

**STORAGE NAME:** h2413a.ca

**DATE:** April 24, 2000

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
COMMUNITY AFFAIRS  
ANALYSIS**

**BILL #:** HB 2413

**RELATING TO:** Community Improvement Authority Act

**SPONSOR(S):** Representatives Cantens and Others

**TIED BILL(S):** None

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

(1) COMMUNITY AFFAIRS (PRC) YEAS 7 NAYS 0

(2)

(3)

(4)

(5)

---

**I. SUMMARY:**

The stated purpose of this bill is to prescribe a uniform procedure for establishing independent authorities for the purpose of planning, financing, constructing, renovating, developing, operating, and maintaining tourism-oriented facilities within highly populated counties of the state and within counties contiguous to such counties.

This bill creates a community improvement authority within each county that has at least two professional sports facilities located in the county and that has a population of not less than 1.5 million. Dade and Broward Counties currently qualify under these requirements. For Broward County, the bill provides that no authority shall be established and no authority shall have jurisdiction or exercise any powers within such county without an approving ordinance adopted by such county's governing body.

The bill provides a charter for each created authority, including provisions governing boards, staff, budgets, powers and duties, bonding authority, and contracts. The bill provides an exemption from taxation for bonds and other obligations of indebtedness issued under the act. The bill also attempts to exempt authorities from the "Consultants' Competitive Negotiation Act" regarding the selection of professional architectural, engineering, landscape architectural, or land surveying services by the authority and the procurement of design build contracts. The bill authorizes any governmental entity or other unit of local government to sell or lease its property to an authority upon a negotiated basis, without competitive bid, and for no or nominal consideration, and allows the authority to resell or sublease the property to a professional sports franchise in the same manner. The bill also addresses the dissolution of authorities.

The bill has no direct fiscal impact on state or local government. Although the bill creates an authority in Dade County, it is not clear what funding source will be used to fund the authority's operations.

**The Committee on Community Affairs adopted fifteen amendments that are traveling with the bill. See the "AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES" section of the analysis for a description of the amendments.**

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |  |   |
|-----------------------------------|------------------------------|--|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input 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:

Less Government: This bill creates a new special district in Dade County and any county in the future that qualifies under the eligibility requirements included in the bill.

B. PRESENT SITUATION:

**Franchise Facilities Funding from Sales Tax:**

Chapter 88-226, Laws of Florida, established a funding mechanism for state support of the construction of new professional sports franchise facilities within Florida. Currently, the Florida Sports Foundation (Foundation) carries out the screening responsibility for OTTED and certifies the eligibility of the applicant's professional sports franchise under the category of either "new," "retained," or "new spring training." An applicant may only have one certification per facility. The statutory cap on potentially eligible applicants is eight.

Once an applicant's facility is certified as one of these types of professional sports franchise facilities it is eligible to receive funding from the General Revenue Fund under s. 212.20(5)(f)5., F.S. These funds are generated from tax on sales or use of tangible personal property, admissions, rentals, and services. An applicant whose professional sports franchise is certified as "new or retained" can receive \$2 million annually for 30 years (\$60 million), and an applicant whose franchise is certified as a "new spring training franchise" can receive \$500,000 annually for 30 years (\$15 million). The current potential amount of general revenue which could be distributed to professional sports franchise facility applicants through this program is \$16 million annually, with a total 30 year potential pay out of \$480 million.

**Florida County Population Estimates**

The latest population estimates issued by the United States Census Bureau are calculated for July 1, 1999 and estimate the population of Dade County as 2,175,634 persons and the population of Broward County as 1,535,468.

