

By Senator Bennett

21-1816A-03

1 A bill to be entitled
2 An act relating to the Sarasota-Manatee Airport
3 Authority; providing for codification of
4 special laws regarding special districts
5 pursuant to s. 189.429, Florida Statutes,
6 relating to the Sarasota-Manatee Airport
7 Authority, a special district in Manatee and
8 Sarasota Counties; providing legislative
9 intent; codifying, amending, and reenacting
10 chapters 91-358, 92-242, 95-493, 97-322, and
11 2000-480, Laws of Florida; omitting provisions
12 that have had their effect and other obsolete
13 provisions; omitting redundant provisions;
14 revising cross-references; providing a saving
15 clause in the event any provision of the act is
16 deemed invalid; repealing chapters 91-358,
17 92-242, 95-493, 97-322, and 2000-480, Laws of
18 Florida; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Pursuant to chapter 97-255, Laws of
23 Florida, this act constitutes the codification of all special
24 acts relating to the Sarasota-Manatee Airport Authority. It is
25 the intent of the Legislature in enacting this law to provide
26 a single, comprehensive special act charter for the authority,
27 including all current legislative authority granted to the
28 authority by its several legislative enactments and any
29 additional authority granted by this act.

30 Section 2. Chapters 91-358, 92-242, 95-493, 97-322,
31 and 2000-480, Laws of Florida, relating to the

1 Sarasota-Manatee Airport Authority, are codified, reenacted,
2 amended, and repealed as herein provided.

3 Section 3. The charter for the Sarasota-Manatee
4 Airport Authority Act is re-created and reenacted to read:

5 Section 1. Short title.--This act shall be known by
6 the popular name the "Sarasota-Manatee Airport Authority Act."

7 Section 2. Definitions.--As used in this act, the
8 following terms have the following meanings, unless the
9 context indicates another or different meaning or intent:

10 (1) "Airport facilities" means airport facilities of
11 all kinds, including, but not limited to, landing fields,
12 hangars, shops, restaurants and catering facilities,
13 terminals, buildings, and parking facilities and all other
14 facilities necessary or desirable for the landing, taking off,
15 operating, servicing, repairing, and parking of aircraft, the
16 unloading and handling of mail, express, and freight, and the
17 accommodation, convenience, and comfort of passengers,
18 together with related transportation facilities, all necessary
19 appurtenances, machinery, and equipment, and all lands,
20 properties, rights, easements, and franchises relating thereto
21 and considered necessary or convenient by the authority in
22 connection therewith.

23 (2) "Authority" means the authority created by this
24 act or, if such authority is abolished, the board, body, or
25 commission succeeding to the principal functions thereof or to
26 which the powers given by this act to the authority are given
27 by law.

28 (3) "Cost" means the cost of acquiring, constructing,
29 reconstructing, improving, extending, enlarging, or equipping
30 airport facilities and includes financing charges, interest
31 prior to and during construction and for 1 year after

1 completion of construction, cost of engineering, legal, and
2 other professional services, plans, specifications, surveys,
3 estimates of cost and of revenues, other expenses necessary or
4 incident to the determining of the feasibility or
5 practicability of any such acquisition, construction,
6 reconstruction, improvement, extension, enlargement, or
7 equipment of airport facilities, administrative expenses, and
8 such other expenses, including reasonable provision for
9 working capital and reserves, as may be necessary or incident
10 to the financing herein authorized, to the acquisition,
11 construction, reconstruction, improvement, extension,
12 enlargement, and equipment of airport facilities, and to the
13 placing of the same in operation by the authority. Any
14 obligation or expense incurred by the authority or by any
15 political subdivision prior to the issuance of bonds under the
16 provisions of this act in connection with the acquisition,
17 construction, reconstruction, improvement, extension,
18 enlargement, and equipment of any airport facilities may be
19 regarded as a part of such cost.

20 Section 3. Creation and membership of authority.--

21 (1) There is hereby created a body politic and
22 corporate to be known as the "Sarasota-Manatee Airport
23 Authority" for the purpose of acquiring, constructing,
24 improving, financing, operating, and maintaining airport
25 facilities. The authority is constituted a public
26 instrumentality, and the exercise by the authority of its
27 powers conferred by this act is deemed and held to be the
28 performance of essential governmental functions.

29 (2)(a) The governing board of the authority shall
30 consist of six members, three of whom must be residents of
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1 Manatee County and three of whom must be residents of Sarasota
2 County.

3 (b) The three positions on the governing board
4 assigned to residents of Manatee County shall be designated as
5 seats "M-1," "M-2," and "M-3," respectively, and the three
6 positions on the governing board assigned to residents of
7 Sarasota County shall be designated as seat "S-1," "S-2," and
8 "S-3," respectively.

9 (c) Those persons appointed in 2000 and 2001 to seats
10 M-2 and S-2, respectively, shall serve until their terms
11 expire in 2004. Those persons appointed in 2002 to seats M-1,
12 M-3, and S-1 shall serve until their terms expire in 2006. The
13 person appointed in 2002 to seat S-3 shall serve until his or
14 her term expires in 2004.

15 (d) At least 30 days prior to the date of expiration
16 of the term of any member of the authority, or within 30 days
17 after the creation of any vacancy in the membership of the
18 authority resulting from the death, resignation, change of
19 residence, or removal of any such member or from any other
20 cause, the successor of such member shall be appointed by the
21 Governor. Any appointed member is eligible for reappointment.
22 However, a member may not serve more than 8 consecutive years.
23 Other than for an appointment to fill a vacancy in the seat of
24 a member whose term has not yet expired, all appointments
25 shall be for a 4-year term, except that the appointment to
26 seat S-3 for the term commencing on November 19, 2002, shall
27 be for 2 years, terminating on November 15, 2004. Thereafter,
28 the term of office for seat S-3 shall be for 4 years. Other
29 than those persons appointed to fill an unexpired term, all
30 appointed members of the authority shall assume office on the
31 third Tuesday of November in the year of appointment.

1 (e) Each appointed member of the authority must be a
2 person of integrity, responsibility, and business ability who
3 is competent and knowledgeable in one or more fields,
4 including, but not limited to, public affairs, law, economics,
5 accounting, engineering, finance, natural-resources
6 conservation, energy, or another field substantially related
7 to the duties and functions of the authority. The membership
8 of the authority shall fairly represent the specified fields
9 and shall be nonpartisan. It is desirable, but not essential,
10 that one or more appointed members be experienced in an
11 aviation-related field. A person who is serving in another
12 public office is not eligible for appointment unless that
13 person resigns from the other office before being appointed to
14 the authority. A person who, at the time of an anticipated
15 appointment by the Governor, is transacting business with the
16 authority or who is reasonably expected to transact business
17 with the authority, either for himself or herself or as an
18 employee of, agent for, or consultant to any other person or
19 legal entity, may not be appointed as a member of the
20 authority.

