



225318

LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
03/07/2012	.	
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The Committee on Budget Subcommittee on Finance and Tax (Altman) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 638 and 639  
insert:

Section 13. Section 332.08, Florida Statutes, is amended to read:

332.08 Additional powers.—

(1) In addition to the general powers in ss. 332.01-332.12 conferred and without limitation thereof, a municipality that ~~which~~ has established or may hereafter establish airports, restricted landing areas, or other air navigation facilities, or that ~~which~~ has acquired or set apart or may hereafter acquire or



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13 set apart real property for such purposes, is ~~hereby~~ authorized:

14 (a) ~~(1)~~ To vest authority for the construction, enlargement,  
15 improvement, maintenance, equipment, operation, and regulation  
16 thereof in an officer, a board or body of such municipality by  
17 ordinance or resolution which shall prescribe the powers and  
18 duties of such officer, board or body. The expense of such  
19 construction, enlargement, improvement, maintenance, equipment,  
20 operation, and regulation shall be a responsibility of the  
21 municipality.

22 (b) ~~(2)~~ ~~(a)~~ To adopt and amend all needed ~~needful~~ rules,  
23 regulations, and ordinances for the management, governance  
24 ~~government~~, and use of any properties under its control, whether  
25 within or without the territorial limits of the municipality; to  
26 appoint airport guards or police, with full police powers; and  
27 to fix by ordinance or resolution, as may be appropriate,  
28 penalties for the violation of such ~~said~~ rules, regulations, and  
29 ordinances, and enforce such ~~said~~ penalties in the same manner  
30 in which penalties prescribed by other rules, regulations, and  
31 ordinances of the municipality are enforced.

32 ~~(b) Provided, where a county operates one or more airports,~~  
33 ~~its regulations for the government thereof shall be by~~  
34 ~~resolution of the board of county commissioners, shall be~~  
35 ~~recorded in the minutes of the board and promulgated by posting~~  
36 ~~a copy at the courthouse and at every such airport for 4~~  
37 ~~consecutive weeks or by publication once a week in a newspaper~~  
38 ~~published in the county for the same period. Such regulations~~  
39 ~~shall be enforced as are the criminal laws. Violation thereof~~  
40 ~~shall be a misdemeanor of the second degree, punishable as~~  
41 ~~provided in s. 775.082 or s. 775.083.~~



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42            (c)~~(3)~~ To lease for a term not exceeding 30 years such  
43 airports or other air navigation facilities, or real property  
44 acquired or set apart for airport purposes, to private parties,  
45 any municipal or state government or the national government, or  
46 any department of either thereof, for operation; to lease or  
47 assign for a term not exceeding 30 years to private parties, any  
48 municipal or state government or the national government, or any  
49 department of either thereof, for operation or use consistent  
50 with the purposes of ss. 332.01-332.12, space, area,  
51 improvements, or equipment on such airports; to sell any part of  
52 such airports, other air navigation facilities, or real property  
53 to any municipal or state government, or the United States or  
54 any department or instrumentality thereof, for aeronautical  
55 purposes or purposes incidental thereto; 7 and to confer the  
56 privileges of concessions of supplying upon its airports goods,  
57 commodities, things, services, and facilities; provided, that in  
58 each case in so doing the public is not deprived of its rightful  
59 equal and uniform use thereof.

60            (d)~~(4)~~ To sell or lease any property, real or personal,  
61 acquired for airport purposes and belonging to the municipality,  
62 which, in the judgment of its governing body, may not be  
63 required for aeronautic purposes, in accordance with the laws of  
64 this state, or the provisions of the charter of the  
65 municipality, governing the sale or leasing of similar  
66 municipally owned property.

67            (e)~~(5)~~ To exercise all powers necessarily incidental to the  
68 exercise of the general and special powers herein granted, and  
69 is specifically authorized to assess and shall assess against  
70 and collect from the owner or operator of each and every



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71 airplane using such airports a sufficient fee or service charge  
72 to cover the cost of the service furnished airplanes using such  
73 airports, including the liquidation of bonds or other  
74 indebtedness for construction and improvements.

75 (2) If a county operates one or more airports, its  
76 regulations for the governance thereof shall be by resolution of  
77 the board of county commissioners, recorded in the minutes of  
78 the board, and promulgated by posting a copy at the courthouse  
79 and at every such airport for 4 consecutive weeks or by  
80 publication once a week in a newspaper published in the county  
81 for the same period. Such regulations shall be enforced in the  
82 same manner as the criminal laws. Violation thereof is a  
83 misdemeanor of the second degree, punishable as provided in s.  
84 775.082 or s. 775.083.

85 (3) Notwithstanding any other provision of this section, a  
86 municipality participating in the Federal Aviation  
87 Administration's Airport Privatization Pilot Program pursuant to  
88 49 U.S.C. s. 47134 may lease or sell an airport or other air  
89 navigation facility or real property, together with improvements  
90 and equipment, acquired or set apart for airport purposes to a  
91 private party under such terms and conditions as negotiated by  
92 the municipality. If state funds were provided to the  
93 municipality pursuant to s. 332.007, the municipality must  
94 obtain approval of the agreement from the Department of  
95 Transportation, which may approve the agreement if it determines  
96 that the state's investment has been adequately considered and  
97 protected consistent with the applicable conditions specified in  
98 49 U.S.C. s. 47134.

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

101 And the title is amended as follows:

102       Delete line 57

103 and insert:

104       effective date of the enterprise zone; amending s.  
105       332.08, F.S.; authorizing a municipality participating  
106       in a federal airport privatization pilot program to  
107       lease or sell to a private party an airport or other  
108       air navigation facility or certain real property,  
109       improvements, and equipment; requiring approval by the  
110       Department of Transportation of the sale or lease  
111       agreement under certain circumstances; providing  
112       criteria for department approval; authorizing the