

CHAMBER ACTION

1 The Local Government Council recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

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

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18 Section 1. Pursuant to section 189.429, Florida Statutes,
19 this act constitutes the codification of all special acts
20 relating to the Technological Research and Development
21 Authority, Brevard County. It is the intent of the Legislature
22 in enacting this law to provide a single, comprehensive special
23 act charter for the authority, including all current legislative

24 | authority granted to the district by its several legislative
 25 | enactments and any additional authority granted by this act. It
 26 | is further the intent of this act to preserve all district
 27 | authority.

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 29 | Florida, are codified, reenacted, amended, and repealed as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

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

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

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

47 | Section 3. (1) The authority shall be governed by a
 48 | commission of five persons who are residents of Brevard County.
 49 | The Brevard County Legislative Delegation shall nominate three
 50 | candidates for each commission vacancy and the Governor shall
 51 | appoint a member of the commission from the nominees for the

52 vacancy. Of the members first appointed, two shall serve for 2
 53 years and the remainder for 4 years and in each case until a
 54 successor is appointed and has qualified. Thereafter, the
 55 Governor shall appoint each member for 4 years unless a vacancy
 56 occurs during a member's term, which the Governor shall be
 57 authorized to fill for the remainder of the member's term. The
 58 Governor may remove any member for misfeasance, malfeasance, or
 59 willful neglect of duty. Each member of the authority before
 60 entering upon his or her duties shall take and subscribe the
 61 oath of affirmation required by the State Constitution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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