

1 (4) Solicit and accept donations or grants of funds or
2 services from both public and private sources for the planning
3 and implementation of district undertakings and delegations,
4 including, but not limited to, projects, programs, works, and
5 studies.

6 Section 2. Subsection (1) of section 373.085, Florida
7 Statutes, is amended to read:

8 373.085 Use of works or land by other districts or
9 private persons.--

10 (1) The governing board has authority to prescribe the
11 manner in which local works provided by other districts or by
12 private persons will connect with and make use of the works or
13 land of the district, to issue permits therefor and to
14 establish the duration of such permits, and to cancel the
15 permits for noncompliance with the conditions thereof or for
16 other cause. It is unlawful to connect with or make use of
17 the works or land of the district without consent in writing
18 from its governing board, and the board has authority to
19 prevent or, if done, estop or terminate the same. The use of
20 the works or land of the district for access is governed by
21 this section and is not subject to the provisions of s.
22 704.01. However, any land or works of the district which have
23 historically been used for public access to the ocean by means
24 of the North New River Canal and its tributaries may not be
25 closed for this purpose unless the district can demonstrate
26 that significant harm to the resource would result from such
27 public use.

28 Section 3. Subsection (4) of section 373.093, Florida
29 Statutes, is created to read:

30 373.093 Lease of lands or interest in land and
31 personal property.--The governing board of the district may

1 lease any lands or interest in land, including but not limited
2 to oil and mineral rights, to which the district has acquired
3 title, or to which it may hereafter acquire title in the
4 following manner, as long as the lease is consistent with the
5 purposes for which the lands or any interest in land was
6 acquired:

7 (4) The governing board of the district may lease
8 existing communications towers and other similar structures
9 which the district owns or which it may hereafter acquire, for
10 the best price and terms obtainable, to be determined by the
11 board.

12 Section 4. Section 373.608, Florida Statutes, is
13 created to read:

14 373.608 Patents, copyrights, and trademarks.--Each
15 district may, in its own name:

16 (1) Perform all things necessary to secure letters of
17 patent, copyrights, and trademarks on any work products of the
18 district and enforce its rights therein. Each district shall
19 consider contributions by district personnel in the
20 development of trademarks, copyrights, and patents and shall
21 enter into written contracts with such personnel in each
22 trademark, copyright, or patent.

23 (2) License, lease, assign, or otherwise give written
24 consent to any person, firm, or corporation for the
25 manufacture or use of such district work products, on a
26 royalty basis or for such other consideration as the
27 applicable governing board shall deem proper.

28 (3) Take any action necessary, including legal action,
29 to protect such district work products against improper or
30 unlawful use or infringement.

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1 (4) Enforce the collection of any sums due to the
2 district for the manufacture or use of such district work
3 products by other party.

4 (5) Sell any of such district work products and
5 execute all instruments necessary to consummate any such sale.

6 (6) Do all other acts necessary and proper for the
7 execution of powers and duties conferred upon the districts by
8 this section, including adopting rules, as necessary, in order
9 to administer this section.

10 Section 5. Section 373.610, Florida Statutes, is
11 created to read:

12 373.610 Defaulting vendors and contractors.--The
13 district may suspend a contractor from doing work with the
14 district when the contractor has materially breached its
15 contract with the district. The district shall provide written
16 notice to the defaulting contractor and afford the contractor
17 a minimum period of 10 days to correct its deficiency. If a
18 contractor does not correct the deficiency within the required
19 time, the district shall find the contractor in default and
20 suspend the contractor from doing business with the district.
21 A contractor shall be afforded the right to petition for an
22 administrative hearing on the district's intended decision to
23 suspend it from doing business with the district, pursuant to
24 s. 120.57. The district shall adopt rules to administer the
25 provisions of this section and shall have the authority to
26 amend any such rules as it deems appropriate.

27 Section 6. Section 373.611, Florida Statutes, is
28 created to read:

29 373.611 Modification or limitation of remedy.--In
30 order to promote the cost-effective procurement of commodities
31 and contractual services by the water management districts, a

1 district may enter into contracts to limit or alter the
2 measure of damages recoverable from a vendor consistent with
3 the provisions contained in s. 672.719.

4 Section 7. This act shall take effect upon becoming a
5 law.

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8 HOUSE SUMMARY

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10 Authorizes the water management districts to: solicit
11 donations from public and private sources; establish the
12 duration of permits issued for works connecting to or
13 using the works or land of the district; lease
14 communication towers or similar structures owned by the
15 district; obtain and enforce patents, copyrights, and
16 trademarks on work products of the district; suspend
17 contractors who have defaulted on contracts with the
18 district; and enter into contracts to limit or alter the
19 measure of damages recoverable from a vendor. Provides
20 authority to adopt rules.
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