

**HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS**

**BILL #:** HB 1217                      Titusville-Cocoa Airport District  
**SPONSOR(S):** Poppell  
**TIED BILLS:** None.                      **IDEN./SIM. BILLS:** None.

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Local Affairs (Sub)</u>	_____	<u>Smith-Boggis</u>	<u>Highsmith-Smith</u>
2) <u>Local Government &amp; Veterans' Affairs</u>	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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**SUMMARY ANALYSIS**

This bill codifies all prior special acts relating to the Titusville-Cocoa Airport District (District) in Brevard County into a single act and repeals all prior special acts relating to the District's charter. The bill also makes other changes that do not appear to alter the effect of existing law pertaining to the District.

No fiscal impacts are anticipated for either fiscal year 2003-04 or 2004-05 according to the Economic Impact Statement.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | 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. EFFECT OF PROPOSED CHANGES:

This bill codifies all prior special acts relating to the Titusville-Cocoa Airport District (District) in Brevard County into a single act and repeals all prior special acts relating to the District's charter. The bill also makes other changes that do not appear to alter the effect of existing law pertaining to the District. The governing Authority of Titusville-Cocoa Airport District consists of seven members. Currently, the District levies an annual tax, not exceeding one-half (1/2) mill on all of the taxable property in the District.

#### C. SECTION DIRECTORY:

**Section 1.** Provides that this act is the District's charter codification required under section 189.429, Florida Statutes; provides Legislative intent; preserves all District authority.

**Section 2.** Codifies, reenacts, amends, and repeals chapters 63-1143, 67-1151, 69-863, 70-600, 72-472, 80-457, 81-348, 82-267, and 83-374, Laws of Florida.

**Section 3.** Re-creates the Titusville-Cocoa Airport District and re-creates and re-enacts the charter as follows:

Section 1. Provides for the creation of the District; states District's boundaries.

Section 2. Provides for the Titusville-Cocoa Airport Authority [created by ch. 59-1933, L.O.F.] to manage and control the District.

Section 3. Provides for definitions.

Section 4. Provides for the purpose of the District.

Section 5. Preserves a seven member governing board of the District; provides for the appointments of the board; provides for 3 year term limits; provides for the organization of the board; provides for vacancies; provides for a quorum; provides board members receive no compensation, but reimbursed for expenses.

Section 6. Defines the rights, powers and duties of the District; granting to the District the power to acquire, lease, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain and operate airport facilities and such buildings, structures, roads, alleyways, railroad loading and unloading facilities and any other development of land as the District shall determine to be necessary and proper in the performance of the duties and purposes of

the act; provides for the combination of any airport for the purpose of operation and financing; provides for the collection of rates, fees, and other charges for the use of or for the service and facilities furnished by any airport facilities; provide for the appointment of a chief executive officer and states duties of officer.

- Section 7. Provides for an annual budget; preserves the annual levy, of a tax, not exceeding one-half (1/2) mill on all of the taxable property in the District to finance the cost of acquiring, establishing, constructing, enlarging, improving, equipping, operating and maintaining airports and other aviation facilities or any other corporate purpose of the District; provides for the transfer of residues in the annual budget to a "renewal and replacement fund" and the expenditures of such funds.
- Section 8. Maintains authorization of the District to issue bonds of the District payable from ad valorem taxes not exceeding one mill levied on the total assessed valuation of all taxable property in the geographical limits of the District, after approval by freeholders within the geographical limits of the District.
- Section 9. Provides for the state pledge to the bondholders of the District and to the Federal Government.
- Section 10. Provides for the cooperation between municipalities, the county, and the District.
- Section 11. Authorizes the District to issue revenue bonds; provides revenue bonds not bear interest at a higher rates of interest than provided by general law; authorizes by resolution(s) the issuance of bonds.
- Section 12. Authorizes the District to fix and revise rates, fees, and other charges for certain services.
- Section 13. Provides for the issuance of bonds of the District, payable solely from funds provided under this act, to pay the cost of acquiring, constructing, or reconstructing any facilities and the cost of improvements, extensions, enlargements, and equipment.
- Section 14. Provides all moneys received pursuant to the authority of this act are deemed to be trust funds.
- Section 15. Provides for the protection and enforcement of bond holders.
- Section 16. Provides for the refunding of bonds.
- Section 17. Provides for additional and alternative methods for the implementation of this act.
- Section 18. Provides for the regulation of height of and prohibiting any structures within the District that impede air navigation.
- Section 19. Provides for act's control if there are conflicting provisions.
- Section 20. Provides for the severability of any invalid provision.
- Section 21. Provides for the exemption of District property from taxes and assessments.
- Section 22. Provides Board of County Commissioners of Brevard County, authority to adopt, administer and enforce airport zoning regulations for airport hazard areas, and provides for the administration and enforcement.

Section 23. Provides for limiting the use of certain real property owned by The District; prohibiting the Authority from constructing or erecting any building or improvement which will have the effect of impairing the use of certain property as a public well field.

**Section 4.** Repeals chapters 63-1143, 67-1151, 69-863, 70-600, 72-472, 80-457, 81-348, 82-267, and 83-374, Laws of Florida.

**Section 5.** Provides that the act shall take effect upon becoming law.

## II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? February 1 and 2, 2003

WHERE? Florida Today, Melbourne, Brevard 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: Not Applicable.

B. RULE-MAKING AUTHORITY: Not Applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS: None.

## IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

Not Applicable.