

Bill No. CS for SB 2540

Amendment No. ____

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Burt moved the following substitute for amendment (303036):

Senate Amendment (with title amendment)

On page 40, between lines 25 and 26,

insert:

Section 16. Florida Commercial Space Development Incentive Program.--

(1)(a) The Legislature finds that attracting, retaining, and providing favorable conditions for the growth of commercial space facilities provides widespread economic benefits to the public through high-quality employment opportunities in such facilities and in related facilities attracted to the state, through the increased tax base provided by such facilities and businesses in related sectors, through an enhanced entrepreneurial climate in the state and the resulting business and employment opportunities, and through the stimulation and enhancement of the state's universities and community colleges. In the global economy, there exists serious and fierce international competition for

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1 commercial space facilities, and in most instances, when all
2 available resources for economic development have been used,
3 the state continues to encounter severe competitive
4 disadvantages in vying for these high-impact business
5 facilities.

6 (b) The Legislature therefore declares that sufficient
7 resources shall be available to respond to such extraordinary
8 economic opportunities and to compete effectively for these
9 commercial space facilities and related businesses, including
10 but not limited to facilities and businesses related to a
11 reusable launch vehicle or similar space-transportation
12 system.

13 (2) There is created within the Office of Tourism,
14 Trade, and Economic Development the Florida Commercial Space
15 Development Incentive Program.

16 (3)(a) Enterprise Florida, Inc., shall evaluate
17 individual proposals for commercial space business facilities
18 and forward recommendations regarding the use of moneys under
19 the program for such facilities to the director of the Office
20 of Tourism, Trade, and Economic Development. Such evaluation
21 and recommendation must include, but need not be limited to:

22 1. A description of the type of facility, its business
23 operation, and the product or service associated with the
24 facility.

25 2. The number of full-time-equivalent jobs that will
26 be created by the facility and the total estimated average
27 annual wages of those jobs.

28 3. The cumulative amount of investment to be dedicated
29 to the facility within a specified period.

30 4. A statement of any special impacts the facility is
31 expected to stimulate in a particular business sector in the

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1 state or regional economy or in the state's universities and
2 community colleges.

3 5. A statement of environmental or regulatory issues
4 involved with the project.

5 6. A statement in which Enterprise Florida, Inc., must
6 indicate that in its best judgment the commercial space
7 business facility project will not occur at the proposed site
8 in Florida without the use of the incentive program.

9 7. A statement on the manner in which program funds
10 will be used under the project.

11 (b) The business must have provided a performance bond
12 that guarantees the creation of jobs for at least 10 years.

13 (c) The high-impact business facility must create at
14 least 1,000 jobs, or create at least 300 jobs in a rural
15 community or a distressed urban-core community. The jobs to be
16 created must pay a wage that exceeds the average wage in the
17 affected community by 20 percent, and the employer must
18 provide a health-benefit package for employees.

19 (3) Upon receipt of the evaluation and recommendation
20 from Enterprise Florida, Inc., the director shall recommend
21 approval or disapproval of a project for receipt of funds
22 under the Florida Commercial Space Development Incentive
23 Program to the Governor. In recommending a commercial space
24 business facility, the director shall include proposed
25 performance conditions that the facility must meet to obtain
26 incentive funds. The Governor shall consult with the President
27 of the Senate and the Speaker of the House of Representatives
28 before giving approval for a project.

29 (4) Upon approving a project, the Governor, through
30 the director of the Office of Tourism, Trade, and Economic
31 Development, shall initiate a budget amendment under chapter

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1 216, Florida Statutes, requesting a specific amount for an
2 approved project to be paid from the Working Capital Fund. The
3 total amount of all approved projects in any one fiscal year
4 shall not exceed \$10 million.

5 (5)(a) Upon the approval of the budget amendment, the
6 director of the Office of Tourism, Trade, and Economic
7 Development and the commercial space business shall enter into
8 a contract that sets forth the conditions for payment of
9 moneys under this program. The contract must include the total
10 amount of funds awarded; the performance conditions that must
11 be met to obtain the award, including, but not limited to, net
12 new employment in the state, average salary, and total capital
13 investment; the methodology for validating performance; the
14 schedule of payments under the program; the manner in which
15 funds will be utilized; and sanctions for failure to meet
16 performance conditions.

17 (b) Enterprise Florida, Inc., shall validate
18 contractor performance. Such validation shall be reported
19 within 6 months after completion of the contract to the
20 Governor, the President of the Senate, and the Speaker of the
21 House of Representatives.

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24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 4, line 3, after the semicolon

27

28 insert:

29 providing legislative findings and declarations
30 with respect to the global competition that is
31 encountered by the state in attracting

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1 commercial space business facilities; creating
2 the Florida Commercial Space Development
3 Incentive Program within the Office of Tourism,
4 Trade, and Economic Development; requiring
5 Enterprise Florida, Inc., to evaluate and
6 recommend high-impact commercial space
7 facilities eligible for a payment of moneys;
8 providing eligibility criteria; requiring that
9 such payments be approved by the Governor,
10 following consultation with the President of
11 the Senate and the Speaker of the House of
12 Representatives; requiring initiation of a
13 budget amendment to obtain funds from the
14 Working Capital Fund; requiring reimbursement
15 to the trust fund; providing certain
16 requirements for the contract awarding moneys;
17 requiring Enterprise Florida, Inc., to validate
18 contractor performance; providing for a report
19 to the Governor, the President of the Senate,
20 and the Speaker of the House of
21 Representatives;

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