

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Codification

Codification is the process of bringing a special act up-to-date. After a special district is created, special acts often amend or alter the special district's charter provisions. To ascertain the current status of a special district's charter, it is necessary to research all amendments or changes made to the charter since its inception or original passage by the Legislature. Codification of special district charters is important because it allows readers to more easily determine the current charter of a district.

Codification of special district charters was initially authorized by the 1997 Legislature and is codified in s. 189.429, F.S. and s. 191.015, F.S. The 1998 Legislature subsequently amended both sections of the statute. Current law provides for codification of all special district charters by December 1, 2004. The 1998 law allows for the adoption of the codification schedule provided for in an October 3, 1997 memorandum issued by the Chair of the Committee on Community Affairs. Any codified act relating to a special district must provide for the repeal of all prior special acts of the Legislature relating to the district. Additionally, the 2001 Legislature amended s. 189.429, F.S. to provide that reenactment of existing law pursuant to s. 189.429, F.S.: (1) shall not be construed to grant additional authority nor to supersede the authority of an entity; (2) shall continue the application of exceptions to law contained in special acts reenacted pursuant to the section; (3) shall not be construed to modify, amend, or alter any covenants, contracts, or other obligations of any district with respect to bonded indebtedness; and (4) shall not be construed to affect a district's ability to levy and collect taxes, assessments, fees, or charges for the purpose of redeeming or servicing the district's bonded indebtedness.

Since the enactment of ss. 189.429 and 191.015, F.S., 201 special districts (includes local bills that were vetoed or filed and did not pass the Legislature) have codified their charters.

Although the deadline for submission of a codified charter by all special districts was prior to the 2005 Legislative session, all special districts have not complied with this requirement, and proposed codification bills for other special districts have not been enacted by the Legislature or have been vetoed by the Governor. As a result, additional proposed codification bills are anticipated.

Gainesville-Alachua County Regional Airport Authority

The Gainesville-Alachua County Regional Airport Authority is a dependent special district located in Alachua County. The Authority was created under ch. 86-469, L.O.F., which has been amended by subsequent special acts. The Authority has nine appointed board members who serve 3-year terms. The Authority has jurisdiction over operation, maintenance, and improvements to the airport and its facilities. The Authority has authority to enter into contracts, lease the airport and its facilities, accept revenues from the operation of the airport, undertake capital projects, issue revenue bonds, and fix and collect fees and other charges for the use of the airport and its facilities. The Authority may also acquire land in the name of the City by eminent domain, appoint guards or police with full police powers and expend funds to advertise and promote the airport.

Changes to the Gainesville-Alachua County Regional Airport Authority Charter

This bill codifies, or reenacts, all prior special acts of the district into a single act, as required by s. 189.429, F.S. Reenactment of existing law is permitted by this section, although this reenactment is

not to be construed as a grant of additional authority. The exclusive charter of the Authority is recreated by this bill.

The bill contains provisions which do not simply codify existing law, but amend the charter of the Authority, as follows:

- Deletes specified provisions relating to the Authority board membership, status of District¹, terms of Authority members, certain powers and duties of the Authority, and a building restriction provision.
- Provides a list of Legislative findings, which include the following:
 - The proper operation of a publicly owned or operated airport in the county is essential to the welfare of the people of the Gainesville-Alachua County area, the state, and the people of the state.
 - A publicly owned or operated airport in the county establishes a vital transportation link between the state and the economic systems of the nation and the world and enables the state to enjoy and provide the benefits of an international tourist and commercial center.
 - The economic validity and stability of a publicly owned or operated airport in the county is a matter of statewide importance.
 - The policy of this state is to promote the development of commerce and tourism and to secure for the state's residents the benefits of those activities conducted in the state.
 - The proper operation of a publicly owned or operated airport in the county is essential to the welfare of the state and its people, and the Legislature recognizes and affirms such operation as a governmental function to be discharged in furtherance of the policy of securing the benefits of commerce and tourism for the state and its people.
- Provides a list of Legislative intent statements, including:
 - The Authority comply with federal law regarding expenditure of federal moneys.
 - This act not be construed as impairing or infringing upon any rights, privileges, or benefits enjoyed by any employee of the Authority who is so employed on the effective date of this act.
 - The members and employees of the authority comply with the code of ethics provisions under part III of chapter 112, F.S.
 - This act provide an additional, alternative, and complete method for the exercise of the powers granted and authorized by this act and be regarded as supplemental to powers conferred by other laws and not as a derogation of any powers now existing.
 - The Authority manage airport facilities and grant airport concessions to further the development of commerce and tourism in or affecting the Gainesville-Alachua County area and the state. In managing its facilities and granting concessions for services to the public, the Authority shall promote the development of commerce and tourism by:
 - Securing a diversity of airport services.
 - Avoiding wasteful duplication of such services.
 - Securing for the users of the airport safe, courteous, and quality service.
 - Limiting or prohibiting business competition that is destructive to the promotion of commerce and tourism in the state.
 - Allocating limited airport resources to promote such ends.
 - Fostering Florida's image as a commercial and tourism center.
- Adds the following definitions: "Airport lands" and "Airport facility district."
- Declares the Authority lands and other real and personal property, easements, and privileges acquired and used by the Authority have been acquired and used for public and governmental purposes and as a matter of public necessity.
- States the Authority is an independent special district.

