

Bill No. CS for SB 460

Barcode 111804

CHAMBER ACTION

Senate

House

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The Committee on Governmental Oversight and Productivity
(Sebesta) recommended the following amendment:

Senate Amendment (with title amendment)

On page 2, between lines 18 and 19,

insert:

Section 2. Chapter 332.14, is amended to read:

332.14 Secure Airports for Florida's Economy

Council.--

(1) This section shall be known by the popular name
the "Secure Airports for Florida's Economy Act" or the "SAFE
Act."

(2) The Secure Airports for Florida's Economy (SAFE)
Council is created within the Department of Transportation.
The council shall consist of the following ~~27~~ 7 members
appointed by the Florida Department of Transportation from a
list of recommendations submitted by the Board of the Florida
Airports Council. Council members shall be the airport
director, or his or her designee, of each of the following
airports:

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- a. One large hub commercial airport.
- b. One medium hub commercial airport.
- c. One small hub commercial airport.
- d. One non-hub commercial airport.
- e. Two general aviation airports.
- f. One general aviation reliever airport.

Members shall serve two year terms

~~(a) The airport director, or his or her designee, of each of the following airports:~~

- ~~1. Daytona Beach International Airport.~~
- ~~2. Ft. Lauderdale-Hollywood International Airport.~~
- ~~3. Gainesville Regional Airport.~~
- ~~4. Jacksonville International Airport.~~
- ~~5. Key West International Airport.~~
- ~~6. Melbourne International Airport.~~
- ~~7. Miami International Airport.~~
- ~~8. Naples Municipal Airport.~~
- ~~9. Okaloosa County Regional Airport.~~
- ~~10. Orlando International Airport.~~
- ~~11. Orlando-Sanford International Airport.~~
- ~~12. Palm Beach County International Airport.~~
- ~~13. Panama City-Bay County International Airport.~~
- ~~14. Pensacola Regional Airport.~~
- ~~15. Sarasota-Bradenton International Airport.~~
- ~~16. Southwest Florida International Airport.~~
- ~~17. St. Petersburg-Clearwater International Airport.~~
- ~~18. Tallahassee Regional Airport.~~
- ~~19. Tampa International Airport.~~

~~(b) The executive directors of two general aviation airports appointed by the Florida Airports Council.~~

~~(c) The secretary of the Department of Transportation~~

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1 ~~or his or her designee.~~

2 ~~(d) The director of the Office of Tourism, Trade, and~~
3 ~~Economic Development or his or her designee.~~

4 ~~(e) The secretary of the Department of Community~~
5 ~~Affairs or his or her designee.~~

6 ~~(f) The executive director of the Department of Law~~
7 ~~Enforcement or his or her designee.~~

8 ~~(g) A representative of the airline industry appointed~~
9 ~~by the Air Transport Association.~~

10 ~~(h) A representative of the general aviation industry~~
11 ~~appointed by the Florida Aviation Trades Association.~~

12 (3) Administration--The Department of Transportation
13 shall fund the SAFE Council through annual grants made to the
14 Council. The Department shall fund the Council from funds
15 generated by s. 320.08058(33)(a), as well as other funds
16 provided for in s. 332.007. The SAFE Council may contract for
17 administrative support and services from not-for-profit
18 organizations that represent a majority of public airports in
19 Florida.

20 (4) SAFE Council Advisory Board--The SAFE Council
21 shall identify and utilize, to the extent necessary, airports,
22 aviation industry, and agency representatives to advise their
23 policy and planning activities. The Council shall establish a
24 SAFE Council Advisory Board to consist of representatives from
25 industry and local, state, and federal agencies including, but
26 not limited to, representatives of the Florida Department of
27 Transportation, the Office of Tourism, Trade, and Economic
28 Development, the Department of Community Affairs, and
29 Department of Law Enforcement.

