

1                                   A bill to be entitled  
2           An act relating to the Sarasota Manatee Airport Authority;  
3           amending chapter 2003-309, Laws of Florida; authorizing  
4           and empowering the authority to be and serve as a local  
5           agency under part II, chapter 159, F.S., the Florida  
6           Industrial Development Financing Act; eliminating the  
7           aggregate limit on outstanding industrial development  
8           revenue bonds issued by the authority; authorizing and  
9           empowering the authority, to the extent permitted by the  
10          State Constitution and laws of this state, to establish,  
11          operate, or support subsidiary and affiliate entities,  
12          either for profit or not for profit, and to establish or  
13          support nonaffiliated corporations not for profit, to  
14          assist the authority in fulfilling its declared public  
15          purposes; authorizing the authority to participate in  
16          lawful forms of business organization to provide airport  
17          or aviation services or engage in activities related  
18          thereto; deleting hyphens in "Sarasota-Manatee Airport  
19          Authority" and "Sarasota-Bradenton International Airport";  
20          substituting the Transportation Security Administration  
21          for the Federal Aviation Administration as the federal  
22          agency authorized to enforce security programs; renaming  
23          "airport authority police" as "airport police"; changing  
24          the reference to adjacent campus from "University of South  
25          Florida" to "New College of Florida" for purposes of  
26          defining "airport grounds"; renaming "airport authority  
27          parking enforcement specialists" as "traffic control  
28          specialists"; providing an effective date.

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

Section 1. Section 1, subsection (1) of section 3, subsection (11) of section 5, subsection (1) of section 10, subsections (1), (3), and (4) of section 14, and subsection (2) of section 16 of section 3 of chapter 2003-309, Laws of Florida, are amended, and subsections (22) and (23) are added to section 5 of that section, to read:

Section 1. Short title.--This act may be cited as ~~shall be known by the popular name~~ the "Sarasota Manatee ~~Sarasota Manatee~~ Airport Authority Act."

Section 3. Creation and membership of authority.--

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

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

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

HB 1579

2006

57 interest of lessees under leases made by the authority as  
58 lessor; to acquire such personal property as it considers  
59 necessary in connection with the acquisition, construction,  
60 reconstruction, improvement, extension, enlargement, equipment,  
61 operation, maintenance, or repair of any airport facilities; and  
62 to hold and dispose of all such real and personal property under  
63 its control. The power granted in this subsection, and under  
64 subsection (5) for acquisition of lands, is limited to lands or  
65 interests therein needed for airport purposes for the existing  
66 Sarasota Bradenton ~~Sarasota-Bradenton~~ International Airport;  
67 however, such limitation does not apply to any other lands or  
68 interests therein if:

69 (a) The acquisition is for a general aviation facility  
70 that is not acquired for purposes of accommodating major  
71 certified air carriers and the acquisition is approved by  
72 resolutions of the county and municipality, if any, within which  
73 such lands lie; or

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

77 (22) To the extent permitted by the State Constitution and  
78 laws of this state, to establish, operate, or support  
79 subsidiaries and affiliates, either for profit or not for  
80 profit, to assist the authority in fulfilling its declared  
81 public purposes, including, but not limited to, the provision of  
82 airport and aviation-related services to other airport owners or  
83 operators and to aviation-related businesses and the  
84 acquisition, management, and disposition of properties; to

85 establish or support nonaffiliated corporations not for profit  
86 that operate primarily within Sarasota and Manatee Counties and  
87 that have as their purposes the furtherance of the authority's  
88 provision and support of its airport, airport facilities, and  
89 airport operations and system; and to accomplish such  
90 establishment, operation, or support of any such subsidiary,  
91 affiliate, or nonaffiliated corporation not for profit by means  
92 of loans of funds either interest-free or at low interest,  
93 leases of real or personal property either rent-free or for low  
94 rental, gifts and grants of funds, or guarantees of indebtedness  
95 of such subsidiaries, affiliates, and nonaffiliated corporations  
96 not for profit; however, the subsidiary or affiliate  
97 corporations or nonaffiliated corporations not for profit  
98 authorized by this subsection shall not be empowered to engage  
99 in business activities within the air operations area of the  
100 Sarasota Bradenton International Airport, except to the extent  
101 that such activities involve the provision of direct services to  
102 air carriers or involve the manufacture, processing, or assembly  
103 of goods or materials for sale or distribution. The  
104 establishment, operation, or support of a subsidiary or  
105 affiliate corporation or nonaffiliated corporation not for  
106 profit is hereby found and declared to be a public purpose and  
107 necessary for the authority to carry out its public  
108 responsibilities and for the welfare of the authority, the  
109 inhabitants of Sarasota and Manatee Counties, airport users, and  
110 the traveling public. It is the intent of the Legislature to  
111 authorize the formation of the entities described in this  
112 subsection to further the interests of the residents of Sarasota

HB 1579

2006

113 and Manatee Counties in maintaining the financial well-being of  
114 the authority by providing, directly or indirectly, for the  
115 delivery, financing, and support of aviation and airport  
116 services and related activities to the extent consistent with  
117 the financial, facility, and development needs of the authority.