¹ See ch. 86-469, L.O.F. § 3; ch. 95-457, L.O.F. § 1. The Authority is listed as an independent district on the 2006 Special District Information Database, <http://www.floridaspecialdistricts.org/OfficialList/report.asp>.

- States the Authority has exclusive jurisdiction, control, supervision, and management over all airports in the County except privately owned airports.
- Provides for subsequent appointments of members when their term limits expire or upon the effective date of this act, provides for a replacement if a member's term limit has expired.
- Provides for a 4-year term instead of a 3-year term and provides no member will serve more than two successive terms.
- Requires no traditional public notice for emergency meetings.
- Clarifies restrictions on previous board member transactions on business dealings, representing of business entities, and submission of proposals for doing business with the Authority.
- States no member, as an individual, may represent the Authority without being directed through a formal action of the governing board to do so.
- Provides the Authority has exclusive jurisdiction over the operation and maintenance of and improvements to airport lands and provides the Authority shall oversee the airport, consisting of airport lands for purposes of City of Gainesville land use regulations, which will govern items including, but not limited to, height, landscaping, sidewalks, and lighting.
- Provides for an alcoholic beverage license.
- Provides for a discrimination clause prohibiting:
 - (1) the authority and its lessees, including successors in interest, shall not because of race, color, sex, religion, national origin, age, disability, or sexual orientation of any individual refuse to hire or employ, or bar or discharge from employment, such individual or to otherwise discriminate against such individual with respect to compensation, hire, tenure, terms, conditions, or privileges of employment.
 - (2) No person on the grounds of race, color, sex, religion, national origin, age, disability, or sexual orientation shall be excluded from the participation in, denied the benefits of, or otherwise subjected to discrimination in the use of leased premises of the authority.
 - (3) In furnishing services or materials, or in the construction of any improvements, no person shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination with respect thereto.
 - (4) There is no right to apply to the court for relief on account of any order, requirement, decision, determination, or action of the authority under this section unless there has been an appeal to the authority.

Charter of the Authority

This bill recreates and reenacts the Authority's charter as follows:

- Section 1. Provides for a short title.
- Section 2. Provides Legislative findings and intent.
- Section 3. Provides definitions for "Airport", "Airport facilities", "Airport lands", "Airport facility district", "Authority", "Authorized project", "Board of county commissioners", "Bond", "City", "County", "Person", "Revenue bonds", and "Refunding bonds."²
- Section 4. Recreates the Gainesville-Alachua County Regional Airport.³
- Section 5. Provides for the Authority's governing board; provides the board will consist of nine members who are residents within the city, the county, or a county contiguous to Alachua County; provides members will not receive compensation for their services; provides no member will serve on the Authority's board and hold any publicly elected office in the state at the same time; provides for

² See generally ch. 86-469, L.O.F. § 2, ch. 89-433, L.O.F. § 1, ch. 95-457, L.O.F. § 1.