C. EFFECT OF PROPOSED CHANGES:

**Section 1** of the bill provides a short title of the "Community Improvement Authority Act."

**Section 2** provides legislative findings and intent that:

- Tourism-oriented facilities serve a paramount public purpose and there is a need to provide a comprehensive method and funding sources for providing for the development and operation such facilities and other attractions, including professional sports facilities, and other related amenities and infrastructure.
- It is the intent of the Legislature to prescribe a uniform procedure for establishing independent authorities for the purpose of planning, financing, constructing, renovating, developing, operating, and maintaining tourism-oriented facilities within highly populated counties of the state and within counties contiguous therewith.
- It is the intent of the Legislature that such authorities take all steps reasonable, necessary, or advisable to generate local support for the development of projects to serve as an intermediary and facilitate negotiations with and among private interests, community organizations, and governmental authorities in connection with the construction or development of such projects, to explore, research, and analyze financing and related alternatives for the construction or development of such projects, and to present findings and recommendations to the appropriate governmental entities with respect to the construction or development of such projects.
- Because the independent authorities so created will be empowered to exercise certain substantial powers and authority in more than one county, it is declared to be the intent of the Legislature that the Community Improvement Authority Act be construed for all purposes as a general law that relates to more than one county and that the independent authorities so created not be deemed to have jurisdiction lying wholly within any one county within the meaning of any constitutional, statutory, or charter provision.

**Section 3** provides definitions for terms used in the bill including: "authority," "board," "bond," "department," "eligible county," "professional sports facility," "project," "refunding bonds," and "revenue bonds."

An "eligible county" is defined as a county that simultaneously has a population of not less than 1.5 million and has at least two professional sports franchises within the county.

"Professional sports facility" is defined to include a ballpark, stadium, arena, coliseum, or similar facility intended to be used by a professional sports franchise.

**Section 4** creates a community improvement authority within each eligible county and provides that this act shall constitute the charter for each authority. Each authority created under the bill is considered to be an independent special district subject to chapter 189, F.S., and the boundaries and jurisdiction of the authority are the eligible county and each county contiguous therewith, except as expressly provided herein. The section provides that in any eligible county in which an independent port district was abolished with support of the majority of the electors of that county voting in a referendum held within 10 years immediately preceding the effective date of this act, no authority shall be established and no authority shall have jurisdiction or exercise any powers within such a county without an approving ordinance adopted by such county's governing body. Each authority is to be

called the ". . . County Community Improvement Trust" with the blank filled in with the name of the county where the authority is located.

**Section 5** provides for the governance of the authority by a 9-member board appointed within 60 days of establishment of the authority. The Governor is to appoint four members of the Board, the county commission of the eligible county is to appoint 3 members of the Board, and the city commission of the city within which the projects are proposed to be constructed is to appoint two members of the Board. The section provides qualifications and terms of office of the members of the Board. Members of the board receive no compensation but are entitled to reimbursement for travel and per diem expenses. **(See Comments section.)**

**Section 6** provides for the appointment of an executive director by the board.

**Section 7** provides for the appointment of a chief financial officer who is responsible for the finances of the authority and sets the fiscal year for the authority as beginning October 1 of each year and continuing to September 30 of the following year.

**Section 8** requires the executive director of each authority to prepare a proposed budget which must be adopted before October 1 of each year.

**Section 9** sets forth broad powers and duties for each authority. Each authority has, and the board may exercise the power to take all steps reasonable, necessary, or advisable to generate local support for the development of projects, including professional sports facilities and related amenities and infrastructure, to serve as an intermediary and facilitate negotiations with and among private interests, community organizations, and governmental authorities in connection with the construction or development of such projects, and to explore, research, and analyze financing and related alternatives for the construction or development of such projects.

As appropriate, an authority must present findings and make recommendations to the applicable governmental entity necessary to secure support or action with respect to such recommendations and to secure sources of financing and other funding alternatives for the construction or development of such projects.

In the event an appropriate governmental authority has acted upon the recommendations of the authority then each authority has, and the board may exercise, the power to:

- Finance, refinance, acquire, plan, design, develop, construct, own, lease, operate, maintain, manage, renovate, improve, and promote any project located in the eligible county or any county contiguous therewith consisting of one or more tourism-oriented facilities and other attractions and related amenities and infrastructure, including: professional sports facilities and recreational, commercial, cultural and educational facilities; civic, multipurpose meeting facilities; and all forms of media communication, transmission, and production systems and facilities.

During the 24-month period following establishment of an authority, the only project an authority may initiate is a professional sports facility and related amenities and infrastructure, which initiation must be evidenced by adoption of a resolution setting forth the authority's commitment to initiate and promptly implement a professional sports facility project.

