

Bill No. HB 1489, 1st Eng.

Barcode 410942

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Posey moved the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 331.301, Florida Statutes, is amended to read:

331.301 Short title.--This act may be cited as the "Space Florida ~~Space Authority~~ Act."

Section 2. Section 331.3011, Florida Statutes, is created to read:

331.3011 Legislative findings and intent.--

(1) The Legislature finds and declares that the aerospace industry of this state is integral to the state's long-term success in diversifying its economy and building a knowledge-based economy that is able to support the creation of high value-added businesses and jobs. Further, under the direction of Space Florida, this state has the opportunity to strengthen its existing leadership in civil, commercial, and military aerospace activity and emerge as a leader in the

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1 nation's new vision for space exploration and commercial
 2 aerospace opportunities, including the integration of space,
 3 aeronautics, and aviation technologies. As the leading
 4 location for talent, research, advanced technologies and
 5 systems development, launch, and other aerospace-based
 6 industry activities, this state can position itself for
 7 sustainable economic growth and prosperity.

8 (2) The Legislature finds that attaining this vision
 9 requires a strong public and private commitment to a world
 10 class aerospace industry. It is the intent of the Legislature
 11 that Space Florida will encourage the public and private
 12 sectors to work together to implement an aggressive strategy
 13 that enhances the state's workforce, education, and research
 14 capabilities, with emphasis on mathematics, science,
 15 engineering, and related fields; will focus on the state's
 16 economic development efforts in order to capture a larger
 17 share of activity in aerospace research, technology,
 18 production, and commercial operations, while maintaining the
 19 state's historical leadership in space launch activities; and
 20 will preserve the unique national role served by the Cape
 21 Canaveral Air Force Station and the John F. Kennedy Space
 22 Center by reducing costs and improving the regulatory
 23 flexibility for commercial sector launches while pursuing the
 24 development of sites for commercial horizontal launches.

25 (3) It is the intent of the Legislature that aerospace
 26 activities be highly visible and well-coordinated within this
 27 state. To that end, it is the intent of the Legislature that
 28 Space Florida will be the single point of contact for state
 29 aerospace-related activities with federal agencies, the
 30 military, state agencies, businesses, and the private sector.

31 Section 3. Section 331.302, Florida Statutes, is

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1 amended to read:

2 (Substantial rewording of section. See
3 s. 331.302, F.S., for present text.)

4 331.302 Space Florida; creation; purpose.--

5 (1) There is established, formed, and created Space
6 Florida, which is created as an independent special district,
7 a body politic and corporate, and a subdivision of the state,
8 to foster the growth and development of a sustainable and
9 world-leading aerospace industry in this state. Space Florida
10 shall promote aerospace business development by facilitating
11 business financing, spaceport operations, research and
12 development, workforce development, and innovative education
13 programs. Space Florida has all the powers, rights,
14 privileges, and authority as provided under the laws of this
15 state.

16 (2) In carrying out its duties and responsibilities,
17 Space Florida shall advise, coordinate, cooperate, and, when
18 necessary, enter into memoranda of agreement with
19 municipalities, counties, regional authorities, state agencies
20 and organizations, appropriate federal agencies and
21 organizations, and other interested persons and groups.

22 (3) Space Florida may not endorse any candidate for
23 any elected public office or contribute money to the campaign
24 of any candidate for public office.

25 (4) Space Florida is not an agency as defined in ss.
26 216.011 and 287.012.

27 (5) Space Florida is subject to applicable provisions
28 of chapter 189. To the extent that any provisions of chapter
29 189 conflict with this act, this act shall prevail.

30 Section 4. Section 331.303, Florida Statutes, is
31 amended to read:

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1 331.303 Definitions.--

2 (1) "Aerospace" means the industry that designs and
3 manufactures aircraft, rockets, missiles, spacecraft,
4 satellites, space vehicles, space stations, space facilities
5 or components thereof, and equipment, systems, facilities,
6 simulators, programs, and related activities, including, but
7 not limited to, the application of aerospace technologies in
8 air-based, land-based, and sea-based platforms for commercial,
9 civil, and defense purposes. ~~"Authority" means the Florida~~
10 Space Authority created by this act.

11 (2) "Board" or "board of directors ~~supervisors~~" means
12 the governing body of Space Florida ~~the authority~~.

13 (3) "Bonds" means revenue bonds, assessment bonds, or
14 other bonds or obligations issued by Space Florida ~~the~~
15 ~~authority~~ for the purpose of raising financing for its
16 projects.

17 (4) "Business client" means any person, other than a
18 state official or state employee, who receives the services
19 of, or is the subject of solicitation by, representatives of
20 Space Florida ~~the authority~~ in connection with the performance
21 of its statutory duties, including purchasers or prospective
22 purchasers of Space Florida ~~authority~~ services, persons or
23 representatives of firms considering or being solicited for
24 investment in Space Florida ~~authority~~ projects, persons or
25 representatives of firms considering or being solicited for
26 location, relocation, or expansion of an aerospace-related ~~a~~
27 ~~space-related~~ business within the state, and business,
28 financial, or other persons connected with the aerospace ~~space~~
29 industry.

30 ~~(5) "Complementary activity" means any space business~~
31 ~~incubator, space tourism activity, educational involvement in~~

1 ~~an incubator, or space tourism and space-related research and~~
2 ~~development.~~

3 ~~(6) "Conduit bond" means any bond of the authority~~
4 ~~which is a nonrecourse obligation of the authority payable~~
5 ~~from the proceeds of such bonds and related financing~~
6 ~~agreements.~~

7 ~~(5)(7)~~ "Cost" means all costs, fees, charges,
8 expenses, and amounts associated with the development of
9 complementary projects by Space Florida ~~the authority~~.

10 ~~(6)(8)~~ "Entertainment expenses" means the actual,
11 necessary, and reasonable costs of providing hospitality for
12 business clients or guests, which costs are defined and
13 prescribed by rules adopted by Space Florida ~~the authority~~,
14 subject to approval by the Chief Financial Officer.

15 ~~(9) "Federal aid" means any property, funding, or~~
16 ~~other financial assistance provided by the Federal Government~~
17 ~~to the authority for its projects.~~

18 ~~(7)(10)~~ "Financing agreement" means a lease,
19 lease-purchase agreement, lease with option to purchase, sale
20 or installment sale agreement, whether title passes in whole
21 or in part at any time before ~~prior to~~, at, or after
22 completion of the project, loan agreement, or other agreement
23 forming the basis for the financing under this act, including
24 any agreements, guarantees, or security instruments forming
25 part of or related to providing assurance of payment of the
26 obligations under ~~the~~such financing agreement.

27 ~~(8)(11)~~ "Guest" means a person, other than a state
28 official or state employee, authorized by the board or its
29 designee to receive the hospitality of Space Florida ~~the~~
30 ~~authority~~ in connection with the performance of its statutory
31 duties.

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1 ~~(9)(12)~~ "Landing area" means the geographical area
 2 designated by Space Florida ~~the authority~~ within the
 3 spaceport territory for or intended for the landing and
 4 surface maneuvering of any launch or other space vehicle.

5 ~~(10)(13)~~ "Launch pad" means any launch pad, runway,
 6 airstrip, or similar facility used ~~by the spaceport or~~
 7 ~~spaceport user~~ for launching ~~of~~ space vehicles.

8 ~~(11)(14)~~ "Payload" means any property or cargo to be
 9 transported aboard any vehicle launched by or from the
 10 spaceport.

11 ~~(12)(15)~~ "Person" means any individual, child,
 12 community college, college, university, firm, association,
 13 joint venture, partnership, estate, trust, business trust,
 14 syndicate, fiduciary, corporation, nation, government
 15 (federal, state, or local), agency (government or other),
 16 subdivision of the state, municipality, county, business
 17 entity, or any other group or combination.

18 ~~(13)(16)~~ "Project" means any activity associated with
 19 any development, improvement, property, launch, utility,
 20 facility, system, works, road, sidewalk, enterprise, service,
 21 or convenience, which may include coordination with federal
 22 and state partners or agencies ~~Enterprise Florida, Inc., the~~
 23 ~~Board of Education, the Florida Aerospace Finance Corporation,~~
 24 ~~and the Florida Space Research Institute;~~ any rocket, capsule,
 25 module, launch facility, assembly facility, operations or
 26 control facility, tracking facility, administrative facility,
 27 or any other type of aerospace-related ~~space-related~~
 28 transportation vehicle, station, or facility; any type of
 29 equipment or instrument to be used or useful in connection
 30 with any of the foregoing; any type of intellectual property
 31 and intellectual property protection in connection with any of

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1 the foregoing including, without limitation, any patent,
 2 copyright, trademark, and service mark for, among other
 3 things, computer software; any water, wastewater, gas, or
 4 electric utility system, plant, or distribution or collection
 5 system; any small business incubator initiative, including any
 6 startup aerospace company, and any aerospace business
 7 proposing to expand or locate its business in this state,
 8 research and development company, research and development
 9 facility, education and workforce training facility, storage
 10 facility, and consulting service; or any tourism initiative,
 11 including any space experience attraction, microgravity flight
 12 program, aerospace launch-related ~~space-launch-related~~
 13 activity, and space museum sponsored or promoted by Space
 14 Florida ~~the authority~~.

15 (14)(17) "Range" means the geographical area
 16 designated by Space Florida ~~the authority~~ or other
 17 appropriate body as the area for the launching of rockets,
 18 missiles, launch vehicles, and other vehicles designed to
 19 reach high altitude.

20 (15)(18) "Recovery" means the recovery of space
 21 vehicles and payloads which have been launched from or by a
 22 ~~the~~ spaceport.

23 (16)(19) "Spaceport" means any area of land or water,
 24 or any manmade object or facility located therein, developed
 25 by Space Florida ~~the authority~~ under this act, which area is
 26 intended for public use or for the launching, takeoff, and
 27 landing of spacecraft and aircraft, and includes any
 28 appurtenant areas which are used or intended for public use,
 29 for spaceport buildings, or for other spaceport facilities,
 30 spaceport projects, or rights-of-way.

31 (20) ~~"Spaceport Florida" means the authority or its~~

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1 ~~facilities and projects.~~

2 ~~(17)(21)~~ "Spaceport launch facilities" means ~~shall be~~
3 ~~defined as~~ industrial facilities as described in ~~accordance~~
4 ~~with~~ s. 380.0651(3)(c) and include any launch pad, launch
5 control center, and fixed launch-support equipment.

6 ~~(22)~~ "Spaceport system" ~~means the programs,~~
7 ~~organizations, and infrastructure developed by the authority~~
8 ~~for the development of facilities or activities to enhance and~~
9 ~~provide commercial space-related development opportunities for~~
10 ~~business, education, and government within the state.~~

11 ~~(18)(23)~~ "Spaceport territory" means the geographical
12 area designated in s. 331.304 and as amended or changed in
13 accordance with s. 331.329.

14 ~~(19)(24)~~ "Spaceport user" means any person who uses
15 the facilities or services of any spaceport; and, for the
16 purposes of any exemptions or rights granted under this act,
17 the said spaceport user shall be deemed a spaceport user only
18 during the time period in which the ~~such~~ person has in effect
19 a contract, memorandum of understanding, or agreement with the
20 spaceport, and such rights and exemptions shall be granted
21 with respect to transactions relating only to spaceport
22 projects.

23 ~~(20)(25)~~ "Travel expenses" means the actual,
24 necessary, and reasonable costs of transportation, meals,
25 lodging, and incidental expenses normally incurred by a
26 traveler, which costs are defined and prescribed by rules
27 adopted by Space Florida ~~the authority~~, subject to approval by
28 the Chief Financial Officer.

29 ~~(21)(26)~~ "Spaceport discretionary capacity improvement
30 projects" means capacity improvements that enhance space
31 transportation capacity at spaceports that have had one or

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1 more orbital or suborbital flights during the previous
 2 calendar year or have an agreement in writing for installation
 3 of one or more regularly scheduled orbital or suborbital
 4 flights upon the commitment of funds for stipulated spaceport
 5 capital improvements.

6 Section 5. Section 331.305, Florida Statutes, is
 7 amended to read:

8 331.305 Powers of Space Florida ~~the authority.~~--Space
 9 Florida may ~~The authority shall have the power to:~~

10 ~~(1) Exercise all powers granted to corporations under~~
 11 ~~the Florida Business Corporation Act, chapter 607.~~

12 (1)(2) Sue and be sued by its name in any court of law
 13 or in equity.

14 (2)(3) Adopt and use a corporate seal and alter the
 15 same at pleasure.

16 (3) Conduct its affairs, carry on its operations, and
 17 have offices and exercise the powers granted by this act in
 18 any state, territory, district, or possession of the United
 19 States or any foreign country.

20 (4) Acquire, enjoy, use, and dispose of patents,
 21 copyrights, and trademarks and any licenses and other rights
 22 or interests under or in such licenses.

23 (5) Purchase, take, receive, subscribe for, or
 24 otherwise acquire, own, hold, vote, use, employ, sell,
 25 mortgage, lend, pledge, or otherwise dispose of and otherwise
 26 use and deal in and with shares and other interests in, or
 27 obligations of, other domestic or foreign corporations,
 28 whether for profit or not for profit, associations,
 29 partnerships, or individuals, or direct or indirect
 30 obligations of the United States, or of any other government,
 31 state, territory, governmental district, municipality, or of

1 any instrumentality of such governmental units.

2 (6) Lend money for its purposes, invest and reinvest
3 its funds, and take and hold real and personal property as
4 security for the payment of funds loaned.

5 (7) Have and exercise all powers necessary or
6 convenient to effect any or all of the purposes for which it
7 is organized.

8 ~~(4) Review and make recommendations with respect to a~~
9 ~~strategy to guide and facilitate the future of space-related~~
10 ~~educational and commercial development. The authority shall in~~
11 ~~coordination with the Federal Government, private industry,~~
12 ~~and Florida universities develop a business plan which shall~~
13 ~~address the expansion of Spaceport Florida locations, space~~
14 ~~launch capacity, spaceport projects, and complementary~~
15 ~~activities, which shall include, but not be limited to, a~~
16 ~~detailed analysis of:~~

17 ~~(a) The authority and the commercial space industry.~~

18 ~~(b) Products, services description--potential,~~
19 ~~technologies, skills.~~

20 ~~(c) Market research and evaluation--customers,~~
21 ~~competition, economics.~~

22 ~~(d) Marketing plan and strategy.~~

23 ~~(e) Design and development plan--tasks, difficulties,~~
24 ~~costs.~~

25 ~~(f) Manufacturing locations, facilities, and~~
26 ~~operations plan.~~

27 ~~(g) Management organization--roles and~~
28 ~~responsibilities.~~

29 ~~(h) Overall schedule (monthly).~~

30 ~~(i) Important risks, assumptions, and problems.~~

31 ~~(j) Community impact--economic, human development,~~

1 ~~community development.~~

2 ~~(k) Financial plan (monthly for first year; quarterly~~
3 ~~for next 3 years).~~

4 ~~(l) Proposed authority offering financing,~~
5 ~~capitalization, use of funds.~~

6 ~~(8)(5)~~ Acquire property, real, personal, intangible,
7 tangible, or mixed, within or without its territorial limits,
8 in fee simple or any lesser interest or estate, by purchase,
9 gift, devise, or lease, on such terms and conditions as the
10 board may deem necessary or desirable, and sell or otherwise
11 dispose of the same and of any of the assets and properties of
12 Space Florida ~~the authority~~ .

13 ~~(9)(6)~~ Make and execute any and all contracts and
14 other instruments necessary or convenient to the exercise of
15 its powers, including financing agreements with persons or
16 spaceport users to facilitate the financing, construction,
17 leasing, or sale of any project.

18 ~~(10)(7)~~ Whenever deemed necessary by the board, lease
19 as lessor or lessee to or from any person, public or private,
20 any facilities or property for the use of Space Florida ~~the~~
21 ~~authority~~ and carry out any of the purposes of Space Florida
22 ~~the authority~~.

23 ~~(8) Appoint, through its board of supervisors, an~~
24 ~~executive director.~~

25 ~~(11)(9)~~ Own, acquire, construct, develop, create,
26 reconstruct, equip, operate, maintain, extend, and improve
27 launch pads, landing areas, ranges, payload assembly
28 buildings, payload processing facilities, laboratories,
29 aerospace ~~space~~ business incubators, launch vehicles,
30 payloads, space flight hardware, facilities and equipment for
31 the construction of payloads, space flight hardware, rockets,

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1 and other launch vehicles, and other spaceport facilities and
 2 other aerospace-related ~~space-related~~ systems, including
 3 educational, cultural, and parking facilities and
 4 aerospace-related ~~space-related~~ initiatives.

