

**STORAGE NAME:** h1185a.tr.doc  
**DATE:** February 20, 2002

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
TRANSPORTATION  
ANALYSIS – LOCAL LEGISLATION**

**BILL #:** HB 1185  
**RELATING TO:** Palm Beach County/Boca Raton Airport  
**SPONSOR(S):** Representative(s) Gannon  
**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:**

- (1) TRANSPORTATION YEAS 6 NAYS 6
  - (2) LOCAL GOVERNMENT & VETERANS AFFAIRS
  - (3) READY INFRASTRUCTURE COUNCIL
  - (4)
  - (5)
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I. SUMMARY:

HB 1185 changes the representation of the seven-member Boca Raton Airport Authority. The Palm Beach County Commission retains its ability to appoint two members of the authority, but the Boca Raton City Council's appointees are reduced from five members to two. The cities of Deerfield Beach, Delray Beach, and Highland Beach each shall appoint one of the remaining three members.

The bill also adjusts the terms of office of the authority members to reflect the change in membership. Although the bill takes effect upon becoming a law, in actuality the current authority members will be able to serve the remainder of their 2-year terms. The new terms for the Palm Beach County and Boca Raton appointees commence June 1, 2002, while the terms of the appointees of the other three cities shall commence June 1, 2003.

Finally, HB 1185 specifies that four members, rather than the current three, shall constitute a quorum.

**(NOTE: At its February 20, 2002, meeting, the House Transportation Committee adopted a strike-everything amendment that substantially changed the substance of the original bill. The committee adopted the amendment without objection, then voted 6-6 on HB 1185 as amended. According to House Rule 13.5 , a tie vote means a bill is reported unfavorably. See "VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES" below.)**

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The Boca Raton Airport Authority (the authority) is an independent special district located in Palm Beach County. The authority was created in 1982 by chapter 82-259, Laws of Florida, as amended by chapters 91-381 and 99-421, Laws of Florida.

The authority has seven members: five appointed by the Boca Raton City Council and two by the Palm Beach County Commission. The authority members serve 2-year, staggered terms, so that some expire in even-numbered years and others in odd-numbered years.

Although the airport is located within the boundaries of the city of Boca Raton, officials of neighboring municipalities in the flight path of the planes using the airport say they should have some representation on the airport authority.

C. EFFECT OF PROPOSED CHANGES:

HB 1185 amends the charter of the Boca Raton Airport Authority to change the membership of the authority board. The city of Boca Raton would have two representatives, while the cities of Delray Beach, Highland Beach and Deerfield Beach would each appoint one representative. The Palm Beach County Commission would continue to appoint two members of the authority.

The bill also adjusts the terms of office of the authority members to reflect the change in membership. It appears the current authority members will serve out the remainder of their terms. The new terms for the Palm Beach County and Boca Raton appointees commence June 1, 2002, while the terms of the appointees of the other three cities shall commence June 1, 2003.

Also, under HB 1185, four members, rather than the current three, constitutes a quorum for authority action.

D. SECTION-BY-SECTION ANALYSIS:

**Section 1:** Amends chapter 82-259, Laws of Florida, as previously amended by the Legislature in 1991 and 1999, to adjust the membership of the Boca Raton Airport Authority. Adjusts terms of office for the authority members. Specifies a quorum shall consist of four authority members, rather than three.

**Section 2:** Specifies this act shall take effect upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN?

December 8, 2001

WHERE?

The Sun Sentinel and the Boca Raton News.

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

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

HB 1185 raises no apparent constitutional issues.

B. RULE-MAKING AUTHORITY:

Local governments are not subject to the Administrative Procedures Act.

C. OTHER COMMENTS:

The Economic Impact Statement indicates that HB 1185 has no fiscal impact.

The Boca Raton City Council opposes HB 1185. The City Council of Delray Beach and the City Council of Highland Beach have passed resolutions in support of HB 1185.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The House Transportation Committee at its February 20, 2002, meeting adopted without objection a strike-everything-after-the-enacting-clause amendment, filed by the bill sponsor.

The amendment would have created the five-member "Regional Contact Advisory Committee" to provide information and concerns to the Boca Raton Airport Authority. Serving on the advisory committee would have been one appointee each from the cities of Boca Raton, Deerfield Beach, Delray Beach, Highland Beach, and the Palm Beach county commissioner whose district includes the unincorporated areas of western Boca Raton. Each appointee would have to reside in the jurisdictional boundaries he or she was appointed to represent. The advisory committee would have to meet quarterly, and each member must report to his or her respective local government during a public

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meeting about actions taken by the advisory committee and its proposals to the Boca Raton Airport Authority.

After adopting the amendment by a voice vote, the committee took questions, public testimony, and debate, before voting 6-6 on HB 1185. According to House Rule 13.5, a tie vote means a bill is reported unfavorably.

VI. SIGNATURES:

COMMITTEE ON TRANSPORTATION :

Prepared by:

Staff Director:

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Joyce Pugh

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Phillip B. Miller