

By Senator Sebesta

20-486A-01

1 A bill to be entitled
2 An act relating to the Spaceport Florida
3 Authority; amending s. 331.304, F.S.; providing
4 for what constitutes spaceport territory;
5 amending s. 331.305, F.S.; authorizing
6 Spaceport Authority employees to participate in
7 the state employee tuition waiver education and
8 training program; amending s. 331.367, F.S.;
9 revising the membership and functions of
10 entities under the Spaceport Management
11 Council; creating the Space Commerce Board;
12 amending s. 331.368, F.S.; revising provisions
13 relating to the authority of the Florida Space
14 Research Institute; providing an effective
15 date.

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

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19 Section 1. Subsection (1) of section 331.304, Florida
20 Statutes, as amended by section 3 of chapter 99-256, Laws of
21 Florida, is amended to read:

22 331.304 Spaceport territory.--The following property
23 shall constitute spaceport territory:

24 (1) Certain real property located in Brevard County
25 that is included within the 1998 boundaries of Patrick Air
26 Force Base, Cape Canaveral Air Force Station, or John F.
27 Kennedy Space Center.

28 Section 2. Subsection (18) of section 331.305, Florida
29 Statutes, is amended to read:

30 331.305 Powers of the authority.--The authority shall
31 have the power to:

1 (18) Establish a personnel management system for
2 hiring employees and setting employee benefit packages. The
3 personnel of the authority are ~~shall not be~~ considered to be
4 within the state employment system, but are eligible to
5 participate in state employee education and training
6 opportunities established under s. 110.1099.

7 Section 3. Section 331.367, Florida Statutes, is
8 amended to read:

9 331.367 Spaceport Management Council.--

10 (1) The Spaceport Management Council is created within
11 the Spaceport Florida Authority to provide coordination
12 between government agencies and commercial operators for the
13 purpose of developing ~~and~~ recommendations on projects and
14 activities to ~~that will~~ increase the operability and
15 capabilities of Florida's space launch facilities, increase
16 statewide space-related industry and opportunities, and
17 promote space education, and research, and technology
18 development within the state. The council shall work to create
19 ~~develop~~ integrated facility and programmatic development plans
20 to address commercial, state, and federal requirements and to
21 identify appropriate private, state, and federal resources to
22 implement these plans.

23 (2) The council shall make recommendations regarding:

24 (a) The development of a spaceport master plan.

25 (b) The projects and levels of commercial financing
26 required from the Florida Commercial Space Financing
27 Corporation created by s. 331.407.

28 (c) Development and expansion of space-related
29 education and research facilities and programs within Florida
30 in consultation with the Florida Space Research Institute,
31 including recommendations to be provided to the State

1 University System, the Division of Community Colleges, and the
2 Department of Education.

3 (d) The regulation of spaceports and federal and state
4 policy.

5 (e) Appropriate levels of governmental and private
6 funding for sustainable Florida's approach to the Federal
7 Government regarding requests for funding of space
8 development.

9 (f) Projects to be funded under the Florida Spaceport
10 Development Program created in s. 331.365.

11 (3) The council shall submit its recommendations to
12 the Governor and Lieutenant Governor and provide copies to the
13 Secretary of Transportation, the director of the Office of
14 Tourism, Trade and Economic Development, the associate
15 administrator for Space Transportation in the United States
16 Department of Transportation, the administrator of the
17 National Aeronautics and Space Administration, and the Deputy
18 Assistant Secretary of the Air Force for Space Plans and
19 Policy.

20 (4)(3)(a) The council shall consist of an executive
21 board consisting, ~~which shall consist~~ of representatives of
22 governmental and commercial organizations having with
23 responsibilities for developing or operating space
24 transportation facilities, and a Space Commerce Board that is
25 open to membership by space-related business and represents
26 Industry Committee, which shall consist of representatives of
27 Florida's space industry.

28 (b) The executive board consists of the following
29 individuals or their designees ~~shall serve on the executive~~
30 board:

31

1 1. The executive director of the Spaceport Florida
2 Authority ~~or his or her designee.~~

3 ~~2. The director of the John F. Kennedy Space Center or~~
4 ~~his or her designee.~~

5 ~~3. The Commander of the United States Air Force 45th~~
6 ~~Space Wing or his or her designee.~~

7 ~~4. The Commander of the Naval Ordnance Test Unit or~~
8 ~~his or her designee.~~

9 ~~2.5. The Secretary of Transportation or his or her~~
10 ~~designee.~~

11 ~~3.6. The president of Enterprise Florida, Inc., or his~~
12 ~~or her designee, as an ex officio nonvoting member.~~

13 ~~4.7. The director of the Office of Tourism, Trade, and~~
14 ~~Economic Development or his or her designee, as an ex officio~~
15 ~~nonvoting member.~~

16 5. Three industry representatives selected by the
17 Space Commerce Board.