A professional sports facility may not be constructed outside the eligible county that is intended to accommodate regular season games of a professional sports franchise that exists within the National League or the American League of Major League Baseball, the National Basketball Association, the National Football League, or the National Hockey League. No other project may be constructed outside the eligible county unless the authority and the county in which such facility will be located have entered into an interlocal agreement with respect to such project.

- Finance, refinance, acquire, plan, design, develop, construct, own, lease, operate, maintain, manage, renovate, improve, and promote any facilities and infrastructure within the authority's jurisdictional boundaries that are reasonably ancillary, incidental, or supporting of projects, including, but not limited to, roads, bridges, parking, and other transportation facilities.
- Provide for the protection of persons using the facilities of the authority by contracting to provide police protection, emergency medical services, and fire protection related to the facilities only with the prior consent of the county or municipality that provides these services at the time of the establishment of the authority.
- Sue and be sued in the name of the authority.
- Adopt and use a seal and authorize the use of a facsimile thereof.
- Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.
- Employ staff and contract for the services of such independent consultants, professionals, managers, and operators as the board finds necessary and convenient.
- Maintain offices as the board finds necessary.
- Adopt procedures for the conduct of the authority's affairs, the conduct of its business, and the administration of this act.
- Accept gifts; apply for and use grants or loans of money or other property from the United States or any department, agency, or unit of local government thereof, the state or any of its subdivisions or agencies, any other state or any subdivision or agency thereof, or any person for authority purposes and enter into any agreements required in connection therewith; and hold, use, and dispose of money or property for any authority purposes in accordance with the terms of the gift, grant, loan, or agreement relating thereto.
- Hold, control, and acquire by donation or purchase, and dispose of, any real or personal property, or any estate therein, within or outside the authority's boundaries, for any authority purpose.
- Lease as lessor or lessee to or from any person, public or private, any projects of the type that the authority is authorized to undertake and facilities or property of any nature for the use of the authority to carry out any of the purposes authorized by this act.
- Borrow money and issue bonds or other evidence of indebtedness as otherwise provided in this act.

- Fix, collect, and enforce fees, rates, or other user charges for any service, program, or facility provided by the authority.
- Cooperate and contract with other governmental entities and, under an interlocal agreement with such an entity, undertake any project authorized in this act or that the contracting governmental entity is authorized to undertake and that furthers an authority purpose.
- Invest moneys received by the authority as is permitted by law or as provided in any resolution adopted by the board.
- Procure necessary insurance or self-insure.
- Establish such independent entities or affiliated entities, whether in the form of a not-for-profit corporation or other legal entity, for such purposes as the board considers necessary or appropriate to carry out its projects or to administer projects or funds for the benefit of all or any portion of the eligible county or any county contiguous therewith.
- Make grants of authority funds to the eligible county or any county contiguous therewith or to any municipality, or any other governmental unit in any such county if the grant furthers any purpose of the authority.
- Exercise all powers necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this act.

**Section 10** provides bonding authority to the special district. The authority may issue and sell bonds for any purpose for which the authority has the power to spend money and is granted the power to obtain working capital loans to finance the costs of any project and to refund any bonds or indebtedness. The resolution authorizing the issuance of bonds may pledge any legally available revenues of the authority. Bonds may be delivered by the authority as payment of the purchase price of any project.

The bill provides that the act furnishes the authority full authority for the issuance of bonds except that the issuance or sale of bonds must comply with s. 189.4085, F.S. This section applies to special districts issuing bonds where a referendum is not required. The bonds must meet certain requirements regarding rating and debt service.

The bill includes a pledge by the state to the holders of bonds issued under the act: "that it will not limit or alter the rights of the authority to own, acquire, construct, . . . projects . . . and to fulfill the terms of any agreement made with the holders of the bonds or other obligations and that it will not in any way impair the rights or remedies of the holders."

**Section 11** provides that the bonds issued under the act and their transfer are exempt from taxation by the state or any unit of local government, political subdivision, or other instrumentality of the state.

**Section 12** allows the authority to either competitively bid or grant through a negotiated basis, contracts for the construction of any project. The bill states that s. 287.055, F.S., does not apply to the selection of professional architectural, engineering, landscape architectural, or land surveying services by the authority or to the procurement of design build contracts.