5 ~~(10) Undertake a program of advertising to the public~~
 6 ~~promoting space-related businesses or any spaceport projects~~
 7 ~~of the authority, and expend moneys and undertake such~~
 8 ~~activities to carry out such advertising and promotional~~
 9 ~~program as the board from time to time may determine.~~

10 ~~(12)~~(11) Own, acquire, construct, reconstruct, equip,
 11 operate, maintain, extend, or ~~and~~ improve transportation
 12 facilities appropriate to meet the transportation requirements
 13 of Space Florida ~~the authority~~ and activities conducted within
 14 ~~the~~ spaceport territory.

15 ~~(13)~~(12) Own, acquire, construct, reconstruct, equip,
 16 operate, maintain, extend, or ~~and~~ improve electric power
 17 plants, transmission lines and related facilities, gas mains
 18 and facilities of any nature for the production or
 19 distribution of natural gas, transmission lines and related
 20 facilities and plants and facilities for the generation and
 21 transmission of power through traditional and new and
 22 experimental sources of power and energy; purchase electric
 23 power, natural gas, and other sources of power for
 24 distribution within any spaceport territory; develop and
 25 operate water and sewer systems and waste collection and
 26 disposal consistent with chapter 88-130, Laws of Florida; and
 27 develop and operate such new and experimental public
 28 utilities, including, but not limited to, centrally
 29 distributed heating and air-conditioning facilities and
 30 services, closed-circuit television systems, and computer
 31 services and facilities, as the board may from time to time

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1 determine. However, Space Florida may ~~the authority shall~~ not
 2 construct any system, work, project, or utility authorized to
 3 be constructed under this paragraph in the event that a
 4 system, work, project, or utility of a similar character is
 5 being actually operated by a municipality or private company
 6 in the municipality or territory adjacent thereto, unless such
 7 municipality or private company consents to such construction.

8 (14)~~(13)~~ Designate, set aside, and maintain lands and
 9 areas within or without the territorial limits of any
 10 spaceport territory as conservation areas or bird and wildlife
 11 sanctuaries; stock such areas with animal and plant life and
 12 stock water areas with fish and other aquatic life; adopt
 13 pursuant to ss. 120.536(1) and 120.54 ~~promulgate~~ and enforce
 14 rules ~~and regulations~~ with respect thereto and protect and
 15 preserve the natural beauty thereof; and do all acts necessary
 16 or desirable in order to qualify such lands and areas as
 17 conservation areas and sanctuaries under any of the laws of
 18 the state or under federal law.

19 (15)~~(14)~~ Establish a program for the control,
 20 abatement, and elimination of mosquitoes and other noxious
 21 insects, rodents, reptiles, and other pests throughout the
 22 spaceport territory and undertake such works and construct
 23 such facilities within or without the spaceport territory as
 24 may be determined by the board to be needed to effectuate such
 25 program; abate and suppress mosquitoes and other arthropods,
 26 whether disease-bearing or pestiferous, within any spaceport
 27 territory when in the judgment of the board such action is
 28 necessary or desirable for the health and welfare of the
 29 inhabitants of or visitors to any spaceport; and take any and
 30 all temporary or permanent eliminative measures that the board
 31 may deem advisable. The Legislature hereby finds and declares

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1 Space Florida ~~the authority~~ eligible to receive state funds,
2 supplies, services, and equipment available or that may in the
3 future become available to mosquito or pest control districts,
4 the provisions of s. 388.021 notwithstanding.

5 ~~(16)(15)~~ Subject to the rules and regulations of the
6 appropriate water management district, own, acquire,
7 construct, reconstruct, equip, maintain, operate, extend, and
8 improve water and flood control facilities. The Legislature
9 hereby finds and declares Space Florida ~~the authority~~ eligible
10 to receive moneys, disbursements, and assistance from the
11 state available to flood control or water management districts
12 and navigation districts or agencies.

13 ~~(17)(16)~~ Own, acquire, construct, reconstruct, equip,
14 maintain, operate, extend, and improve public safety
15 facilities for the spaceport, including security stations,
16 security vehicles, fire stations, water mains and plugs, and
17 fire trucks and other vehicles and equipment; hire employees,
18 security officers, and firefighters; and undertake such works
19 and construct such facilities determined by the board to be
20 necessary or desirable to promote and ensure public safety
21 within the spaceport territory.

22 ~~(18)(17)~~ Hire, through its president ~~executive~~
23 ~~director~~, a safety officer with substantial experience in
24 public safety procedures and programs for space vehicle
25 launching and related hazardous operations. The safety officer
26 shall monitor and report on the safety and hazards of
27 ground-based space operations to the president ~~executive~~
28 ~~director~~.

29 ~~(18)~~ ~~Establish a personnel management system for~~
30 ~~hiring employees and setting employee benefit packages. The~~
31 ~~personnel of the authority shall not be considered to be~~

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1 ~~within the state employment system.~~

2 ~~(19) Establish procedures, rules, and rates governing~~
3 ~~per diem and travel expenses of its employees, the members of~~
4 ~~the board of supervisors, and other persons authorized by the~~
5 ~~board to incur such expenses. Except as otherwise provided in~~
6 ~~s. 331.3101, such rules are subject to provisions of state law~~
7 ~~or rules pertaining to per diem and travel expenses of public~~
8 ~~officers, employees, or other persons authorized by an agency~~
9 ~~head to incur such expenses.~~

10 ~~(19)~~(20) Examine, develop, and use ~~utilize~~ new
11 concepts, designs, and ideas; own, acquire, construct,
12 reconstruct, equip, operate, maintain, extend, and improve
13 experimental spaceport facilities and services; and otherwise
14 undertake, sponsor, finance, and maintain such research
15 activities, experimentation, and development as the board may
16 from time to time determine, in connection with any of the
17 projects that Space Florida ~~the authority~~ is authorized to
18 undertake pursuant to the powers and authority vested in it by
19 this act, and in order to promote the development and
20 utilization of new concepts, designs, and ideas in the fields
21 of space exploration, commercialization of the space industry,
22 and spaceport facilities.

23 ~~(20)~~(21) Issue revenue bonds, assessment bonds, or any
24 other bonds or obligations authorized by the provisions of
25 this act or any other law, or any combination of the
26 foregoing, and pay all or part of the cost of the acquisition,
27 construction, reconstruction, extension, repair, improvement,
28 or maintenance of any project or combination of projects,
29 including payloads and space flight hardware, and equipment
30 for research, development, and educational activities, to
31 provide for any facility, service, or other activity of Space

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1 Florida ~~the authority~~, and provide for the retirement or
 2 refunding of any bonds or obligations of Space Florida ~~the~~
 3 ~~authority~~, or for any combination of the foregoing purposes.
 4 Space Florida ~~The authority~~ must provide 14 days' notice to
 5 the presiding officers and appropriations chairs of both
 6 houses of the Legislature prior to presenting a bond proposal
 7 to the Governor and Cabinet. If either presiding officer or
 8 appropriations chair objects to the bonding proposal within
 9 the 14-day-notice period, the bond issuance may be approved
 10 only by a vote of three-fourths ~~two-thirds~~ of the members of
 11 the Governor and Cabinet.

12 ~~(21)(22)~~ Make expenditures for entertainment and
 13 travel expenses and business clients, guests, and other
 14 authorized persons as provided in this act.

15 ~~(22)(23)~~ In connection with any financing agreement,
 16 fix and collect fees, loan payments, rental payments, and
 17 other charges for the use of any project in such amount as to
 18 provide sufficient moneys to pay the principal of and interest
 19 on bonds as the same shall become due and payable, if so
 20 provided in the bond resolution or trust agreement, and to
 21 create reserves for such purposes. The fees, rents, payments,
 22 and charges and all other revenues and proceeds derived from
 23 the project in connection with which the bonds of any issue
 24 shall have been issued, except such part thereof as may be
 25 necessary for such reserves or any expenditures as may be
 26 provided in the resolution authorizing the issuance of the
 27 bonds or in the trust agreement securing the same, shall be
 28 set aside, at the time as may be specified in the resolution
 29 or trust agreement, in a sinking fund which may be pledged to
 30 and charged with the payment of the principal of and the
 31 interest on such bonds as the same shall become due and the

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1 redemption price or the purchase price of bonds retired by
2 call or purchase as therein provided. Such pledge is ~~shall be~~
3 valid and binding from the time the pledge is made. The fees,
4 rents, charges, and other revenues and moneys so pledged and
5 thereafter received by or on behalf of Space Florida ~~the~~
6 ~~authority~~ shall immediately be subject to the lien of any such
7 pledge without any physical delivery thereof or further act,
8 and the lien of any such pledge is ~~shall be~~ valid and binding
9 as against all parties having claims of any kind in tort,
10 contract, or otherwise against Space Florida ~~the authority~~,
11 irrespective of whether such parties have notice thereof.
12 Neither the resolution nor any trust agreement by which a
13 pledge is created need be filed or recorded, except in the
14 records of Space Florida ~~the authority~~. The use and
15 disposition of money to the credit of the sinking fund shall
16 be subject to the provisions of the resolution authorizing the
17 issuance of such bonds or the provisions of such trust
18 agreement.

19 ~~(24) Exercise the right and power of eminent domain in~~
20 ~~spaceport territory as defined in s. 331.304. In exercising~~
21 ~~such power, the authority shall comply with the procedures and~~
22 ~~requirements of chapters 73 and 74.~~

23 Section 6. Section 331.3051, Florida Statutes, is
24 created to read:

25 331.3051 Duties of Space Florida.--Space Florida
26 shall:

27 (1) Create a business plan to foster the growth and
28 development of the aerospace industry. The business plan must
29 address business development; finance; spaceport operations;
30 research and development; workforce development; and
31 education. The business plan must be completed by March 1,

1 2007, and be revised when determined as necessary by the
2 board.

3 (2) Enter into agreement with the Department of
4 Education, the Department of Transportation, Enterprise
5 Florida, Inc., and Workforce Florida, Inc., for the purpose of
6 implementing this act.

7 (3) In cooperation with Enterprise Florida, Inc.,
8 develop a plan to retain, expand, attract, and create
9 aerospace industry entities, public or private, which results
10 in the creation of high-value-added businesses and jobs in
11 this state.

12 (4) Create a marketing campaign to help attract,
13 develop, and retain aerospace businesses, aerospace research
14 and technology, and other related activities in this state.
15 Space Florida shall attempt to coordinate the campaign with
16 existing economic-development-promotion efforts in this state
17 and may use private resources. Marketing strategies may
18 include developing promotional materials, Internet and print
19 advertising, public relations and media placement, trade show
20 attendance, and other activities.

21 (5) Consult with the Florida Commission on Tourism in
22 developing a space tourism marketing plan. Space Florida and
23 the Florida Commission on Tourism may enter into a mutually
24 beneficial agreement that provides funding to the commission
25 for its services to implement this subsection.

26 (6) Develop, in cooperation with Enterprise Florida,
27 Inc., a plan to provide financing assistance to aerospace
28 businesses. The plan may include the following activities:

29 (a) Assembling, publishing, and disseminating
30 information concerning financing opportunities and techniques
31 for aerospace projects, programs, and activities; sources of

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1 public and private aerospace financing assistance; and sources
2 of aerospace-related financing.

3 (b) Organizing, hosting, and participating in seminars
4 and other forums designed to disseminate information and
5 technical assistance regarding aerospace-related financing.

6 (c) Coordinating with programs and goals of the
7 Department of Defense, the National Aeronautics and Space
8 Administration, the Export-Import Bank of the United States,
9 the International Trade Administration of the United States
10 Department of Commerce, the Foreign Credit Insurance
11 Association, and other private and public programs and
12 organizations, domestic and foreign.

13 (d) Establishing a network of contacts among those
14 domestic and foreign public and private organizations that
15 provide information, technical assistance, and financial
16 support to the aerospace industry.

17 (e) Financing aerospace business development projects
18 or initiatives using funds provided by the Legislature.

19 (7) Carry out its responsibilities for spaceport
20 operations by:

21 (a) Seeking federal support and developing
22 partnerships to renew and upgrade the infrastructure and
23 technologies at the Cape Canaveral Air Force Station, the John
24 F. Kennedy Space Center, and the Eastern Range that will
25 enhance space and military programs of the Federal Government,
26 and improve access for commercial launch activities.

27 (b) Supporting federal efforts to clarify roles and
28 responsibilities of federal agencies and eliminate duplicative
29 federal rules and policies, in an effort to streamline access
30 for commercial launch users.

31 (c) Pursuing the development of commercial spaceports

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1 in the state, in addition to those defined in s. 331.304,
 2 through a competitive request for proposals in partnership
 3 with counties or municipalities, the Federal Government, or
 4 private entities.

5 (d) Promoting and facilitating launch activity within
 6 the state by supporting and assisting commercial launch
 7 operators in completing and submitting required documentation
 8 and gaining approvals and authorization from the required
 9 federal agencies for launching from Florida.

10 (e) Consulting, as necessary, with the appropriate
 11 federal, state, and local authorities, including the National
 12 Aeronautics and Space Administration, the Federal Aviation
 13 Administration, the Department of Defense, the Department of
 14 Transportation, the Florida National Guard, and industry on
 15 all aspects of establishing and operating spaceport
 16 infrastructure and related facilities within the state.

17 (8) Carry out its responsibility for research and
 18 development by:

19 (a) Contracting for the operations of the state's
 20 Space Life Sciences Laboratory.

21 (b) Working in collaboration with one or more public
 22 or private universities and other public or private entities
 23 to develop a proposal for a Center of Excellence for Aerospace
 24 that will foster and promote the research necessary to develop
 25 commercially promising, advanced, and innovative science and
 26 technology and will transfer those discoveries to the
 27 commercial sector.

28 (9) Carry out its responsibility for workforce
 29 development by coordinating with Workforce Florida, Inc.,
 30 community colleges, colleges, public and private universities,
 31 and other public and private partners to develop a plan to

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1 retain, train, and retrain workers, from entry-level skills
2 training through to technician-level, and 4-year degrees and
3 higher, with the skills most relevant to aerospace employers.

4 (10) Carry out its responsibility for creating
5 innovative education programs by funding programs developed in
6 conjunction with the Department of Education that target
7 grades K-20 in an effort to promote mathematics and science
8 education programs, which may include the Florida-NASA
9 Matching Grant Program, aerospace-focused education programs
10 for teachers, education-oriented microgravity flight programs
11 for teachers and students, and Internet-based aerospace
12 education. Funds appropriated and any in-kind or
13 private-sector contributions may be used to carry out
14 innovative education programs. Funding levels shall be
15 determined by the Space Florida board of directors. In its
16 annual report, Space Florida shall include, at a minimum, a
17 description of programs funded, the number of students served,
18 and private-sector support.

19 (11) Annually report on its performance with respect
20 to its business plan, to include finance, spaceport
21 operations, research and development, workforce development,
22 and education. The report shall be submitted to the Governor,
23 the President of the Senate, and the Speaker of the House of
24 Representatives no later than September 1 for the prior fiscal
25 year.

26 Section 7. Section 331.306, Florida Statutes, is
27 amended to read:

28 331.306 Federal airspace notification.--In accordance
29 coordination with Federal Aviation Administration procedures
30 the Florida Department of Transportation, Space Florida the
31 authority shall develop and file the appropriate federal

1 ~~airspace~~ notification to activate special-use airspace in
 2 ~~support of its launch operations~~ ~~required for priority~~
 3 ~~airspace use~~ .

4 Section 8. Section 331.308, Florida Statutes, is
 5 amended to read:

6 331.308 Board of directors ~~supervisors~~.--

7 (1) Space Florida shall be governed by a board of
 8 directors. Designees of appointed members do not have voting
 9 authority. The board of directors shall consist of the
 10 following members:

11 (a) The Governor.

12 (b) The Secretary of Transportation or the secretary's
 13 designee.

14 (c) The president of Workforce Florida, Inc., or the
 15 president's designee.

16 (d) The president of Enterprise Florida, Inc., or the
 17 president's designee.

18 (e) The Commissioner of Education or the
 19 commissioner's designee.