³ See generally ch. 86-469, L.O.F. § 3, ch. 95-457, L.O.F. § 1.

subsequent appointments of the board members; provides for replacement of board members; provides for 4-year terms; and provides for vacancies.⁴

Section 6: Provides for the organization of the board; provides for term limits of the officers; provides for meetings; provides for notice of a meeting; provides for emergency meetings; and provides for a quorum.⁵

Section 7. Provides for restrictions⁶ as follows:

(1) No person who has transacted business with the Authority shall be eligible for appointment to the Authority until 3 years after the last transaction. No person who has served on the Authority shall be eligible to transact business with the Authority or be employed directly or indirectly by an entity transacting business with the Authority until 3 years after the date of termination of membership. "Transactions" include all business dealings, representation of business entities, and submission of proposals for doing business with the Authority either for oneself or as an employee of, agent for, or consultant to any other person or legal entity. However, nothing in this paragraph shall be construed as prohibiting an appointed member from purchasing supplies or services from any fixed-base operator or tenant at the airport or Airport Industrial Park or for renting individual aircraft hangars or tie-downs offered to the general public and owned by the Authority.

(2) No member, officer, agent, or employee of the Authority, either for himself or herself or as agent for anyone else, or as a stockholder or owner in any other legal entity, shall participate in or benefit directly or indirectly from any sale, purchase, lease, franchise, contract, or other transaction entered into by the Authority or the city. The provisions of this subsection shall be cumulative to any general laws of the state that may from time to time be applicable to members, officers, agents, or employees of the Authority and that require the disclosure of, or prohibit, conflicts of interest.

(3) No member, as an individual, may represent the Authority, speak for the Authority, or speak on behalf of the Authority without being directed through a formal action of the governing board to do so.

Section 8. Provides for the powers of the Board of Directors⁷, including the power to:

1) The Authority shall have exclusive jurisdiction over the operation and maintenance and improvements to airport lands. Further, the Authority oversees the airport, consisting of airport lands for purposes of City of Gainesville land use regulations, which govern items including, but not limited to, height, landscaping, sidewalks, and lighting, and shall:

(a) Approve, file with the clerk, and pay any surety bond required of any member or of any employee of the Authority.

(b) Exclusively control, supervise, and manage all airports in the county and each municipality, except any airport owned, controlled, or operated by a private person.

(c) Advertise for sealed bids when required by law; however, the Authority may reject all bids and re-advertise or select a single item from any bid.

(d) Adopt before October 1 of each year an annual budget prepared by the chief executive officer, which includes an estimate of all revenues and anticipated expenditures for the ensuing fiscal year.

⁴ See generally ch. 86-469, L.O.F. § 3, ch. 95-457, L.O.F. § 1.

⁵ See generally ch. 86-469, L.O.F. § 3, ch. 95-457, L.O.F. § 1.

⁶ See generally ch. 86-469, L.O.F. § 3, ch. 95-457, L.O.F. § 1.

⁷ See generally ch. 86-469, L.O.F. § 4, ch. 89-433, L.O.F. § 2, ch. 95-457, L.O.F. § 1.

- (e) Require in all bond documents that moneys derived from such bonds be paid to or upon order of the Authority.
 - (f) Have the Authority's finances audited in the same manner as other independent special districts are audited.
- (2) The Authority is authorized to:
- (a) Rely on the provisions of this act, without reference to other laws, in exercising its powers.
 - (b) Appoint or employ and constitute its own airport guards or police officers or contract with the city, county, or any agency of the state to provide law enforcement services and protection through its duly sworn officers, and all officers have full power of arrest to prevent or abate the commission of an offense against the ordinances of the city or county, the laws of this state, or the laws of the United States when any such offense or threatened offense occurs on any airport lands.
 - (c) Construct and maintain terminal buildings, causeways, roadways, and bridges for approach to or connecting with the airport.
 - (d) Require the secretary-treasurer and other officers or employees of the Authority to execute an adequate surety bond in a penal sum fixed by the Authority conditioned on the faithful performance of the duties of the office or employment.
 - (e) Establish positions, duties, and a pay plan and employ, pay, provide benefits for, promote, discipline, and terminate personnel, including a chief executive officer who shall be responsible for the day-to-day administration, management, and operation of the Authority in accordance with policy established by the members of the Authority and perform other duties as authorized by the members.
 - (f) By policy or resolution, authorize the chief executive officer to perform any of the powers of the Authority in whole or in part and with whatever other limitations the Authority may impose, provided that the authorization does not result in an invalid exercise of delegated legislative authority as defined in general law.
 - (g) Employ or contract with technical and professional experts necessary to assist the Authority in carrying out or exercising any powers granted by this act.
 - (h) Reimburse for all travel expenses incurred while on business for the Authority, upon requisition, any member, the Authority's attorneys, the chief executive officer, and any employee of the Authority traveling under the direction of the chief executive officer or the chief executive officer's designee in accordance with Authority policies.
 - (i) Create, appoint, and prescribe the duties of any committee.
 - (j) Sue and be sued.
 - (k) Adopt, use, and alter a corporate seal.
 - (l) Publish advertisements.
 - (m) Waive advertisement when the Authority determines an emergency exists and supplies and materials must be immediately acquired by the Authority.
 - (n) Negotiate and enter into contracts, agreements, exclusive or limited agreements, and cooperation agreements of any kind necessary for the Authority to fulfill the purposes of this act.
 - (o) Include contract specifications maximizing the employment of persons whose protected group has been underutilized in the past.
 - (p) Enter into exclusive or limited agreements with a single operator or a limited number of operators. The Authority shall grant exclusive or limited agreements to eliminate business competition by rule or policy whenever the Authority determines, in consideration of the factors set forth in this paragraph that any such agreement is necessary to further the purposes