Where a project of the authority involves a new professional sports franchise (a term undefined in the bill), the authority must by contract engage the services of the lessee, sublessee, or purchaser, or prospective lessee, sublessee or purchaser and allow such lessee, sublessee or purchaser to act as an agent or independent contractor for the authority. Such an independent contractor can perform such functions of the authority as acquiring real property for the project; the preparation of plans; the award of construction and other contracts on a competitive or negotiated basis; and the construction of the project. The authority must, in the case of a new professional sports franchise, make advances to pay or reimburse the independent contractor for the performance of these functions.

**Section 13** allows the authority to sell or lease property of the authority on a negotiated basis or for no or nominal consideration. Similarly, the bill states that any governmental entity or other unit of local government may sell or lease its property to an authority upon a negotiated basis, without competitive bid, and for no or nominal consideration, and the authority may resell or sublease the property to a professional sports franchise in the same manner.

**Section 14** provides that tort actions against the authority are subject to section 768.28, F.S., the waiver of sovereign immunity in tort actions.

**Section 15** governs the dissolution of an authority created under the bill. An authority may be dissolved only by unanimous resolution of the board and approval of the resolution by the Governor or in the manner provided in chapter 189, F.S. Section 189.4042(2), F.S., provides that the merger or dissolution of an independent special district may only be effectuated by the Legislature, except as otherwise provided by general law. However, the bill creates an exception to the provision by providing that an authority shall be dissolved automatically upon the fifth anniversary of the date it was established in the event that construction has not commenced on any project. In addition, the bill provides that a dissolution may not become effective unless arrangements have been made for the assumption of all governmental services being provided by the authority, and for the transfer and allocation of revenue, property, and indebtedness of the authority.

**Section 16** contains a severability provision.

**Section 17** provides that the bill be liberally construed to carry out its purposes.

**Section 18** states that the bill takes effect upon becoming a law.

D. SECTION-BY-SECTION ANALYSIS:

See the "Effects of Proposed Changes" section of the analysis.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill has no direct impact state government revenues.

2. Expenditures:

This bill has no direct impact on state government expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill has no direct impact on local government revenues.

2. Expenditures:

This bill has no direct impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

This bill creates a community improvement authority in each eligible county (Dade County). It is not clear, however, what funding source will be used to fund the authority's operations.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds or take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

This bill attempts to avoid constitutional limitations on the Legislature's ability to create independent special districts in Dade County. To do so, it defines the jurisdiction of the authority to be the eligible county and each county contiguous therewith. In addition, the bill states:

Because the independent authorities so created will be empowered to exercise certain substantial powers and authority in more than one county, it is declared to be the intent of the Legislature that the Community Improvement Authority Act be construed for all

**STORAGE NAME:** h2413a.ca

**DATE:** April 24, 2000

**PAGE 9**

purposes as a general law that relates to more than one county and that the independent authorities so created not be deemed to have jurisdiction lying wholly within any one county within the meaning of any constitutional, statutory, or charter provision.

Under Section 6(e), the authority of Dade County to establish home rule pursuant to Article VIII, Sections 9, 10, 11 and 24, of the Constitution of 1885, as amended, is preserved and all provisions of the Metropolitan Dade County Home Rule Charter, heretofore or hereafter adopted are valid, and any amendments to the charter are valid as long as the charter provisions and amendments are authorized under Article VIII, Section 11, of the Constitution of 1885, as amended.

Pursuant to Section 11(1)(c), of Article VIII, of the Constitution of 1885, as amended, the Dade County Charter provides that the electors of Dade County are granted the authority to adopt, revise and amend a home rule charter for Dade County that:

May change the boundaries of, merge, consolidate, and abolish and may provide a method for changing the boundaries of, merging, consolidating and abolishing from time to time all municipal corporations, county or district governments, **special taxing districts, authorities, boards, or other governmental units whose jurisdiction lies wholly within Dade County**, whether such governmental units are created by the Constitution or the Legislature or otherwise, except the Dade County Board of County Commissioners as it may be provided for from time to time by this home rule charter and the Board of Public Instruction of Dade County.