20 (f) Twelve members from the private sector, one of
 21 whom shall be a representative of organized labor with
 22 professional experience in the aerospace industry, appointed
 23 by the Governor. In making these appointments, the Governor
 24 shall ensure that the composition of the board reflects the
 25 diversity of the aerospace industry community of this state
 26 and, to the greatest degree possible, that the composition of
 27 the board includes, but is not limited to, at least one
 28 individual from each of the industries of business, finance,
 29 marketing, space, aerospace, aviation, defense, research and
 30 development, and education. The Governor shall also consider
 31 whether the current members of the board, together with

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1 potential appointees, reflect the racial, ethnic, and gender
2 diversity, as well as the geographic distribution, of the
3 population of the state.

4 (g) Two ex officio, nonvoting members, one of whom
5 shall be a member of the Senate, selected by the President of
6 the Senate, and one of whom shall be a member of the House of
7 Representatives, selected by the Speaker of the House of
8 Representatives.

9 (2)(a) Vacancies on the board shall be filled for the
10 unexpired term in the same manner as the original appointments
11 to the board.

12 (b) Each member of the board of directors shall serve
13 for a term of 4 years, except that the initial terms shall be
14 staggered.

15 1. The Governor shall appoint two members for a 1-year
16 term, four members for 2-year terms, and six members for
17 4-year terms.

18 2. The appointees of the President of the Senate and
19 the Speaker of the House of Representatives shall serve at the
20 pleasure of thier presiding officers.

21 (c) Any member is eligible for reappointment.

22 (3) Appointed members may be removed by the Governor
23 for cause. Absence from three consecutive meetings without
24 good cause shall result in automatic removal by the Governor.

25 (4) All private sector members are subject to
26 confirmation by the Senate at the next regular session of the
27 Legislature.

28 (5) The Governor shall serve as chair of the board of
29 directors. The board of directors shall biennially elect one
30 of its private sector members as vice chair to serve in the
31 absence of the Governor and to perform such other duties as

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1 may be designated. The president shall keep a record of the
 2 proceedings of the board of directors and shall be the
 3 custodian of all books, documents, and papers filed with the
 4 board of directors, the minutes of the board of directors, and
 5 the official seal of Space Florida.

6 (6) The board of directors shall meet at least four
 7 times each year, upon the call of the chair, at the request of
 8 the vice chair, or at the request of a majority of the
 9 membership. A majority of the total number of current voting
 10 directors shall constitute a quorum. The board of directors
 11 may take official action by a majority vote of the members
 12 present at any meeting at which a quorum is present.

13 (7) Members of the board of directors shall serve
 14 without compensation, but members, the president, and staff
 15 may be reimbursed for all reasonable, necessary, and actual
 16 expenses, as determined by the board of directors of Space
 17 Florida pursuant to s. 112.061.

18 (8) Each member of the board of directors of Space
 19 Florida who is not otherwise required to file financial
 20 disclosure pursuant to s. 8, Art. II of the State Constitution
 21 or s. 112.3144, shall file disclosure of financial interests
 22 pursuant to s. 112.3145. ~~There is created within the Florida~~
 23 ~~Space Authority a board of supervisors consisting of eight~~
 24 ~~regular members, who shall be appointed by the Governor, and~~
 25 ~~two ex officio nonvoting members, one of whom shall be a state~~
 26 ~~senator selected by the President of the Senate and one of~~
 27 ~~whom shall be a state representative selected by the Speaker~~
 28 ~~of the House of Representatives. The Lieutenant Governor, who~~
 29 ~~is the state's space policy leader, shall serve as chair of~~
 30 ~~the board of supervisors, and shall cast the deciding vote if~~
 31 ~~the votes of the eight regular members result in a tie. The~~

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1 ~~board shall elect a vice chair to preside in the absence of~~
2 ~~the Lieutenant Governor and to perform such other duties as~~
3 ~~may be designated. All regular members shall be subject to~~
4 ~~confirmation by the Senate at the next regular session of the~~
5 ~~Legislature. Existing board members are not prohibited from~~
6 ~~reappointment. Each of the regular board members must be a~~
7 ~~resident of the state and must have experience in the~~
8 ~~aerospace or commercial space industry or in finance or have~~
9 ~~other significant relevant experience. A private sector legal~~
10 ~~entity may not have more than one person serving on the board~~
11 ~~at any one time. One regular member shall represent organized~~
12 ~~labor interests, one regular member shall represent minority~~
13 ~~interests, and four regular members must represent space~~
14 ~~industry, at least one of whom must also be from a small~~
15 ~~business, as defined in s. 288.703. For the purpose of this~~
16 ~~section, "space industry" includes private sector entities~~
17 ~~engaged in space flight business, as defined in s. 212.031,~~
18 ~~research and technology development of space-based products~~
19 ~~and services, space station commercialization, development of~~
20 ~~spaceport and range technology, remote sensing products and~~
21 ~~services, space biotechnology, measurement and calibration of~~
22 ~~space assets, space-related software and information~~
23 ~~technology development, design and architecture of space-based~~
24 ~~assets and facilities for manufacturing and other purposes,~~
25 ~~space-related nanotechnology, space tourism, and other~~
26 ~~commercial enterprises utilizing uniquely space-based~~
27 ~~capabilities.~~

28 ~~(2) Each regular member shall serve a term of 4 years~~
29 ~~or until a successor is appointed and qualified. The term of~~
30 ~~each such member shall be construed to commence on the date of~~
31 ~~appointment and to terminate on June 30 of the year of the end~~

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1 ~~of the term. Appointment to the board shall not preclude any~~
2 ~~such member from holding any other private or public position.~~

3 ~~(3) The ex officio nonvoting legislative members shall~~
4 ~~serve on the board for 2-year terms.~~

5 ~~(4) Any vacancy on the board shall be filled for the~~
6 ~~balance of the unexpired term.~~

7 ~~(5) The board shall appoint an executive director.~~

8 ~~Meetings shall be held quarterly or more frequently at the~~
9 ~~call of the chair. A majority of the regular members of the~~
10 ~~board shall constitute a quorum, and a majority vote of such~~
11 ~~members present is necessary for any action taken by the~~
12 ~~board.~~

13 ~~(6) The Governor has the authority to remove from the~~
14 ~~board any regular member in the manner and for cause as~~
15 ~~defined by the laws of this state and applicable to situations~~
16 ~~that may arise before the board. Unless excused by the chair~~
17 ~~of the board, a regular member's absence from two or more~~
18 ~~consecutive board meetings creates a vacancy in the office to~~
19 ~~which the member was appointed.~~

20 Section 9. Section 331.309, Florida Statutes, is
21 amended to read:

22 331.309 Treasurer; depositories; fiscal agent.--

23 (1) The board shall designate an individual who is a
24 resident of the state, or a qualified public depository as
25 defined in s. 280.02, as treasurer of Space Florida ~~the~~
26 ~~authority~~, who shall have charge of the funds of Space Florida
27 ~~the authority~~. Such funds shall be disbursed only upon the
28 order of or pursuant to the resolution of the board by
29 warrant, check, authorization, or direct deposit pursuant to
30 s. 215.85, signed or authorized by the treasurer or his or her
31 representative or by such other persons as may be authorized

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1 by the board. The board may give the treasurer such other or
 2 additional powers and duties as the board may deem appropriate
 3 and shall establish the treasurer's compensation. The board
 4 may require the treasurer to give a bond in such amount, on
 5 such terms, and with such sureties as may be deemed
 6 satisfactory to the board to secure the performance by the
 7 treasurer of his or her powers and duties. The board shall
 8 audit or have audited the books of the treasurer at least once
 9 a year.

10 (2) The board is authorized to select as depositories
 11 in which the funds of the board and of Space Florida ~~the~~
 12 ~~authority~~ shall be deposited any qualified public depository
 13 as defined in s. 280.02, upon such terms and conditions as to
 14 the payment of interest by such depository upon the funds so
 15 deposited as the board may deem just and reasonable. ~~Funds of~~
 16 ~~the authority may also be deposited with the Florida~~
 17 ~~Commercial Space Financing Corporation created by s. 331.407.~~
 18 The funds of Space Florida ~~the authority~~ may be kept in or
 19 removed from the State Treasury upon written notification from
 20 the chair of the board to the Chief Financial Officer.

21 (3) The board may employ a fiscal agent, who shall be
 22 either a resident of the state or a corporation organized
 23 under the laws of this or any other state and authorized by
 24 such laws to act as such fiscal agent in the state.

25 Section 10. Section 331.310, Florida Statutes, is
 26 amended to read:

27 331.310 Powers and duties of the board of directors
 28 ~~supervisors. -- Except as otherwise provided in this act, all of~~
 29 ~~the powers and duties of the authority shall be exercised by~~
 30 ~~and through the board of supervisors, including the power and~~
 31 ~~duty to:~~

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1 (1) The board of directors may: ~~Adopt bylaws, rules,~~
2 ~~resolutions, and orders prescribing the powers, duties, and~~
3 ~~functions of the officers of the authority, the conduct of the~~
4 ~~business of the authority, the maintenance of records, and the~~
5 ~~form of all documents and records of the authority. The board~~
6 ~~may adopt administrative rules and regulations with respect to~~
7 ~~any of the projects of the authority, with notice and public~~
8 ~~hearing.~~

9 ~~(2) Maintain an executive office and authority offices~~
10 ~~in close proximity to Kennedy Space Center.~~

11 ~~(a)(3)~~ Enter, and authorize any agent or employee of
12 Space Florida ~~the authority~~ to enter, upon any lands, waters,
13 and premises, upon giving reasonable notice and due process to
14 the land owner, for the purposes of making surveys, soundings,
15 drillings, appraisals, and examinations necessary to perform
16 its duties and functions. Any such entry shall not be deemed a
17 trespass or an entry that would constitute a taking in an
18 eminent domain proceeding. Space Florida ~~The authority~~ shall
19 make reimbursement for any actual damages to such lands,
20 waters, and premises as a result of such activity.

21 ~~(b)(4)~~ Execute all contracts and other documents,
22 adopt all proceedings, and perform all acts determined by the
23 board to be necessary or desirable to carry out the purposes
24 of this act. The board may authorize one or more members of
25 the board to execute contracts and other documents on behalf
26 of the board or Space Florida ~~the authority~~.

27 ~~(c)(5)~~ Establish and create such departments,
28 committees, or other entities ~~agencies~~ as from time to time
29 the board may deem necessary or desirable in the performance
30 of any acts or other things necessary to the exercise of the
31 powers provided in this act, and delegate to such departments,

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1 boards, or other entities ~~agencies~~ such administrative duties
2 and other powers as the board may deem necessary or desirable.

3 (d) Provide financial services to support
4 aerospace-related business development within the state.
5 Financial services may include, but are not limited to,
6 insuring, coinsuring, or originating for sale direct
7 aerospace-related loans; direct lending; guaranteeing and
8 collateralizing loans; creating accounts; capitalizing,
9 underwriting, leasing, selling, or securing funding for
10 aerospace-related infrastructure; investing in permissible
11 securities; organizing financial institutions and
12 international bank syndicates; and acquiring, accepting, or
13 administering grants, contracts, and fees from other
14 organizations to perform activities that are consistent with
15 the purposes of Space Florida's business plan. If the board
16 deems a financial services entity is necessary, the board may
17 create, form, or contract with one or more such entities.

18 ~~(6) Appoint a person to act as executive director of~~
19 ~~the authority, having such official title, functions, duties,~~
20 ~~powers, and salary as the board may prescribe.~~

21 ~~(e)(7)~~ Examine, and authorize any officer or agent of
22 Space Florida ~~the authority~~ to examine, the county tax rolls
23 with respect to the assessed valuation of the real and
24 personal property within any spaceport territory.

25 ~~(f)(8)~~ Engage in the planning and implementation of
26 space-related economic and educational development within the
27 state.

28 (g) Provide the strategic direction for the
29 aerospace-related research priorities of the state and its
30 aerospace-related businesses.

31 ~~(h)(9)~~ Execute intergovernmental agreements and

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1 development agreements consistent with prevailing statutory
2 provisions, including, but not limited to, special benefits or
3 tax increment financing initiatives.

4 ~~(i)(10)~~ Establish reserve funds for future board
5 operations.

6 ~~(j)(11)~~ Adopt rules pursuant to chapter 120 to carry
7 out the purposes of this act.

8 (2) The board of directors shall:

9 (a) Adopt rules and orders to conduct the business of
10 Space Florida, the maintenance of records, and the form of all
11 documents and records of Space Florida. The board may adopt
12 rules with respect to any of the projects of Space Florida
13 with notice and a public hearing.

14 (b) Maintain an executive office and Space Florida
15 offices in close proximity to the John F. Kennedy Space
16 Center.

17 (c) Appoint a person to act as the president of Space
18 Florida, having such official title, functions, duties,
19 powers, and salary as the board may prescribe.

20 ~~(d)(12)~~ Abide by all applicable federal labor laws in
21 the construction and day-to-day operations of Space Florida
22 ~~the authority~~ and any spaceport. Further, the board shall
23 establish, by rule and regulation, pursuant to chapter 120,
24 policies and procedures for the construction and operation of
25 Space Florida~~the authority~~ and any spaceport. The said
26 policies and procedures shall be such that when Space Florida
27 ~~the authority~~ expends federal funds for construction or
28 operation of any spaceport project, Space Florida ~~the~~
29 ~~authority~~ will be subject to the federal labor laws observed
30 at the John F. Kennedy Space Center and Cape Canaveral Air
31 Force Station, Florida, applicable as a result of such federal

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1 expenditures.

2 (e)(13) Prepare an annual report of operations. The
3 ~~Said~~ report shall include, but not be limited to, a balance
4 sheet, an income statement, a statement of changes in
5 financial position, a reconciliation of changes in equity
6 accounts, a summary of significant accounting principles, the
7 auditor's report, a summary of the status of existing and
8 proposed bonding projects, comments from management about the
9 year's business, and prospects for the next year, which shall
10 be submitted each year by November 30 to the Governor, the
11 President of the Senate, the Speaker of the House of
12 Representatives, the minority leader of the Senate, and the
13 minority leader of the House of Representatives.

14 (f) Establish a personnel management system.

15 ~~(14) Change the name of the authority.~~

16 Section 11. Section 331.3101, Florida Statutes, is
17 amended to read:

18 331.3101 Space Florida ~~Space Authority~~ ; travel and
19 entertainment expenses.--

20 (1) Notwithstanding the provisions of s. 112.061,
21 Space Florida ~~the authority~~ shall adopt rules by which it may
22 make expenditures by advancement or reimbursement, or a
23 combination thereof, to Space Florida ~~authority~~ officers and
24 employees; reimburse business clients, guests, and authorized
25 persons as defined in s. 112.061(2)(e); and make direct
26 payments to third-party vendors:

27 (a) For travel expenses of such business clients,
28 guests, and authorized persons incurred by Space Florida ~~the~~
29 ~~authority~~ in connection with the performance of its statutory
30 duties, and for travel expenses incurred by state officials
31 and state employees while accompanying such business clients,

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1 | guests, or authorized persons or when authorized by the board
2 | or its designee.

3 | (b) For entertainment expenses of such guests,
4 | business clients, and authorized persons incurred by Space
5 | Florida ~~the authority~~ in connection with the performance of
6 | its statutory duties, and for entertainment expenses incurred
7 | for Space Florida ~~authority~~ officials and employees when such
8 | expenses are incurred while in the physical presence of such
9 | business clients, guests, or authorized persons.

10 | (2) The rules shall be subject to approval by the
11 | Chief Financial Officer before adoption ~~prior to promulgation~~.
12 | The rules shall require the submission of paid receipts, or
13 | other proof prescribed by the Chief Financial Officer, with
14 | any claim for reimbursement, and shall require, as a condition
15 | for any advancement, an agreement to submit paid receipts or
16 | other proof and to refund any unused portion of the
17 | advancement within 15 days after the expense is incurred or,
18 | if the advancement is made in connection with travel, within
19 | 15 days after completion of the travel. However, with respect
20 | to an advancement made solely for travel expenses, the rules
21 | may allow paid receipts or other proof to be submitted, and
22 | any unused portion of the advancement to be refunded, within
23 | 30 days after completion of the travel.

24 | (3) An annual report shall be made to the Legislature
25 | not later than November 30 of each year for the previous
26 | fiscal year, which shall consist of a synopsis concisely
27 | summarizing all travel, entertainment, and incidental expenses
28 | incurred within the United States and, separately, all travel,
29 | entertainment, and incidental expenses incurred outside the
30 | United States.

