

By the Committee on Commerce and Economic Opportunities; and
Senator Sebesta

310-1881-01

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A bill to be entitled
An act relating to the Spaceport Florida
Authority; amending s. 331.367, F.S.; revising
the membership and functions of entities under
the Spaceport Management Council; amending s.
331.368, F.S.; revising provisions relating to
the authority of the Florida Space Research
Institute; providing an effective date.

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

Section 1. Section 331.367, Florida Statutes, is
amended to read:

331.367 Spaceport Management Council.--

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

(2) The council shall make recommendations regarding:

(a) The development of a spaceport master plan.

1 (b) The projects and levels of commercial financing
2 required from the Florida Commercial Space Financing
3 Corporation created by s. 331.407.

4 (c) Development and expansion of space-related
5 education and research facilities and programs within Florida
6 in consultation with the Florida Space Research Institute,
7 including recommendations to be provided to the State
8 University System, the Division of Community Colleges, and the
9 Department of Education.

10 (d) The regulation of spaceports and federal and state
11 policy.

12 (e) Appropriate levels of governmental and private
13 funding for sustainable Florida's approach to the Federal
14 Government regarding requests for funding of space
15 development.

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

25 (4)~~(3)~~(a) The council shall consist of an executive
26 board consisting, ~~which shall consist~~ of representatives of
27 governmental organizations having ~~with~~ responsibilities for
28 developing or operating space transportation facilities, and a
29 Space Industry Committee, which shall consist of
30 representatives of Florida's space industry.

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1 (b) The executive board consists of the following
2 individuals or their designees ~~shall serve on the executive~~
3 board:

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

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

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

10 4. ~~The Commander of the Naval Ordnance Test Unit or~~
11 ~~his or her designee.~~

12 2.5. The Secretary of Transportation ~~or his or her~~
13 ~~designee.~~

14 3.6. The president of Enterprise Florida, Inc., ~~or his~~
15 ~~or her designee,~~ as an ex officio nonvoting member.

16 4.7. The director of the Office of Tourism, Trade, and
17 Economic Development ~~or his or her designee,~~ as an ex officio
18 ~~nonvoting member.~~

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

26 2. Federal liaison officials may attend and
27 participate in council meetings and deliberations, provide
28 federal-agency views on issues before the council, and present
29 issues of concern and make recommendations to the council.
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1 3. The role of federal liaison officials is limited by
2 federal statutes and other constraints, but the determination
3 of this limitation is a federal function.

4 4. The fiduciary responsibility of the official
5 liaisons shall remain at all times with their respective
6 agencies.

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

12 ~~(4) Each member shall be appointed to serve for a~~
13 ~~3-year term, beginning July 1. Initial appointments shall be~~
14 ~~made no later than 60 days after the effective date of this~~
15 ~~act.~~

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

20 ~~(6) All council members must be residents of the~~
21 ~~state.~~

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

26 (6)(8) The council shall provide infrastructure and
27 program requirements and develop other information to be
28 utilized in a 5-year spaceport master plan. The council shall
29 define goals and objectives concerning the development of
30 spaceport facilities and an intermodal transportation system

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1 consistent with the goals of the Florida Transportation Plan
2 developed pursuant to s. 339.155.

3 (7)~~(9)~~ The council shall provide requirements and
4 other information to be utilized in the development of a
5 5-year Spaceport Economic Development Plan, defining the goals
6 and objectives of the council concerning the development of
7 facilities for space manufacturing, research, technology and
8 development, and education ~~educational facilities.~~

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

19 Section 2. Section 331.368, Florida Statutes, is
20 amended to read:

21 331.368 Florida Space Research Institute.--

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

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

30 (a) A representative of the Spaceport Florida
31 Authority.

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

2 (c) A representative of the Florida Aviation Aerospace
3 Alliance.

4 (d) A representative of the Florida Space Business
5 Roundtable.

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

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

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

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

26 (3) The Florida Space Research Institute may:

27 (a) Acquire property under such conditions as the
28 board considers necessary, and sell or otherwise dispose of
29 the property.

30 (b) Serve as a coordinating organization among public
31 and private academic institutions, the State University

1 System, industry, and government agencies to support the
2 expansion and diversification of the state's space industry
3 and to support research and education programs.

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

7 (d) Establish a personnel-management system and
8 procedures, rules, and rates governing administrative and
9 financial operations of the institute.

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

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

17 (4)~~(3)~~ The board of the Florida Space Research
18 Institute shall:

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

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

29 (c) Select a lead university to:

30 1. Serve as coordinator of research for ~~and as the~~
31 ~~administrative entity of the institute;~~

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

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

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

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

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

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

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

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

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

20 (a) Future research activities.

21 (b) The development of capital and technology
22 assistance to new and expanding industries.

23 (c) The removal of regulatory impediments.

24 (d) The establishment of business development
25 incentives.

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

28 Section 3. This act shall take effect July 1, 2001.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1976

The committee substitute:

Eliminates any changes to the name or structure of the Space Industry Committee (to the Space Commerce Board) that were contained in the original bill.

Eliminates a provision clarifying a reference to property within the Spaceport Florida Authority (Spaceport Florida) territory.

Eliminates a provision to allow Spaceport Florida employees to participate in the state employee tuition waiver education and training program. The program allows state employees to receive tuition waivers on a space-available basis or vouchers to attend work-related courses at public universities.

Changes the effective date to July 1, 2001, from July 1, 2002.