

House Bill No. 1425

An act relating to the Technological Research and Development Authority, Brevard County; codifying, amending, reenacting, and repealing special acts relating to the district; providing purposes of the authority; setting a commission to govern the authority; prescribing the duties and responsibilities of the commission and terms of office; providing a procedure for the appointment of the commission; providing for liberal construction; providing severability; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Technological Research and Development Authority, Brevard County. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the authority, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act. It is further the intent of this act to preserve all district authority.

Section 2. Chapters 87-455, 89-500, and 94-423, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.

Section 3. The charter for the Technological Research and Development Authority is reenacted and re-created to read:

Section 1. The Legislature finds it is in the public interest to provide for the creation of a Technological Research and Development Authority, which will promote scientific research and development in Brevard County. The establishment of Brevard County as a center for research and development will promote a diversification of the economic base of the county and state and serve public good.

Section 2. There is hereby created and incorporated the Technological Research and Development Authority for the purpose of promoting scientific research and development and for the purpose of fostering higher education which relates to the promotion of scientific research and development or provides for the economic development of Brevard County as a center for high technology and scientific research and development.

Section 3. (1) The authority shall be governed by a commission of five persons who are residents of Brevard County. The Brevard County Legislative Delegation shall nominate three candidates for each commission vacancy and the Governor shall appoint a member of the commission from the nominees for the vacancy. Of the members first appointed, two shall serve for 2 years and the remainder for 4 years and in each case until a successor is appointed and has qualified. Thereafter, the Governor shall appoint each member for 4 years unless a vacancy occurs during a member's term, which

the Governor shall be authorized to fill for the remainder of the member's term. The Governor may remove any member for misfeasance, malfeasance, or willful neglect of duty. Each member of the authority before entering upon his or her duties shall take and subscribe the oath of affirmation required by the State Constitution.

(2) The authority shall annually elect one of its members as chair and one as vice chair and may also appoint a secretary who shall serve at the pleasure of the authority. The authority may also appoint such other officers as it may deem necessary.

Section 4. The commission shall have powers and duties as follows:

(1) To plan and undertake a program of action which promotes scientific research and development and fosters higher education which relates to scientific research and development or provides for the economic development of Brevard County as a center for high technology and scientific research and development.

(2) To contract with and support the programs of those accredited institutions of higher learning with research capability and whose main campuses are located within Brevard County and to contract with any other accredited institutions of higher learning with a research capability in furtherance of the objectives of the authority.

(3) To enter into grants, bequests, contracts, and other agreements with units of government and private parties for the purpose of obtaining funds for projects and programs which further the objectives of the authority.

(4) To establish an annual budget, amend the budget when necessary, and utilize all funds received by the authority only for projects, contracts, programs, and grants which further the objectives of the authority.

(5) To adopt an official seal and alter the same at its pleasure.

(6) To maintain an office at such a place or places in Brevard County as it may designate.

(7) To sue and be sued in its own name.

(8) To acquire by lease, purchase, or option real and personal property for any uses consistent with the purposes authorized by this act.

(9) To finance or refinance and to secure the issuance and repayment of bonds, provided that all revenue bonds or other debt obligations shall be payable solely from the revenues derived from the sale, operation, or leasing of projects to the authority. Any bonds issued by the authority shall not be deemed to constitute a debt, liability, or obligation of any authority or county or of the state or political subdivision, and such revenue bond or debt obligations shall be paid solely from revenues derived from the sale, operation, or leasing of a project or projects.

(10) To employ personnel, consultants, accountants, attorneys, engineers, and such other experts as may be necessary and convenient in the execution of the powers of the authority.

Section 5. This act shall be liberally construed to effectuate its purposes.

Section 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 4. Chapters 87-455, 89-500, and 94-423, Laws of Florida, are repealed.

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

Approved by the Governor June 1, 2005.

Filed in Office Secretary of State June 1, 2005.