

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 existing legislation regarding the Boca Raton Airport Authority (BRAA). The Boca Raton Airport is publicly-owned and is designated as a general aviation transport facility governed by a seven member authority appointed by the City of Boca Raton and Palm Beach County Commission.

The bill also updates the requirements for a quorum and the necessary affirmation for a vote to be enacted, from three members to four members, in order to represent a majority of BRAA. The current charter requires three (of seven) members for a quorum and to take action on a vote of the authority, which is less than the current majority. This bill updates the quorum and vote affirmation provisions in ss. (5) of s. 4 of the charter, to four of the seven members.

C. SECTION DIRECTORY:

Section 1 refers to the requirement of codification pursuant to s. 189.429, F.S., for the Boca Raton Airport Authority.

Section 2 codifies, reenacts, amends, and repeals chs. 82-259, 83-371, 91-381, and 99-421, L.O.F., relating to the BRAA's charter as provided.

Section 1 provides the short title.

Section 2 provides definitions.

Section 3 outlines the creation and purpose of the authority.

Section 4 outlines the membership, terms of office, quorum, meetings, and removal authority members. This section updates the requirements for a quorum and the necessary affirmation of a vote to four members.

Section 5 provides the power and duties.

Section 6 provides the terms for compensation and travel expenses.

Section 7 outlines the requirements of the budget.

Section 8 authorizes the authority to employ an airport manager. The decision to employ an airport manager requires a four-fifths vote of the membership of the authority.

Section 9 defines the relationship between the authority, city, county, and state.

Section 10 provides the title to the airport land.

Section 11 requires the authority to be liable for its obligations and damages caused by negligence.

Section 3 repeals chs. 82-259, 83-371, 91-381, and 99-421, L.O.F., relating to BRAA's charter.

Section 4 provides that this act shall take effect upon becoming a law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

January 11, 2004.

WHERE?

The *Sun-Sentinel* published daily in Broward, Palm Beach, and Miami-Dade Counties, 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

According to the economic impact statement, there does not appear to be a fiscal impact.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

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

B. RULE-MAKING AUTHORITY:

This bill does not appear to effect rule making authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

This act was last amended by ch. 99-421, L.O.F., which increased the authority members from five to seven people. However, ch. 99-421, L.O.F., failed to update the requirements for a quorum and the necessary affirmation of a vote to take any action. The current charter requires three (of seven) members for a quorum and for the board to take action on a vote, which is less than the current majority. This bill updates the quorum and vote affirmation provisions in ss. (5) of s. 4 of the charter, to four of the seven members.

However, it appears that s. 8 of the charter uses outdated language relating to the former five member authority. Section 8 requires a "four-fifths" vote of the members of the authority to employ or terminate

an airport manager. According to Ken Day, the BRAA airport manager, the authority did not overlook this section and has chosen to keep the current language.

IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

N/A