

## ENROLLED

HB 1489, Engrossed 2

2006 Legislature

1                                   A bill to be entitled  
2           An act relating to the state's aerospace industry;  
3           redesignating the "Florida Space Authority" as "Space  
4           Florida"; creating s. 331.3011, F.S.; providing  
5           legislative intent; amending s. 331.302, F.S.;  
6           establishing and creating Space Florida as an independent  
7           special district, a body politic and corporate, for  
8           certain purposes; providing purposes and duties and  
9           responsibilities of Space Florida; providing definitions;  
10          revising and consolidating the roles, purposes,  
11          responsibilities, assets, and duties of the Florida Space  
12          Authority as those of Space Florida; deleting authority to  
13          establish facilities and complementary activities;  
14          providing additional powers and duties of Space Florida;  
15          prohibiting Space Florida from endorsing political  
16          candidates or making campaign contributions;  
17          characterizing certain property as Space Florida  
18          territory; creating s. 331.3051, F.S.; providing  
19          additional powers and responsibilities of Space Florida  
20          relating to the state's aerospace industry; deleting  
21          authority to exercise eminent domain powers; requiring  
22          Space Florida to create a business plan and a marketing  
23          campaign; directing Space Florida to enter into agreements  
24          with the Department of Education, the Department of  
25          Transportation, Enterprise Florida, Inc., and Workforce  
26          Florida, Inc., for certain purposes; requiring Space  
27          Florida to coordinate its activities with federal and

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28 state agencies; amending s. 331.308, F.S.; replacing  
 29 provisions providing for a board of supervisors with  
 30 provisions providing for a board of directors of Space  
 31 Florida; providing for designation and appointment of  
 32 members; providing requirements of board members;  
 33 providing for terms, removal of members, and filling of  
 34 vacancies; providing for board meetings; specifying  
 35 service without compensation; providing for reimbursement  
 36 of certain expenses; providing financial disclosure  
 37 requirements; revising powers and duties of the board;  
 38 amending ss. 331.301, 331.303, 331.305, 331.306, 331.309,  
 39 331.310, 331.3101, 331.311, 331.312, 331.313, 331.316,  
 40 331.317, 331.318, 331.319, 331.320, 331.321, 331.322,  
 41 331.323, 331.324, 331.325, 331.326, 331.327, 331.328,  
 42 331.329, 331.331, 331.333, 331.334, 331.335, 331.336,  
 43 331.337, 331.338, 331.339, 331.340, 331.343, 331.345,  
 44 331.346, 331.347, 331.348, 331.349, 331.350, 331.351,  
 45 331.354, 331.355, 331.360, and 331.369, F.S., to conform;  
 46 amending ss. 14.2015, 74.011, 196.012, 212.02, 288.063,  
 47 288.075, 288.35, and 288.9415, F.S., to conform; amending  
 48 s. 212.08, F.S.; revising the exemption from the sales and  
 49 use tax on certain machinery and equipment; creating s.  
 50 1004.86, F.S.; requiring the Department of Education to  
 51 contract for the establishment of the Florida Center for  
 52 Mathematics and Science Education Research at a public or  
 53 private university; specifying requirements for the  
 54 center; repealing s. 331.314, F.S., relating to the

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55 | exclusive authority of the Florida Space Authority to  
56 | regulate spaceports; repealing s. 331.315, F.S., relating  
57 | to maintenance of projects across rights-of-way; repealing  
58 | s. 331.367, F.S., relating to the Spaceport Management  
59 | Council; repealing s. 331.368, F.S., relating to the  
60 | Florida Space Research Institute; repealing ss. 331.401,  
61 | 331.403, 331.405, 331.407, 331.409, 331.411, 331.415,  
62 | 331.417, and 331.419, F.S., relating to the Florida  
63 | Aerospace Finance Corporation; requiring the Florida Space  
64 | Authority, the Florida Space Research Institute, and the  
65 | Florida Aerospace Finance Corporation to submit articles  
66 | of dissolution to the Department of State by a specified  
67 | date; providing that Space Florida assumes the records,  
68 | property, and unexpended balances of appropriations,  
69 | allocations, and other funds from the dissolved entities;  
70 | requiring the Governor, the President of the Senate, and  
71 | the Speaker of the House of Representatives to appoint the  
72 | board of directors of Space Florida by a specified date;  
73 | requiring the board of directors of Space Florida to hold  
74 | its first meeting by a specified date; amending s.  
75 | 228.1224, F.S.; requiring the Florida Commission on  
76 | Tourism to advise and cooperate with Space Florida under  
77 | certain circumstances; amending ss. 288.9015, 334.044,  
78 | 445.004, and 1001.10, F.S.; requiring Enterprise Florida,  
79 | Inc., the Department of Transportation, Workforce Florida,  
80 | Inc., and the Commissioner of Education to enter into  
81 | agreement with Space Florida for certain purposes;