of this act. Before entering into any exclusive or limited agreement, the Authority must, under authority expressly delegated by the state, determine the necessity for an exclusive or limited agreement to further the policies and objectives stated in this act, which include public safety, public convenience, quality of service, the need to conserve airport space, the need to avoid duplication of services, the impact on the environment or facilities of the airport as an essential commercial and tourism service center, and the need to avoid destructive competition that may impair the quality of airport services to the public, lead to uncertainty, disruption, or instability in rendering such services, or detract from the Gainesville-Alachua County area and the state's attractiveness as a center of tourism and commerce. In making its determination, the Authority shall take evidence or make findings of fact and establish policies it deems necessary. Nothing in this paragraph shall excuse the Authority from complying with applicable state or local requirements for competitive bidding or public hearings that are required before awarding or entering into any contract or other agreement.

(q) Provide for the manual execution of any instrument on behalf of the Authority by the signature of the chair or vice chair and attested to by the secretary or the assistant secretary or, if delegated by the members to do so, the chief executive officer or any other Authority personnel to whom authority has been delegated, or by signer's facsimile signature in accordance with the Uniform Facsimile Signature of Public Officials Act.

(r) Purchase and sell equipment, supplies, and services required for Authority purposes.

(s) Sell, lease, transfer, dispose of, or grant a lesser interest in any Authority properties.

(t) Dispose of tangible personal property in accordance with chapter 274, F.S.

(u) Grant concessions.

(v) Advertise, promote, and encourage the use and expansion of facilities under the Authority's jurisdiction.

(w) Enact airport zoning regulations in accordance with chapter 333, F.S., to ensure the safe operation of airports under the Authority's jurisdiction; however, any airport zoning regulations may not affect the zoning use regulations imposed by the county or any municipality.

(x) Acquire, own, construct, install, maintain, and operate Authority facilities and real property by purchase, gift, devise, lease, or any other means, including eminent domain in accordance with chapters 73 and 74, F.S. For the purposes of making surveys and examinations incidental to any condemnation proceedings, the Authority may lawfully enter any land, doing no unnecessary damage. The Authority may take possession of property to be acquired by condemnation at any time after filing a petition describing the property in condemnation proceedings as provided in general law. The Authority is not precluded from abandoning the condemnation of any such property in any case where possession has not been taken.

(y) Reimburse the owner of any structure for which the Authority may require removal, relocation, or reconstruction located in, on, under, or across any private property, public street, highway, or other public or private places for the estimated or actual expense of the removal, relocation, or reconstruction.

(z) Supplement and coordinate in design and operation air navigation facilities with those established and operated by the federal and state governments.

