

ENROLLED

HB 1425, Engrossed 1

2005 Legislature

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.

11
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 87-455, 89-500, and 94-423, Laws of
25 Florida, are codified, reenacted, amended, and repealed as
26 herein provided.

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

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29 Section 1. The Legislature finds it is in the public
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. The establishment of
33 Brevard County as a center for research and development will
34 promote a diversification of the economic base of the county and
35 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 as a center for high
42 technology and scientific research and development.

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

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56 entering upon his or her duties shall take and subscribe the
57 oath of affirmation required by the State Constitution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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111 | or application, and to this end the provisions of this act are
112 | declared severable.

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

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