31 | (4) A ~~No~~ claim submitted under this section is not

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1 ~~shall be~~ required to be sworn to before a notary public or
2 other officer authorized to administer oaths, but any claim
3 authorized or required to be made under any provision of this
4 section ~~must~~~~shall~~ contain a statement that the expenses were
5 actually incurred as necessary travel or entertainment
6 expenses in the performance of official duties of Space
7 Florida ~~the authority~~ and shall be verified by written
8 declaration that it is true and correct as to every material
9 matter. Any person who willfully makes and subscribes to any
10 such claim which the person does not believe to be true and
11 correct as to every material matter or who willfully aids or
12 assists in, or procures, counsels, or advises, the preparation
13 or presentation of a claim pursuant to this section, which
14 claim is fraudulent or false as to any material matter,
15 whether or not such falsity or fraud is with the knowledge or
16 consent of the person authorized or required to present such
17 claim, commits a misdemeanor of the second degree, punishable
18 as provided in s. 775.082 or s. 775.083. Whoever receives an
19 advancement or reimbursement by means of a false claim is
20 civilly liable, in the amount of the overpayment, for the
21 reimbursement of the public fund from which the claim was
22 paid.

23 Section 12. Section 331.311, Florida Statutes, is
24 amended to read:

25 331.311 Exercise by Space Florida ~~authority~~ of its
26 powers within municipalities and other political
27 subdivisions.--Space Florida may ~~The authority shall have the~~
28 ~~power to~~ exercise any of its rights, powers, privileges, and
29 authority in any and all portions of any spaceport territory
30 lying within the boundaries of any municipal corporation or
31 other political subdivision, heretofore or hereafter created

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1 or organized, whose boundaries lie wholly or partly within the
 2 geographical limits of the spaceport territory, to the same
 3 extent and in the same manner as in areas of the spaceport
 4 territory not incorporated as part of a municipality or other
 5 political subdivision. With respect to any municipal
 6 corporation or other political subdivision whose boundaries
 7 lie partly within and partly without the geographical limits
 8 of the spaceport territory, Space Florida may ~~the authority~~
 9 ~~shall have the power to~~ exercise its rights, powers,
 10 privileges, and authority only within the portion of the ~~such~~
 11 municipal corporation or other political subdivision lying
 12 within the boundaries of the spaceport territory.

13 Section 13. Section 331.312, Florida Statutes, is
 14 amended to read:

15 331.312 Furnishing facilities and services within the
 16 spaceport territory.--Space Florida may ~~The authority shall~~
 17 ~~have the power to~~ construct, develop, create, maintain, and
 18 operate its projects within the geographical limits of the
 19 spaceport territory, including any portions of the spaceport
 20 territory located inside the boundaries of any incorporated
 21 municipality or other political subdivision, and to offer,
 22 supply, and furnish the facilities and services provided for
 23 in this act to, and to establish and collect fees, rentals,
 24 and other charges from, persons, public or private, within the
 25 geographical limits of the spaceport territory and for the use
 26 of Space Florida ~~the authority~~ itself.

27 Section 14. Section 331.313, Florida Statutes, is
 28 amended to read:

29 331.313 Power of Space Florida ~~the authority~~ with
 30 respect to roads.--Within the territorial limits of any
 31 spaceport territory, Space Florida may ~~the authority has the~~

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1 ~~right to~~ acquire, through purchase or interagency agreement,
2 or as otherwise provided in law, and to construct, control,
3 and maintain, roads deemed necessary by Space Florida ~~the~~
4 ~~authority~~ and connections thereto and extensions thereof now
5 or hereafter acquired, constructed, or maintained in
6 accordance with established highway safety standards; provided
7 that, in the event a road being addressed by Space Florida ~~the~~
8 ~~authority~~ is owned by another agency or jurisdiction, Space
9 Florida ~~the authority~~, before ~~prior to~~ proceeding with the
10 proposed project or work activity, shall have either
11 coordinated the desired work with the owning agency or
12 jurisdiction or shall have successfully executed an
13 interagency agreement with the owning agency or jurisdiction.

14 Section 15. Section 331.316, Florida Statutes, is
15 amended to read:

16 331.316 Rates, fees, rentals, tolls, fares, and
17 charges; procedure for adoption and modification; minimum
18 revenue requirements.--

19 (1) To recover the costs of the spaceport facility or
20 system, Space Florida may ~~the authority shall have the power~~
21 ~~to~~ prescribe, fix, establish, and collect rates, fees,
22 rentals, tolls, fares, or other charges (hereinafter referred
23 to as "revenues"), and to revise the same from time to time,
24 for the facilities and services furnished or to be furnished
25 by Space Florida ~~the authority~~ and the spaceport, including,
26 but not limited to, launch pads, ranges, payload assembly and
27 processing facilities, visitor and tourist facilities,
28 transportation facilities, and parking and other related
29 facilities, and may ~~shall have the power to~~ provide for
30 reasonable penalties against any user or property for any such
31 rates, fees, rentals, tolls, fares, or other charges that are

1 delinquent.

2 (2) The board may ~~shall have the power to~~ enter into
3 contracts for the use of the projects of Space Florida ~~the~~
4 ~~authority~~ and for the services and facilities furnished or to
5 be furnished by Space Florida ~~the authority~~, including, but
6 not limited to, launch services, payload assembly and
7 processing, and other aerospace-related ~~space-related~~
8 services, for such consideration and on such other terms and
9 conditions as the board may approve. Such contracts, and
10 revenues or service charges received or to be received by
11 Space Florida ~~the authority~~ thereunder, may be pledged as
12 security for any of the bonds of Space Florida ~~the authority~~.

13 Section 16. Section 331.317, Florida Statutes, is
14 amended to read:

15 331.317 Recovery of delinquent charges.--In the event
16 that any of the rates, fees, rentals, tolls, fares, other
17 charges, or delinquent penalties shall not be paid as and when
18 due and shall be in default for 30 days or more, the unpaid
19 balance thereof and all interest accrued thereon, together
20 with attorney's fees and costs, may be recovered by Space
21 Florida ~~the authority~~ in a civil action.

22 Section 17. Section 331.318, Florida Statutes, is
23 amended to read:

24 331.318 Discontinuance of service.--In the event that
25 the rates, fees, rentals, tolls, fares, or other charges for
26 the services and facilities of any project are not paid when
27 due, the board may ~~shall have the power to~~ discontinue and
28 shut off the same until such rates, fees, rentals, tolls,
29 fares, or other charges, including interest, penalties, and
30 charges for the shutting off and discontinuance and the
31 restoration of such services and facilities, are fully paid.

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1 Such delinquent rates, fees, rentals, tolls, fares, or other
 2 charges, together with interest, penalties, and charges for
 3 the shutting off and discontinuance and the restoration of
 4 such services and facilities, and reasonable attorney's fees
 5 and other expenses, may be recovered by Space Florida ~~the~~
 6 ~~authority~~ by suit in any court of competent jurisdiction.
 7 Space Florida ~~The authority~~ may also enforce payment of such
 8 delinquent rates, fees, rentals, tolls, fares, or other
 9 charges by any other lawful method of enforcement.

10 Section 18. Section 331.319, Florida Statutes, is
 11 amended to read:

12 331.319 Comprehensive planning; building and safety
 13 codes.--The board of directors may ~~supervisors shall have the~~
 14 ~~power to~~:

15 (1) Adopt, and from time to time review, amend,
 16 supplement, or repeal, a comprehensive general plan for the
 17 physical development of the area within the spaceport
 18 territory in accordance with the objectives and purposes of
 19 this act and consistent with the comprehensive plans of the
 20 applicable county or counties and municipality or
 21 municipalities adopted pursuant to the Local Government
 22 Comprehensive Planning and Land Development Regulation Act,
 23 part II of chapter 163.

24 (2) Prohibit within the spaceport territory the
 25 construction, alteration, repair, removal, or demolition, or
 26 the commencement of the construction, alteration, repair
 27 (except emergency repairs), removal, or demolition, of any
 28 building or structure, including, but not by way of
 29 limitation, public utility poles, lines, pipes, and
 30 facilities, without first obtaining a permit from the board or
 31 such other officer or agency as the board may designate, and

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1 to prescribe the procedure with respect to the obtaining of
2 such permit.

3 Section 19. Section 331.320, Florida Statutes, is
4 amended to read:

5 331.320 Additional powers of board.--The board of
6 directors may ~~shall have the power~~ within any spaceport
7 territory ~~to~~:

8 (1) Adopt regulations to prohibit or control the
9 pollution of air and water, and require certain location and
10 placement of electrical power, telephone, and other utility
11 lines, cables, pipes, and ducts.

12 (2) Divide the spaceport territory into zones or
13 districts of such number, shape, and area as the board may
14 deem best suited to carry out the purposes of this act, and
15 within and for each such district make regulations and
16 restrictions as provided for in subsection (1).

17 Section 20. Section 331.321, Florida Statutes, is
18 amended to read:

19 331.321 Federal and other funds and aid.--Space
20 Florida may ~~The authority is authorized to~~ accept, receive,
21 and receipt for federal moneys, property, and other moneys or
22 properties, either public or private, for the acquisition,
23 planning, operation, construction, enlargement, improvement,
24 maintenance, equipment, or development of programs,
25 facilities, and sites therefor, and ~~to~~ comply with the
26 provisions of the laws of the United States and any rules and
27 regulations made thereunder for the expenditure of federal
28 moneys.

29 Section 21. Section 331.322, Florida Statutes, is
30 amended to read:

31 331.322 Agreements with municipalities within any

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1 spaceport territory.--The board of directors and the governing
2 body or bodies of any one or more municipalities located
3 wholly or partly within any spaceport territory, whether now
4 in existence or hereafter created, may ~~are authorized to~~ enter
5 into and carry into effect contracts and agreements relating
6 to the common powers, duties, and functions of the board and
7 other officers, agents, and employees of Space Florida ~~the~~
8 ~~authority~~, and the respective governing body or bodies of one
9 or more such municipalities, and their respective officers,
10 agents, and employees, to the end that there may be effective
11 cooperation between and coordination of the efforts of such
12 municipality or municipalities and Space Florida ~~the authority~~
13 in discharging their common functions, powers, and duties and
14 in rendering services to the respective residents and property
15 owners of such municipality or municipalities and Space
16 Florida ~~the authority~~. The board and the governing body or
17 bodies of one or more such municipalities are further
18 authorized to enter into and carry into effect contracts and
19 agreements for the performance of any of their common
20 functions, powers, and duties by a central agency or common
21 agent of the contracting parties.

22 Section 22. Section 331.323, Florida Statutes, is
23 amended to read:

24 331.323 Cooperative agreements with the state,
25 counties, and municipalities.--

26 (1) The state and the counties, municipalities, and
27 other political subdivisions, public bodies, and agencies
28 thereof, or any of them, whether now existing or hereafter
29 created, are authorized to aid and cooperate with Space
30 Florida ~~the authority~~ in carrying out any of the purposes and
31 projects of Space Florida ~~the authority~~ , to enter into

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1 cooperative agreements with Space Florida ~~the authority~~, to
 2 provide in any such cooperative agreement for the making of
 3 loans, gifts, grants, or contributions to Space Florida ~~the~~
 4 ~~authority~~ and the granting and conveyance to Space Florida ~~the~~
 5 ~~authority~~ of real or personal property of any kind or nature,
 6 or any interest therein, for the carrying out of the purpose
 7 and projects of Space Florida ~~the authority~~; to covenant in
 8 any such cooperative agreement to pay all or any part of the
 9 costs of acquisition, planning, development, construction,
 10 reconstruction, extension, improvement, operation, and
 11 maintenance of any projects of Space Florida ~~the authority~~ ;
 12 and to pay all or any part of the principal and interest on
 13 any bonds of Space Florida ~~the authority~~.

14 (2) The state and the counties, municipalities, and
 15 other political subdivisions, public bodies, and agencies
 16 thereof, or any of them, whether now existing or hereafter
 17 created, and Space Florida ~~the authority created by this act~~,
 18 are further authorized to enter into cooperative agreements to
 19 provide for the furnishing by Space Florida ~~the authority~~ to
 20 the state or any county, municipality, or other political
 21 subdivision, public body, or agency thereof of any of the
 22 facilities and services of Space Florida ~~the authority~~, or by
 23 the state or any county, municipality, or other political
 24 subdivision, public body, or agency thereof to Space Florida
 25 ~~the authority~~ and to persons within the spaceport territory of
 26 facilities and services of the type that Space Florida ~~the~~
 27 ~~authority~~ is authorized to furnish or undertake, or such other
 28 facilities and services as may be determined necessary or
 29 desirable by the board for the carrying out of the purposes of
 30 this act. Without limitation of the foregoing, such
 31 cooperative agreements may provide for the furnishing by any

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1 county, municipality, or other political subdivision of fire
 2 and police protection for Space Florida ~~the authority~~ and
 3 persons and property within Space Florida ~~the authority~~, and
 4 for the providing to Space Florida ~~the authority~~ of any
 5 services deemed necessary or desirable by the board for the
 6 proper functioning of Space Florida ~~the authority~~.

7 (3) Without limitation of the foregoing, the board may
 8 undertake and finance any of the projects of Space Florida ~~the~~
 9 ~~authority~~, in whole or in part, jointly with any municipality
 10 or municipalities, now existing or hereafter created, or in
 11 any other manner combine the projects of Space Florida ~~the~~
 12 ~~authority~~ with the projects of such municipality or
 13 municipalities.

14 (4) Any agreement of the type authorized by this
 15 section may be made and entered into under ~~pursuant to~~ this
 16 act for such time or times, not exceeding 40 years.

17 Section 23. Section 331.324, Florida Statutes, is
 18 amended to read:

19 331.324 Contracts, grants, and contributions.--Space
 20 Florida may ~~The authority shall have the power to~~ make and
 21 enter all contracts and agreements necessary or incidental to
 22 the performance of the functions of Space Florida ~~the~~
 23 ~~authority~~ and the execution of its powers, and to contract
 24 with, and to accept and receive grants or loans of money,
 25 material, or property from, any person, private or public, as
 26 the board shall determine to be necessary or desirable to
 27 carry out the purposes of this act, and in connection with any
 28 such contract, grant, or loan to stipulate and agree to such
 29 covenants, terms, and conditions as the board shall deem
 30 appropriate.

31 Section 24. Section 331.325, Florida Statutes, is

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1 amended to read:

2 331.325 Environmental permits.--Space Florida ~~The~~
3 ~~authority~~ shall obtain required environmental permits in
4 accordance with federal and state law and shall comply with
5 the provisions of chapter 380.

6 Section 25. Section 331.326, Florida Statutes, is
7 amended to read:

8 331.326 Information relating to trade secrets
9 confidential.--The records of Space Florida ~~the authority~~
10 regarding matters encompassed by this act are public records
11 subject to the provisions of chapter 119. Any information held
12 by Space Florida ~~the authority~~ which is a trade secret, as
13 defined in s. 812.081, including trade secrets of Space
14 ~~Florida~~~~the authority~~, any spaceport user, or the space
15 industry business, is confidential and exempt from the
16 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
17 Constitution and may not be disclosed. If Space Florida ~~the~~
18 ~~authority~~ determines that any information requested by the
19 public will reveal a trade secret, it shall, in writing,
20 inform the person making the request of that determination.
21 The determination is a final order as defined in s. 120.52.
22 Any meeting or portion of a meeting of Space Florida's ~~the~~
23 ~~authority's~~ board ~~of supervisors~~ is exempt from the provisions
24 of s. 286.011 and s. 24(b), Art. I of the State Constitution
25 when the board is discussing trade secrets. Any public record
26 generated during the closed portions of the ~~such~~ meetings,
27 such as minutes, tape recordings, and notes, is confidential
28 and exempt from the provisions of s. 119.07(1) and s. 24(a),
29 Art. I of the State Constitution.

30 Section 26. Section 331.327, Florida Statutes, is
31 amended to read:

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1 331.327 Foreign trade zone.--Space Florida may ~~The~~
2 ~~authority shall have the power to~~ apply to the Federal
3 Government for a grant allowing the designation of any
4 spaceport territory as a foreign trade zone pursuant to ss.
5 288.36 and 288.37. However, the designation of any spaceport
6 territory as a foreign trade zone does ~~shall not be deemed to~~
7 authorize an exemption from any tax imposed by the state or by
8 any political subdivision, agency, or instrumentality thereof.