21 (f) Any appointed member of the authority may be
22 suspended or removed from office by the Governor for good
23 cause affecting his or her ability to perform his or her
24 duties as a member; for misfeasance, malfeasance, or
25 nonfeasance in office; or for violating his or her duty to
26 avoid conduct tending to undermine decisions of the authority,
27 exposing the authority to liability for damages, injuring the
28 good name of the authority, or disturbing the well-being of
29 the authority's staff or employees.

30 Section 4. Organization and conduct of business of
31 authority.--

1 (1) The authority shall select one of its members as
2 chair, who shall serve as such at the pleasure of the
3 authority. The authority shall also select one of its members
4 to act as secretary of the authority. The authority shall
5 employ a treasurer and may employ an assistant treasurer,
6 neither of whom may be employed as airport manager. The
7 treasurer or, in his or her absence, the assistant treasurer
8 shall sign all checks paid out by the authority, which shall
9 be countersigned by the chair of the authority or, in the
10 absence of the chair, by the vice chair as provided in
11 subsection (19) of section 5. The treasurer shall assist the
12 airport manager in the preparation of the annual airport
13 budget, which budget must be approved by the authority prior
14 to becoming effective. Such persons shall act as secretary of
15 the authority and as treasurer of the authority, respectively,
16 at the pleasure of the authority.

17 (2) A majority of the members of the authority
18 constitutes a quorum, and the affirmative vote of a majority
19 of a quorum of the members of the authority is necessary for
20 any action taken by the authority.

21 (3) Each member may be paid an annual salary of
22 \$2,000, to be paid in equal monthly installments. Members
23 shall be reimbursed for the amount of actual expenses incurred
24 by them in the performance of their duties. Members shall be
25 reimbursed for mileage as provided in section 112.061, Florida
26 Statutes, from their places of residence to the place of
27 meeting and return and for vicinity mileage incurred in the
28 performance of their duties. The members shall also be
29 reimbursed for, or the authority may purchase on a member's
30 behalf, insurance covering a member while traveling on
31 official business. The proceeds of such insurance shall be

1 payable to such beneficiary as the member directs. The travel
2 expenses, subsistence, and lodging expenses of a member of the
3 authority or of an authority employee may not exceed those
4 prescribed by section 112.061, Florida Statutes, unless actual
5 reasonable expenses in excess of those prescribed by section
6 112.061, Florida Statutes, are specifically authorized, prior
7 to the incurring of such expenses, by action of the authority
8 taken at a regular monthly meeting at which the question of
9 such expenses appears as a separate item on the agenda.

10 (4) All medical and dental records and medical and
11 dental claims records in the custody of the authority relating
12 to authority employees, former authority employees, or
13 eligible dependents of such employees enrolled in an authority
14 group insurance plan or self-insurance plan shall be kept
15 confidential and are exempt from the provisions of section
16 119.07(1), Florida Statutes. Such records may not be furnished
17 to any person other than the employee or his or her legal
18 representative, except upon written authorization of the
19 employee, but may be furnished in any civil or criminal
20 action, unless otherwise prohibited by law, upon the issuance
21 of a subpoena from a court of competent jurisdiction and
22 proper notice to the employee or his or her legal
23 representative by the party seeking such records.

24 Section 5. Powers of the authority.--The authority is
25 authorized and empowered:

26 (1) To adopt bylaws for the regulation of its affairs
27 and the conduct of its business.

28 (2) To adopt an official seal and alter the same at
29 its pleasure.

30 (3) To maintain an office at such place or places as
31 it may designate, within Sarasota and Manatee Counties only.

1 (4) To sue and be sued in its own name and plead and
2 be impleaded.

3 (5) To acquire, lease as lessee or lessor, construct,
4 reconstruct, improve, extend, enlarge, equip, repair,
5 maintain, and operate any airport facilities within either or
6 both of the Counties of Sarasota and Manatee.

7 (6) To lease as lessor for other than airport
8 purposes, or to sell or otherwise dispose of, any land or
9 other airport facilities that it has determined are no longer
10 used or useful for airport purposes, subject, however, to any
11 limitations imposed on such leasing or disposition by any
12 bonds issued by the authority hereunder or by any proceedings
13 taken in connection with the issuance of such bonds or by any
14 contracts entered into hereunder with either or both of the
15 Counties of Sarasota and Manatee.

16 (7) To issue bonds of the authority, as provided in
17 this act, to pay the cost of such acquisition, construction,
18 reconstruction, improvement, extension, enlargement, or
19 equipment.

20 (8) To issue refunding bonds of the authority as
21 provided in this act.

22 (9) To combine any airport facilities for the purpose
23 of operation and financing.

24 (10) To fix and revise from time to time and collect
25 rates, fees, and other charges for the use of or for the
26 services furnished by any airport facilities.

27 (11) To acquire real property in the name of the
28 authority by gift, purchase, or the exercise of the power of
29 eminent domain in accordance with the laws of this state which
30 may be applicable to the exercise of such powers by counties
31 or municipalities, including, without limitation, the

1 leasehold interest of lessees under leases made by the
2 authority as lessor; to acquire such personal property as it
3 considers necessary in connection with the acquisition,
4 construction, reconstruction, improvement, extension,
5 enlargement, equipment, operation, maintenance, or repair of
6 any airport facilities; and to hold and dispose of all such
7 real and personal property under its control. The power
8 granted in this subsection, and under subsection (5) for
9 acquisition of lands, is limited to lands or interests therein
10 needed for airport purposes for the existing
11 Sarasota-Bradenton International Airport; however, such
12 limitation does not apply to any other lands or interests
13 therein if:

14 (a) The acquisition is for a general aviation facility
15 that is not acquired for purposes of accommodating major
16 certified air carriers and the acquisition is approved by
17 resolutions of the county and municipality, if any, within
18 which such lands lie; or

19 (b) The acquisition is for use by major certified air
20 carriers and has been approved in a referendum of electors in
21 each of the Counties of Manatee and Sarasota.

22 (12) To exercise the power of eminent domain in
23 accordance with the provisions of chapter 74, Florida
24 Statutes, as from time to time amended, or any successor
25 statute, in the same manner as therein provided for the
26 acquiring of rights-of-way for the state highway system and to
27 take title to lands in fee simple absolute or such lesser
28 estate as may be specified in the declaration of taking, upon
29 the deposit of such sum as the court determines will fully
30 secure and fully compensate the persons lawfully entitled to
31 compensation.

1 (13) To make and enter into all contracts and
2 agreements necessary or incidental to the performance of its
3 duties and the execution of its powers under this act,
4 including a trust agreement or trust agreements securing any
5 bonds issued under this act, and to employ such consulting and
6 other engineers, superintendents, managers, construction and
7 financial experts, accountants and attorneys, and employees
8 and agents as are, in the judgment of the authority,
9 necessary, and to fix and pay their compensation, and, with
10 regard to such superintendents, managers, accountants, and
11 employees, to provide for deferred compensation, health,
12 accident, and disability payments, and other fringe benefits;
13 to provide for health, accident, and disability payments for
14 members of the authority; and to remove any employee at any
15 time upon such notice as the authority considers fair and
16 reasonable by a majority vote of the members of the authority;
17 however, all such expenses must be payable solely from funds
18 made available under the provisions of this act.