- (aa) Request the county or any municipality to convey to the Authority the fee simple title to any county-owned or municipality-owned airport or other property needed for airport purposes.
- (bb) Upon determining that any airport or part of any airport under the Authority's jurisdiction but owned by a county, municipality, or other governmental agency is no longer required for Authority purposes, relinquish jurisdiction, control, supervision, and management over that airport property or that part of any airport property. However, the consent and approval of any revenue bondholders must first be obtained and necessary authorizations or approvals received from federal agencies regulating airports.
- (cc) Expend revenues for the cost of investigating, surveying, planning, acquiring, establishing, constructing, enlarging, improving, equipping, and erecting Authority facilities by appropriation of revenues or wholly or partly from the proceeds of bonds of the Authority. The term "cost" includes awards in condemnation proceedings, rentals when an acquisition is by lease, and amounts paid to utility companies for relocation of their wires, poles, and other facilities.
- (dd) Incur expenses as provided in the Authority's annual budget and any amended budget.
- (ee) Assess against and collect from the owner or operator of each airplane using any Authority facility a landing fee or service charge sufficient to cover the cost of the service provided, which cost may include the liquidation of bonds or other indebtedness for construction and improvement.
- (ff) Accept federal, state, and any other public or private moneys, grants, contributions, or loans for the acquisition, construction, enlargement, improvement, maintenance, equipment, or operation of Authority facilities, or for any other lawful purpose.
- (gg) Fix, alter, charge, establish, and collect rates, fees, rentals, and other charges for the services of Authority facilities at reasonable and uniform rates.
- (hh) Apply for, hold, and periodically transfer alcoholic beverage licenses as provided by this act.
- (ii) Adopt and amend rules, regulations, and policies reasonably necessary for the implementation of this act.
- (jj) By resolution, fix and enforce penalties for the violation of this act or a rule, regulation, or policy adopted in accordance with this act.
- (kk) Amend the budget after its adoption.
- (ll) Receive, deposit, secure, and pay out moneys as provided by this act.
- (mm) Designate a depository or depositories that is qualified as a public depository under section 280.04, F.S., and thereafter establish and open an account or accounts into which revenues collected are deposited and from which expenditures are made.
- (nn) Establish and deposit into and expend moneys from a surplus fund by using funds that may remain unexpended at the end of the fiscal year and may be set aside in a separate fund to be known as the Capital Improvement Fund and accumulated and expended from year to year solely for the purpose of building and constructing permanent improvements, replacements, alterations, buildings, and other structures, including runways, taxi strips, and aprons.
- (oo) Except as otherwise provided in this act, by resolution borrow money and issue bonds in the manner and within the limitation prescribed by general law for the issuance and authorization of bonds; however, any bonds issued by the Authority must have a maturity date not exceeding 40 years from the date of issuance, must be self-liquidating or otherwise

payable from revenues of the Authority, must be payable semiannually, and not be a lien against the general taxing powers of the county or any municipality.

(pp) Enter into any deeds of trust, indentures, or other agreements with any bank or trust company as security for Authority bonds, and assign and pledge any or all of the Authority's revenues. Such deeds of trust, indentures, or other agreements may contain provisions customary in such instruments or as authorized by the Authority.

(qq) Secure the payment of bonds or any part thereof by pledging all or any part of Authority revenues and provide for the security of the bonds and the rights and remedies of the bondholders.

(rr) Pending the preparation of definitive bonds, issue certificates or temporary bonds to the purchaser of bonds.

(ss) Transact the business of the Authority and exercise all powers necessarily incidental to the exercise of the general and special powers granted in this act and under any other law.

(tt) Exercise all powers of a local agency granted pursuant to part II of chapter 159, F.S., and to a governmental unit granted pursuant to part VII of chapter 159, F.S.

(uu) Do all acts and things necessary or convenient for the promotion of Authority business and the general welfare of the Authority.

- Section 9. Provides for the budget; provides for the fiscal year; provides for a public hearing; and provides for budget amendments.⁸
- Section 10. Provides for the relationship between the Authority and the City and County.⁹
- Section 11. Provides for the title to the airport land.¹⁰
- Section 12. Authorizes issuance of bonds; provides purposes of bonds; and provides procedures.¹¹
- Section 13. Provides for bondholder rights and remedies.¹²
- Section 14. Provides a covenant of the state provision between the Authority and the Federal Government.¹³
- Section 15. Provides for an alcoholic beverage license.
- Section 16. Provides for purchasing and the award of contracts.
- Section 17. Provides for the exemption of property from taxation; provides facilities owned or operated by the District under the provisions of this act constitute public property; provides when the facilities are used for governmental purposes, the board will not be required to pay any taxes or assessments on any facilities or parts.
- Section 18. Provides for a discrimination clause.
- Section 19. Provides for a litigation provision.¹⁴

⁸ See generally ch. 86-469, L.O.F. § 5, ch. 95-457, L.O.F. § 1.