9 Section 27. Section 331.328, Florida Statutes, is
10 amended to read:

11 331.328 Sovereign immunity.--As an independent special
12 district, Space Florida has ~~The authority shall be granted~~
13 sovereign immunity in the same manner as the state under the
14 laws and Constitution of the State of Florida. The state, by
15 this section, hereby waives the sovereign immunity granted to
16 the same extent as waived by the state under state law.

17 Section 28. Section 331.329, Florida Statutes, is
18 amended to read:

19 331.329 Changing boundary lines; annexation and
20 exclusion of lands; creation of municipalities within the
21 geographical limits of any spaceport territory; limitations on
22 the furnishing of services within annexed areas.--

23 (1) The board of directors may at any time strike out
24 or correct the description of any land within or claimed to be
25 within the boundary lines of any spaceport territory upon the
26 written consent of the owners of all the land that would be
27 included or excluded from the boundary lines of any spaceport
28 territory or otherwise affected by the taking of such action,
29 and of the owners of not less than the majority in acreage of
30 all lands within any spaceport territory.

31 (a) The board may enlarge the geographical limits of

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1 any spaceport territory to include any lands not then within
2 any spaceport territory:

3 1. Upon the written consent of the owners of all the
4 land to be included in any spaceport territory and of the
5 owners of not less than a majority in acreage of all the land
6 then within any spaceport territory; or

7 2. By resolution of the board approved at a special
8 election called for such purpose, by vote of a majority of
9 freeholders residing within the area to be annexed and a
10 majority of freeholders residing within any spaceport
11 territory.

12 (b) The board of directors may contract the
13 geographical limits of any spaceport territory so as to
14 exclude from any spaceport territory any land then within any
15 spaceport territory:

16 1. Upon the written consent of the owners of all the
17 land to be so excluded and of the owners of not less than a
18 majority in acreage of all the land then within any spaceport
19 territory; or

20 2. By resolution of the board approved at a special
21 election called for such purpose, by vote of a majority of
22 freeholders residing within the area to be excluded and a
23 majority of the freeholders residing within any spaceport
24 territory.

25 (2) Land, including property situated thereon, added
26 to any spaceport territory in the manner provided in
27 subsection (1) shall from the time of its inclusion within
28 such spaceport territory be subject to all assessments
29 thereafter levied and assessed on all other land or property
30 of any spaceport territory similarly situated. Land, including
31 property situated thereon, excluded from any spaceport

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1 territory in the manner provided in subsection (1) shall from
 2 the date of such exclusion be exempt from assessments
 3 thereafter imposed by Space Florida~~the authority~~ but shall
 4 not be exempt from assessments theretofore levied or due with
 5 respect to such land or property, or from subsequent
 6 installments of assessments theretofore levied or assessed
 7 with respect thereto, and such assessments may be enforced and
 8 collected by or on behalf of Space Florida~~the authority~~ in
 9 the same manner as if such land or property continued to be
 10 within the geographical limits of any spaceport territory.

11 (3) In the event that the geographical limits of any
 12 spaceport territory as set forth in s. 331.304 are revised so
 13 as to include within any spaceport territory any areas not
 14 presently contained within any spaceport territory, Space
 15 Florida may ~~the authority shall~~ not engage in the business of
 16 furnishing electric power for sale in such annexed area,
 17 unless Space Florida ~~the authority~~ shall offer to purchase
 18 from any person who is at the time engaged in the business of
 19 making, generating, or distributing electricity for sale
 20 within such annexed area, such portion of its electric plant
 21 and property suitable and used for such business in connection
 22 therewith as lies within the limits of such annexed area, in a
 23 manner consistent with law.

24 (4) Space Florida ~~The authority~~ shall designate new
 25 launch pads outside the present designated spaceport
 26 territories by statutory amendment of s. 331.304.

27 Section 29. Section 331.331, Florida Statutes, is
 28 amended to read:

29 331.331 Revenue bonds.--

30 (1) Revenue bonds issued by Space Florida ~~the~~
 31 ~~authority~~ shall not be deemed revenue bonds issued by the

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1 | state or its agencies for purposes of s. 11, Art. VII of the
 2 | State Constitution and ss. 215.57-215.83. Space Florida ~~The~~
 3 | ~~authority~~ shall include in its annual report to the Governor
 4 | and Legislature, as provided in s. 331.310, a summary of the
 5 | status of existing and proposed bonding projects.

6 | (2) The issuance of revenue bonds may be secured by or
 7 | payable from the gross or net pledge of the revenues to be
 8 | derived from any project or combination of projects, from the
 9 | rates, fees, rentals, tolls, fares, or other charges to be
 10 | collected from the users of any project or projects; from any
 11 | revenue-producing undertaking or activity of Space Florida ~~the~~
 12 | ~~authority~~; or from any source of pledged security. Such bonds
 13 | shall not constitute an indebtedness of Space Florida ~~the~~
 14 | ~~authority~~ unless such bonds are additionally secured by the
 15 | full faith and credit of Space Florida ~~the authority~~. Bonds
 16 | issued by Space Florida ~~the authority~~ are not secured by the
 17 | full faith and credit of the State of Florida and do not
 18 | constitute an obligation, either general or special, thereof.

19 | (3) Any two or more projects may be combined and
 20 | consolidated into a single project, and may thereafter be
 21 | operated and maintained as a single project. The revenue bonds
 22 | authorized herein may be issued to finance any one or more
 23 | such projects separately, or to finance two or more such
 24 | projects, regardless whether or not such projects have been
 25 | combined and consolidated into a single project. If the board
 26 | deems it advisable, the proceedings authorizing such revenue
 27 | bonds may provide that Space Florida ~~the authority~~ may
 28 | thereafter combine the projects then being financed or
 29 | theretofore financed with other projects to be subsequently
 30 | financed by Space Florida ~~the authority~~ shall be on a parity
 31 | with the revenue bonds then being issued, all on such terms,

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1 conditions, and limitations as shall be provided, and may
 2 further provide that the revenues to be derived from the
 3 subsequent projects shall at the time of the issuance of such
 4 parity revenue bonds be also pledged to the holders of any
 5 revenue bonds theretofore issued to finance the revenue
 6 undertakings which are later combined with such subsequent
 7 projects. Space Florida ~~The authority~~ may pledge for the
 8 security of the revenue bonds a fixed amount, without regard
 9 to any fixed proportion of the gross revenues of any project.

10 Section 30. Section 331.333, Florida Statutes, is
 11 amended to read:

12 331.333 Refunding bonds.--Space Florida ~~The authority~~
 13 through its board may ~~shall have the power to~~ issue bonds to
 14 provide for the retirement or refunding of any bonds or
 15 obligations of Space Florida ~~the authority~~ that at the time of
 16 such issuance are or subsequently thereto become due and
 17 payable, or that at the time of issuance have been called or
 18 are or will be subject to call for redemption within 10 years
 19 thereafter, or the surrender of which can be procured from the
 20 holders thereof at prices satisfactory to the board. Refunding
 21 bonds may be issued at any time when in the judgment of the
 22 board such issuance will be advantageous to Space Florida ~~the~~
 23 ~~authority~~. The provisions of this act pertaining to bonds of
 24 Space Florida ~~the authority~~ shall, unless the context
 25 otherwise requires, govern the issuance of refunding bonds,
 26 the form and other details thereof, the rights of the holders
 27 thereof, and the duties of the board with respect to the same.

28 Section 31. Section 331.334, Florida Statutes, is
 29 amended to read:

30 331.334 Pledging assessments and other revenues and
 31 properties as additional security on bonds.--Space Florida ~~The~~

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1 ~~authority~~ may pledge as additional security for the payment of
2 any of the bonds of Space Florida ~~the authority~~ its full faith
3 and credit, and provide that such bonds shall be payable as to
4 both principal and interest, and as to any reserve or other
5 funds provided therefor, to the full extent that any revenues
6 as defined in this act, assessments, or other funds, or any
7 combination thereof, pledged therefor are insufficient for the
8 full payment of the same, and provided further that no bonds
9 shall be issued to the payment of which the full faith and
10 credit of Space Florida ~~the authority~~ is pledged unless
11 approved at an election in the manner provided by law. Space
12 Florida ~~The authority~~ by resolution of the board may also
13 pledge as additional security for said bonds the revenues from
14 any project of Space Florida ~~the authority~~, utility service,
15 assessments, and any other sources of revenue or funds, or any
16 combination of the foregoing, and may pledge or mortgage any
17 of the properties, rights, interest, or other assets of Space
18 Florida ~~the authority~~. Bonds issued by Space Florida ~~the~~
19 ~~authority~~ are not secured by the full faith and credit of the
20 State of Florida and do not constitute an obligation, either
21 general or special, thereof. The board may also provide with
22 respect to any bonds of Space Florida ~~the authority~~ that such
23 bonds shall be payable, in whole or in part, as to principal
24 amount or interest, or both, out of rates, fees, rentals,
25 tolls, fares, or other charges collected with respect to any
26 of the projects of Space Florida~~the authority~~.

27 Section 32. Section 331.335, Florida Statutes, is
28 amended to read:

29 331.335 Lien of pledges.--All pledges of revenues and
30 assessments made pursuant to the provisions of this act shall
31 be valid and binding from the time when such pledges are made.

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1 All such revenues and assessments so pledged and thereafter
 2 collected shall immediately be subject to the lien of such
 3 pledges without any physical delivery thereof or further
 4 action, and the lien of such pledges shall be valid and
 5 binding as against all parties having claims of any kind in
 6 tort, contract, or otherwise against Space Florida ~~the~~
 7 ~~authority~~, irrespective of whether such parties have notice
 8 thereof.

9 Section 33. Section 331.336, Florida Statutes, is
 10 amended to read:

11 331.336 Issuance of bond anticipation notes.--In
 12 addition to the other powers provided for in this act and not
 13 in limitation thereof, Space Florida ~~may~~ ~~the authority shall~~
 14 ~~have the power~~, at any time from time to time after the
 15 issuance of any bonds of Space Florida ~~the authority shall~~
 16 have been authorized, ~~to~~ borrow money for the purposes for
 17 which such bonds are to be issued in anticipation of the
 18 receipt of the proceeds of the sale of such bonds and ~~to~~ issue
 19 bond anticipation notes in a principal amount not in excess of
 20 the authorized maximum amount of such bond issue. Such notes
 21 shall be in such denomination or denominations, bear interest
 22 at such rate or rates, mature at such time or times, be
 23 renewable for such additional term or terms, and be in such
 24 form and executed in such manner as the board shall prescribe.
 25 Such notes may be sold at public sale, or if such notes shall
 26 be renewable notes, may be exchanged for notes then
 27 outstanding on such terms as the board shall determine. Such
 28 notes shall be paid from the proceeds of such bonds when
 29 issued. The board may in its discretion, in lieu of retiring
 30 the notes by means of bonds, retire them by means of current
 31 revenues or from any assessments levied for the payment of

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1 such bonds, but in such event a like amount of the bonds
2 authorized shall not be issued.

3 Section 34. Section 331.337, Florida Statutes, is
4 amended to read:

5 331.337 Short-term borrowing.--Space Florida ~~The~~
6 ~~authority~~ at any time may obtain loans, in such amount and on
7 such terms and conditions as the board may approve, for the
8 purpose of paying any of the expenses of Space Florida ~~the~~
9 ~~authority~~ or any costs incurred or that may be incurred in
10 connection with any of the projects of Space Florida ~~the~~
11 ~~authority~~, which loans shall have such term or terms, be
12 renewable for such term or terms, bear interest at such rate
13 or rates, and be payable from and secured by a pledge of such
14 funds, revenues, and assessments as the board may determine.
15 For the purpose of defraying such costs and expenses, Space
16 Florida ~~the authority~~ may issue negotiable notes, warrants, or
17 other evidences of debt signed on behalf of Space Florida ~~the~~
18 ~~authority~~ by any one of the board, such notes or other
19 evidences of indebtedness to be payable at such time or times,
20 to bear interest at such rate or rates, and to be sold or
21 discounted at such price or prices and on such term or terms
22 as the board may deem advisable. The board may ~~shall have the~~
23 ~~right to~~ provide for the payment thereof by pledging the whole
24 or any part of the funds, revenues, and assessments of Space
25 Florida~~the authority~~ .

26 Section 35. Section 331.338, Florida Statutes, is
27 amended to read:

28 331.338 Trust agreements.--In the discretion of the
29 board, any issue of bonds may be secured by a trust agreement
30 by and between Space Florida ~~the authority~~ and a corporate
31 trustee which may be any trust company or bank having the

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1 powers of a trust company within or without the state. The
 2 resolution authorizing the issuance of the bonds or such trust
 3 agreement may pledge the revenues to be received from any
 4 projects of Space Florida ~~the authority~~ and any other
 5 authorized moneys to be used for the repayment of bonds, and
 6 may contain such provisions for protecting and enforcing the
 7 rights and remedies of the bondholders as the board may
 8 approve, including without limitation covenants setting forth
 9 the duties of Space Florida~~the authority~~ in relation to the
 10 acquisition, planning, development, construction,
 11 reconstruction, improvement, maintenance, repair, operation,
 12 and insurance of any projects, the fixing and revision of the
 13 rates, fees, rentals, tolls, fares, and charges, and the
 14 custody, safeguarding, and application of all moneys, and for
 15 the employment of consulting engineers in connection with such
 16 acquisition, planning, development, construction,
 17 reconstruction, improvement, maintenance, repair, or
 18 operation. It shall be lawful for any bank or trust company
 19 incorporated under the laws of the state or the United States
 20 which may act as a depository of the proceeds of bonds or of
 21 revenues to furnish such indemnifying bonds or to pledge such
 22 securities as may be required by Space Florida ~~the authority~~ .
 23 Such resolution or trust agreement may set forth the rights
 24 and remedies of the bondholders and of the trustee, if any,
 25 and may restrict the individual right of action by
 26 bondholders. The board may provide for the payment of the
 27 proceeds of the sale of the bonds and the revenues of any
 28 project to such officer, board, or depository as it may
 29 designate for the custody thereof, and for the method of
 30 disbursement thereof, with such safeguards and restrictions as
 31 it may determine. All expenses incurred in carrying out the

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1 provisions of such resolution or trust agreement may be
2 treated as part of the cost of the project to which such trust
3 agreement pertains.

4 Section 36. Section 331.339, Florida Statutes, is
5 amended to read:

6 331.339 Sale of bonds.--Bonds may be sold in blocks or
7 installments at different times, or an entire issue or series
8 may be sold at one time. Bonds may only be sold at public sale
9 after being advertised and publicly noticed, unless Space
10 Florida ~~the authority~~ has previously complied with the
11 provisions of s. 218.385. Bonds may be sold or exchanged for
12 refunding bonds. Special assessment and revenue bonds may be
13 delivered as payment by Space Florida ~~the authority~~ of the
14 purchase price or lease of any project or part thereof, or a
15 combination of projects or parts thereof, or as the purchase
16 price of, or exchange for, any property, real, personal, or
17 mixed, including franchises, or services rendered by any
18 contractor, engineer, or other person, all at one time or in
19 blocks from time to time, in such manner and upon such terms
20 as the board in its discretion shall determine. The price or
21 prices for any bonds sold, exchanged, or delivered may be:

- 22 (1) The money paid for the bonds.
- 23 (2) The principal amount, plus accrued interest to
24 date of redemption or exchange, of outstanding obligations
25 exchanged for refunding bonds.
- 26 (3) In the case of special assessment or revenue
27 bonds, the amount of any indebtedness to contractors or other
28 persons paid with such bonds, or the fair value of any
29 properties exchanged for the bonds, as determined by the
30 board.