19 (14) To accept grants of money or materials or
20 property of any kind for any airport facilities from any
21 federal or state agency, political subdivision, or other
22 public body or from any private agency or individual, upon
23 such terms and conditions as may be imposed, and to enter into
24 contracts and grants agreements with the Federal Aviation
25 Administration, or any successor or successors thereof, and
26 with the State of Florida or any of its agencies, in the
27 capacity of sponsor or cosponsor of any airport development
28 project involving the acquisition, construction,
29 reconstruction, improvement, extension, enlargement, or
30 equipment of any airport facilities owned or operated by the

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1 authority, pursuant to any federal or state law providing for
2 aid to airports.

3 (15) To purchase money mortgages on any additional
4 property purchased by the authority, or to purchase property
5 subject to mortgages; however, the security instrument
6 evidencing any such mortgage must expressly limit and confine
7 the lien of the mortgage to the property so purchased.

8 (16) To borrow money from time to time, and to procure
9 one or more lines of credit from time to time in furtherance
10 thereof, for any corporate purpose of the authority and to
11 secure any such loan by executing a promissory note or notes
12 in the name of the authority pledging any revenues of the
13 authority; however, any such promissory note is, and must
14 state on its face that it is, subordinate and subject in right
15 to payment from the revenues of any airport facilities (but
16 not subordinate and subject in right to payment from federal
17 or state grants unless so provided in any resolution or trust
18 agreement as mentioned hereinafter) to all bonds and bond
19 anticipation notes theretofore or thereafter issued by the
20 authority pursuant to this act or any other statute for the
21 purpose of paying the cost of acquiring, constructing,
22 reconstructing, improving, extending, enlarging, or equipping
23 any airport facilities, except to the extent otherwise
24 provided in any resolution or trust agreement authorizing or
25 securing, respectively, such bonds or bond anticipation notes.

26 (17) To exercise and perform all powers and
27 prerogatives conferred upon political subdivisions by chapter
28 333, Florida Statutes, as from time to time amended, or any
29 successor statute, with respect to the adoption and
30 enforcement of airport zoning regulations under the provisions
31 of that chapter, and, if the authority adopts or causes to be

1 adopted airport zoning regulations pursuant to that chapter,
2 the regulations so adopted supersede the regulations
3 theretofore adopted by the airport zoning board of Sarasota
4 and Manatee Counties, insofar as such regulations of the
5 airport zoning board of Sarasota and Manatee Counties pertain
6 to airports that are under the jurisdiction of the authority.

7 (18) To construct, maintain, operate, lease, and
8 regulate motor vehicle parking facilities for the agents,
9 employees, guests, and business invitees of the authority or
10 its tenants and the visiting public.

11 (a) The authority may enter into lease and franchise
12 agreements with private persons or corporations as tenants or
13 operators of such facilities upon such terms and for such
14 periods of time as the authority considers appropriate. The
15 authority shall hold a public hearing, after the publication
16 of a notice of such hearing in a newspaper of general
17 circulation in Sarasota County and in a newspaper of general
18 circulation in Manatee County at least one time no less than
19 10 days or more than 25 days prior to such hearing, to:

20 1. Consider the establishment of rates or fees, if
21 any, that will be charged to persons who use any such parking
22 facility; or

23 2. Consider any subsequent revisions therein that
24 increase such rates or fees. The authority may pledge the
25 income and revenues derived from such leases and franchise
26 agreements as security for the repayment of loans extended to
27 the authority or as security for the payment of any bonds of
28 the authority issued pursuant to section 6 of this act as it
29 considers necessary or desirable from time to time.

30 (b) The authority may cause any motor vehicle parked
31 on authority property without its permission to be removed by

1 a person regularly engaged in the business of towing motor
2 vehicles, without liability for the cost of removal,
3 transportation, or storage or damages caused by such removal,
4 transportation, or storage, if notice is prominently posted on
5 the property or has been personally given to the owner or
6 driver of the motor vehicle that the area in which such
7 vehicle is parked is reserved or is otherwise unavailable for
8 unauthorized vehicles. Whenever any motor vehicle is so
9 removed, the authority shall, upon request, immediately and
10 without demanding compensation, inform the owner or lessor of
11 such motor vehicle of the name and location of the person or
12 company that removed the vehicle. The person causing the
13 removal of the motor vehicle shall forthwith notify the
14 nearest police department of the removal and the name and
15 location of the person who removed the vehicle.

16 (19) To adopt a budget prior to September 30 of each
17 year for the ensuing fiscal year commencing October 1. The
18 budget, after adoption, may be amended or altered only by
19 action of the authority taken at a regular or special meeting.
20 In any fiscal year, the authority may not authorize the
21 expenditure of authority funds in excess of those budgeted,
22 except to the extent that the actual or anticipated receipts
23 exceed the budgeted income. All checks for disbursement of
24 funds of the authority must be signed by the treasurer or, in
25 the absence of the treasurer, by the assistant treasurer, and
26 must be countersigned by the chair or, in the absence of the
27 chair, by the vice chair. The authority, through its bylaws,
28 shall establish the procedure for determining the absence of
29 the chair or treasurer for purposes of the countersigning of
30 checks by the vice chair or the assistant treasurer,
31 respectively.

1 (20) To do all acts and things necessary or convenient
2 to carry out the powers granted by this act.

3 (21) To invest and reinvest any surplus public funds
4 in its control or possession in such investments as are
5 authorized by law or ordinance for the investment of surplus
6 public funds by the Board of County Commissioners of Sarasota
7 County or Manatee County. Every security purchased on behalf
8 of the authority shall be properly earmarked and:

9 (a) If registered with the issuer or its agents, shall
10 be immediately placed for safekeeping in a location which
11 protects the authority's interest in the security;

12 (b) If in book entry form, shall be held for the
13 credit of the authority by a depository chartered by either
14 the Federal Government or the state and shall be kept by the
15 depository in an account separate and apart from the assets of
16 the financial institution; or

17 (c) If physically issued to the authority but not
18 registered with the issuer or its agents, shall be immediately
19 placed for safekeeping in a safety-deposit box in a financial
20 institution in this state that maintains adequate
21 safety-deposit box insurance.