118 (23) To the extent permitted by the State Constitution and  
119 laws of this state, to participate as a shareholder in a  
120 corporation, a joint venturer in a joint venture, a partner in a  
121 limited partnership or a general partnership, or a member of a  
122 limited liability company or any other lawful form of business  
123 organization that provides airport or aviation services or  
124 engages in activities related thereto; to make or arrange for  
125 loans, contributions to capital, and other debt and equity  
126 financing for the activities of such corporations, joint  
127 ventures, partnerships, or other lawful forms of business  
128 organization and to guarantee loans for such purposes; to elect  
129 the boards of directors of its corporations not for profit; and  
130 to utilize, for any lawful purpose, assets and resources of the  
131 authority to the extent not needed for airport, aviation, and  
132 related activities; however, the authority shall not be  
133 empowered to utilize the forms of business organization  
134 authorized by this subsection to engage in business activities  
135 within the air operations area of the Sarasota Bradenton  
136 International Airport, except to the extent that such activities  
137 involve the provision of direct services to air carriers or  
138 involve the manufacture, processing, or assembly of goods or  
139 materials for sale or distribution. Any organization described  
140 in this subsection or subsection (22) shall be exempt from state

HB 1579

2006

141 and local taxation to the extent that said organizations engage  
142 in educational, scientific, charitable, or governmental  
143 purposes.

144 Section 10. Industrial development revenue bonds.--

145 (1) It is the purpose of this section to authorize the  
146 authority to foster and encourage the development of industrial  
147 facilities, including pollution control facilities, to create or  
148 preserve employment opportunities, to protect the physical  
149 environment, to preserve and increase the prosperity of the  
150 Counties of Sarasota and Manatee, and to promote the general  
151 welfare of all their citizens without the use of public funds by  
152 issuing industrial development revenue bonds to assist the  
153 financing of such facilities. It is declared that there are a  
154 number of industrial facilities on lands presently owned by the  
155 authority which are greatly in need of reconstruction,  
156 improvement, remodeling, replacement, or enlargement in order  
157 that these lands and facilities may be best utilized pending any  
158 future use of such lands and facilities for airport purposes and  
159 that the financing of such reconstruction, improvement,  
160 remodeling, replacement, or enlargement, as provided in this  
161 section, will enable the authority to maintain or increase its  
162 income from such lands and facilities. It is further declared  
163 that the actions authorized by this section serve a public  
164 purpose and that in carrying out the provisions of this section  
165 the authority is regarded as performing an essential  
166 governmental function. The authority is expressly authorized and  
167 empowered to do all acts or things necessary or proper to be and  
168 serve as a local agency under part II of chapter 159, Florida

169 Statutes, with respect to any project as defined therein. Any  
 170 bonds issued by the authority pursuant to part II of chapter  
 171 159, Florida Statutes, shall be entitled to all the benefits  
 172 contained in said part, including, but not limited to, ss.  
 173 159.31, 159.39, and 159.40, Florida Statutes ~~outstanding~~  
 174 ~~industrial development revenue bonds authorized by this section~~  
 175 ~~may not at any time exceed \$3 million in the aggregate.~~

176 Section 14. Law enforcement functions of the authority.--

177 (1) Definitions.--As used in this section, the term:

178 (a) "Air operations area" means a portion of the airport  
 179 designed and used for landing, taking off, or surface  
 180 maneuvering of airplanes.

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

183 (c) "Airport grounds" includes all of the airport except  
 184 for any property or facilities that are under the guidance,  
 185 supervision, regulation, or control of New College ~~the~~  
 186 ~~University~~ of South Florida.

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

191 (3) Airport ~~authority~~ police.--

192 (a) The airport authority may provide for police officers  
 193 for the airport authority, who shall be designated "airport  
 194 ~~authority~~ police."

195 (b) The airport ~~authority~~ police are declared to be law  
 196 enforcement officers of the state and conservators of the peace

197 with the authority to arrest, in accordance with the laws of  
 198 this state, any person for a violation of state or federal law  
 199 or an applicable county or municipal ordinance if the violation  
 200 occurs on airport grounds. Airport ~~authority~~ police may also  
 201 make arrests in fresh pursuit off airport grounds for such  
 202 violations if pursuit originated on airport grounds. Airport  
 203 ~~authority~~ police have full authority to bear arms in the  
 204 performance of their duties and to execute search warrants  
 205 within the airport grounds. Airport ~~authority~~ police, when  
 206 requested by the Sheriff of Sarasota County, the Sheriff of  
 207 Manatee County, or the chief administrative police officer of  
 208 the City of Sarasota, may serve subpoenas or other legal process  
 209 and may make arrests of persons against whom arrest warrants  
 210 have been issued or charges have been made for violations of  
 211 federal or state laws or county or municipal ordinances.

