

House Bill No. 1145

An act relating to the Canaveral Port District, Brevard County; amending chapter 2003-335, Laws of Florida; amending the powers and duties of the district; authorizing the district to establish a direct-support organization to receive, hold, invest, and administer property, make expenditures to or for the benefit of the district, and promote the development and expansion of the economic, historical, and cultural contributions of the maritime industry of the district; providing powers and duties of the organization; providing for membership of the board of directors of the organization; providing for the budget and financial audit of the organization; providing an effective date.

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

Section 1. Section 3 is added to Article VI of chapter 2003-335, Laws of Florida, to read:

Section 3. (a) The Canaveral Port Authority shall have the power and authority to establish a direct-support organization to receive, hold, invest, and administer property; to make expenditures to or for the benefit of the Canaveral Port District; and to promote the development and expansion of the economic, historical, and cultural contributions of the maritime industry of the Canaveral Port District.

(b) A direct-support organization established pursuant to this section shall be approved by the Canaveral Port Authority and be a corporation not for profit, incorporated under the provisions of chapter 617, Florida Statutes, and approved by the Department of State.

(c) The direct-support organization shall be organized and operated exclusively to carry out the purposes set forth in subsection (a).

(d) The direct-support organization is authorized and permitted to use property, facilities, and employee services of the Canaveral Port Authority subject to the conditions prescribed by the Port Authority. The conditions shall provide for budget and audit review and oversight by the Port Authority.

(e) The direct-support organization shall provide equal employment opportunities to all persons, regardless of race, color, religion, sex, age, or national origin.

(f) The board of directors of the direct-support organization shall be appointed by the Port Authority and shall include the chairperson of the Port Authority, or his or her designee, and the chief executive officer as members. The Port Authority shall approve the articles of incorporation and bylaws of the direct-support organization and any amendments thereto.

(g) The annual budget of the direct-support organization shall be presented to and approved by the Port Authority on or before the beginning of the fiscal year adopted by the direct-support organization.

(h) In any fiscal year in which the direct-support organization has more than \$100,000 in expenditures or expenses, the direct-support organization shall provide an annual financial audit of its accounts and records, to be conducted by an independent certified public accountant in accordance with the rules adopted by the Auditor General pursuant to section 11.45(8), Florida Statutes. The annual audit report shall be submitted within 9 months after the end of the fiscal year to the Port Authority. The Auditor General and Office of Program Policy Analysis and Government Accountability have the authority to require and receive from the direct-support organization any records relative to the operation of the organization.

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

Approved by the Governor June 17, 2008.

Filed in Office Secretary of State June 17, 2008.