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82 providing appropriations; requiring current Florida Space  
 83 Authority board members to complete their terms as  
 84 appointees of the Space Florida board; requiring the  
 85 Governor to appoint the remaining members of the board;  
 86 providing for vacancies; providing for staffing; providing  
 87 an effective date.

88

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

90

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

93 331.301 Short title.--This act may be cited as the "Space  
 94 Florida ~~Space Authority~~ Act."

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

97 331.3011 Legislative findings and intent.--

98 (1) The Legislature finds and declares that the aerospace  
 99 industry of this state is integral to the state's long-term  
 100 success in diversifying its economy and building a knowledge-  
 101 based economy that is able to support the creation of high  
 102 value-added businesses and jobs. Further, under the direction of  
 103 Space Florida, this state has the opportunity to strengthen its  
 104 existing leadership in civil, commercial, and military aerospace  
 105 activity and emerge as a leader in the nation's new vision for  
 106 space exploration and commercial aerospace opportunities,  
 107 including the integration of space, aeronautics, and aviation  
 108 technologies. As the leading location for talent, research,

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109 advanced technologies and systems development, launch, and other  
110 aerospace-based industry activities, this state can position  
111 itself for sustainable economic growth and prosperity.

112 (2) The Legislature finds that attaining this vision  
113 requires a strong public and private commitment to a world class  
114 aerospace industry. It is the intent of the Legislature that  
115 Space Florida will encourage the public and private sectors to  
116 work together to implement an aggressive strategy that enhances  
117 the state's workforce, education, and research capabilities,  
118 with emphasis on mathematics, science, engineering, and related  
119 fields; will focus on the state's economic development efforts  
120 in order to capture a larger share of activity in aerospace  
121 research, technology, production, and commercial operations,  
122 while maintaining the state's historical leadership in space  
123 launch activities; and will preserve the unique national role  
124 served by the Cape Canaveral Air Force Station and the John F.  
125 Kennedy Space Center by reducing costs and improving the  
126 regulatory flexibility for commercial sector launches while  
127 pursuing the development of complementary sites for commercial  
128 horizontal launches.

129 (3) It is the intent of the Legislature that aerospace  
130 activities be highly visible and well-coordinated within this  
131 state. To that end, it is the intent of the Legislature that  
132 Space Florida will be the single point of contact for state  
133 aerospace-related activities with federal agencies, the  
134 military, state agencies, businesses, and the private sector.

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135 Section 3. Section 331.302, Florida Statutes, is amended  
 136 to read:

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

139 331.302 Space Florida; creation; purpose.--

140 (1) There is established, formed, and created Space  
 141 Florida, which is created as an independent special district, a  
 142 body politic and corporate, and a subdivision of the state, to  
 143 foster the growth and development of a sustainable and world-  
 144 leading aerospace industry in this state. Space Florida shall  
 145 promote aerospace business development by facilitating business  
 146 financing, spaceport operations, research and development,  
 147 workforce development, and innovative education programs. Space  
 148 Florida has all the powers, rights, privileges, and authority as  
 149 provided under the laws of this state.

150 (2) In carrying out its duties and responsibilities, Space  
 151 Florida shall advise, coordinate, cooperate, and, when  
 152 necessary, enter into memoranda of agreement with  
 153 municipalities, counties, regional authorities, state agencies  
 154 and organizations, appropriate federal agencies and  
 155 organizations, and other interested persons and groups.

156 (3) Space Florida may not endorse any candidate for any  
 157 elected public office or contribute money to the campaign of any  
 158 candidate for public office.

159 (4) Space Florida is not an agency as defined in ss.  
 160 216.011 and 287.012.