212 (c) An airport ~~authority~~ police officer may enforce all  
 213 applicable laws or ordinances pertaining to traffic, parking, or  
 214 security on the airport grounds and may issue citations for such  
 215 violations.

216 (d) Airport ~~authority~~ police must meet the requirements of  
 217 the Transportation Security ~~Federal Aviation~~ Administration  
 218 prescribed in Title 49 ~~14~~, ~~Chapter 1~~, Parts 1542 ~~107~~ and 1544  
 219 ~~108~~, of the Code of Federal Regulations, relating to airport  
 220 security and airplane operator security. An airport ~~authority~~  
 221 police officer has the authority to enforce each security  
 222 program, and each passenger-screening program, required by the  
 223 Aviation and Transportation Security Act, Public Law 107-71, or  
 224 any successor statute.



225 (e) An airport ~~authority~~ police officer shall promptly  
226 deliver each person arrested and charged with a felony to the  
227 sheriff of the county within which the offense occurred and each  
228 person arrested and charged with a misdemeanor to the applicable  
229 authority as may be provided by law, but otherwise to the  
230 sheriff of the county in which the offense occurred.

231 (f) Each airport ~~authority~~ police officer must meet the  
232 minimum standards established by the Criminal Justice Standards  
233 and Training Commission of the Department of Law Enforcement and  
234 chapter 943, Florida Statutes, for law enforcement officers.  
235 Each airport ~~authority~~ police officer must, before entering into  
236 the performance of his or her duties, take the oath of office  
237 established by the airport authority. The airport authority  
238 shall enter into a good and sufficient bond on each airport  
239 ~~authority~~ police officer, payable to the Governor and his  
240 successors in office, in the penal sum of \$5,000 with a surety  
241 company authorized to do business in this state as surety  
242 thereon and conditioned on the faithful performance of the  
243 duties of the officer. The airport authority shall provide a  
244 uniform set of identifying credentials to each airport ~~authority~~  
245 police officer it employs.

246 (g) In the performance of any of the powers, duties, and  
247 functions authorized by law, airport ~~authority~~ police have the  
248 same rights, protections, and immunities afforded other law  
249 enforcement officers by general law.

250 (h) The airport authority may exercise and perform all the  
251 powers and prerogatives conferred upon law enforcement agencies

252 by sections 932.701-932.704, Florida Statutes, with respect to  
 253 forfeiture of contraband.

254 (i) The airport authority, with the approval of the  
 255 Department of Law Enforcement, shall adopt rules, including, but  
 256 not limited to, the appointment, employment, and removal of  
 257 airport ~~authority~~ police and shall establish in writing a police  
 258 manual, including examples of how to handle a routine law  
 259 enforcement situation and an emergency law enforcement  
 260 situation. The airport authority shall furnish a copy of the  
 261 police manual to each of the airport ~~authority~~ police officers  
 262 it employs.

263 (4) Traffic control ~~Airport authority parking enforcement~~  
 264 specialists.--

265 (a) The airport authority may provide for traffic control  
 266 ~~parking enforcement~~ specialists for the airport authority, who  
 267 shall be designated "traffic control ~~airport authority parking~~  
 268 ~~enforcement~~ specialists."

269 (b)1. A traffic control ~~An airport authority parking~~  
 270 ~~enforcement~~ specialist may enforce, on the airport grounds, all  
 271 applicable laws and ordinances relating to parking and may issue  
 272 citations for parking in violation of such laws or ordinances.

273 2. A traffic control ~~An airport authority parking~~  
 274 ~~enforcement~~ specialist may not carry a firearm or other weapon  
 275 and does not have the authority to make arrests.

276 (c) Each traffic control ~~airport authority parking~~  
 277 ~~enforcement~~ specialist must meet the minimum standards  
 278 established by the Criminal Justice Standards and Training

HB 1579

2006

279 Commission of the Department of Law Enforcement for traffic  
280 control ~~parking enforcement~~ specialists.

281 Section 16. Beverage license.--

282 (2) Such beverage license shall be issued upon proper  
283 application for license to conduct business, as provided by law.  
284 The application must be in the name of the Sarasota Manatee  
285 ~~Sarasota Manatee~~ Airport Authority, and when issued it must be  
286 issued in the name of such applicant. The applicant shall pay to  
287 the tax collector the license fee for the kind of license that  
288 the applicant desires, as provided by the Beverage Law.

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