making direct sales to
 108 industrial and institutional users and to line tap commercial
 109 and residential users, but the District shall not acquire,
 110 construct, own, or operate any gas distribution system in any
 111 area other than within Santa Rosa, Okaloosa, or Walton Counties
 112 ~~the territorial limits and area of service of the District as~~
 113 provided in this section, unless authorized by special act of
 114 the Legislature to do so.

115 Section 8. The Board of Directors.—The District shall have
 116 a Board of Directors, consisting of one member of each member
 117 municipality and one member appointed by the Board of County
 118 Commissioners of Okaloosa, Santa Rosa, and Walton Counties
 119 ~~County~~, to represent the interest of the unincorporated areas
 120 and the interest of the nonmember cities. The member for each
 121 member municipality shall be appointed by the governing body of
 122 such member municipality and the Board of County Commissioners
 123 of the respective counties ~~Okaloosa County~~ shall appoint one
 124 member from each county. The member shall serve for a term of 4
 125 years and until his or her successor is appointed in like manner

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126 and qualified. Appointments to fill a vacancy shall be for the
127 unexpired term. The representative of each municipality may, but
128 need not be, the mayor or chief executive officer of such
129 municipality and the member appointed by the Board of County
130 Commissioners ~~of Okaloosa County~~ may, but need not be, an
131 elected official, except and provided that no member of the
132 Board of County Commissioners ~~of Okaloosa County~~ shall serve in
133 such capacity. The members of the Board of Directors shall serve
134 without compensation, except that they shall be reimbursed for
135 actual expenses incurred in and about the performance of their
136 duties thereunder and, at the discretion of the Board of
137 Directors, they may be paid a director's fee of not exceeding
138 \$244 ~~\$25~~ for each directors' meeting attended by them, not
139 exceeding one meeting during each calendar month. The appointing
140 authority may remove any member of the Board of Directors within
141 the term for which such member shall have been appointed for
142 malfeasance or misfeasance in office or other just cause after
143 giving to such member a copy of the charges against him or her
144 and an opportunity to be heard in his or her defense.

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