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

164           Section 4. Section 331.303, Florida Statutes, is amended  
 165 to read:

166           331.303 Definitions.--

167           (1) "Aerospace" means the industry that designs and  
 168 manufactures aircraft, rockets, missiles, spacecraft,  
 169 satellites, space vehicles, space stations, space facilities or  
 170 components thereof, and equipment, systems, facilities,  
 171 simulators, programs, and related activities, including, but not  
 172 limited to, the application of aerospace technologies in air-  
 173 based, land-based, and sea-based platforms for commercial,  
 174 civil, and defense purposes. "Authority" ~~means the Florida Space~~  
 175 ~~Authority created by this act.~~

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

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

181           (4) "Business client" means any person, other than a state  
 182 official or state employee, who receives the services of, or is  
 183 the subject of solicitation by, representatives of Space Florida  
 184 ~~the authority~~ in connection with the performance of its  
 185 statutory duties, including purchasers or prospective purchasers  
 186 of Space Florida ~~authority~~ services, persons or representatives  
 187 of firms considering or being solicited for investment in Space

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188 Florida ~~authority~~ projects, persons or representatives of firms  
 189 considering or being solicited for location, relocation, or  
 190 expansion of an aerospace-related ~~a space-related~~ business  
 191 within the state, and business, financial, or other persons  
 192 connected with the aerospace ~~space~~ industry.

193 ~~(5) "Complementary activity" means any space business~~  
 194 ~~incubator, space tourism activity, educational involvement in an~~  
 195 ~~incubator, or space tourism and space related research and~~  
 196 ~~development.~~

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

200 (5)~~(7)~~ "Cost" means all costs, fees, charges, expenses,  
 201 and amounts associated with the development of projects by Space  
 202 Florida ~~the authority~~.

203 (6)~~(8)~~ "Entertainment expenses" means the actual,  
 204 necessary, and reasonable costs of providing hospitality for  
 205 business clients or guests, which costs are defined and  
 206 prescribed by rules adopted by Space Florida ~~the authority~~,  
 207 subject to approval by the Chief Financial Officer.

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

211 (7)~~(10)~~ "Financing agreement" means a lease, lease-  
 212 purchase agreement, lease with option to purchase, sale or  
 213 installment sale agreement, whether title passes in whole or in  
 214 part at any time before ~~prior to~~, at, or after completion of the



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215 project, loan agreement, or other agreement forming the basis  
 216 for the financing under this act, including any agreements,  
 217 guarantees, or security instruments forming part of or related  
 218 to providing assurance of payment of the obligations under the  
 219 ~~such~~ financing agreement.

220 (8)~~(11)~~ "Guest" means a person, other than a state  
 221 official or state employee, authorized by the board or its  
 222 designee to receive the hospitality of Space Florida ~~the~~  
 223 ~~authority~~ in connection with the performance of its statutory  
 224 duties.

225 (9)~~(12)~~ "Landing area" means the geographical area  
 226 designated by Space Florida ~~the authority~~ within the spaceport  
 227 territory for or intended for the landing and surface  
 228 maneuvering of any launch or other space vehicle.

229 (10)~~(13)~~ "Launch pad" means any launch pad, runway,  
 230 airstrip, or similar facility used ~~by the spaceport or spaceport~~  
 231 ~~user~~ for launching of space vehicles.

232 (11)~~(14)~~ "Payload" means any property or cargo to be  
 233 transported aboard any vehicle launched by or from the  
 234 spaceport.

235 (12)~~(15)~~ "Person" means any individual, child, community  
 236 college, college, university, firm, association, joint venture,  
 237 partnership, estate, trust, business trust, syndicate,  
 238 fiduciary, corporation, nation, government (federal, state, or  
 239 local), agency (government or other), subdivision of the state,  
 240 municipality, county, business entity, or any other group or  
 241 combination.

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242        ~~(13)-(16)~~ "Project" means any activity associated with any  
243 development, improvement, property, launch, utility, facility,  
244 system, works, road, sidewalk, enterprise, service, or  
245 convenience, which may include coordination with federal and  
246 state partners or agencies ~~Enterprise Florida, Inc., the Board~~  
247 ~~of Education, the Florida Aerospace Finance Corporation, and the~~  
248 ~~Florida Space Research Institute~~; any rocket, capsule, module,  
249 launch facility, assembly facility, operations or control  
250 facility, tracking facility, administrative facility, or any  
251 other type of aerospace-related ~~space-related~~ transportation  
252 vehicle, station, or facility; any type of equipment or  
253 instrument to be used or useful in connection with any of the  
254 foregoing; any type of intellectual property and intellectual  
255 property protection in connection with any of the foregoing  
256 including, without limitation, any patent, copyright, trademark,  
257 and service mark for, among other things, computer software; any  
258 water, wastewater, gas, or electric utility system, plant, or  
259 distribution or collection system; any small business incubator  
260 initiative, including any startup aerospace company, and any  
261 aerospace business proposing to expand or locate its business in  
262 this state, research and development company, research and  
263 development facility, education and workforce training facility,  
264 storage facility, and consulting service; or any tourism  
265 initiative, including any space experience attraction,  
266 microgravity flight program, aerospace launch-related ~~space-~~  
267 ~~launch-related~~ activity, and space museum sponsored or promoted  
268 by Space Florida ~~the authority~~.

