

Alachua County Board of County Commissioners

Paula M. DeLaney, *Chair*
Mike Byerly, *Vice Chair*
Susan Baird
Lee Pinkoson

Administration
Richard A. Drummond
Acting County Manager

January 24, 2012

Legislative Delegation

RE: *Proposed Senate Bill 958 and House Bill 773 Establishing Sound Level Testing and Certification of Airboats*

The Alachua County Board of County Commissioners strongly opposes the enactment of Senate Bill 958 and House Bill 773, which will invalidate restrictions that Alachua County, through the voter initiative process, placed on the nighttime operation of airboats.

These bills will allow the Florida Fish and Wildlife Commission to certify airboats that emit 107 dBs of noise while traveling on a plane from a distance of 100 feet by issuing a decal to the owner of the airboat after noise emission testing. The legislation continues to allow local governments to discriminate against airboats upon a two-thirds vote of the governing body but prohibits any discrimination against airboats that bear the decal and certificate of noise level authorized by the new legislation.

Alachua County voters, through a charter-based ordinance initiative process, successfully convinced the countywide electorate to adopt a nighttime airboat curfew prohibiting the operation of airboats on water bodies within Alachua County between the hours of 7:00 p.m. to 7:00 a.m. This initiative passed at the 2010 General Elections by a vote of 56.17% for the nighttime airboat curfew and 43.83% against the curfew.

These bills, if adopted, will invalidate a restriction approved by a majority of the County voters and substantially erode the home rule power of county and city governments statewide to adopt local laws to solve local problems.

Sincerely,

Paula M. DeLaney, Chair
Alachua County Commission
Chr12.041

PMD:DWW:eeh

cc: Board of County Commissioners
Randall H. Reid, County Manager
Dave Wagner, County Attorney
Department File