⁹ See ch. 86-469, L.O.F. § 7, ch. 95-457, L.O.F. § 1.

¹⁰ See ch. 86-469, L.O.F. § 8, ch. 95-457, L.O.F. § 1.

¹¹ See generally ch. 86-469, L.O.F. § 9, ch. 95-457, L.O.F. § 1.

¹² See generally ch. 86-469, L.O.F. § 10, ch. 95-457, L.O.F. § 1.

¹³ See generally ch. 86-469, L.O.F. § 10, ch. 95-457, L.O.F. § 1.

¹⁴ See generally ch. 86-469, L.O.F. § 13, ch. 95-457, L.O.F. § 1.

Section 20. Provides a severability clause.

C. SECTION DIRECTORY:

- Section 1: Provides that the reenactment of existing law in this bill may not be construed as a grant of additional authority; provides legislative intent.
- Section 2: Codifies, reenacts, amends and repeals chapters 86-469, 89-433, and 95-457, L.O.F.
- Section 3: Recreates and reenacts the charter of the Authority.
- Section 4: Repeals chapters 86-469, 89-433, and 95-457, L.O.F.
- Section 5: Provides an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 25, 2006.

WHERE? *The Gainesville Sun*, Gainesville, Alachua County, Florida.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

EXEMPTIONS FROM AD VALOREM TAXATION

Section 17 of section 3 of the bill provides:

Exemption of property from taxation. The exercise of the powers by the board conferred in this act constitutes the performance of government functions. Facilities owned or operated by the district under the provisions of this act constitute public property. When such facilities are used for governmental purposes, the board shall not be required to pay any taxes or assessments upon any such facilities or parts thereof.

Property owned by governmental entities is subject to ad valorem taxation unless immune or exempt, and such exemptions are strictly construed against party claiming them. Immunity from taxation precludes the power to tax, while an exemption from taxation presupposes the existence of the power to tax but the power is limited by a constitutional or statutory provision. *Orange State Oil Co. v. Amos*, 139 So.2d 707 (Fla. 1930). The Legislature is without authority to grant an exemption from taxes where the exemption does not have a constitutional basis. *Sebring Airport Authority v. McIntyre*, 783 So.2d 238 (Fla. 2001).

Special districts are not immune from taxation. Therefore, property owned by special districts is taxable unless the Legislature enacts an exemption from taxation that is consistent with the Florida Constitution. Section 189.403(1), F.S., provides that special districts are treated as municipalities for purposes of s. 196.199(1), F.S., which exempts from ad valorem taxation property owned by a municipality and used for “governmental, municipal, or public purposes”. Accordingly, property owned by a municipality or special district is entitled to exemption only if used for a governmental or public purpose.

If a private entity leases government owned property from an exempt governmental entity, such as a special district, the actual use of the property determines whether a valid exemption from ad valorem taxation continues to apply. If public property is leased to a private entity, but is not used for a “public purpose”, the fee interest in the property is taxable. The “public purpose” standard applicable in tax exemption cases is the “governmental-governmental” standard under which property leased to private entities for “governmental-proprietary” activities is not tax exempt. *Sebring Airport Authority v. McIntyre*, 783 So.2d 238 (Fla. 2001). Non-exempt “governmental-proprietary” use occurs when a nongovernmental lessee utilizes public property for proprietary and for-profit aims to promote the comfort, convenience, safety and happiness of citizens. Conversely, exempt “governmental-governmental” use occurs when a lease of public property concerns the administration of some phase of government. It should be noted that the leasehold interest in leased public property may be subject to the intangibles tax regardless of whether the leased property itself is subject to ad valorem taxation. *See Capitol City Country Club v. Tucker*, 448 So.2d 613 (Fla. 1993).

B. RULE-MAKING AUTHORITY:

This bill allows the District to adopt and amend rules, regulations, and policies.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Exception to General Law

Pursuant to House Rule 5.5(b), a local bill that provides an exemption from general law may not be placed on the Special Order Calendar in any section reserved for the expedited consideration of local bills. The provisions of House Rule 5.5(b) appear to apply to this bill because the bill grants an exemption to general law which exempts the airport authority from the procedure of obtaining beverage licenses.¹⁵

Drafting Issues

Lines 831 – 844 should be removed from the bill because the language pertains to a mobile home park recreation district.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

Not Applicable.

¹⁵ Chapters 561 – 565, F.S.