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269        ~~(14)-(17)~~ "Range" means the geographical area designated by  
 270        Space Florida ~~the authority~~ or other appropriate body as the  
 271        area for the launching of rockets, missiles, launch vehicles,  
 272        and other vehicles designed to reach high altitude.

273        ~~(15)-(18)~~ "Recovery" means the recovery of space vehicles  
 274        and payloads which have been launched from or by a ~~the~~  
 275        spaceport.

276        ~~(16)-(19)~~ "Spaceport" means any area of land or water, or  
 277        any manmade object or facility located therein, developed by  
 278        Space Florida ~~the authority~~ under this act, which area is  
 279        intended for public use or for the launching, takeoff, and  
 280        landing of spacecraft and aircraft, and includes any appurtenant  
 281        areas which are used or intended for public use, for spaceport  
 282        buildings, or for other spaceport facilities, spaceport  
 283        projects, or rights-of-way.

284        ~~(20)~~ ~~"Spaceport Florida" means the authority or its~~  
 285        ~~facilities and projects.~~

286        ~~(17)-(21)~~ "Spaceport launch facilities" means ~~shall be~~  
 287        ~~defined as~~ industrial facilities as described ~~in accordance with~~  
 288        s. 380.0651(3)(c) and include any launch pad, launch control  
 289        center, and fixed launch-support equipment.

290        ~~(22)~~ ~~"Spaceport system" means the programs, organizations,~~  
 291        ~~and infrastructure developed by the authority for the~~  
 292        ~~development of facilities or activities to enhance and provide~~  
 293        ~~commercial space-related development opportunities for business,~~  
 294        ~~education, and government within the state.~~

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295        ~~(18)-(23)~~ "Spaceport territory" means the geographical area  
 296 designated in s. 331.304 and as amended or changed in accordance  
 297 with s. 331.329.

298        ~~(19)-(24)~~ "Spaceport user" means any person who uses the  
 299 facilities or services of any spaceport; and, for the purposes  
 300 of any exemptions or rights granted under this act, the said  
 301 spaceport user shall be deemed a spaceport user only during the  
 302 time period in which the ~~such~~ person has in effect a contract,  
 303 memorandum of understanding, or agreement with the spaceport,  
 304 and such rights and exemptions shall be granted with respect to  
 305 transactions relating only to spaceport projects.

306        ~~(20)-(25)~~ "Travel expenses" means the actual, necessary,  
 307 and reasonable costs of transportation, meals, lodging, and  
 308 incidental expenses normally incurred by a traveler, which costs  
 309 are defined and prescribed by rules adopted by Space Florida ~~the~~  
 310 ~~authority~~, subject to approval by the Chief Financial Officer.

311        ~~(21)-(26)~~ "Spaceport discretionary capacity improvement  
 312 projects" means capacity improvements that enhance space  
 313 transportation capacity at spaceports that have had one or more  
 314 orbital or suborbital flights during the previous calendar year  
 315 or have an agreement in writing for installation of one or more  
 316 regularly scheduled orbital or suborbital flights upon the  
 317 commitment of funds for stipulated spaceport capital  
 318 improvements.

