

budget authority and their membership is independent of the county commission. In addition, independent special districts may include portions of multiple counties.

Prior to 1990, individual expressway, bridge and transportation authorities were created by specific legislative enactment in several counties. These authorities are set forth in parts II through IX, of chapter 348, F.S. Jacksonville has its transportation authority codified in chapter 349, F.S. In 1990, the Legislature enacted part I of chapter 348, F.S., which allows any county, or two or more contiguous counties, to form their own expressway authority by resolution of the board or boards of county commissioners. These expressway authorities are deemed to be agencies of the state. Part I of chapter 348 provides for membership of the governing body and sets out provisions that would govern the activities of such an authority.

III. Effect of Proposed Changes:

The bill provides the Legislature finds the successful economic development of the state depends upon the efficient and effective movement of passengers and cargo through the airports of the state. Such movement of passengers and cargo is critical to the continued development of the tourism sector and the international business sector, which are two of the largest sources of job-creation in the state.

The bill further provides, in order to facilitate and enhance such activities it is the intent of the Legislature to authorize the creation of an airport authority in Miami-Dade County by county referendum.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Transportation:

The amendment provides the following:

- Any county having a population of more than 2.1 million people (Miami-Dade County) is required to schedule a countywide referendum giving voters the opportunity to approve the creation of an airport authority.
- Such an authority could have from five to nine members, who must be permanent residents of the county they are representing. Two members would be appointed by the Governor (subject to confirmation by the state Senate); one would be appointed by the county ethics commission; and the remainder by the county governing board. The appropriate DOT district secretary will serve as a nonvoting member. The authority members will elect from among their number the chairperson, and select a secretary and a treasurer who do not need to be authority members.
- The Governor's appointees will have four-year terms, while the remaining members will serve three-year terms. The Governor's appointments may not hold any elective office during their terms on the authority.
- Members of the authority and their spouses are prohibited from owning certain stocks and bonds. As a condition of appointment, each appointee must affirm to the "Speaker" and the "President" his or her qualification by a specified certification.
- The authority members must file full and public financial disclosure, pursuant to s. 112.3144, F.S.
- A member of the authority is prohibited from contributing to the campaign account of any elected official and from soliciting any campaign contributions for any elected official.
- The authority may employ staff members and set the salaries for the following positions: executive director; executive secretary; counsel and legal staff; technical experts, consultants, and advisors; engineers and employees as it may require. It also may employ a fiscal agent, from among at least three persons or companies that submit sealed proposals.
- The authority must submit facility reports, audits and other reports required of special districts under Chapter 189, F.S., and it must notice its meetings and keep records, available to the public, of what transpired.

- An authority may acquire, hold, construct, improve, maintain, operate, own, and lease an airport system. Additional airports may be constructed only if the additional airport is financially feasible and compatible with the authority's existing plans. Each new airport must have the written consent of the board of county commissioners.
- The authority is empowered to sue and be sued, adopt a corporate seal, acquire and use any real or personal property in carrying out its purposes, make leases or lease-purchase agreements, establish and collect fees, rentals and charges for its services and facilities, borrow money, and issue bonds under the State Bond Act, Chapter 215, F.S. It also could accept grants from and enter into contracts with a federal, state, or county agency, and would have the power of eminent domain.
- Any bonds pledging the full faith and credit of the State of Florida would have to be issued by the Board of Administration's Division of Bond Finance on behalf of the authority, upon express written consent of the board of county commissioners.
- The amendment contains standard "covenant of the state" language, specifying that the state pledges not to limit or alter the rights of the authority as it pertains to the authority's use of bonds.
- The authority also would be able to consider unsolicited proposals from private entities for planning, constructing, maintaining or operating its airport system. An airport constructed under this provision must have state and federal approval, and the prior express written consent of the board of county commissioners.
- The authority is prohibited from undertaking any construction that is not consistent with federal aviation requirements, the statewide aviation system plan, and the county's comprehensive plan.
- The authority may appoint the county as its agent for construction projects, and may enter into contracts, leases or other agreements with other governmental entities or individuals.
- The authority is exempt from all state and local taxes except for the corporate tax pursuant to Chapter 220, F.S.

The amendment is not applicable to a county in which an airport authority has been created by a general or special act of the Legislature, nor do its provisions apply to any county that has created its own airport authority. (WITH TITLE AMENDMENT)