18 (c)1. Participation by the federal agencies having
19 space-related missions in the state will contribute to council
20 effectiveness, and the following installation heads or their
21 designees may serve as official liaisons to the council: the
22 director of the John F. Kennedy Space Center, the Commander of
23 the 45th Space Wing, and the Commander of the Naval Ordnance
24 Test Unit.

25 2. Federal liaison officials may attend and
26 participate in council meetings and deliberations, provide
27 federal-agency views on issues before the council, and present
28 issues of concern and make recommendations to the council.

29 3. The role of federal liaison officials is limited by
30 federal statutes and other constraints, but the determination
31 of this limitation is a federal function.

1 4. The fiduciary responsibility of the official
2 liaisons shall remain at all times with their respective
3 agencies.

4 5. To the extent that the advice or recommendations of
5 the official liaisons are not adopted or incorporated into the
6 final recommendations of the council, the official liaisons
7 may append to such final recommendations their advice,
8 recommendations, or opinions.

9 ~~(4) Each member shall be appointed to serve for a~~
10 ~~3-year term, beginning July 1. Initial appointments shall be~~
11 ~~made no later than 60 days after the effective date of this~~
12 ~~act.~~

13 ~~(5) The executive board shall hold its initial meeting~~
14 ~~no later than 30 days after the members have been appointed.~~
15 ~~The Space Industry Committee shall hold its initial meeting no~~
16 ~~later than 60 days after the members have been appointed.~~

17 ~~(6) All council members must be residents of the~~
18 ~~state.~~

19 (5)(7) The executive board council shall adopt bylaws
20 governing the manner in which the business of the council
21 shall be conducted. The bylaws shall specify the procedure by
22 which the chairperson of the council is elected.

23 (6)(8) The council shall provide infrastructure and
24 program requirements and develop other information to be
25 utilized in a 5-year spaceport master plan. The council shall
26 define goals and objectives concerning the development of
27 spaceport facilities and an intermodal transportation system
28 consistent with the goals of the Florida Transportation Plan
29 developed pursuant to s. 339.155.

30 (7)(9) The council shall provide requirements and
31 other information to be utilized in the development of a

1 5-year Spaceport Economic Development Plan, defining the goals
2 and objectives of the council concerning the development of
3 facilities for space manufacturing, research, technology and
4 development, and education ~~educational facilities.~~

5 ~~(8)(10)~~ The council shall meet at the call of its
6 chairperson, at the request of two or more members of the
7 executive board ~~a majority of its membership~~, or at such times
8 as may be prescribed in its bylaws. However, the council must
9 meet at least semiannually. ~~A majority of voting members of~~
10 ~~the council constitutes a quorum for the purpose of~~
11 ~~transacting the business of the council.~~ A majority vote of
12 ~~the majority~~ of the voting members present is sufficient for
13 any action of the council, unless the bylaws of the council
14 require a greater vote for a particular action.

15 Section 4. Section 331.368, Florida Statutes, is
16 amended to read:

17 331.368 Florida Space Research Institute.--

18 (1) There is created the Florida Space Research
19 Institute, the purpose of which is to serve as an
20 industry-driven center for research, leveraging the state's
21 resources in a collaborative effort to support Florida's space
22 industry and its expansion, diversification, and transition to
23 commercialization.

24 (2) The institute shall operate as a public/private
25 partnership under the direction of a board composed of:

26 (a) A representative of the Spaceport Florida
27 Authority.

28 (b) A representative of Enterprise Florida, Inc.

29 (c) A representative of the Florida Aviation Aerospace
30 Alliance.

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1 (d) A representative of the Florida Space Business
2 Roundtable.

3 (e) Additional private-sector representatives from the
4 space industry selected collaboratively by the core members
5 specified in paragraphs (a)-(d). The additional space industry
6 representatives under this paragraph must comprise the
7 majority of members of the board and must be from geographic
8 regions throughout the state. Each private-sector
9 representative shall serve a term of 3 years.

10 (f) Two representatives from the educational community
11 who are selected collaboratively by the core members specified
12 in paragraphs (a)-(d) and who are engaged in research or
13 instruction related to the space industry. One representative
14 must be from a community college, and one representative must
15 be from a public or private university. Each educational
16 representative shall serve a term of 2 years.