31 Section 37. Section 331.340, Florida Statutes, is

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1 amended to read:

2 331.340 Authorization and form of bonds.--Bonds may be
3 authorized by resolution or resolutions of the board which
4 shall be adopted by a majority of all of the members thereof
5 then in office and present at the meeting at which the
6 resolution or resolutions are adopted and shall be approved as
7 provided in s. 331.305. The resolution or resolutions of the
8 board may be adopted at the same meeting at which they are
9 introduced, and shall be published and noticed. The board may
10 by resolution authorize the issuance of bonds, fix the
11 aggregate amount of bonds to be issued, the purpose or
12 purposes for which the moneys derived therefrom shall be
13 expanded, the rate or rates of interest, the denomination of
14 the bonds, whether or not the bonds are to be issued in one or
15 more series, the date or dates thereof, the date or dates of
16 maturity, which shall not exceed 40 years from their
17 respective dates of issuance, the medium of payment, the place
18 or places within or without the state where payment shall be
19 made, registration privileges, redemption terms and privileges
20 (whether with or without premium), the manner of execution,
21 the form of the bonds including any interest coupons to be
22 attached thereto, the manner of execution of bonds and
23 coupons, and any and all other terms, covenants, and
24 conditions thereof, and the establishment of reserve or other
25 funds. Such authorizing resolution may further provide that
26 such bonds may be executed manually or by engraved,
27 lithographed, or facsimile signature, provided that where
28 signatures are engraved, lithographed, or facsimile no bond
29 shall be valid unless countersigned by a registrar or other
30 officer designated by appropriate resolution of the board. The
31 seal of Space Florida~~the authority~~ may be affixed,

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1 lithographed, engraved, or otherwise reproduced in facsimile
 2 on such bonds. In case any officer whose signature or a
 3 facsimile of whose signature shall appear on any bonds or
 4 coupons shall cease to be such officer before the delivery of
 5 such bonds, such signature or facsimile shall nevertheless be
 6 valid and sufficient for all purposes the same as if the
 7 officer had remained in office until such delivery.

8 Section 38. Section 331.343, Florida Statutes, is
 9 amended to read:

10 331.343 Defeasance.--The board may make such provision
 11 with respect to the defeasance of the right, title, and
 12 interest of the holders of any of the bonds and obligations of
 13 Space Florida ~~the authority~~ in any revenues, funds, or other
 14 properties by which such bonds are secured as the board deems
 15 appropriate and, without limitation on the foregoing, may
 16 provide that when such bonds or obligations become due and
 17 payable or shall have been called for redemption, and the
 18 whole amount of the principal and the interest and premium, if
 19 any, due and payable upon the bonds or obligations when
 20 outstanding shall be paid, or sufficient moneys or direct
 21 obligations of the United States Government the principal of
 22 and the interest on which when due will provide sufficient
 23 moneys, shall be held or deposited in trust for such purpose,
 24 and provision shall also be made for paying all other sums
 25 payable in connection with such bonds or other obligations,
 26 then and in such event the right, title, and interest of the
 27 holders of the bonds in any revenues, funds, or other
 28 properties by which such bonds are secured shall thereupon
 29 cease, terminate, and become void; and the board may apply any
 30 surplus in any sinking fund established in connection with
 31 such bonds or obligations and all balances remaining in all

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1 other funds or accounts other than money held for the
2 redemption or payment of the bonds or other obligations to any
3 lawful purpose of Space Florida ~~the authority~~ as the board
4 shall determine.

5 Section 39. Section 331.345, Florida Statutes, is
6 amended to read:

7 331.345 Covenants.--Any resolution authorizing the
8 issuance of bonds may contain such covenants as the board may
9 deem advisable and all such covenants shall constitute valid
10 and legally binding and enforceable contracts between Space
11 Florida~~the authority~~ and the bondholders, regardless of the
12 time of issuance thereof. Such covenants may include, without
13 limitation, covenants concerning the disposition of the bond
14 proceeds, the use and disposition of project revenues, the
15 pledging of revenues, and assessments, the obligations of
16 Space Florida ~~the authority~~ with respect to the operation of
17 the project and the maintenance of adequate project revenues,
18 the issuance of additional bonds, the appointment, powers, and
19 duties of trustees and receivers, the acquisition of
20 outstanding bonds and obligations, restrictions on the
21 establishing of competing projects or facilities, restrictions
22 on the sale or disposal of the assets and property of Space
23 Florida ~~the authority~~, the priority of assessment liens, the
24 priority of claims by bondholders on the taxing power of Space
25 Florida ~~the authority~~, the maintenance of deposits to assure
26 the payment of revenues by users of spaceport facilities and
27 services, the discontinuance of Space Florida ~~authority~~
28 services by reason of delinquent payments, acceleration upon
29 default, the execution of necessary instruments, the procedure
30 for amending or abrogating covenants with the bondholders, and
31 such other covenants as may be deemed necessary or desirable

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1 for the security of the bondholders.

2 Section 40. Section 331.346, Florida Statutes, is
3 amended to read:

4 331.346 Validity of bonds; validation
5 proceedings.--Any bonds issued by Space Florida ~~the authority~~
6 shall be incontestable in the hands of bona fide purchasers or
7 holders for value and shall not be invalid because of any
8 irregularity or defect in the proceedings for the issue and
9 sale thereof. Prior to the issuance of any bonds, Space
10 Florida ~~the authority~~ shall publish a notice at least once in
11 a newspaper or newspapers published or of general circulation
12 in the appropriate counties in the state, stating the date of
13 adoption of the resolution authorizing such obligations, the
14 amount, maximum rate of interest, and maturity of such
15 obligations, and the purpose in general terms for which such
16 obligations are to be issued, and further stating that no
17 action or proceeding questioning the validity of such
18 obligations or of the proceedings authorizing the issuance
19 thereof, or of any covenants made therein, must be instituted
20 within 20 days after the first publication of such notice, or
21 the validity of such obligations, proceedings, and covenants
22 shall not be thereafter questioned in any court whatsoever. If
23 no such action or proceeding is so instituted within such
24 20-day period, then the validity of such obligations,
25 proceedings, and covenants shall be conclusive, and all
26 persons or parties whatsoever shall be forever barred from
27 questioning the validity of such obligations, proceedings, or
28 covenants in any court whatsoever.

29 Section 41. Section 331.347, Florida Statutes, is
30 amended to read:

31 331.347 Act furnishes full authority for issuance of

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1 | bonds.--This act constitutes full and complete authority for
 2 | the issuance of bonds and the exercise of the powers of Space
 3 | Florida ~~the authority~~ provided herein. Any and all bonds
 4 | issued by Space Florida ~~the authority~~ shall not be secured by
 5 | the full faith and credit of the State of Florida and do not
 6 | constitute an obligation, either general or special, thereof.

7 | Section 42. Section 331.348, Florida Statutes, is
 8 | amended to read:

9 | 331.348 Investment of funds.--The board may in its
 10 | discretion invest funds of Space Florida ~~the authority~~ through
 11 | the Chief Financial Officer or in:

12 | (1) Direct obligations of or obligations guaranteed by
 13 | the United States or for the payment of the principal and
 14 | interest of which the faith and credit of the United States is
 15 | pledged;

16 | (2) Bonds or notes issued by any of the following
 17 | federal agencies: Bank for Cooperatives; federal intermediate
 18 | credit banks; federal home loan bank system; federal land
 19 | banks; or the Federal National Mortgage Association (including
 20 | debentures or participating certificates issued by such
 21 | association);

22 | (3) Public housing bonds issued by public housing
 23 | authorities and secured by a pledge or annual contributions
 24 | under an annual contribution contract or contracts with the
 25 | United States;

26 | (4) Bonds or other interest-bearing obligations of any
 27 | county, district, city, or town located in the state for which
 28 | the full faith and credit of such political subdivision is
 29 | pledged;

30 | (5) Any investment authorized for insurers by ss.
 31 | 625.306-625.316 and amendments thereto; or

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1 (6) Any investment authorized under s. 17.57 and
2 amendments thereto.

3 Section 43. Section 331.349, Florida Statutes, is
4 amended to read:

5 331.349 Fiscal year of Space Florida ~~the~~
6 ~~authority~~.--The board may ~~has the power to~~ establish and from
7 time to time redetermine the fiscal year of Space Florida ~~the~~
8 ~~authority~~. Unless the board otherwise provides, Space
9 Florida's ~~the authority's~~ fiscal year shall be July 1 through
10 June 30.

11 Section 44. Section 331.350, Florida Statutes, is
12 amended to read:

13 331.350 Insurance coverage of Space Florida ~~the~~
14 ~~authority~~; safety program.--

15 (1) Notwithstanding any other provision of law, the
16 State Risk Management Trust Fund established under s. 284.30
17 may ~~shall not~~ insure buildings and property owned or leased by
18 Space Florida ~~the authority~~.

19 (2) Notwithstanding any other provision of law, the
20 State Risk Management Trust Fund established under s. 284.30
21 may ~~shall not~~ insure against any liability of Space Florida
22 ~~the authority~~.

23 (3) Space Florida ~~The authority~~ shall establish a
24 safety program. The safety program shall include:

25 (a) The development and implementation of a loss
26 prevention program which shall consist of a comprehensive
27 ~~authority wide~~ safety program for all of Space Florida ,
28 including a statement, established by the board of directors
29 ~~supervisors~~, of safety policy and responsibility.

30 (b) Provision for regular and periodic facility and
31 equipment inspections.

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1 (c) Investigation of job-related employee accidents
2 and other accidents occurring on the premises of Space Florida
3 ~~the authority~~ or within areas of its jurisdiction.

4 (d) Establishment of a program to promote increased
5 safety awareness among employees, agents, and subcontractors
6 of Space Florida ~~the authority~~.

7 (4)(a) Space Florida ~~The authority~~ shall, if
8 available, secure insurance coverage within reasonable limits
9 for liability which may arise as a consequence of its
10 responsibilities.

11 (b) Space Florida ~~The authority~~ shall, if available,
12 and if cost-effective, secure insurance coverage on its
13 buildings, facilities, and property at reasonable levels.

14 (c) Space Florida ~~The authority~~, with respect to the
15 purchase of insurance, shall be subject to the applicable
16 provisions of chapter 287 and other applicable law.

17 Section 45. Section 331.351, Florida Statutes, is
18 amended to read:

19 331.351 Participation by women, minorities, and
20 socially and economically disadvantaged business enterprises
21 encouraged.--It is the intent of the Legislature and the
22 public policy of this state that women, minorities, and
23 socially and economically disadvantaged business enterprises
24 be encouraged to participate fully in all phases of economic
25 and community development. Accordingly, to achieve such
26 purpose, Space Florida~~the authority~~ shall, in accordance with
27 applicable state and federal law, involve and utilize women,
28 minorities, and socially and economically disadvantaged
29 business enterprises in all phases of the design, development,
30 construction, maintenance, and operation of spaceports
31 developed under this act.

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1 Section 46. Section 331.354, Florida Statutes, is
2 amended to read:

3 331.354 Tax exemption.--The exercise of the powers
4 granted by this act in all respects shall be for the benefit
5 of the people of the state, for the increase of their industry
6 and prosperity, for the improvement of their health and living
7 conditions, and for the provision of gainful employment and
8 shall constitute the performance of essential public
9 functions. Space Florida is ~~The authority shall not be~~
10 required to pay any taxes on any project or any other property
11 owned by Space Florida ~~the authority under the provisions of~~
12 this act or upon the income therefrom. The bonds issued under
13 ~~the provisions of~~ this act or upon the income therefrom
14 (including any profit made on the sale thereof), and all
15 notes, mortgages, security agreements, letters of credit, or
16 other instruments which arise out of or are given to secure
17 the repayment of bonds issued in connection with a project
18 financed under this act, shall at all times be free from
19 taxation by the state or any local unit, political
20 subdivision, or other instrumentality of the state. ~~Nothing in~~
21 This section, however, does not exempt ~~shall be construed as~~
22 ~~exempting~~ from taxation or assessments the leasehold interest
23 of a lessee in any project or any other property or interest
24 owned by the lessee. The exemption granted by this section is
25 ~~shall not be~~ applicable to any tax imposed by chapter 220 on
26 interest, income, or profits on debt obligations owned by
27 corporations.

28 Section 47. Section 331.355, Florida Statutes, is
29 amended to read:

30 331.355 Use of name; ownership rights to intellectual
31 property.--

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1 (1)(a) The corporate name of a corporation
2 incorporated or authorized to transact business in this state,
3 or the name of any person or business entity transacting
4 business in this state, may not use the words "Space Florida,"
5 "Florida Space Authority," "Florida Aerospace Finance
6 Corporation," "Florida Space Research Institute," "spaceport
7 Florida," or "Florida spaceport" in its name unless the Space
8 Florida board of directors ~~the authority~~ gives written
9 approval for such use.

10 (b) The Department of State may dissolve, pursuant to
11 s. 607.1421, any corporation that violates paragraph (a).

12 (2) Notwithstanding any provision of chapter 286, the
13 legal title and every right, interest, claim, or demand of any
14 kind in and to any patent, trademark, copyright, certification
15 mark, or other right acquired under the patent and trademark
16 laws of the United States or this state or any foreign
17 country, or the application for the same, as is owned or held,
18 acquired, or developed by Space Florida ~~the authority~~ , under
19 the authority and directions given it by this part, is vested
20 in Space Florida~~the authority~~ for the use, benefit, and
21 purposes provided in this part. Space Florida ~~The authority~~ is
22 vested with and is authorized to exercise any and all of the
23 normal incidents of such ownership, including the receipt and
24 disposition of royalties. Any sums received as royalties from
25 any such rights are hereby appropriated to Space Florida ~~the~~
26 ~~authority~~ for any and all of the purposes and uses provided in
27 this part.

28 Section 48. Section 331.360, Florida Statutes, is
29 amended to read:

30 331.360 Joint participation ~~project~~ agreement or
31 assistance; spaceport master plan.--

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1 (1) It shall be the duty, function, and responsibility
2 of the Department of Transportation to promote the further
3 development and improvement of aerospace transportation
4 facilities; to address intermodal requirements and impacts of
5 the launch ranges, spaceports, and other space transportation
6 facilities; to assist in the development of joint-use
7 facilities and technology that support aviation and aerospace
8 operations; to coordinate and cooperate in the development of
9 spaceport infrastructure and related transportation facilities
10 contained in the Strategic Intermodal System Plan; to
11 encourage, where appropriate, the cooperation and integration
12 of airports and spaceports in order to meet
13 transportation-related needs; and to facilitate and promote
14 cooperative efforts between federal and state government
15 entities to improve space transportation capacity and
16 efficiency. In carrying out this duty and responsibility, the
17 department may assist and advise, cooperate with, and
18 coordinate with federal, state, local, or private
19 organizations and individuals. The department may
20 administratively house its space transportation
21 responsibilities within an existing division or office.

22 (2) Notwithstanding any other provision of law, the
23 Department of Transportation may enter into a joint
24 participation ~~project~~ agreement with, or otherwise assist, ~~the~~
25 ~~Florida~~ Space Florida ~~Authority~~ as necessary to effectuate the
26 provisions of this chapter and may allocate funds for such
27 purposes in its 5-year work program. However, the department
28 may not fund the administrative or operational costs of Space
29 Florida ~~the authority~~.

30 (3) Space Florida ~~The authority~~ shall develop a
31 spaceport master plan for expansion and modernization of space

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1 transportation facilities within spaceport territories as
 2 defined in s. 331.303~~(23)~~. The plan shall contain recommended
 3 projects to meet current and future commercial, national, and
 4 state space transportation requirements. Space Florida ~~The~~
 5 ~~authority~~ shall submit the plan to any appropriate
 6 metropolitan planning organization ~~M.P.O.~~ for review of
 7 intermodal impacts. Space Florida ~~The authority~~ shall submit
 8 the spaceport master plan to the Department of Transportation,
 9 and such plan may be included within the department's 5-year
 10 work program of qualifying aerospace discretionary capacity
 11 improvement under subsection (4). The plan shall identify
 12 appropriate funding levels and include recommendations on
 13 appropriate sources of revenue that may be developed to
 14 contribute to the State Transportation Trust Fund.

15 (4) Subject to the availability of appropriated funds,
 16 the department may participate in the capital cost of eligible
 17 spaceport discretionary capacity improvement projects. The
 18 annual legislative budget request shall be based on the
 19 proposed funding requested for approved spaceport
 20 discretionary capacity improvement projects.

21 Section 49. Section 331.369, Florida Statutes, is
 22 amended to read:

23 331.369 Space Industry Workforce Initiative.--

24 (1) The Legislature finds that the aerospace ~~space~~
 25 industry is critical to the economic future of the state and
 26 that the competitiveness of the industry in the state depends
 27 upon the development and maintenance of a qualified workforce.
 28 The Legislature further finds that the aerospace ~~space~~
 29 industry in this state has diverse and complex workforce
 30 needs, including, but not limited to, the need for qualified
 31 entry-level workers, the need to upgrade the skills of

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1 technician-level incumbent workers, and the need to ensure
 2 continuing education opportunities for workers with advanced
 3 educational degrees. It is the intent of the Legislature to
 4 support programs designed to address the workforce development
 5 needs of the aerospace ~~space~~ industry in this state.