22 Section 6. Bonds.--

23 (1) The authority may issue, at one time or from time
24 to time, bonds of the authority for the purpose of paying all
25 or any part of the cost of acquiring, constructing,
26 reconstructing, improving, extending, enlarging, or equipping
27 any airport facilities. The bonds of each issue shall be
28 dated, shall mature at such time or times, not exceeding 40
29 years after their date or dates, and shall bear interest at
30 such rate or rates as are determined by the authority, not
31 exceeding the maximum rate then specified in section 215.84,

1 Florida Statutes, unless a higher rate is approved by the
2 State Board of Administration pursuant to that section, and
3 may be made redeemable before maturity, at the option of the
4 authority, at such price or prices and under such terms and
5 conditions as may be fixed by the authority prior to the
6 issuance of the bonds. The authority shall determine the form
7 and the manner of execution of the bonds, including any
8 interest coupons to be attached thereto, and shall fix the
9 denomination or denominations of the bonds and the place or
10 places of payment of principal and interest, which may be at
11 any bank or trust company within or without the state. In case
12 any officer whose signature or a facsimile of whose signature
13 must appear on any bonds or coupons ceases to be such officer
14 before the delivery of such bonds, such signature or such
15 facsimile is nevertheless valid and sufficient for all
16 purposes, the same as if he or she had remained in office
17 until such delivery. Notwithstanding any other provisions of
18 this act or any recitals in any bond issued under the
19 provisions of this act, all such bonds are deemed to be
20 investment securities under chapter 678, Florida Statutes. The
21 bonds may be issued in coupon form or registered form without
22 coupons or both, as the authority determines, and provision
23 may be made for the registration of any coupon bonds as to
24 principal alone and also as to both principal and interest and
25 for the reconversion into coupon bonds of any bonds registered
26 as to both principal and interest. The authority may sell such
27 bonds in such manner, either at public or private sale, and
28 for such price as it determines to be in the best interest of
29 the authority.

30 (2) The proceeds of the bonds of each issue shall be
31 used solely for the purpose for which such bonds were

1 authorized and shall be disbursed in such manner and under
2 such restrictions, if any, as the authority may provide in the
3 resolution authorizing the issuance of such bonds or in the
4 trust agreement securing the same. Unless otherwise provided
5 in the authorizing resolution or in the trust agreement
6 securing such bonds, if the proceeds of such bonds, by error
7 of estimates or otherwise, is less than the amount required
8 for such purpose, additional bonds may in like manner be
9 issued to provide the amount of such deficit and are entitled
10 to payment from the same fund without preference or priority
11 of the bonds first issued for the same purpose.

12 (3) The resolution providing for the issuance of
13 bonds, and any trust agreement securing such bonds, may also
14 contain such limitations upon the issuance of additional bonds
15 as the authority considers proper, and such additional bonds
16 shall be issued under such restrictions and limitations as may
17 be prescribed by such resolution or trust agreement.

18 (4) Prior to the preparation of definitive bonds, the
19 authority may, under like restrictions, issue interim receipts
20 or temporary bonds, with or without coupons, exchangeable for
21 definitive bonds when such bonds have been executed and are
22 available for delivery. The authority may also provide for the
23 replacement of any bonds that become mutilated or that have
24 been destroyed or lost.

25 (5) Bonds may be issued under this act without
26 obtaining the consent of any commission, board, bureau, or
27 agency of the state or of any political subdivision, and
28 without any other proceeding or the happening of other
29 conditions or things than those proceedings, conditions, or
30 things that are specifically required by this act.

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1 Section 7. Rates, fees, and other charges.--The
2 authority may fix and revise from time to time, either by
3 agreement with a user or by resolution of the authority,
4 rates, fees, including, without limitation, landing fees, and
5 other charges for the use of and for the services furnished or
6 to be furnished by any airport facilities owned or operated by
7 the authority. Such rates, fees, and charges are not subject
8 to supervision or regulation by any bureau, board, commission,
9 or other agency of the state or of any political subdivision.
10 Such rates, fees, and charges shall be fixed and revised so
11 that the revenues of the authority, together with any other
12 available funds, will be sufficient at all times:

13 (1) To pay the cost of maintaining, repairing, and
14 operating the airport facilities owned or operated by the
15 authority, including reserves for such purposes; and

16 (2) To pay the principal of and premium, if any, and
17 interest on all bonds issued by the authority under this act
18 to pay for the cost of acquiring, constructing,
19 reconstructing, improving, extending, enlarging, or equipping
20 any airport facilities as the same become due and payable and
21 to provide reserves therefor.

22
23 Notwithstanding any of the foregoing provisions of this
24 section, the authority may enter into contracts relating to
25 the use of, or for the services furnished or to be furnished
26 by, any airport facilities, which contracts are not subject to
27 revision except in accordance with their terms.

28 Section 8. Trust agreement or resolution.--

29 (1) In the discretion of the authority, each or any
30 issue of bonds may be secured by a trust agreement by and
31 between the authority and a corporate trustee, which may be

1 any trust company or bank having the powers of a trust company
2 within or without the state. It is lawful for any bank or
3 trust company incorporated under the laws of this state which
4 may act as depository of the proceeds of bonds or of revenues,
5 to furnish such indemnifying bonds or to pledge such
6 securities as may be required by the authority. The resolution
7 authorizing the issuance of bonds or any trust agreement
8 securing such bonds may set forth the rights and remedies of
9 the bondholders and of the trustee, if any, and may restrict
10 the individual right of action by bondholders. Such resolution
11 or trust agreement may contain such other provisions in
12 addition to the foregoing as the authority considers
13 reasonable and proper for the security of the bondholders. The
14 authority may provide for the payment of the proceeds of the
15 sale of the bonds and the revenues of any airport facilities
16 to such officer, board, or depository as it designates for the
17 custody thereof, and for the method of disbursement thereof,
18 with such safeguards and restrictions as it determines. All
19 expenses incurred in carrying out the provisions of such
20 resolution or trust agreement may be treated as a part of the
21 cost of operation.

22 (2) The resolution authorizing the issuance of bonds
23 to pay the cost of acquiring, constructing, reconstructing,
24 improving, extending, enlarging, or equipping any airport
25 facilities or any trust agreement securing bonds issued for
26 such purpose may pledge the revenues to be received from any
27 airport facilities of the authority, but may not convey or
28 mortgage any of such facilities, and may contain such
29 provisions for protecting and enforcing the rights and
30 remedies of the bondholders as are reasonable and proper and
31 not in violation of law, including, without limitation,

1 covenants setting forth the duties of the authority in
2 relation to the acquisition, construction, reconstruction,
3 improvement, maintenance, repair, operation, and insurance of
4 any such facilities, the fixing and revising of rates, fees,
5 and charges, and the custody, safeguarding, and application of
6 all moneys, and for the employment of consulting engineers in
7 connection with such acquisition, construction,
8 reconstruction, improvement, maintenance, repair, operation,
9 or insurance.

10 (3) Any pledge of revenues of any airport facilities
11 under this act is valid and binding from the time such pledge
12 is made. Any such revenues so pledged and thereafter received
13 by the authority are immediately subject to the lien of such
14 pledge without any physical delivery thereof or further
15 action, and the lien of such pledge is valid and binding as
16 against all parties having claims of any kind in tort,
17 contract, or otherwise against the authority, irrespective of
18 whether such parties have notice thereof.

19 Section 9. Contributions of certain political
20 subdivisions.--

21 (1) The governing body of each of the Cities of
22 Sarasota and Bradenton and each of the Counties of Sarasota
23 and Manatee may make grants of money to the authority and may
24 lease, lend, grant, or convey to the authority, with or
25 without consideration, real or personal property for use by
26 the authority for the acquisition, construction,
27 reconstruction, improvement, extension, enlargement,
28 equipment, maintenance, or operation of any airport
29 facilities; however, if the approval at an election by the
30 qualified electors of any such city or county is required by
31 the constitution of the state, such election must be called,

1 noticed, and conducted and the result thereof determined and
2 declared in the manner required by the Florida Election Code,
3 chapters 97 through 106, Florida Statutes, as from time to
4 time amended, or any successor statute.