319        Section 5. Section 331.305, Florida Statutes, is amended  
 320 to read:

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321           331.305 Powers of Space Florida ~~the authority.~~ ~~--Space~~  
 322 Florida may ~~The authority shall have the power to:~~  
 323           ~~(1) Exercise all powers granted to corporations under the~~  
 324 ~~Florida Business Corporation Act, chapter 607.~~  
 325           (1)(2) Sue and be sued by its name in any court of law or  
 326 in equity.  
 327           (2)(3) Adopt and use a corporate seal and alter the same  
 328 at pleasure.  
 329           (3) Conduct its affairs, carry on its operations, and have  
 330 offices and exercise the powers granted by this act in any  
 331 state, territory, district, or possession of the United States  
 332 or any foreign country.  
 333           (4) Acquire, enjoy, use, and dispose of patents,  
 334 copyrights, and trademarks and any licenses and other rights or  
 335 interests under or in such licenses.  
 336           (5) Purchase, take, receive, subscribe for, or otherwise  
 337 acquire, own, hold, vote, use, employ, sell, mortgage, lend,  
 338 pledge, or otherwise dispose of and otherwise use and deal in  
 339 and with shares and other interests in, or obligations of, other  
 340 domestic or foreign corporations, whether for profit or not for  
 341 profit, associations, partnerships, or individuals, or direct or  
 342 indirect obligations of the United States, or of any other  
 343 government, state, territory, governmental district,  
 344 municipality, or of any instrumentality of such governmental  
 345 units.

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

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

351       ~~(4) Review and make recommendations with respect to a~~  
 352 ~~strategy to guide and facilitate the future of space-related~~  
 353 ~~educational and commercial development. The authority shall in~~  
 354 ~~coordination with the Federal Government, private industry, and~~  
 355 ~~Florida universities develop a business plan which shall address~~  
 356 ~~the expansion of Spaceport Florida locations, space launch~~  
 357 ~~capacity, spaceport projects, and complementary activities,~~  
 358 ~~which shall include, but not be limited to, a detailed analysis~~  
 359 ~~of:~~

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

361       ~~(b) Products, services description potential,~~  
 362 ~~technologies, skills.~~

363       ~~(c) Market research and evaluation customers,~~  
 364 ~~competition, economics.~~

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

366       ~~(e) Design and development plan tasks, difficulties,~~  
 367 ~~costs.~~

368       ~~(f) Manufacturing locations, facilities, and operations~~  
 369 ~~plan.~~

370       ~~(g) Management organization roles and responsibilities.~~

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

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

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373           ~~(j) Community impact economic, human development,~~  
 374 ~~community development.~~

375           ~~(k) Financial plan (monthly for first year, quarterly for~~  
 376 ~~next 3 years).~~

377           ~~(l) Proposed authority offering financing,~~  
 378 ~~capitalization, use of funds.~~

379           (8)(5) Acquire property, real, personal, intangible,  
 380 tangible, or mixed, within or without its territorial limits, in  
 381 fee simple or any lesser interest or estate, by purchase, gift,  
 382 devise, or lease, on such terms and conditions as the board may  
 383 deem necessary or desirable, and sell or otherwise dispose of  
 384 the same and of any of the assets and properties of Space  
 385 Florida ~~the authority.~~

386           (9)(6) Make and execute any and all contracts and other  
 387 instruments necessary or convenient to the exercise of its  
 388 powers, including financing agreements with persons or spaceport  
 389 users to facilitate the financing, construction, leasing, or  
 390 sale of any project.

391           (10)(7) Whenever deemed necessary by the board, lease as  
 392 lessor or lessee to or from any person, public or private, any  
 393 facilities or property for the use of Space Florida ~~the~~  
 394 ~~authority~~ and carry out any of the purposes of Space Florida ~~the~~  
 395 ~~authority.~~

396           ~~(8) Appoint, through its board of supervisors, an~~  
 397 ~~executive director.~~

398           (11)(9) Own, acquire, construct, develop, create,  
 399 reconstruct, equip, operate, maintain, extend, and improve

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400 launch pads, landing areas, ranges, payload assembly buildings,  
 401 payload processing facilities, laboratories, aerospace ~~space~~  
 402 business incubators, launch vehicles, payloads, space flight  
 403 hardware, facilities and equipment for the construction of  
 404 payloads, space flight hardware, rockets, and other launch  
 405 vehicles, and other spaceport facilities and other aerospace-  
 406 related ~~space-related~~ systems, including educational, cultural,  
 407 and parking facilities and aerospace-related ~~space-related~~  
 408 initiatives.

409 ~~(10) Undertake a program of advertising to the public~~  
 410 ~~promoting space related businesses or any spaceport projects of~~  
 411 ~~the authority, and expend moneys and undertake such activities~~  
 412 ~~to carry out such advertising and promotional program as the~~  
 413 ~~board from time to time may determine.~~

414 (12) ~~(11)~~ Own, acquire, construct, reconstruct, equip,  
 415 operate, maintain, extend, or ~~and~~ improve transportation  
 416 facilities appropriate to meet the transportation requirements  
 417 of Space Florida ~~the authority~~ and activities conducted within  
 418 the spaceport territory.

