

## HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

**BILL #:** CS/HB 787 St. Augustine-St. Johns County Airport Authority, St. Johns County

**SPONSOR(S):** Local Administration & Veterans Affairs Subcommittee, Stevenson

**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local Administration & Veterans Affairs Subcommittee	17 Y, 1 N, As CS	Renner	Miller
2) State Affairs Committee	23 Y, 0 N	Renner	Williamson

### SUMMARY ANALYSIS

The St. Augustine-St. Johns County Airport Authority (Authority) is an independent special district that was created in 1963 and its charter was recodified in 2002. The Authority is governed by a five-member board with members appointed by the Governor and confirmed by the Senate. The board may levy ad valorem taxes in order to pay for interest and principle of issued bonds, and for general purposes, at a rate not to exceed 0.5 mills. Board members are authorized to be reimbursed for verified travel and other expenses, which reimbursements must be paid from Authority funds.

The bill amends ch. 2002-347, Laws of Fla., to rename the Authority the St. Johns County Airport Authority. The bill authorizes the St. Johns County Airport Authority to conduct airport operations under the name "Northeast Florida Regional Airport."

The Economic Impact Statement filed with the bill indicates that it does not appear to have a fiscal impact on the state or local governments.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Present Situation**

##### Independent Special Districts

A “special district” is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.<sup>1</sup> Special districts are created by general law, special act, local ordinance, or by rule of the Governor and Cabinet.<sup>2</sup> A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district’s charter. Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.<sup>3</sup>

A “dependent special district” is a special district where the membership of the governing body is identical to the governing body of a single county or municipality, all members of the governing body are appointed by the governing body of a single county or municipality, members of the district’s governing body are removable at will by the governing body of a single county or municipality, or the district’s budget is subject to the approval of governing body of a single county or municipality.<sup>4</sup> An “independent special district” is any district that is not a dependent special district.<sup>5</sup>

Special districts do not possess “home rule” powers and may impose only those taxes, assessments, or fees authorized by special or general law. The special act creating an independent special district may provide for funding from a variety of sources while prohibiting others. For example, ad valorem tax authority is not mandatory for a special district.<sup>6</sup>

##### St. Augustine-St. Johns County Airport Authority

The St. Augustine-St. Johns County Airport Authority (Authority) is an independent special district that was created in 1963<sup>7</sup> and its charter was recodified in 2002.<sup>8</sup>

The Authority is governed by a five-member board. Board members serve staggered four-year terms with vacancies appointed by the Governor and confirmed by the Senate.<sup>9</sup> Board members are authorized to be reimbursed for verified travel and other expenses, which reimbursements must be paid from Authority funds.<sup>10</sup>

The board has the power to hire employees, acquire property, maintain and operate airport facilities, enter into contracts, own aviation vehicles and equipment, conduct aviation related research and development, and issue revenue and general obligation bonds.<sup>11</sup> The board may levy ad valorem taxes

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<sup>1</sup> See *Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547 (Fla. 2019).

<sup>2</sup> See ss. 189.031(3), 189.02(1), and 190.005(1), F.S. See, generally, s. 189.012(6), F.S.

<sup>3</sup> 2020 – 2022 *Local Gov’t Formation Manual*, pp. 60-61, at

<https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3117&Session=2021&DocumentType=General+Publications&FileName=2021-2022+Local+Government+Formation+Manual.pdf> (last visited Feb. 5, 2021).

<sup>4</sup> S. 189.012(2), F.S.

<sup>5</sup> S. 189.012(3), F.S.

<sup>6</sup> Art. VII, s. 9(a), Fla. Const.

<sup>7</sup> Ch. 63-1853, Laws of Fla.

<sup>8</sup> Ch. 2002-347, Laws of Fla.

<sup>9</sup> Ch. 2002-347, s. 3(3), Laws of Fla.

<sup>10</sup> *Supra* note 7.

<sup>11</sup> Ch. 2002-347 s. 3(4)-(10), Laws of Fla.

in order to pay for interest and principle of issued bonds, and for general purposes, at a rate not to exceed 0.5 mills.<sup>12</sup>

The financial statements filed with the Department of Financial Services in the below chart show the total revenue and expenditures for the Authority for years 2016-2019, which is the latest financial information available:<sup>13</sup>

Year	Expenditures	Revenues
2016	\$7,683,704	\$4,834,763
2017	\$7,339,781	\$8,090,240
2018	\$8,159,080	\$5,928,287
2019	\$7,577,435	\$9,932,602

### Effect of the Bill

The bill amends ch. 2002-347, Laws of Fla., to rename the Authority the St. Johns County Airport Authority. The bill authorizes the St. Johns County Airport Authority to conduct airport operations under the name "Northeast Florida Regional Airport."

The Economic Impact Statement filed with the bill indicates that the bill does not appear to have a fiscal impact on the state or local governments.

### B. SECTION DIRECTORY:

Section 1. Amends ch. 2002-347, Laws of Fla., renaming the St. Augustine-St. Johns County Airport Authority the St. Johns County Airport Authority.

Section 2. Provides an effective date of upon becoming a law.

## II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? December 18, 2020

WHERE? *St. Augustine Record*, a daily newspaper published in St. Augustine, St. Johns County, Florida

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes  No

<sup>12</sup> Ch. 2002-347, s. 3(11), Laws of Fla.

<sup>13</sup> Department of Financial Services, *Local Government Ad Hoc Report 2016-2019*, file:///C:/Users/Renner.Jennifer/Downloads/AdhocAdvanced%20(2).pdf (last visited March 1, 2021).

### **III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

None.

**B. RULE-MAKING AUTHORITY:**

The bill neither authorizes nor requires administrative rulemaking by executive branch agencies.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On March 23, 2021, the Local Administration & Veterans Affairs Subcommittee adopted one amendment and reported the bill favorably. The amendment corrected a cross-reference and removed compensation for board members.

This analysis is drafted to the committee substitute as approved by the Local Administration & Veterans Affairs Subcommittee.