5 (2) The board of county commissioners of each of the
6 Counties of Sarasota and Manatee may:

7 (a) Levy annually an ad valorem tax on all the taxable
8 property in such county for the purpose of providing funds for
9 contribution to the authority for use by the authority for the
10 acquisition, construction, reconstruction, improvement,
11 extension, enlargement, equipment, maintenance, or operation
12 of any airport facilities and for the payment of the principal
13 of and premium, if any, and interest on any bonds issued by
14 the authority under this act other than bonds issued pursuant
15 to section 10 of this act.

16 (b) Enter into contracts, with or without
17 consideration, for such periods of time as such board of
18 county commissioners determines, providing for the making of
19 annual or other contributions from any non-ad valorem tax
20 revenues or any ad valorem tax revenues available for such
21 contributions to the authority for use by the authority for
22 the acquisition, construction, reconstruction, improvement,
23 extension, enlargement, equipment, maintenance, repair, or
24 operation of any airport facilities and for the payment of the
25 principal of and premium, if any, and interest on any bonds
26 issued by the authority under this act other than bonds issued
27 pursuant to section 10 of this act or for making up any
28 deficiencies in the revenues of the authority necessary for
29 any such purposes; and pledge the taxing power of such county
30 to the payment of such contributions.

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1 (c) Issue bonds of the county payable from the taxes
2 authorized in this section to be levied or from any other
3 source available to the county, for the purpose of providing
4 funds to be granted to the authority for application to the
5 payment of the cost of acquisition, construction,
6 reconstruction, improvement, extension, enlargement, or
7 equipment of any airport facilities, such bonds to be issued
8 under the provisions of any law applicable to the issuance of
9 bonds or other obligations by the county; however, in any case
10 in which the approval at an election by the qualified electors
11 residing in the county is required by the State Constitution
12 for the exercise of any of the powers conferred by this
13 section, such approval must be obtained before such powers are
14 exercised. Any election to be held for the purpose of
15 obtaining the approval of such qualified electors shall be
16 held and the result thereof determined and declared in the
17 manner provided by the Florida Election Code.

18 (d) Enter into contracts and grant agreements with the
19 Federal Aviation Administration, or any successor or
20 successors thereof, the State of Florida or any of its
21 agencies, and the authority in the capacity of sponsor or
22 cosponsor of any airport development project involving the
23 acquisition, construction, reconstruction, improvement,
24 extension, enlargement, or equipment of any airport facilities
25 owned or operated by the authority, pursuant to any federal or
26 state law providing for aid to airports.

27 (3) The governing body of each of the Cities of
28 Sarasota and Bradenton and each of the Counties of Sarasota
29 and Manatee may purchase, from time to time from any moneys of
30 such city or county which are made available therefor, bonds
31 issued by the authority pursuant to the provisions of this act

1 other than bonds issued pursuant to section 10 of this act;
2 however, not one of such cities or counties may at any one
3 time hold such bonds in a principal amount exceeding \$100,000.

4 Section 10. Industrial development revenue bonds.--

5 (1) It is the purpose of this section to authorize the
6 authority to foster and encourage the development of
7 industrial facilities, including pollution control facilities,
8 to create or preserve employment opportunities, to protect the
9 physical environment, to preserve and increase the prosperity
10 of the Counties of Sarasota and Manatee, and to promote the
11 general welfare of all their citizens without the use of
12 public funds by issuing industrial development revenue bonds
13 to assist the financing of such facilities. It is declared
14 that there are a number of industrial facilities on lands
15 presently owned by the authority which are greatly in need of
16 reconstruction, improvement, remodeling, replacement, or
17 enlargement in order that these lands and facilities may be
18 best utilized pending any future use of such lands and
19 facilities for airport purposes and that the financing of such
20 reconstruction, improvement, remodeling, replacement, or
21 enlargement, as provided in this section, will enable the
22 authority to maintain or increase its income from such lands
23 and facilities. It is further declared that the actions
24 authorized by this section serve a public purpose and that in
25 carrying out the provisions of this section the authority is
26 regarded as performing an essential governmental function. The
27 outstanding industrial development revenue bonds authorized by
28 this section may not at any time exceed \$3 million in the
29 aggregate.

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1 (2) As used in this section, the following terms have
2 the following meanings, unless the context indicates another
3 or different meaning or intent:

4 (a) "Bond" means an evidence of indebtedness issued by
5 the authority under this act to finance an industrial project
6 in whole or in part or to refund indebtedness incurred for
7 that purpose.

8 (b) "Debt service" means the amounts required to pay
9 bonds according to their terms and includes amounts
10 representing principal, premium, and interest.

11 (c) "Financing document" means a written instrument
12 establishing the rights and responsibilities of the authority
13 and the user with respect to an industrial facility financed
14 by the issue of bonds under this act.

15 (d) "Industrial facility" means any property financed
16 or to be financed under the provisions of this section, which
17 may include structures and appurtenances incidental to any of
18 the hereinafter detailed purposes such as utility lines,
19 storage accommodations, or transportation facilities on any
20 property owned by the authority on the effective date of this
21 act, whether real or personal or a combination of both types
22 of property, which is suitable for:

23 1. Manufacturing, processing, assembling, or
24 warehousing goods or materials for sale or distribution, but
25 does not include raw materials, work in process, or stock in
26 trade;

27 2. The conduct of research and development activities;

28 3. Collecting or processing any kind of waste material
29 for reuse or disposal;

30 4. Reducing, mitigating, or eliminating pollution of
31 land, air, or water by substances, heat, or sound; or

1 5. Any combination of the foregoing activities, uses,
2 or purposes.

3 (e) "Industrial project" means the creation,
4 establishment, acquisition, construction, expansion,
5 remodeling, or replacement of an industrial facility financed
6 by the issue of bonds under this act.

7 (f) "Project costs" means any costs or expenses
8 reasonably incidental to an industrial project and may,
9 without limitation, include the costs of:

10 1. Issuing bonds to finance an industrial project;

11 2. Acquiring land, buildings, structures, and
12 facilities, whether by lease, purchase, construction, or
13 otherwise;

14 3. Acquiring rights in or over land, air, or water;

15 4. Improving land and improving buildings, structures,
16 and facilities by remodeling, reconstruction, replacement, or
17 enlargement;

18 5. Acquiring and installing machinery and equipment;

19 6. Obtaining professional or advisory services;

20 7. Paying interest prior to and during construction
21 and until 1 year after completion of a project; and

22 8. Creating reserves.

23 (g) "Security document" means a written instrument
24 establishing the rights and responsibilities of the authority
25 and the holders of bonds issued to finance an industrial
26 facility.