The Dade County Home Rule Charter addresses within its terms the establishment and abolishment of municipalities and the establishment, merger and abolishment of special purpose districts. With respect to special districts, Article I, Section 1.01(11), provides that the Board of County Commissioners shall:

By ordinance, establish, merge and abolish special purpose districts within which may be provided police and fire protection, beach erosion control, recreation facilities, water, streets, sidewalks, street lighting, waste and sewage collection and disposal, drainage, and other essential facilities and services. All county funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only. The Board of County Commissioners shall be the governing body of all such districts and when acting as such governing body shall have the same jurisdiction and powers as when acting as the Board. . . .

Several exceptions are listed in the charter where the governing board is other than the county commission--an elected board for the Metro-Dade Fire and Rescue Service and the governing board of the Juvenile Welfare Board, which shall consist of a board where five members are appointed by the Governor and the remaining members are specified in the subsection. The description of the functions and financing of the special districts described above is consistent with the definition of special district set forth in s. 189.403(1), F.S., of ". . . local unit of special purpose, as opposed to general purpose, government within a limited boundary, created by general law, special act or local ordinance."

In *Chase v. Cowart*, 102 So.2d 147 (Fla. 1958), the court decided whether the Dade County Budget Commission, a commission established by the Florida Legislature with authority over the fiscal affairs of county boards and county officers of Dade County and whose jurisdiction fell entirely within Dade County, had been abolished by the electors of Dade County through the enactment of its home rule charter. In deciding the issue, the court

weighed the meaning of subsections (5), (6), (7), and (9), Section 11, Article VIII, Constitution of 1885, as amended, which preserve to the Legislature the authority to enact general laws that apply to Dade County and any one or more counties, and the provision of subsection (1)(c) which is an express grant of power which authorizes the voters of Dade County to adopt a charter, the provisions of which may abolish any board or governmental unit, whose jurisdiction lies wholly within Dade County, whether created by the Constitution or by the Legislature or otherwise.

The court held that the electors of Dade County, through the enactment of its home rule charter, abolished the budget commission. The court reasoned that the limitations of subsections (5) and (9) do not prohibit the abolishment of the Budget Board because the charter provision allowing abolishment of the board comes within the exception to the limitations of subsections (5) and (9) that states “except as expressly authorized herein.”

Section 11(1) (c) is clearly an express grant of power which authorizes the voters of Dade County to adopt a charter, the provisions of which may abolish any board or governmental unit, whose jurisdiction lies wholly in Dade County, whether created by the Constitution or by the Legislature or otherwise. We think it crystal clear that the words ‘except as expressly authorized’ or provided’ as found in subsections (5) and (9) relates directly to the specific grants of power contained in the various sub-subsections of subsection (1).

Finally, the court further stated that it did not matter to its analysis whether the law creating the Budget Board was a general law, general law of local application, or a special act.

In the case of *City of Sweetwater v. Dade County*, 343 So.2d 953 (3rd DCA 1977), the court held that general law provisions governing the annexation of land into municipalities did not apply within Dade County because the changing of boundaries of municipalities is an area of autonomy conferred on Dade County by its Home Rule Charter. In reaching this holding the court characterized the autonomy granted Dade County by Section 11(1), Article VII of the Constitution of 1885, as amended:

Subsections 1(a) through (i) of the Home Rule Charter Amendment constitute those organic areas of autonomy and authority in local affairs conferred upon Dade County by the Florida Constitution and may not be diminished and curtailed by general laws of the State enacted after 1956. *Id* at p. 954.

Hence, the matter of changing boundaries of municipalities was found by the court to be “one of the areas of autonomy conferred on Dade County by the Home Rule Amendment, with the result that the method provided therefor by the Home Rule Charter, . . . is effective and exclusive, notwithstanding the existence from time to time of a general state law which makes provision for some other method.” *Id*.

**B. RULE-MAKING AUTHORITY:**

This bill does not necessitate a grant of rulemaking authority.

**C. OTHER COMMENTS:**

**Technical Concerns**

On page 5, lines 27 through 29, the bill provides for “the city commission of the city within which the projects are proposed to be constructed “ to appoint 2 members of the board of

the authority. It is unclear how this city will be identified prior to the appointment of the board.