30 ~~(5)(3)~~ Members of the council shall serve without
31 compensation but are entitled to receive reimbursement for per

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1 diem and travel expenses as provided in s. 112.061. ~~The~~
 2 ~~council may elect to hire an administrative staff to provide~~
 3 ~~services to the council on matters relating to the SAFE Act~~
 4 ~~and the council.~~

5 ~~(6)-(4)~~ The council shall adopt bylaws governing the
 6 manner in which the business of the council will be conducted.
 7 The bylaws shall specify the procedure by which the chair of
 8 the council is elected. The council shall meet at the call of
 9 its chair, at the request of a majority of its membership, or
 10 at such times as may be prescribed in its bylaws. However, the
 11 council must meet at least once ~~twice~~ a year. All members of
 12 the council are voting members. A majority of voting members
 13 of the council constitutes a quorum for the purpose of
 14 transacting the business of the council. A vote of the
 15 majority of the members present is sufficient for any action
 16 of the council, ~~except that a member representing the~~
 17 ~~Department of Transportation, the Department of Community~~
 18 ~~Affairs, the Department of Law Enforcement, or the Office of~~
 19 ~~Tourism, Trade, and Economic Development may vote to overrule~~
 20 ~~any action of the council approving a project pursuant to~~
 21 ~~paragraph (7)(a). The bylaws of the council may require a~~
 22 ~~greater vote for a particular action.~~

23 ~~(7)(5)(a)~~ The council shall prepare a 5-year SAFE
 24 Master Plan defining the goals and objectives of the council
 25 concerning the development of airport facilities ~~and an~~
 26 ~~intermodal transportation system~~ consistent with the goals of
 27 the Florida Transportation Plan developed pursuant to s.
 28 339.155. The SAFE Master Plan may ~~shall~~ include specific
 29 recommendations for:

- 30 1. Ensuring the safety, security and economic well
 31 being of commercial service, general aviation airports, and

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1 aviation related infrastructure in the State of Florida. The
2 ~~acquisition and construction of transportation facilities~~
3 ~~connecting any airport to another transportation mode.~~

4 2. The acquisition and construction of transportation
5 facilities or airport facilities for the purpose of protecting
6 the safety and security of passengers and cargo, ~~enhancing~~
7 ~~international trade, promoting cargo flow, increasing~~
8 ~~enplanements, increasing airport revenues,~~ and providing
9 economic benefits to the state.

10 (b) The council shall update the 5-year SAFE Master
11 Plan annually and shall submit the plan, no later than
12 February 1 of each year, to the President of the Senate, the
13 Speaker of the House of Representatives, the Department of
14 Transportation, the Department of Community Affairs, the
15 Department of Law Enforcement, and the Office of Tourism,
16 Trade, and Economic Development.

17 (8)(6) The council shall ~~develop~~ make recommendations
18 for the development programs, based on an examination of
19 existing programs in Florida and other states, for the
20 training of minorities and secondary school students in job
21 skills associated with employment opportunities in the
22 aviation industry. Annually, the council shall report on the
23 progress of these programs and make recommendations for
24 further action to the President of the Senate and the Speaker
25 of the House of Representatives.

26 (9)(7) The SAFE council may utilize, as appropriate
27 and with legislative spending authorization, any federal,
28 state, and local government contributions as well as private
29 donations to fund SAFE Master Plan projects.

30 (10) The Safe Council shall be available to the
31 Secretary of the Department of Transportation to provide

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1 advice on issues pertaining to the Florida Aviation System
2 Plan.

3 ~~(11)(a)~~ The council shall adopt rules for evaluating
4 projects which may be funded under this act. The rules shall
5 provide criteria for evaluating the economic benefit of the
6 project, measured by the potential for the proposed project to
7 maintain or increase airport security, enplanements, cargo
8 flow, international commerce, airport revenues, and the number
9 of jobs for the airport's local community.

10 ~~(b)~~ ~~The council shall review and approve or disapprove~~
11 ~~each project eligible to be funded pursuant to this act. The~~
12 ~~council shall annually submit a list of projects which have~~
13 ~~been approved by the council to the Secretary of~~
14 ~~Transportation, the Secretary of Community Affairs, the~~
15 ~~executive director of the Department of Law Enforcement, and~~
16 ~~the director of the Office of Tourism, Trade, and Economic~~
17 ~~Development. The list shall specify the recommended funding~~
18 ~~level for each project, and, if staged implementation of the~~
19 ~~project is appropriate, the funding requirements for each~~
20 ~~stage shall be specified.~~

21 ~~1.~~ ~~The Department of Community Affairs shall review~~
22 ~~the list of projects approved by the council to determine~~
23 ~~consistency with approved local government comprehensive plans~~
24 ~~of the units of local government in which the airport is~~
25 ~~located and consistency with the airport master plan. The~~
26 ~~Department of Community Affairs shall identify and notify the~~
27 ~~council of those projects which are not consistent, to the~~
28 ~~maximum extent feasible, with such comprehensive plans and~~
29 ~~airport master plans.~~