419 (13) ~~(12)~~ Own, acquire, construct, reconstruct, equip,  
 420 operate, maintain, extend, or ~~and~~ improve electric power plants,  
 421 transmission lines and related facilities, gas mains and  
 422 facilities of any nature for the production or distribution of  
 423 natural gas, transmission lines and related facilities and  
 424 plants and facilities for the generation and transmission of  
 425 power through traditional and new and experimental sources of  
 426 power and energy; purchase electric power, natural gas, and



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427 other sources of power for distribution within any spaceport  
 428 territory; develop and operate water and sewer systems and waste  
 429 collection and disposal consistent with chapter 88-130, Laws of  
 430 Florida; and develop and operate such new and experimental  
 431 public utilities, including, but not limited to, centrally  
 432 distributed heating and air-conditioning facilities and  
 433 services, closed-circuit television systems, and computer  
 434 services and facilities, as the board may from time to time  
 435 determine. However, Space Florida may ~~the authority shall~~ not  
 436 construct any system, work, project, or utility authorized to be  
 437 constructed under this paragraph in the event that a system,  
 438 work, project, or utility of a similar character is being  
 439 actually operated by a municipality or private company in the  
 440 municipality or territory adjacent thereto, unless such  
 441 municipality or private company consents to such construction.

442 ~~(14)-(13)~~ Designate, set aside, and maintain lands and  
 443 areas within or without the territorial limits of any spaceport  
 444 territory as conservation areas or bird and wildlife  
 445 sanctuaries; stock such areas with animal and plant life and  
 446 stock water areas with fish and other aquatic life; adopt  
 447 pursuant to ss. 120.536(1) and 120.54 ~~promulgate~~ and enforce  
 448 rules ~~and regulations~~ with respect thereto and protect and  
 449 preserve the natural beauty thereof; and do all acts necessary  
 450 or desirable in order to qualify such lands and areas as  
 451 conservation areas and sanctuaries under any of the laws of the  
 452 state or under federal law.

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453        ~~(14)~~ (15) Establish a program for the control, abatement,  
454 and elimination of mosquitoes and other noxious insects,  
455 rodents, reptiles, and other pests throughout the spaceport  
456 territory and undertake such works and construct such facilities  
457 within or without the spaceport territory as may be determined  
458 by the board to be needed to effectuate such program; abate and  
459 suppress mosquitoes and other arthropods, whether disease-  
460 bearing or pestiferous, within any spaceport territory when in  
461 the judgment of the board such action is necessary or desirable  
462 for the health and welfare of the inhabitants of or visitors to  
463 any spaceport; and take any and all temporary or permanent  
464 eliminative measures that the board may deem advisable. The  
465 Legislature hereby finds and declares Space Florida ~~the~~  
466 ~~authority~~ eligible to receive state funds, supplies, services,  
467 and equipment available or that may in the future become  
468 available to mosquito or pest control districts, the provisions  
469 of s. 388.021 notwithstanding.

470        ~~(15)~~ (16) Subject to the rules and regulations of the  
471 appropriate water management district, own, acquire, construct,  
472 reconstruct, equip, maintain, operate, extend, and improve water  
473 and flood control facilities. The Legislature hereby finds and  
474 declares Space Florida ~~the authority~~ eligible to receive moneys,  
475 disbursements, and assistance from the state available to flood  
476 control or water management districts and navigation districts  
477 or agencies.

478        ~~(16)~~ (17) Own, acquire, construct, reconstruct, equip,  
479 maintain, operate, extend, and improve public safety facilities

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480 for the spaceport, including security stations, security  
481 vehicles, fire stations, water mains and plugs, and fire trucks  
482 and other vehicles and equipment; hire employees, security  
483 officers, and firefighters; and undertake such works and  
484 construct such facilities determined by the board to be  
485 necessary or desirable to promote and ensure public safety  
486 within the spaceport territory.

487 (18)~~(17)~~ Hire, through its president ~~executive director~~, a  
488 safety officer with substantial experience in public safety  
489 procedures and programs for space vehicle launching and related  
490 hazardous operations. The safety officer shall monitor and  
491 report on the safety and hazards of ground-based space  
492 operations to the president ~~executive director~~.

