

House Bill No. 1253

An act relating to the Jacksonville Airport Authority, Consolidated City of Jacksonville, Duval County; amending chapter 2004-464, Laws of Florida; renaming the authority as the Jacksonville Aviation Authority; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (1) and (2) of section 1 and section 7 of section 1 of chapter 2004-464, Laws of Florida, are amended to read:

Section 1. Creation of Jacksonville Aviation ~~Airport~~ Authority.—

(1) The charter provisions concerning the airport operations of the former Jacksonville Port Authority established pursuant to Chapter 2001-319, Laws of Florida, as amended, are hereby amended and restated in their entirety to read as follows: There is hereby created and established as of October 1, 2001, a separate body politic and corporate to be known as the Jacksonville Aviation ~~Airport~~ Authority and hereinafter referred to singly as the “authority,” which is created as an agency and political subdivision of the State of Florida in the nature of counties and not municipalities. This authority is authorized to exercise its jurisdiction, powers, and duties within the geographic area defined by the boundary lines of Duval County as established by section 7.16, Florida Statutes, which boundary lines also define the geographic area of the City of Jacksonville, and outside such boundary lines as hereinafter provided. The Jacksonville Aviation ~~Airport~~ Authority shall operate, manage, and control all of the publicly owned airports and ancillary facilities located within Duval County and outside such boundary lines as hereinafter provided. The authority was separated from the former Jacksonville Port Authority pursuant to 2001-319, Laws of Florida, as amended, and this separation shall be reviewed for performance and efficiency after a period of 4 years from October 1, 2001.

(2) The governing body for the Jacksonville Aviation ~~Airport~~ Authority shall consist of seven members, three of whom shall be appointed by the Mayor of the City of Jacksonville with the confirmation of the council of the City of Jacksonville, and four of whom shall be appointed by the Governor of Florida with the confirmation of the Senate. Members shall serve for terms of 4 years commencing on October 1 of the year of the appointment or for the unexpired portion of a term deemed to have commenced on October 1. Members of the authority, during their terms, shall serve at the pleasure of the Mayor or Governor, whoever appointed the member. Members shall continue to serve on the authority until their death, resignation, removal, or until their respective successors are appointed and confirmed. A vacancy occurring during the term of an appointed member on the authority shall be filled only for the balance of the unexpired term. Any member appointed to the authority for two consecutive full terms shall not be eligible for appointment to the authority for the next succeeding term. Provided, however, notwithstanding the above, members initially appointed to the authority shall serve in staggered terms to provide continuity of experience to the

authority with two gubernatorial appointments and two mayoral appointments being for initial 2-year terms, which shall count as a full term for purposes of term limits provided herein.

Section 7. Rights of employees.—

(1) Except as provided in subsection (2), all employment rights and employee benefits authorized under section 11, chapter 63-1447, Laws of Florida, as amended, are hereby confirmed, ratified, and continued, notwithstanding the repeal of said chapter 63-1447, Laws of Florida, as amended. Effective October 1, 2001, in order to preserve the rights of employees of the former Jacksonville Port Authority to continue participation in the Florida Retirement System pursuant to chapter 121, Florida Statutes, the authority created by this act (and its predecessor act) shall be a county agency and employees of the authority shall participate in the Florida Retirement System, notwithstanding any law to the contrary. Effective October 1, 2001, those employees of the former Jacksonville Port Authority who were assigned to any activity related to the operation of the airport facilities shall become employees of the Jacksonville Aviation Airport Authority created by this act (and its predecessor act). Effective October 1, 2001, central administrative employees shall be employed by either the Jacksonville Aviation Airport Authority or the Jacksonville Port Authority, formerly known as the Jacksonville Seaport Authority, created by this act (and its predecessor act) or as otherwise agreed by both. It is expressly provided that none of those employees of the former Jacksonville Port Authority who remain with the authority created by this act (and its predecessor act) shall lose any rights or benefits of whatsoever kind or nature afforded to them by any law, ordinance, collective bargaining agreement, or existing policy or plan, including, but not limited to, pension benefits by virtue of the change in corporate structure. In order to effectively implement the foregoing, the authority shall perform all functions with regard to its own employees that prior to the operation of the two authorities created by this act (and its predecessor act) were performed by the former Jacksonville Port Authority. In order to specifically preserve the rights of employees of the former Jacksonville Port Authority to continue participation in the Florida Retirement System, pursuant to chapter 121, Florida Statutes, the authority created by this act (and its predecessor act) shall be a county authority and employees of this authority who are currently participating in the Florida Retirement System and all employees of the authority after October 1, 2001, shall be eligible to participate in the Florida Retirement System.

(2) Effective October 1, 2001, the Jacksonville Aviation Airport Authority firefighters shall be merged into the City of Jacksonville's Fire and Rescue Department and shall become employees of the City of Jacksonville; however, with respect to pension benefits such Jacksonville Aviation Airport Authority Fire Department employees shall have a one-time option to continue participation in the Florida Retirement System or to participate in the City of Jacksonville Police and Fire Pension Fund. Such option must be exercised no later than November 1, 2001. Upon such merger, firefighting services for the airports owned and operated by the Jacksonville Aviation Airport Authority shall be provided by the Fire and Rescue Department of the City of Jacksonville pursuant to a written contract to be entered into by

and between the City of Jacksonville and the Jacksonville Aviation Airport Authority. Notwithstanding any provision in this act to the contrary, such merger and contract shall become effective October 1, 2001. If any firefighter who has vested in the Florida Retirement System exercises the option to become a member of the City of Jacksonville Police and Fire Pension Fund, such vested time shall not be included in the City of Jacksonville Police and Fire Pension Fund.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 10, 2005.

Filed in Office Secretary of State June 10, 2005.