6 (2) The Workforce Development Board of Enterprise
 7 Florida, Inc., or its successor entity, shall coordinate
 8 development of a Space Industry Workforce Initiative in
 9 partnership with Space Florida, ~~the Florida Space Research~~
 10 ~~Institute, the institute's consortium~~ of public and private
 11 universities, community colleges, and other training providers
 12 approved by the board. The purpose of the initiative is to use
 13 or revise existing programs and to develop innovative new
 14 programs to address the workforce needs of the aerospace ~~space~~
 15 industry.

16 (3) The initiative shall emphasize:

17 (a) Curricula content and timeframes developed with
 18 industry participation and endorsed by the industry;

19 (b) Programs that certify persons completing training
 20 as meeting industry-approved standards or competencies;

21 (c) Use of distance-learning and computer-based
 22 training modules as appropriate and feasible;

23 (d) Industry solicitation of public and private
 24 universities to develop continuing education programs at the
 25 master's and doctoral levels;

26 (e) Agreements with the National Aeronautics and Space
 27 Administration to replicate on a national level successful
 28 training programs developed through the initiative; and

29 (f) Leveraging of state and federal workforce funds.

30 (4) The Workforce Development Board of Enterprise
 31 Florida, Inc., or its successor entity, with the assistance of

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1 Space Florida ~~the Florida Space Research Institute~~ , shall
 2 convene representatives from the aerospace ~~space~~ industry to
 3 identify the priority training and education needs of the
 4 industry and to appoint a team to design programs to meet the
 5 ~~such~~ priority needs.

6 (5) The Workforce Development Board of Enterprise
 7 Florida, Inc., or its successor entity, as part of its
 8 statutorily prescribed annual report to the Legislature, shall
 9 provide recommendations for policies, programs, and funding to
 10 enhance the workforce needs of the aerospace ~~space~~ industry.

11 Section 50. Paragraph (g) of subsection (2) of section
 12 14.2015, Florida Statutes, is amended to read:

13 14.2015 Office of Tourism, Trade, and Economic
 14 Development; creation; powers and duties.--

15 (2) The purpose of the Office of Tourism, Trade, and
 16 Economic Development is to assist the Governor in working with
 17 the Legislature, state agencies, business leaders, and
 18 economic development professionals to formulate and implement
 19 coherent and consistent policies and strategies designed to
 20 provide economic opportunities for all Floridians. To
 21 accomplish such purposes, the Office of Tourism, Trade, and
 22 Economic Development shall:

23 (g) Serve as contract administrator for the state with
 24 respect to contracts with Enterprise Florida, Inc., the
 25 Florida Commission on Tourism, Space Florida, and all
 26 direct-support organizations under this act, excluding those
 27 relating to tourism. To accomplish the provisions of this act
 28 and applicable provisions of chapter 288, and notwithstanding
 29 the provisions of part I of chapter 287, the office shall
 30 enter into specific contracts with Enterprise Florida, Inc.,
 31 the Florida Commission on Tourism, Space Florida, and other

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1 appropriate direct-support organizations. Such contracts may
2 be multiyear and shall include specific performance measures
3 for each year.

4 Section 51. Section 74.011, Florida Statutes, is
5 amended to read:

6 74.011 Scope.--In any eminent domain action, properly
7 instituted by and in the name of the state; the Department of
8 Transportation; any county, school board, municipality,
9 expressway authority, regional water supply authority,
10 transportation authority, flood control district, or drainage
11 or subdrainage district; the ship canal authority; any
12 lawfully constituted housing, port, or aviation authority; ~~the~~
13 ~~Florida Space Authority;~~ or any rural electric cooperative,
14 telephone cooperative corporation, or public utility
15 corporation, the petitioner may avail itself of the provisions
16 of this chapter to take possession and title in advance of the
17 entry of final judgment.

18 Section 52. Subsection (6) of section 196.012, Florida
19 Statutes, is amended to read:

20 196.012 Definitions.--For the purpose of this chapter,
21 the following terms are defined as follows, except where the
22 context clearly indicates otherwise:

23 (6) Governmental, municipal, or public purpose or
24 function shall be deemed to be served or performed when the
25 lessee under any leasehold interest created in property of the
26 United States, the state or any of its political subdivisions,
27 or any municipality, agency, special district, authority, or
28 other public body corporate of the state is demonstrated to
29 perform a function or serve a governmental purpose which could
30 properly be performed or served by an appropriate governmental
31 unit or which is demonstrated to perform a function or serve a

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1 | purpose which would otherwise be a valid subject for the
2 | allocation of public funds. For purposes of the preceding
3 | sentence, an activity undertaken by a lessee which is
4 | permitted under the terms of its lease of real property
5 | designated as an aviation area on an airport layout plan which
6 | has been approved by the Federal Aviation Administration and
7 | which real property is used for the administration, operation,
8 | business offices and activities related specifically thereto
9 | in connection with the conduct of an aircraft full service
10 | fixed base operation which provides goods and services to the
11 | general aviation public in the promotion of air commerce shall
12 | be deemed an activity which serves a governmental, municipal,
13 | or public purpose or function. Any activity undertaken by a
14 | lessee which is permitted under the terms of its lease of real
15 | property designated as a public airport as defined in s.
16 | 332.004(14) by municipalities, agencies, special districts,
17 | authorities, or other public bodies corporate and public
18 | bodies politic of the state, a spaceport as defined in s.
19 | 331.303(~~19~~), or which is located in a deepwater port
20 | identified in s. 403.021(9)(b) and owned by one of the
21 | foregoing governmental units, subject to a leasehold or other
22 | possessory interest of a nongovernmental lessee that is deemed
23 | to perform an aviation, airport, aerospace, maritime, or port
24 | purpose or operation shall be deemed an activity that serves a
25 | governmental, municipal, or public purpose. The use by a
26 | lessee, licensee, or management company of real property or a
27 | portion thereof as a convention center, visitor center, sports
28 | facility with permanent seating, concert hall, arena, stadium,
29 | park, or beach is deemed a use that serves a governmental,
30 | municipal, or public purpose or function when access to the
31 | property is open to the general public with or without a

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1 charge for admission. If property deeded to a municipality by
2 the United States is subject to a requirement that the Federal
3 Government, through a schedule established by the Secretary of
4 the Interior, determine that the property is being maintained
5 for public historic preservation, park, or recreational
6 purposes and if those conditions are not met the property will
7 revert back to the Federal Government, then such property
8 shall be deemed to serve a municipal or public purpose. The
9 term "governmental purpose" also includes a direct use of
10 property on federal lands in connection with the Federal
11 Government's Space Exploration Program or spaceport activities
12 as defined in s. 212.02(22). Real property and tangible
13 personal property owned by the Federal Government or Space
14 Florida ~~the Florida Space Authority~~ and used for defense and
15 space exploration purposes or which is put to a use in support
16 thereof shall be deemed to perform an essential national
17 governmental purpose and shall be exempt. "Owned by the
18 lessee" as used in this chapter does not include personal
19 property, buildings, or other real property improvements used
20 for the administration, operation, business offices and
21 activities related specifically thereto in connection with the
22 conduct of an aircraft full service fixed based operation
23 which provides goods and services to the general aviation
24 public in the promotion of air commerce provided that the real
25 property is designated as an aviation area on an airport
26 layout plan approved by the Federal Aviation Administration.
27 For purposes of determination of "ownership," buildings and
28 other real property improvements which will revert to the
29 airport authority or other governmental unit upon expiration
30 of the term of the lease shall be deemed "owned" by the
31 governmental unit and not the lessee. Providing two-way

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1 telecommunications services to the public for hire by the use
 2 of a telecommunications facility, as defined in s. 364.02(15),
 3 and for which a certificate is required under chapter 364 does
 4 not constitute an exempt use for purposes of s. 196.199,
 5 unless the telecommunications services are provided by the
 6 operator of a public-use airport, as defined in s. 332.004,
 7 for the operator's provision of telecommunications services
 8 for the airport or its tenants, concessionaires, or licensees,
 9 or unless the telecommunications services are provided by a
 10 public hospital. However, property that is being used to
 11 provide such telecommunications services on or before October
 12 1, 1997, shall remain exempt, but such exemption expires
 13 October 1, 2004.

14 Section 53. Subsection (22) of section 212.02, Florida
 15 Statutes, is amended to read:

16 212.02 Definitions.--The following terms and phrases
 17 when used in this chapter have the meanings ascribed to them
 18 in this section, except where the context clearly indicates a
 19 different meaning:

20 (22) "Spaceport activities" means activities directed
 21 or sponsored by Space Florida ~~the Florida Space Authority~~ on
 22 spaceport territory pursuant to its powers and
 23 responsibilities under the Space Florida Act ~~Florida Space~~
 24 ~~Authority Act~~.

25 Section 54. Subsection (7) of section 288.063, Florida
 26 Statutes, is amended to read:

27 288.063 Contracts for transportation projects.--

28 (7) For the purpose of this section, Space Florida ~~the~~
 29 ~~Florida Space Authority~~ may serve as the local government or
 30 as the contracting agency for transportation projects within
 31 spaceport territory as defined by s. 331.304.

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1 Section 55. Subsection (1) of section 288.075, Florida
2 Statutes, is amended to read:

3 288.075 Confidentiality of records.--

4 (1) As used in this section, the term "economic
5 development agency" means the Office of Tourism, Trade, and
6 Economic Development, any industrial development authority
7 created in accordance with part III of chapter 159 or by
8 special law, Space Florida ~~the Florida Space Authority~~ created
9 in part II of chapter 331, ~~the Florida Aerospace Finance~~
10 ~~Corporation~~ created in part III of chapter 331, the public
11 economic development agency of a county or municipality, or
12 any research and development authority created in accordance
13 with part V of chapter 159. The term also includes any private
14 agency, person, partnership, corporation, or business entity
15 when authorized by the state, a municipality, or a county to
16 promote the general business interests or industrial interests
17 of the state or that municipality or county.

18 Section 56. Subsection (2) of section 288.35, Florida
19 Statutes, is amended to read:

20 288.35 Definitions.--The following terms, wherever
21 used or referred to in this part, shall have the following
22 meanings:

23 (2) "Government agency" means the state or any county
24 or political subdivision thereof; any state agency; any
25 consolidated government of a county, and some or all of the
26 municipalities located within the ~~said~~ county; any chartered
27 municipality in the state; and any of the institutions of such
28 consolidated governments, counties, or municipalities.
29 Specifically included are airports, port authorities,
30 industrial authorities, and Space Florida ~~the Florida Space~~
31 ~~Authority~~.

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1 Section 57. Subsection (2) of section 288.9415,
2 Florida Statutes, is amended to read:

3 288.9415 International Trade Grants.--

4 (2) A county, municipality, economic development
5 council, Space Florida ~~the Florida Space Authority~~ , or a
6 not-for-profit association of businesses organized to assist
7 in the promotion of international trade may apply for a grant
8 of state funds for the promotion of international trade.

9 Section 58. Paragraph (j) of subsection (5) of section
10 212.08, Florida Statutes, is amended to read:

11 212.08 Sales, rental, use, consumption, distribution,
12 and storage tax; specified exemptions.--The sale at retail,
13 the rental, the use, the consumption, the distribution, and
14 the storage to be used or consumed in this state of the
15 following are hereby specifically exempt from the tax imposed
16 by this chapter.

17 (5) EXEMPTIONS; ACCOUNT OF USE.--

18 (j) Machinery and equipment used in semiconductor,
19 defense, or space technology production and research and
20 development.--

21 1.a. Industrial machinery and equipment used in
22 semiconductor technology facilities certified under
23 subparagraph 6. to manufacture, process, compound, or produce
24 semiconductor technology products for sale or for use by these
25 facilities are exempt from the tax imposed by this chapter.

26 For purposes of this paragraph, industrial machinery and
27 equipment includes molds, dies, machine tooling, other
28 appurtenances or accessories to machinery and equipment,
29 testing equipment, test beds, computers, and software, whether
30 purchased or self-fabricated, and, if self-fabricated,
31 includes materials and labor for design, fabrication, and

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1 assembly.

2 b. Industrial machinery and equipment used in defense
3 or space technology facilities certified under subparagraph 6.
4 to design, manufacture, assemble, process, compound, or
5 produce defense technology products or space technology
6 products for sale or for use by these facilities are exempt
7 from ~~25 percent~~ of the tax imposed by this chapter.

8 2.a. Machinery and equipment are exempt from the tax
9 imposed by this chapter if used predominately in semiconductor
10 wafer research and development activities in a semiconductor
11 technology research and development facility certified under
12 subparagraph 6. For purposes of this paragraph, machinery and
13 equipment includes molds, dies, machine tooling, other
14 appurtenances or accessories to machinery and equipment,
15 testing equipment, test beds, computers, and software, whether
16 purchased or self-fabricated, and, if self-fabricated,
17 includes materials and labor for design, fabrication, and
18 assembly.

19 b. Machinery and equipment are exempt from ~~25 percent~~
20 ~~of~~ the tax imposed by this chapter if used predominately in
21 defense or space research and development activities in a
22 defense or space technology research and development facility
23 certified under subparagraph 6.

24 3. Building materials purchased for use in
25 manufacturing or expanding clean rooms in
26 semiconductor-manufacturing facilities are exempt from the tax
27 imposed by this chapter.

28 4. In addition to meeting the criteria mandated by
29 subparagraph 1., subparagraph 2., or subparagraph 3., a
30 business must be certified by the Office of Tourism, Trade,
31 and Economic Development as authorized in this paragraph in

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1 order to qualify for exemption under this paragraph.

2 5. For items purchased tax exempt pursuant to this
3 paragraph, possession of a written certification from the
4 purchaser, certifying the purchaser's entitlement to exemption
5 pursuant to this paragraph, relieves the seller of the
6 responsibility of collecting the tax on the sale of such
7 items, and the department shall look solely to the purchaser
8 for recovery of tax if it determines that the purchaser was
9 not entitled to the exemption.

10 6.a. To be eligible to receive the exemption provided
11 by subparagraph 1., subparagraph 2., or subparagraph 3., a
12 qualifying business entity shall initially apply to Enterprise
13 Florida, Inc. The original certification shall be valid for a
14 period of 2 years. In lieu of submitting a new application,
15 the original certification may be renewed biennially by
16 submitting to the Office of Tourism, Trade, and Economic
17 Development a statement, certified under oath, that there has
18 been no material change in the conditions or circumstances
19 entitling the business entity to the original certification.
20 The initial application and certification renewal statement
21 shall be developed by the Office of Tourism, Trade, and
22 Economic Development in consultation with Enterprise Florida,
23 Inc.

24 b. Enterprise Florida, Inc., shall review each
25 submitted initial application and information and determine
26 whether or not the application is complete within 5 working
27 days. Once an application is complete, Enterprise Florida,
28 Inc., shall, within 10 working days, evaluate the application
29 and recommend approval or disapproval of the application to
30 the Office of Tourism, Trade, and Economic Development.

31 c. Upon receipt of the initial application and

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1 | recommendation from Enterprise Florida, Inc., or upon receipt
 2 | of a certification renewal statement, the Office of Tourism,
 3 | Trade, and Economic Development shall certify within 5 working
 4 | days those applicants who are found to meet the requirements
 5 | of this section and notify the applicant, Enterprise Florida,
 6 | Inc., and the department of the original certification or
 7 | certification renewal. If the Office of Tourism, Trade, and
 8 | Economic Development finds that the applicant does not meet
 9 | the requirements of this section, it shall notify the
 10 | applicant and Enterprise Florida, Inc., within 10 working days
 11 | that the application for certification has been denied and the
 12 | reasons for denial. The Office of Tourism, Trade, and Economic
 13 | Development has final approval authority for certification
 14 | under this section.

15 | ~~7.a. A business may apply once each year for the~~
 16 | ~~exemption.~~

17 | ~~d.b.~~ The initial application and certification renewal
 18 | statement must indicate, for program evaluation purposes only,
 19 | the average number of full-time equivalent employees at the
 20 | facility over the preceding calendar year, the average wage
 21 | and benefits paid to those employees over the preceding
 22 | calendar year, the total investment made in real and tangible
 23 | personal property over the preceding calendar year, and the
 24 | total value of tax-exempt purchases and taxes exempted during
 25 | the previous year. The department shall assist the Office of
 26 | Tourism, Trade, and Economic Development in evaluating and
 27 | verifying information provided in the application for
 28 | exemption.