17 (g) Annually, the members of the board shall select
18 one of the members to serve as chair, who shall be responsible
19 for convening and leading meetings of the board.

20 (h) The board members are considered to be volunteers
21 as defined in s. 110.501, and shall serve with all protections
22 provided to volunteers of state agencies under s. 768.1355.

23 (3) The Florida Space Research Institute may:

24 (a) Acquire property under such conditions as the
25 board considers necessary, and sell or otherwise dispose of
26 the property.

27 (b) Serve as a coordinating organization among public
28 and private academic institutions, the State University
29 System, industry, and government agencies to support the
30 expansion and diversification of the state's space industry
31 and to support research and education programs.

1 (c) Execute contracts and other documents, adopt
2 proceedings, and perform any acts determined by the board to
3 be necessary to carry out the purposes of this section.

4 (d) Establish a personnel-management system and
5 procedures, rules, and rates governing administrative and
6 financial operations of the institute.

7 (e) Acquire, accept, or administer grants, contracts,
8 and fees from other organizations to perform activities that
9 are consistent with the purposes of this section.

10 (f) Work in partnership with the Spaceport Florida
11 Authority, Enterprise Florida, Inc., and other organizations
12 to support their programs to promote the state as a center for
13 space enterprise, research, and technology development.

14 (4)(3) The board of the Florida Space Research
15 Institute shall:

16 (a) Set the strategic direction for the space-related
17 research priorities of the state and its space-related
18 businesses, the scope of research projects for the institute,
19 and the timeframes for completion.

20 (b) Invite the participation of public and private
21 academic institutions ~~universities~~, including, but not limited
22 to, the University of Central Florida, the University of
23 Florida, the University of South Florida, Florida State
24 University, Florida Institute of Technology, and the
25 University of Miami.

26 (c) Select a lead university to:

27 1. Serve as coordinator of research for ~~and as the~~
28 ~~administrative entity~~ of the institute;

29 2. Support the institute's development of a statewide
30 space research agenda and programs; and

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1 3. Develop, and update as necessary, a report
2 recommending ways that the state's public and private
3 universities can work in partnership to support the state's
4 space-industry requirements, which report must be completed by
5 December 15, 2000.

6 (d) Establish a partnership with the state Workforce
7 Development Board, or its successor entity, under which the
8 institute coordinates the workforce-training requirements
9 identified by the space industry and supports development of
10 workforce-training initiatives to meet such requirements,
11 using training providers approved by the board or its
12 successor entity.

13 (e) Comanage, with the National Aeronautics and Space
14 Administration and subject to the terms of an agreement with
15 NASA, operation of a Space Experiment Research and Processing
16 Laboratory, if such a facility is constructed on land of the
17 John F. Kennedy Space Center. The institute shall carry out
18 such responsibility through a consortium of public and private
19 universities in the state led by the University of Florida.

20 (f) Develop initiatives to foster the participation of
21 the state's space industry in the International Space Station
22 and to help the state maintain and enhance its competitive
23 position in the commercial space-transportation industry.

24 (g) Pursue partnerships with the National Aeronautics
25 and Space Administration to coordinate and conduct research in
26 fields including, but not limited to, environmental
27 monitoring; agriculture; aquatics; resource reutilization
28 technologies for long-duration space missions; and spaceport
29 technologies which support current or next-generation launch
30 vehicles and range systems.

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1 (h) Pursue partnerships with the National Aeronautics
2 and Space Administration for the conduct of space-related
3 research using computer technology to connect experts in a
4 given field of science who are in disparate locations and to
5 perform research experiments in a real-time, virtual
6 environment.

7 (i) Appoint or dismiss, as considered necessary by the
8 board, a person to act as executive director of the institute,
9 who shall have such title, functions, duties, powers, and
10 salary as the board prescribes.

11 ~~(5)(4)~~ By December 15 of each year, the institute
12 shall submit a report of its activities and accomplishments
13 for the year to the Governor, the President of the Senate, and
14 the Speaker of the House of Representatives. The report shall
15 also include recommendations regarding actions the state
16 should take to enhance the development of space-related
17 businesses, including:

18 (a) Future research activities.

19 (b) The development of capital and technology
20 assistance to new and expanding industries.

21 (c) The removal of regulatory impediments.

22 (d) The establishment of business development
23 incentives.

24 (e) The initiation of education and training programs
25 to ensure a skilled workforce.

26 Section 5. This act shall take effect July 1, 2002.

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29 SENATE SUMMARY

30 Authorizes Spaceport Authority employees to participate
31 in the state employee tuition waiver program. Creates the
 Space Commerce Board. Revises the authority of the
 Florida Space Research Institute.