27 (h) "User" means the person entitled to the use or
28 occupancy of an industrial facility and primarily responsible
29 for making payments sufficient to meet the debt service on the
30 bonds issued to finance the facility.

31 (3) The authority may:

1 (a) Engage in industrial projects and acquire and
2 dispose of ownership or possessory interests in industrial
3 facilities located on land owned by the authority on the
4 effective date of this act; however, in the exercise of its
5 powers granted under this section, the authority has no power
6 to sell or convey such land or to encumber the fee simple
7 title to such land by way of mortgage, deed of trust,
8 subordination agreement, or other similar instrument.

9 (b) Issue bonds to:

10 1. Pay project costs;

11 2. Reimburse a user or a related person for payment of
12 project costs made before or after bonds are issued; or

13 3. Refund bonds previously issued.

14 (c) Execute financing documents and security documents
15 and perform obligations and exercise powers created thereby.

16 (d) Dispose of all or part of any industrial facility
17 by sale or otherwise for the benefit of the bondholders in the
18 event of default by a user under a financing document, but
19 only to the extent authorized by the financing document or
20 security document.

21 (e) Make contracts or take any other action that is
22 necessary or desirable in connection with the exercise of the
23 powers granted under this section.

24 (4) This section does not authorize the authority to
25 operate an industrial facility itself or to conduct any
26 business enterprise therewith except to the extent the
27 authority is authorized to do so by any other provision of
28 this act or by any other law.

29 (5) The authority's ownership or possessory interest
30 in the industrial facility under a financing document may,
31 subject to the provisions of paragraph (3)(c), be that of

1 owner, lessor, lessee, conditional or installment vendor,
2 mortgagor, mortgagee, or otherwise.

3 (6) Every financing document must:

4 (a) Provide for payments by the user at such times and
5 in such amounts as are necessary in order to pay the debt
6 service on all bonds issued to finance the industrial project
7 as they become due.

8 (b) Obligate the user to pay all the costs and
9 expenses of operation, maintenance, and upkeep of the
10 industrial facility and to pay reasonable rentals to the
11 authority for the use of any lands and other property of the
12 authority not constituting an industrial facility or part
13 thereof.

14 (7) Any financing document may:

15 (a) Bear any appropriate title.

16 (b) Involve property in addition to the property
17 financed by the bonds.

18 (c) Be in the nature of a lease, a sale and leaseback,
19 a lease purchase, a conditional sale, or an installment sales
20 secured by a purchase money mortgage or any other similar
21 transaction.

22 (d) Provide for payments by the user which include
23 amounts in addition to the amounts required to pay debt
24 service.

25 (e) Obligate a user to make payments before the
26 industrial facility exists or becomes functional and to make
27 payments after the industrial facility has ceased to exist or
28 be functional to any extent and from any cause whatsoever.

29 (f) Obligate a user to make payments regardless of
30 whether the user is in possession or is entitled to be in
31 possession of the industrial facility.

1 (g) Allocate responsibility between the authority and
2 the user for making purchases and contracts required for the
3 project.

4 (h) Provide that some or all of the user's obligations
5 are unconditional and binding and enforceable in all
6 circumstances whatsoever notwithstanding any other provision
7 of law.

8 (i) Contain such other provisions and covenants
9 relating to the use, maintenance, and replacement of the
10 industrial facility as the authority and the user consider
11 necessary for the protection of themselves or others.

12 (8) A security document may:

13 (a) Contain an assignment, pledge, mortgage, or other
14 encumbrance of all or part of the authority's interest in, or
15 right to receive payments with respect to, an industrial
16 facility under a financing document.

17 (b) Bear any appropriate title.

18 (c) Provide for a trustee for the benefit of holders
19 of bonds issued to finance an industrial facility.

20 (d) Be combined with a financing document as one
21 instrument.

22 (e) Contain covenants of the authority as to:

23 1. The creation and maintenance of reserves;

24 2. The issuance of other bonds with respect to the
25 industrial facility;

26 3. The custody, investment, and application of moneys;

27 4. The disposition of insurance or condemnation
28 proceeds;

29 5. The use of surplus bond proceeds;

30 6. Action by the authority in the event of a default
31 by the user under the financing document;

1 7. The subjecting of additional property to the lien
2 of the security document; and

3 8. Any other matter that affects the security of the
4 bonds in any way.

5 (f) Limit the rights of bondholders to enforce
6 obligations of the authority thereunder or under the financing
7 document.

8 (9) Any assignment, pledge, mortgage, or other
9 encumbrance of all or part of the authority's right to receive
10 payments with respect to an industrial facility contained in a
11 security document is valid and binding from the time such
12 security document is executed or adopted; and the payments so
13 assigned, pledged, mortgaged, or otherwise encumbered and
14 thereafter received by the authority are immediately subject
15 to the lien of such assignment, pledge, mortgage, or other
16 encumbrance, with or without any physical delivery thereof or
17 further action; and the lien of such pledge is valid and
18 binding as against all parties having claims of any kind in
19 tort, contract, or otherwise against the authority,
20 irrespective of whether such parties have notice thereof.

21 (10) Bonds of the authority may be issued pursuant to
22 this section in the same manner as provided in sections 6, 11,
23 12, and 13 of this act. The term "trust agreement," as used in
24 such sections, means and includes, in the case of bonds issued
25 pursuant to this section, any security document.

26 (11) Bonds issued under this section do not constitute
27 debts of the state or of any political subdivision thereof or
28 a pledge of the faith and credit of the state or of any
29 political subdivision; however, such bonds are obligations of
30 the authority payable solely from the funds herein provided
31

1 therefor, and a statement to that effect must be recited on
2 the face of the bonds.

3 (12) The financing document and the security document
4 must provide that under no circumstances is the authority
5 obligated, directly or indirectly, to pay the cost of any
6 industrial project, the expenses of operation or maintenance
7 of any industrial facility, or the debt service on any bonds
8 issued to finance an industrial project except from the
9 proceeds of such bonds or from funds received under the
10 financing document, exclusive of any funds received thereunder
11 by the authority for its own use.

12 Section 11. Trust funds.--All moneys received pursuant
13 to the authority of this act are deemed to be trust funds and
14 must be held and applied solely as provided in this act. The
15 resolution authorizing the issuance of bonds or the trust
16 agreement securing such bonds must provide that any officer to
17 whom, or bank, trust company, or fiscal agent to which, such
18 moneys are paid shall act as trustee of such moneys and shall
19 hold and apply the same for the purposes hereof, subject to
20 such regulations as the act and such resolution or trust
21 agreement may provide.

22 Section 12. Remedies.--Any holder of bonds issued
23 under the provisions of this act or of any of the coupons
24 appertaining thereto, and the trustee under any trust
25 agreement, except to the extent the rights herein given may be
26 restricted by the resolution authorizing the issuance of such
27 bonds or such trust agreement, may by suit, action, mandamus,
28 or other proceeding protect and enforce any and all rights
29 under the laws of the state or granted hereunder or under such
30 resolution or trust agreement and may enforce and compel the
31 performance of all duties required by this act or by such

1 resolution or trust agreement to be performed by the authority
2 or by any officer thereof, including the fixing, charging, and
3 collecting of rates, fees, and charges for the use of or for
4 the services furnished by any airport facilities.