493 ~~(18) Establish a personnel management system for hiring~~  
494 ~~employees and setting employee benefit packages. The personnel~~  
495 ~~of the authority shall not be considered to be within the state~~  
496 ~~employment system.~~

497 ~~(19) Establish procedures, rules, and rates governing per~~  
498 ~~diem and travel expenses of its employees, the members of the~~  
499 ~~board of supervisors, and other persons authorized by the board~~  
500 ~~to incur such expenses. Except as otherwise provided in s.~~  
501 ~~331.3101, such rules are subject to provisions of state law or~~  
502 ~~rules pertaining to per diem and travel expenses of public~~  
503 ~~officers, employees, or other persons authorized by an agency~~  
504 ~~head to incur such expenses.~~

505 (19)~~(20)~~ Examine, develop, and use ~~utilize~~ new concepts,  
506 designs, and ideas; own, acquire, construct, reconstruct, equip,

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507 operate, maintain, extend, and improve experimental spaceport  
 508 facilities and services; and otherwise undertake, sponsor,  
 509 finance, and maintain such research activities, experimentation,  
 510 and development as the board may from time to time determine, in  
 511 connection with any of the projects that Space Florida ~~the~~  
 512 ~~authority~~ is authorized to undertake pursuant to the powers and  
 513 authority vested in it by this act, and in order to promote the  
 514 development and utilization of new concepts, designs, and ideas  
 515 in the fields of space exploration, commercialization of the  
 516 space industry, and spaceport facilities.

517 ~~(20)-(21)~~ Issue revenue bonds, assessment bonds, or any  
 518 other bonds or obligations authorized by the provisions of this  
 519 act or any other law, or any combination of the foregoing, and  
 520 pay all or part of the cost of the acquisition, construction,  
 521 reconstruction, extension, repair, improvement, or maintenance  
 522 of any project or combination of projects, including payloads  
 523 and space flight hardware, and equipment for research,  
 524 development, and educational activities, to provide for any  
 525 facility, service, or other activity of Space Florida ~~the~~  
 526 ~~authority~~, and provide for the retirement or refunding of any  
 527 bonds or obligations of Space Florida ~~the authority~~, or for any  
 528 combination of the foregoing purposes. Space Florida ~~The~~  
 529 ~~authority~~ must provide 14 days' notice to the presiding officers  
 530 and appropriations chairs of both houses of the Legislature  
 531 prior to presenting a bond proposal to the Governor and Cabinet.  
 532 If either presiding officer or appropriations chair objects to  
 533 the bonding proposal within the 14-day-notice period, the bond

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534 issuance may be approved only by a vote of three-fourths ~~two-~~  
 535 ~~thirds~~ of the members of the Governor and Cabinet.

536 ~~(21)-(22)~~ Make expenditures for entertainment and travel  
 537 expenses and business clients, guests, and other authorized  
 538 persons as provided in this act.

539 ~~(22)-(23)~~ In connection with any financing agreement, fix  
 540 and collect fees, loan payments, rental payments, and other  
 541 charges for the use of any project in such amount as to provide  
 542 sufficient moneys to pay the principal of and interest on bonds  
 543 as the same shall become due and payable, if so provided in the  
 544 bond resolution or trust agreement, and to create reserves for  
 545 such purposes. The fees, rents, payments, and charges and all  
 546 other revenues and proceeds derived from the project in  
 547 connection with which the bonds of any issue shall have been  
 548 issued, except such part thereof as may be necessary for such  
 549 reserves or any expenditures as may be provided in the  
 550 resolution authorizing the issuance of the bonds or in the trust  
 551 agreement securing the same, shall be set aside, at the time as  
 552 may be specified in the resolution or trust agreement, in a  
 553 sinking fund which may be pledged to and charged with the  
 554 payment of the principal of and the interest on such bonds as  
 555 the same shall become due and the redemption price or the  
 556 purchase price of bonds retired by call or purchase as therein  
 557 provided. Such pledge is ~~shall be~~ valid and binding from the  
 558 time the pledge is made. The fees, rents, charges, and other  
 559 revenues and moneys so pledged and thereafter received by or on  
 560 behalf of Space Florida ~~the authority~~ shall immediately be

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561 subject to the lien of any such pledge without any physical  
 562 delivery thereof or further act, and the lien of any such pledge  
 563 ~~is shall be~~ valid and binding as against all parties having  
 564 claims of any kind in tort, contract, or otherwise against Space  
 565 Florida ~~the authority~~, irrespective of whether such parties have  
 566 notice thereof. Neither the resolution nor any trust agreement  
 567 by which a pledge is created need be filed or recorded, except  
 568 in the records of Space Florida ~~the authority~~. The use and  
 569 disposition of money to the credit of the sinking fund shall be  
 570 subject to the provisions of the resolution authorizing the  
 571 issuance of such bonds or the provisions of such trust  
 572 agreement.

