

ENROLLED  
 HB 1145

2008 Legislature

1                                   A bill to be entitled  
 2           An act relating to the Canaveral Port District, Brevard  
 3           County; amending chapter 2003-335, Laws of Florida;  
 4           amending the powers and duties of the district;  
 5           authorizing the district to establish a direct-support  
 6           organization to receive, hold, invest, and administer  
 7           property, make expenditures to or for the benefit of the  
 8           district, and promote the development and expansion of the  
 9           economic, historical, and cultural contributions of the  
 10          maritime industry of the district; providing powers and  
 11          duties of the organization; providing for membership of  
 12          the board of directors of the organization; providing for  
 13          the budget and financial audit of the organization;  
 14          providing an effective date.

15  
 16   Be It Enacted by the Legislature of the State of Florida:

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 18           Section 1.   Section 3 is added to Article VI of chapter  
 19   2003-335, Laws of Florida, to read:

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

27           (b) A direct-support organization established pursuant to  
 28   this section shall be approved by the Canaveral Port Authority

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2008 Legislature

29 and be a corporation not for profit, incorporated under the  
 30 provisions of chapter 617, Florida Statutes, and approved by the  
 31 Department of State.

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

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

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

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

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

53 (h) In any fiscal year in which the direct-support  
 54 organization has more than \$100,000 in expenditures or expenses,  
 55 the direct-support organization shall provide an annual  
 56 financial audit of its accounts and records, to be conducted by

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2008 Legislature

57 an independent certified public accountant in accordance with  
58 the rules adopted by the Auditor General pursuant to section  
59 11.45(8), Florida Statutes. The annual audit report shall be  
60 submitted within 9 months after the end of the fiscal year to  
61 the Port Authority. The Auditor General and Office of Program  
62 Policy Analysis and Government Accountability have the authority  
63 to require and receive from the direct-support organization any  
64 records relative to the operation of the organization.

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