5 Section 13. Refunding bonds.--The authority may issue
6 from time to time refunding bonds for the purpose of refunding
7 any bonds of the authority then outstanding, including the
8 payment of any redemption premium thereon and any interest
9 accrued or to accrue to the date of redemption of such bonds.

10 The authority may issue from time to time bonds of the
11 authority for the combined purpose of refunding any bonds of
12 the authority then outstanding, including the payment or any
13 redemption premium thereon and any interest accrued or to
14 accrue to the date of redemption of such bonds, and paying all
15 or any part of the cost of acquiring, constructing,
16 reconstructing, improving, extending, enlarging, or equipping
17 any airport facilities or engaging in any additional
18 industrial project, as the case may be, provided no refunding
19 bonds issued with respect to any industrial project are
20 payable from the revenues of any airport facilities. The
21 issuance of such bonds, the maturities and other details
22 thereof, the rights and remedies of the holders thereof, and
23 the rights, powers, privileges, duties, and obligations of the
24 authority with respect to the same, are governed by the
25 foregoing provisions of this act insofar as the same are
26 applicable.

27 Section 14. Law enforcement functions of the
28 authority.--

29 (1) Definitions.--As used in this section, the term:
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1 (a) "Air operations area" means a portion of the
2 airport designed and used for landing, taking off, or surface
3 maneuvering of airplanes.

4 (b) "Airport" means any real property the fee simple
5 title to which is vested in the airport authority.

6 (c) "Airport grounds" includes all of the airport
7 except for any property or facilities that are under the
8 guidance, supervision, regulation, or control of the
9 University of South Florida.

10 (d) "Traffic," when used as a noun, means the use or
11 occupancy of, and the movement in, on, or over, streets, ways,
12 walks, roads, alleys, parking areas, and air operations areas
13 by vehicles, pedestrians, or ridden or herded animals.

14 (2) Traffic, parking, and security laws and
15 ordinances; applicability to airport grounds.--All provisions
16 of chapters 316 and 318, Florida Statutes, apply to the
17 airport grounds. The ordinances of Sarasota County, Manatee
18 County, and the City of Sarasota that relate to traffic
19 control, the parking of vehicles, including the towing away of
20 unlawfully parked or abandoned vehicles, or the security of
21 air operations areas apply within that part of the airport
22 grounds that lies within the territorial boundaries of the
23 respective county or municipality, provided that no such
24 ordinance is applicable within the airport grounds unless the
25 airport authority by its resolution first requested the
26 respective county or city to adopt such an ordinance, pointing
27 out the general matters or circumstances to be covered by the
28 ordinance, and that any such ordinance adopted at the request
29 of the airport authority must be reasonable and in furtherance
30 of the public health, safety, welfare, and interest. Copies of
31 such applicable ordinances must be posted at the airport on

1 public bulletin boards where notices are customarily posted
2 and must be made available to any person requesting a copy of
3 such ordinances.

4 (3) Airport authority police.--

5 (a) The airport authority may provide for police
6 officers for the airport authority, who shall be designated
7 "airport authority police."

8 (b) The airport authority police are declared to be
9 law enforcement officers of the state and conservators of the
10 peace with the authority to arrest, in accordance with the
11 laws of this state, any person for a violation of state or
12 federal law or an applicable county or municipal ordinance if
13 the violation occurs on airport grounds. Airport authority
14 police may also make arrests in fresh pursuit off airport
15 grounds for such violations if pursuit originated on airport
16 grounds. Airport authority police have full authority to bear
17 arms in the performance of their duties and to execute search
18 warrants within the airport grounds. Airport authority police,
19 when requested by the Sheriff of Sarasota County, the Sheriff
20 of Manatee County, or the chief administrative police officer
21 of the City of Sarasota, may serve subpoenas or other legal
22 process and may make arrests of persons against whom arrest
23 warrants have been issued or charges have been made for
24 violations of federal or state laws or county or municipal
25 ordinances.

26 (c) An airport authority police officer may enforce
27 all applicable laws or ordinances pertaining to traffic,
28 parking, or security on the airport grounds and may issue
29 citations for such violations.

30 (d) Airport authority police must meet the
31 requirements of the Federal Aviation Administration prescribed

1 in Title 14, Chapter 1, Parts 107 and 108, of the Code of
2 Federal Regulations, relating to airport security and airplane
3 operator security. An airport authority police officer has the
4 authority to enforce each security program, and each
5 passenger-screening program, required by the Aviation and
6 Transportation Security Act, Public Law 107-71, or any
7 successor statute.

8 (e) An airport authority police officer shall promptly
9 deliver each person arrested and charged with a felony to the
10 sheriff of the county within which the offense occurred and
11 each person arrested and charged with a misdemeanor to the
12 applicable authority as may be provided by law, but otherwise
13 to the sheriff of the county in which the offense occurred.

14 (f) Each airport authority police officer must meet
15 the minimum standards established by the Criminal Justice
16 Standards and Training Commission of the Department of Law
17 Enforcement and chapter 943, Florida Statutes, for law
18 enforcement officers. Each airport authority police officer
19 must, before entering into the performance of his or her
20 duties, take the oath of office established by the airport
21 authority. The airport authority shall enter into a good and
22 sufficient bond on each airport authority police officer,
23 payable to the Governor and his successors in office, in the
24 penal sum of \$5,000 with a surety company authorized to do
25 business in this state as surety thereon and conditioned on
26 the faithful performance of the duties of the officer. The
27 airport authority shall provide a uniform set of identifying
28 credentials to each airport authority police officer it
29 employs.

30 (g) In the performance of any of the powers, duties,
31 and functions authorized by law, airport authority police have

1 the same rights, protections, and immunities afforded other
2 law enforcement officers by general law.

3 (h) The airport authority may exercise and perform all
4 the powers and prerogatives conferred upon law enforcement
5 agencies by sections 932.701-932.704, Florida Statutes, with
6 respect to forfeiture of contraband.

7 (i) The airport authority, with the approval of the
8 Department of Law Enforcement, shall adopt rules, including,
9 but not limited to, the appointment, employment, and removal
10 of airport authority police and shall establish in writing a
11 police manual, including examples of how to handle a routine
12 law enforcement situation and an emergency law enforcement
13 situation. The airport authority shall furnish a copy of the
14 police manual to each of the airport authority police officers
15 it employs.

16 (4) Airport authority parking enforcement
17 specialists.--

18 (a) The airport authority may provide for parking
19 enforcement specialists for the airport authority, who shall
20 be designated "airport authority parking enforcement
21 specialists."

22 (b)1. An airport authority parking enforcement
23 specialist may enforce, on the airport grounds, all applicable
24 laws and ordinances relating to parking and may issue
25 citations for parking in violation of such laws or ordinances.

26 2. An airport authority parking enforcement specialist
27 may not carry a firearm or other weapon and does not have the
28 authority to make arrests.

