

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 type="checkbox"/> |

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

B. EFFECT OF PROPOSED CHANGES:

Chapter 2003-309, Laws of Florida, codified all of the special acts relating to the Sarasota-Manatee Airport Authority, which was created in 1991.

This bill amends the charter of the Sarasota-Manatee County Airport Authority Act to change the length of time that a member of the governing board may be eligible for reappointment. Currently, "a member may not serve more than eight consecutive years." This bill permits a member whose previous service does not exceed six consecutive years to be reappointed for an additional four-year-term as long as the appointment to the additional four-year-term would not result in the member serving more than ten consecutive years. This will allow board members who only served a partial first term to be reappointed for two additional full terms.

The bill does not otherwise alter the existing law pertaining to the Sarasota-Manatee County Airport Authority.

C. SECTION DIRECTORY:

Section 1: Amends paragraph (d) of subsection (2) of section 2 of chapter 2003-309, Laws of Florida, the charter of the Sarasota-Manatee Airport Authority, to change the maximum amount of time that a member may be appointed to serve on the governing board in certain circumstances.

Section 2: Provides that the act shall take effect upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? WHERE?

An Affidavit of Proof of Publication states that a Notice of Local Legislation was published in the Bradenton Herald on September 29, 2003.

An Affidavit of Proof of Publication states that a Notice of Local Legislation was published in the Sarasota Herald Tribune on September 29, 2003.

An Affidavit of Proof of Publication states that a Notice of Public Hearing (for the Sarasota County Legislative Delegation) was published in the Venice Gondolier Sun on October 15, 2003.

An Affidavit of Proof of Publication states that a Notice of Public Hearing (for the Sarasota County Legislative Delegation) was published in the Charlotte Sun Herald/Englewood Sun Herald/North Port Sun Herald/DeSoto Sun Herald on October 15, 2003.

An Affidavit of Proof of Publication states that a Notice of Public Hearing (for the Sarasota County Legislative Delegation) was published in the Manatee Edition of the Sarasota Herald-Tribune on October 17, 2003.

An Affidavit of Proof of Publication states that a Notice of Public Hearing (for the Sarasota County Legislative Delegation) was published in the Sarasota Edition of the Sarasota Herald-Tribune on October 17, 2003.

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:

There do not appear to be any constitutional issues with this local bill.

B. RULE-MAKING AUTHORITY:

No rule-making authority is provided by this local bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

There does not appear to be any prohibition against allowing for reappointment to a board for up to ten years. Some regulatory boards, for example, provide: "Members shall be appointed for 4-year terms. No member shall serve more than two consecutive 4-year terms, nor serve for more than 11 years on the board."¹

Counsel for the Sarasota-Manatee Airport Authority provided the following rationale for this change²:

"This [current] policy can be fairly applied to members who have served two successive 4-year terms, but it creates an unnecessary hardship for those serving an initial term of less than 4 years followed by a full 4-year term. In the extreme case, it would only permit a member to serve consecutively for four years and one day. The [current] policy, as expressed in the present text, provides a *disincentive* for members to seek appointment to a partial term. Consequently, it may impede the board in its efforts to ensure continuity and develop mature leadership."

IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

None.

¹ See Fla. Stat. § 468.605 (2003); see also Telephone Conversation with Mavis Knight, Governor's Appointment Office (Jan. 22, 2004).

² Memorandum from Charles D. (Dan) Bailey, Jr. to the Manatee and Sarasota Legislative Delegations (Sept. 23, 2003)(on file with the Committee on Local Government and Veterans' Affairs).