30 ~~(12)2.~~ The Department of Transportation shall review
31 the list of projects approved by the council for consistency

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1 with the Florida Transportation Plan and the department's
2 adopted work program. In evaluating the consistency of a
3 project, the department shall determine whether the
4 transportation impact of the proposed project is adequately
5 handled by existing state-owned transportation facilities or
6 by the construction of additional state-owned transportation
7 facilities as identified in the Florida Transportation Plan
8 and the department's adopted work program. In reviewing for
9 consistency a transportation facility project as defined in s.
10 334.03(31) which is not otherwise part of the department's
11 work program, the department shall evaluate whether the
12 project is needed to provide for projected movement of cargo
13 or passengers from the airport to a state transportation
14 facility or local road. If the project is needed to provide
15 for projected movement of cargo or passengers, the project
16 shall be approved for consistency as a consideration to
17 facilitate the economic development and growth of the state in
18 a timely manner. The department shall identify those projects
19 which are inconsistent with the Florida Transportation Plan
20 and the adopted work program and shall notify the council of
21 projects found to be inconsistent.

22 ~~(13)~~3. The Office of Tourism, Trade, and Economic
23 Development, in consultation with Enterprise Florida, Inc.,
24 shall review the list of projects approved by the council to
25 evaluate the economic benefit of the project and to determine
26 whether the project is consistent with the SAFE Master Plan.
27 The Office of Tourism, Trade, and Economic Development shall
28 review the economic benefits of each project based upon the
29 rules adopted pursuant to paragraph (a). The Office of
30 Tourism, Trade, and Economic Development shall identify those
31 projects which it has determined do not offer an economic

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1 benefit to the state or are not consistent with the SAFE
2 Master Plan and shall notify the council of its findings.

3 ~~(14)~~4. The Department of Law Enforcement shall review
4 the list of projects approved by the council for consistency
5 with domestic security provisions of ss. 943.03101, 943.0311,
6 and 943.0312. The Department of Law Enforcement shall identify
7 those projects that it has determined are inconsistent with
8 the state's strategic plan for domestic security and shall
9 notify the council of its findings.

10 ~~(8) The council shall review the findings of the~~
11 ~~Department of Community Affairs, the Department of Law~~
12 ~~Enforcement, the Department of Transportation, and the Office~~
13 ~~of Tourism, Trade, and Economic Development. Projects found to~~
14 ~~be inconsistent by the review process under subparagraphs~~
15 ~~(7)(b)1.-4. and projects which have been determined not to~~
16 ~~offer an economic benefit to the state by the review process~~
17 ~~under subparagraph (7)(b)3. shall be removed from the list of~~
18 ~~projects to be funded.~~

19 ~~(9) The cost for administrative services of the~~
20 ~~council shall be paid by all airports that receive funding~~
21 ~~under the SAFE Act, based upon a pro rata formula measured by~~
22 ~~each recipient's share of the funds as compared to the total~~
23 ~~funds disbursed to all recipients during the year. The share~~
24 ~~of costs for administrative services shall be paid in its~~
25 ~~total amount by the recipient airport upon execution by the~~
26 ~~airport and the Department of Transportation of a joint~~
27 ~~participation agreement for each council-approved project, and~~
28 ~~such payment is in addition to the matching funds required to~~
29 ~~be paid by the recipient airport.~~

30 ~~(15)(10)~~ Except as otherwise exempted by law, all
31 moneys derived from the SAFE programs shall be expended in

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1 accordance with the provisions of s. 287.057. Airports subject
2 to competitive negotiation requirements of a local governing
3 body are exempt from this requirement.

4 ~~(16)(11)~~ Project funding expended pursuant to this act
5 shall be monitored for compliance with all applicable laws.

6 (17) The SAFE Council shall sunset on January 1, 2009.

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8 (Redesignate subsequent sections.)

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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 1, between lines 7 and 8,

14

15 insert:

16 amending s. 332.14, F.S., reducing the number
17 of members of the Secure Airports for Florida's
18 Economy Council; providing for the funding of
19 the Council through annual grants made by the
20 Department of Transportation; providing the
21 Council may contract for administrative
22 support; providing the Council shall establish
23 an advisory board; providing the Council may
24 advise the Department of Transportation on
25 aviation issues; removing the Department of
26 Community Affairs from the review of Council
27 products; eliminating the requirement for
28 airports to fund the Council; establishing that
29 the Council shall sunset on January 1, 2009.

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