29 (c) Each airport authority parking enforcement
30 specialist must meet the minimum standards established by the
31 Criminal Justice Standards and Training Commission of the

1 Department of Law Enforcement for parking enforcement
2 specialists.

3 Section 15. Supplemental rules, regulations, and
4 ordinances.--

5 (1) The City of Sarasota, the County of Sarasota, and
6 the County of Manatee, and their respective governing
7 authorities, are each empowered and authorized to adopt all
8 needful rules, regulations, and ordinances regarding the
9 operation, guidance, docking, storing, parking, fueling,
10 repairing, handling, loading, unloading, and conduct of all
11 aircraft and motor vehicles of any kind with respect to their
12 use or operation over, upon, and within the airport facilities
13 or using airport facilities owned or operated by the
14 authority, provided that such rules, regulations, or
15 ordinances may not be enacted or adopted until the authority
16 by its resolution has first requested the City of Sarasota,
17 the County of Sarasota, or the County of Manatee, as the case
18 may be, to enact and adopt such rules, regulations, and
19 ordinances, pointing out the general matters or circumstances
20 to be covered, and all rules, regulations, and ordinances that
21 are adopted and enacted pursuant to this act must be
22 reasonable and in furtherance of the public health, safety,
23 welfare, and interest.

24 (2) The authority may adopt resolutions requesting the
25 City of Sarasota, the County of Sarasota, and the County of
26 Manatee to enact rules, regulations, and ordinances pursuant
27 to the authority of this act.

28 (3) All rules, regulations, and ordinances adopted and
29 enacted pursuant to the authority of this act, whether enacted
30 by the City of Sarasota, by the County of Sarasota, or by the
31 County of Manatee, operate and are of effect throughout the

1 territory comprising the lands of the authority and the
2 airspace thereover, including the portions of that territory
3 situated within the City of Sarasota and the portions of that
4 territory outside that city in the Counties of Sarasota and
5 Manatee.

6 (4) The City of Sarasota, the County of Sarasota, and
7 the County of Manatee each have full police powers throughout
8 the territory comprising the lands of the authority and the
9 airspace thereover, and each may appoint guards or police to
10 assist in the enforcement of such rules, regulations, and
11 ordinances as it adopts pursuant to the authority of this act.

12 (5) Rules and regulations enacted and adopted by
13 either the County of Sarasota or the County of Manatee
14 pursuant to the authority of this act shall be enforced as are
15 the criminal laws. A violation of such rules and regulations
16 is a misdemeanor.

17 (6) The City of Sarasota may fix by ordinance
18 penalties for the violation of the rules, regulations, and
19 ordinances that it adopts pursuant to the authority of this
20 act.

21 Section 16. Beverage license.--

22 (1) A beverage license, as is provided in sections
23 561.17 and 561.19, Florida Statutes, shall be issued to the
24 authority.

25 (2) Such beverage license shall be issued upon proper
26 application for license to conduct business, as provided by
27 law. The application must be in the name of the
28 Sarasota-Manatee Airport Authority, and when issued it must be
29 issued in the name of such applicant. The applicant shall pay
30 to the tax collector the license fee for the kind of license
31 that the applicant desires, as provided by the Beverage Law.

1 (3) The beverage license shall be for the term
2 provided by, and subject to all provisions of, the Beverage
3 Law and, in any proceeding for suspension or revocation of the
4 license involved, notice and hearing shall be provided the
5 authority to the same extent as provided licensees under the
6 Beverage Law. Any business operated under such beverage
7 license may be operated only by the authority or its lessee of
8 the restaurant and cocktail lounge in the airline terminal
9 building or administration building at the airport operated by
10 the authority, and the license may be transferred to the
11 lessee of that restaurant and cocktail lounge. The authority
12 may make application for the transfer of the license, and the
13 application must be approved by the Division of Alcoholic
14 Beverages and Tobacco in accordance with the same procedure
15 provided for in sections 561.18 and 561.19, Florida Statutes;
16 however, any transfer of the beverage license to the lessee
17 must be on the condition that if the lease is terminated at
18 any time and for any cause, the lessee shall immediately
19 retransfer the beverage license to the authority, and in the
20 event of failure and refusal of the lessee to so retransfer
21 the beverage license, it shall be retransferred to the
22 authority upon proper request made in writing by the
23 authority. Thereafter, the beverage license may be again
24 transferred to any new lessee of the restaurant and cocktail
25 lounge upon the same terms and conditions. The beverage
26 license is at all times the property of the authority, subject
27 to its transfer from time to time to enable the lessee of the
28 restaurant and cocktail lounge to operate business under the
29 beverage license authorized by this act.

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1 Section 17. Administrative procedure.--The authority
2 is not an agency subject to the Administrative Procedure Act
3 under chapter 120, Florida Statutes.

4 Section 18. Tax exemption.--

5 (1) The authority as a public body corporate is deemed
6 a political subdivision within the meaning of the exemptions
7 granted under section 196.199, Florida Statutes.

8 (2) Any bonds issued under this act, their transfer,
9 and the income therefrom (including any profit made on the
10 sale thereof) are at all times free from taxation within the
11 state, except that income derived from such bonds is subject
12 to any tax imposed on such bonds by chapter 220, Florida
13 Statutes, as from time to time amended, or any successor
14 statute.

15 Section 19. Additional method.--This act provides an
16 additional and alternative method for the doing of the things
17 authorized by this act, is supplemental and additional to
18 powers conferred by other laws, and is not in derogation of or
19 repealing of any powers now existing under any other law,
20 whether general, special, or local; however, the issuance of
21 bonds or refunding bonds under the provisions of this act
22 shall comply with the requirements of any other general law
23 applicable to the issuance of bonds.

24 Section 20. Existing resolutions, contracts, and other
25 obligations preserved.--

26 (1) All existing resolutions of the authority and all
27 existing bylaws, rules, and regulations of the authority not
28 inconsistent with the provisions of this act continue in full
29 force and effect until repealed, modified, or amended.

30 (2) All contracts, orders, leases, bonds, notes, and
31 other obligations or instruments entered into by the authority

1 or for its benefit prior to the effective date of this act
2 continue in full force and effect.

3 (3) No action or proceeding of any nature (whether
4 judicial or administrative) pending at the effective date of
5 this act by or against the authority is abated or otherwise
6 affected by the adoption of this act, and no judgment
7 validating any bonds or notes of the authority may be set
8 aside, annulled, or otherwise rendered ineffective by or on
9 account of the adoption of this act.

10 (4) Nothing in this act impairs the rights or
11 incumbency of those who are authority members upon its
12 effective date.

13 Section 4. The provisions of this act are severable,
14 and if any of its provisions shall be held unconstitutional by
15 any court of competent jurisdiction, the decision of such
16 court shall not affect or impair any of the remaining
17 provisions.

18 Section 5. Chapters 91-358, 92-242, 95-493, 97-322,
19 and 2000-480, Laws of Florida, are repealed.

20 Section 6. This act shall take effect upon becoming a
21 law.

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