

Bill No. CS for SB 2540

Amendment No. 3

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Fiscal Policy recommended the following amendment:

**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 State Transportation  
3 Trust Fund. Any funds approved under such process for payment  
4 from the State Transportation Trust Fund must be reimbursed by  
5 the Legislature during the succeeding fiscal year.

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

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

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

26 And the title is amended as follows:

27 On page 4, line 3, after the semicolon

28  
29 insert:

30 providing legislative findings and declarations

31 with respect to the global competition that is

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

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