On page 17, line 29, through page 18, line 2, the bill states that: "Section 287.055, Florida Statutes, does not apply to the selection of professional architectural, engineering, landscape architectural, or land surveying services by the authority or to the procurement of design-build contracts." This sentence is drafted incorrectly as s. 287.055, F.S., the "Consultants' Competitive Negotiation Act", by its terms, governs the selection of these professional services. Apparently the intent of the drafters is to exempt the authority from the requirements of s. 287.055, F.S. If so, the sentence should read that the authority does not have to comply with s. 287.055, in its procurement of professional services.

On page 19, lines 24 through 26, the bill states: "Once an authority has been established its existence is not affected by any subsequent reduction in population or cruise passenger traffic in the eligible county." This provision does not apply to this bill.

Chapter 189 imposes a number of requirements on special districts. Section 189.404(3), F.S., requires general or special acts that create or authorize the creation of independent special districts and are enacted after September 30, 1989 to address and include certain items in their charters. The bill does not provide for the method of amending the charter of the district as required by ch. 189, F.S.

#### VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The Committee on Community Affairs considered this bill on April 24, 2000, and adopted fifteen amendments that are traveling with the bill. The amendments are described below:

##### Amendment 1

On page 2, lines 14-21, remove said lines. This technical amendment deletes redundant language.

##### Amendment 2

On page 4, line 21, after "authority" insert: or "other governmental body". This amendment revises the definition of "revenue bonds" to include obligations of other governmental bodies.

##### Amendment 3

On page 5, lines 22-29, remove said lines and insert new language. This amendment provides for the composition of the board of supervisors of the authority. The board is to consist of nine members. The Governor is to appoint two members. The county commission of the eligible county is to appoint five members; however, in the event that the proposed project is to be constructed within the limits of an incorporated municipality, then the city commission shall make two of such appointments. The mayor of the county is to appoint two members; however, in the event the proposed project is to be constructed within the limits of an incorporated city, then the city's mayor shall make one of such appointments.

##### Amendment 4

On page 6, lines 12-14, remove said lines from the bill and insert new language. This amendment provides for staggered terms of the board members.

Amendment 5

On page 6, line 19, remove “four” from the bill and insert “five”. The amendment changes the number of members required to constitute a quorum from four to five members.

Amendment 7

On page 7, line 16, remove “my” from the bill and insert “may”. This amendment corrects a drafting error.

Amendment 8

On page 8, lines 19-21, remove said lines from the bill and insert new language. This amendment provides that in the event an appropriate governmental authority acting upon the recommendations of the authority, has approved a source or sources of funding to finance the construction or development of a project, the board may exercise specified powers.

Amendment 9

On page 9, line 19, through page 11, line 28, remove all said lines from the bill and insert new language. This amendment corrects the numbering of the bill.

Amendment 10

On page 16, line 2, before the period insert new language. The amendment provides that bonds are not invalid because of any initiative or referendum taking place after bonds are issued.

Amendment 11

On page 16, lines 25-26, remove said lines from the bill and insert new language. This amendment eliminates references to “rentals, rates, fees, or other charges” in the pledge by the state to the bondholders of the authority.

Amendment 12

On page 18, on lines 4 and 5, before “lessee” insert “operator,”. This amendment adds operator to the entities the authority must engage the services of, in the case of a new professional sports franchise.

Amendment 13

On page 19, line 2, after “authority” insert new language. This amendment allows the authority to grant operating agreements for any project of the authority.

Amendment 14

On page 19, line 16, after “authority” insert new language. This amendment allows the authority to grant operating agreements for any project of the authority.

Amendment 15

**STORAGE NAME:** h2413a.ca

**DATE:** April 24, 2000

**PAGE 13**

On page 19, line 26, remove "or cruise passenger traffic" from the bill. This amendment deletes an inappropriate reference in the bill.

Amendment 16

On page 7, lines 3 and 9, remove "shall" from the bill and insert "may". This amendment makes the appointment of an executive director and chief financial officer optional.

VII. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Staff Director:

---

Thomas L. Hamby

---

Joan Highsmith-Smith