

HB 1425

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1 A bill to be entitled

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

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

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

24 Section 2. Chapters 87-497 and 89-500, Laws of Florida,
25 are codified, reenacted, amended, and repealed as herein
26 provided.

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

29 Section 1. The Legislature finds it is in the public

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30 interest to provide for the creation of a Technological Research
 31 and Development Authority, which will promote scientific
 32 research and development in Brevard County and elsewhere. The
 33 establishment of Brevard County as a center for research and
 34 development will promote a diversification of the economic base
 35 of the county and state and serve public good.

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

44 Section 3. (1) The authority shall be governed by a
 45 commission of five persons who are residents of Brevard County.
 46 The Brevard County Legislative Delegation shall nominate three
 47 candidates for each commission vacancy and the Governor shall
 48 appoint a member of the commission from the nominees for the
 49 vacancy. Of the members first appointed, two shall serve for 2
 50 years and the remainder for 4 years and in each case until a
 51 successor is appointed and has qualified. Thereafter, the
 52 Governor shall appoint each member for 4 years unless a vacancy
 53 occurs during a member's term, which the Governor shall be
 54 authorized to fill for the remainder of the member's term. The
 55 Governor may remove any member for misfeasance, malfeasance, or
 56 willful neglect of duty. Each member of the authority before
 57 entering upon his or her duties shall take and subscribe the
 58 oath of affirmation required by the State Constitution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

114 Section 4. Chapters 87-497 and 89-500, Laws of Florida,
 115 are repealed.

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