29 | ~~e.e.~~ The Office of Tourism, Trade, and Economic
 30 | Development may use the information reported on the initial
 31 | application and certification renewal statement for evaluation

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1 | purposes only and shall prepare an annual report on the
 2 | exemption program and its cost and impact. The annual report
 3 | for the preceding fiscal year shall be submitted to the
 4 | Governor, the President of the Senate, and the Speaker of the
 5 | House of Representatives by September 30 of each fiscal year.

6 | ~~7.8.~~ A business certified to receive this exemption
 7 | may elect to designate one or more state universities or
 8 | community colleges as recipients of up to 100 percent of the
 9 | amount of the exemption for which they may qualify. To receive
 10 | these funds, the institution must agree to match the funds so
 11 | earned with equivalent cash, programs, services, or other
 12 | in-kind support on a one-to-one basis in the pursuit of
 13 | research and development projects as requested by the
 14 | certified business. The rights to any patents, royalties, or
 15 | real or intellectual property must be vested in the business
 16 | unless otherwise agreed to by the business and the university
 17 | or community college.

18 | ~~8.9.~~ As used in this paragraph, the term:

19 | a. "Predominately" means at least 50 percent of the
 20 | time in qualifying research and development.

21 | b. "Research and development" means basic and applied
 22 | research in the science or engineering, as well as the design,
 23 | development, and testing, of prototypes or processes of new or
 24 | improved products, including the design, development, and
 25 | testing of space launch vehicles, space flight vehicles,
 26 | missiles, satellites, or research payloads, avionics, and
 27 | associated control systems and processing systems, and
 28 | components of any of the foregoing. Research and development
 29 | does not include market research, routine consumer product
 30 | testing, sales research, research in the social sciences or
 31 | psychology, or similar nontechnological activities, or

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1 ~~technical services.~~

2 c. "Semiconductor technology products" means raw
3 semiconductor wafers or semiconductor thin films that are
4 transformed into semiconductor memory or logic wafers,
5 including wafers containing mixed memory and logic circuits;
6 related assembly and test operations; active-matrix flat panel
7 displays; semiconductor chips; semiconductor lasers;
8 optoelectronic elements; and related semiconductor technology
9 products as determined by the Office of Tourism, Trade, and
10 Economic Development.

11 d. "Clean rooms" means manufacturing facilities
12 enclosed in a manner that meets the clean manufacturing
13 requirements necessary for high-technology
14 semiconductor-manufacturing environments.

15 e. "Defense technology products" means products that
16 have a military application, including, but not limited to,
17 weapons, weapons systems, guidance systems, surveillance
18 systems, communications or information systems, munitions,
19 aircraft, vessels, or boats, or components thereof, which are
20 intended for military use and manufactured in performance of a
21 contract with the United States Department of Defense or the
22 military branch of a recognized foreign government or a
23 subcontract thereunder which relates to matters of national
24 defense.

25 f. "Space technology products" means products that are
26 specifically designed or manufactured for application in space
27 activities, including, but not limited to, space launch
28 vehicles, space flight vehicles, missiles, satellites or
29 research payloads, avionics, and associated control systems
30 and processing systems and components of any of the foregoing.

31 The term does not include products that are designed or

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1 manufactured for general commercial aviation or other uses
2 even though those products may also serve an incidental use in
3 space applications.

4 Section 59. Section 1004.86, Florida Statutes, is
5 created to read:

6 1004.86 Florida Center for Mathematics and Science
7 Education Research.--

8 (1) The Department of Education shall contract with a
9 competitively selected public or private university to create
10 and operate the Florida Center for Mathematics and Science
11 Education Research. The purpose of the center is increasing
12 student achievement in mathematics and science, with an
13 emphasis on K-12 education. The center shall:

14 (a) Provide technical assistance and support to school
15 districts and schools in the development and implementation of
16 mathematics and science instruction.

17 (b) Conduct applied research on policy and practices
18 related to mathematics and science instruction and assessment
19 in the state.

20 (c) Conduct or compile basic research regarding
21 student acquisition of mathematics and science knowledge and
22 skills.

23 (d) Develop comprehensive course frameworks for
24 mathematics and science courses that emphasize rigor and
25 relevance at the elementary, middle, and high school levels.
26 Student achievement data should be used to aid in the
27 development of course frameworks for low-performing schools,
28 special needs students, females, and minorities.

29 (e) Disseminate information regarding research-based
30 teaching practices in mathematics and science to teachers and
31 teacher educators in the state.

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1 (f) Collect, manage, and report on assessment
 2 information regarding student achievement in mathematics and
 3 science. The report shall include student achievement by
 4 ethnic group.

5 (g) Establish partnerships with public and private
 6 universities, community colleges, school districts, and other
 7 appropriate entities to further increase student achievement
 8 in mathematics and science.

9 (h) Develop a comprehensive plan, with input from
 10 school districts, to increase the number and percentage of
 11 females and minority students enrolling in and successfully
 12 completing mathematics and science courses.

13 (2) The department shall monitor the center through
 14 the Division of K-12 Public Schools.

15 Section 60. Sections 331.314, 331.315, 331.367,
 16 331.368, 331.401, 331.403, 331.405, 331.407, 331.409, 331.411,
 17 331.415, 331.417, and 331.419, Florida Statutes, are repealed.

18 Section 61. No later than September 1, 2006, the
 19 Florida Space Authority, the Florida Space Research Institute,
 20 and the Florida Aerospace Finance Corporation shall submit
 21 articles of dissolution to the Department of State in
 22 accordance with s. 607.1403, or s. 617.1403, s. 607.1011, or
 23 s. 617.1011, Florida Statutes, as applicable. The Legislature
 24 declares and finds that the Florida Space Authority is to
 25 merge into Space Florida, pursuant to s. 189.4045, Florida
 26 Statutes, upon this act becoming law. Space Florida, as
 27 created by this act, is the successor organization to the
 28 Florida Space Authority, the Florida Space Research Institute,
 29 and the Florida Aerospace Finance Corporation. The Florida
 30 Space Authority, the Florida Space Research Institute, and the
 31 Florida Aerospace Finance Corporation shall transfer and Space

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1 Florida shall receive all records, property, obligations, and
 2 unexpended balances of appropriations, allocations, or other
 3 funds of the dissolved entities. To ensure compliance with 26
 4 U.S.C. 501(c)(3), Space Florida shall use the assets and funds
 5 transferred to it from the Florida Space Research Institute
 6 and the Florida Aerospace Finance Corporation in a manner
 7 consistent with the purposes for which the originating entity
 8 received such assets and funds.

9 Section 62. The Governor, the President of the Senate,
 10 and the Speaker of the House of Representatives shall appoint
 11 the board of directors of Space Florida no later than July 1,
 12 2006. The board of directors of Space Florida shall hold its
 13 first meeting no later than August 1, 2006. The board of
 14 directors of Space Florida shall appoint a president no later
 15 than September 1, 2006. The Executive Office of the Governor
 16 shall provide staffing and transitional support to Space
 17 Florida until December 31, 2006.

18 Section 63. Subsection (12) is added to section
 19 288.1224, Florida Statutes, to read:

20 288.1224 Powers and duties.--The commission:
 21 (12) Shall advise and cooperate with Space Florida
 22 regarding space tourism marketing, when appropriate and
 23 beneficial.

24 Section 64. Subsection (7) is added to section
 25 288.9015, Florida Statutes, to read:

26 288.9015 Enterprise Florida, Inc.; purpose; duties.--
 27 (7) Enterprise Florida, Inc., shall enter into an
 28 agreement with Space Florida to:

29 (a) Develop a plan to retain, expand, attract, and
 30 create aerospace industry entities, public or private, which
 31 result in the creation of high-value-added businesses and jobs

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1 in this state.

2 (b) Develop a plan to assist in the financing of
3 aerospace businesses.

4 Section 65. Subsection (33) is added to section
5 334.044, Florida Statutes, to read:

6 334.044 Department; powers and duties.--The department
7 shall have the following general powers and duties:

8 (33) To enter into agreement with Space Florida to
9 coordinate and cooperate in the development of spaceport
10 infrastructure and related transportation facilities contained
11 in the Strategic Intermodal System Plan and, where
12 appropriate, encourage the cooperation and integration of
13 airports and spaceports in order to meet
14 transportation-related needs.

15 Section 66. Subsection (12) is added to section
16 445.004, Florida Statutes, to read:

17 445.004 Workforce Florida, Inc.; creation; purpose;
18 membership; duties and powers.--

19 (12) Workforce Florida, Inc., shall enter into
20 agreement with Space Florida and collaborate with vocational
21 institutes, community colleges, colleges, and universities in
22 this state, to develop a workforce development strategy to
23 implement the workforce provisions of s. 331.3051.

24 Section 67. Subsection (17) is added to section
25 1001.10, Florida Statutes, read:

26 1001.10 Commissioner of Education; general powers and
27 duties.--The Commissioner of Education is the chief
28 educational officer of the state, and is responsible for
29 giving full assistance to the State Board of Education in
30 enforcing compliance with the mission and goals of the
31 seamless K-20 education system. To facilitate innovative

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1 | practices and to allow local selection of educational methods,
 2 | the State Board of Education may authorize the commissioner to
 3 | waive, upon the request of a district school board, State
 4 | Board of Education rules that relate to district school
 5 | instruction and school operations, except those rules
 6 | pertaining to civil rights, and student health, safety, and
 7 | welfare. The Commissioner of Education is not authorized to
 8 | grant waivers for any provisions in rule pertaining to the
 9 | allocation and appropriation of state and local funds for
 10 | public education; the election, compensation, and organization
 11 | of school board members and superintendents; graduation and
 12 | state accountability standards; financial reporting
 13 | requirements; reporting of out-of-field teaching assignments
 14 | under s. 1012.42; public meetings; public records; or due
 15 | process hearings governed by chapter 120. No later than
 16 | January 1 of each year, the commissioner shall report to the
 17 | Legislature and the State Board of Education all approved
 18 | waiver requests in the preceding year. Additionally, the
 19 | commissioner has the following general powers and duties:

20 | (17) To enter into agreement with Space Florida to
 21 | develop innovative aerospace-related education programs that
 22 | promote mathematics and science education for grades K-20.

23 |
 24 | The commissioner's office shall operate all statewide
 25 | functions necessary to support the State Board of Education
 26 | and the K-20 education system, including strategic planning
 27 | and budget development, general administration, and assessment
 28 | and accountability.

29 | Section 68. The following appropriations are made to
 30 | the Governor's Office of Tourism, Trade, and Economic
 31 | Development:

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1 (1) From nonrecurring general revenue for fiscal year
2 2006-2007:

3 (a) The sum of \$35 million is appropriated to be used
4 for infrastructure needs related to the development of the
5 National Aeronautics and Space Administration's Crew
6 Exploration Vehicle.

7 (b) The sum of \$8 million is appropriated for
8 implementation of recommendations made by the Governor's
9 Commission on the Future of Space and Aeronautics in Florida,
10 including, but not limited to, commercial launch assistance
11 and spaceport development.

12 (2) From recurring general revenue for fiscal year
13 2006-2007 and annually thereafter:

14 (a) The sum of \$3 million is appropriated for
15 operational needs of Space Florida. For fiscal year 2006-2007,
16 funds may be used for operating and transition expenses of the
17 Florida Space Authority, the Florida Aerospace Finance
18 Corporation, and the Florida Space Research Institute, not to
19 exceed an amount equal to one-quarter of their fiscal year
20 2005-2006 appropriated budgets.

21 (b) The sum of \$4 million is appropriated for
22 implementation of innovative education programs and financing
23 assistance for aerospace business development projects.

24 Section 69. This act shall take effect upon becoming a
25 law.

26
27

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

29 And the title is amended as follows:

30 Delete everything before the enacting clause

31

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1 and insert:

2 A bill to be entitled

3 An act relating to the state's aerospace

4 industry; redesignating the "Florida Space

5 Authority" as "Space Florida"; creating s.

6 331.3011, F.S.; providing legislative intent;

7 amending s. 331.302, F.S.; establishing and

8 creating Space Florida as an independent

9 special district, a body politic and corporate,

10 for certain purposes; providing purposes and

11 duties and responsibilities of Space Florida;

12 providing definitions; revising and

13 consolidating the roles, purposes,

14 responsibilities, assets, and duties of the

15 Florida Space Authority as those of Space

16 Florida; deleting references to facilities and

17 complementary activities; providing additional

18 powers and duties of Space Florida; prohibiting

19 Space Florida from endorsing political

20 candidates or making campaign contributions;

21 characterizing certain property as Space

22 Florida territory; creating s. 331.3051, F.S.;

23 providing additional powers and

24 responsibilities of Space Florida relating to

25 the state's aerospace industry; deleting

26 authority to exercise eminent domain powers;

27 requiring Space Florida to create a business

28 plan and a marketing campaign; directing Space

29 Florida to enter into agreements with the

30 Department of Education, the Department of

31 Transportation, Enterprise Florida, Inc., and

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1 Workforce Florida, Inc., for certain purposes;
2 requiring Space Florida to coordinate its
3 activities with federal and state agencies;
4 amending s. 331.308, F.S.; replacing provisions
5 providing for a board of supervisors with
6 provisions providing for a board of directors
7 of Space Florida; providing for designation and
8 appointment of members; providing requirements
9 of board members; providing for terms, removal
10 of members, and filling of vacancies; providing
11 for board meetings; specifying service without
12 compensation; providing for reimbursement of
13 certain expenses; providing financial
14 disclosure requirements; revising powers and
15 duties of the board; amending ss. 331.301,
16 331.303, 331.305, 331.306, 331.309, 331.310,
17 331.3101, 331.311, 331.312, 331.313, 331.316,
18 331.317, 331.318, 331.319, 331.320, 331.321,
19 331.322, 331.323, 331.324, 331.325, 331.326,
20 331.327, 331.328, 331.329, 331.331, 331.333,
21 331.334, 331.335, 331.336, 331.337, 331.338,
22 331.339, 331.340, 331.343, 331.345, 331.346,
23 331.347, 331.348, 331.349, 331.350, 331.351,
24 331.354, 331.355, 331.360, and 331.369, F.S.,
25 to conform; amending ss. 14.2015, 74.011,
26 196.012, 212.02, 288.063, 288.075, 288.35, and
27 288.9415, F.S., to conform; amending s. 212.08,
28 F.S.; revising the exemption from the sales and
29 use tax on certain machinery and equipment;
30 creating s. 1004.86, F.S.; requiring the
31 Department of Education to contract for the

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1 establishment of the Florida Center for
2 Mathematics and Science Education Research at a
3 public or private university; specifying
4 requirements for the center; repealing s.
5 331.314, F.S., relating to the exclusive
6 authority of the Florida Space Authority to
7 regulate spaceports; repealing s. 331.315,
8 F.S., relating to maintenance of projects
9 across rights-of-way; repealing s. 331.367,
10 F.S., relating to the Spaceport Management
11 Council; repealing s. 331.368, F.S., relating
12 to the Florida Space Research Institute;
13 repealing ss. 331.401, 331.403, 331.405,
14 331.407, 331.409, 331.411, 331.415, 331.417,
15 and 331.419, F.S., relating to the Florida
16 Aerospace Finance Corporation; requiring the
17 Florida Space Authority, the Florida Space
18 Research Institute, and the Florida Aerospace
19 Finance Corporation to submit articles of
20 dissolution to the Department of State by a
21 specified date; providing that Space Florida
22 assumes the records, property, and unexpended
23 balances of appropriations, allocations, and
24 other funds from the dissolved entities;
25 requiring the Governor, the President of the
26 Senate, and the Speaker of the House of
27 Representatives to appoint the board of
28 directors of Space Florida by a specified date;
29 requiring the board of directors of Space
30 Florida to hold its first meeting by a
31 specified date; amending s. 228.1224, F.S.;

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1 requiring the Florida Commission on Tourism to
2 advise and cooperate with Space Florida under
3 certain circumstances; amending ss. 288.9015,
4 334.044, 445.004, and 1001.10, F.S.; requiring
5 Enterprise Florida, Inc., the Department of
6 Transportation, Workforce Florida, Inc., and
7 the Commissioner of Education to enter into
8 agreement with Space Florida for certain
9 purposes; providing appropriations; providing
10 an effective date.

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