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

577 Section 6. Section 331.3051, Florida Statutes, is created  
 578 to read:

579 331.3051 Duties of Space Florida.--Space Florida shall:

580 (1) Create a business plan to foster the growth and  
 581 development of the aerospace industry. The business plan must  
 582 address business development; finance; spaceport operations;  
 583 research and development; workforce development; and education.  
 584 The business plan must be completed by March 1, 2007, and be  
 585 revised when determined as necessary by the board.

586 (2) Enter into agreement with the Department of Education,  
 587 the Department of Transportation, Enterprise Florida, Inc., and

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588 Workforce Florida, Inc., for the purpose of implementing this  
 589 act.

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

594 (4) Create a marketing campaign to help attract, develop,  
 595 and retain aerospace businesses, aerospace research and  
 596 technology, and other related activities in this state. Space  
 597 Florida shall attempt to coordinate the campaign with existing  
 598 economic-development-promotion efforts in this state and may use  
 599 private resources. Marketing strategies may include developing  
 600 promotional materials, Internet and print advertising, public  
 601 relations and media placement, trade show attendance, and other  
 602 activities.

603 (5) Consult with the Florida Commission on Tourism in  
 604 developing a space tourism marketing plan. Space Florida and the  
 605 Florida Commission on Tourism may enter into a mutually  
 606 beneficial agreement that provides funding to the commission for  
 607 its services to implement this subsection.

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

611 (a) Assembling, publishing, and disseminating information  
 612 concerning financing opportunities and techniques for aerospace  
 613 projects, programs, and activities; sources of public and

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614 private aerospace financing assistance; and sources of  
615 aerospace-related financing.

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

619 (c) Coordinating with programs and goals of the Department  
620 of Defense, the National Aeronautics and Space Administration,  
621 the Export-Import Bank of the United States, the International  
622 Trade Administration of the United States Department of  
623 Commerce, the Foreign Credit Insurance Association, and other  
624 private and public programs and organizations, domestic and  
625 foreign.

626 (d) Establishing a network of contacts among those  
627 domestic and foreign public and private organizations that  
628 provide information, technical assistance, and financial support  
629 to the aerospace industry.

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

632 (7) Carry out its responsibilities for spaceport  
633 operations by:

634 (a) Seeking federal support and developing partnerships to  
635 renew and upgrade the infrastructure and technologies at the  
636 Cape Canaveral Air Force Station, the John F. Kennedy Space  
637 Center, and the Eastern Range that will enhance space and  
638 military programs of the Federal Government, and improve access  
639 for commercial launch activities.



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640       (b) Supporting federal efforts to clarify roles and  
641 responsibilities of federal agencies and eliminate duplicative  
642 federal rules and policies, in an effort to streamline access  
643 for commercial launch users.

644       (c) Pursuing the development of commercial spaceports in  
645 the state, in addition to those defined in s. 331.304, through a  
646 competitive request for proposals in partnership with counties  
647 or municipalities, the Federal Government, or private entities.

648       (d) Promoting and facilitating launch activity within the  
649 state by supporting and assisting commercial launch operators in  
650 completing and submitting required documentation and gaining  
651 approvals and authorization from the required federal agencies  
652 for launching from Florida.

653       (e) Consulting, as necessary, with the appropriate  
654 federal, state, and local authorities, including the National  
655 Aeronautics and Space Administration, the Federal Aviation  
656 Administration, the Department of Defense, the Department of  
657 Transportation, the Florida National Guard, and industry on all  
658 aspects of establishing and operating spaceport infrastructure  
659 and related facilities within the state.

660       (8) Carry out its responsibility for research and  
661 development by:

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

664       (b) Working in collaboration with one or more public or  
665 private universities and other public or private entities to  
666 develop a proposal for a Center of Excellence for Aerospace that

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667 will foster and promote the research necessary to develop  
668 commercially promising, advanced, and innovative science and  
669 technology and will transfer those discoveries to the commercial  
670 sector.

671 (9) Carry out its responsibility for workforce development  
672 by coordinating with Workforce Florida, Inc., community  
673 colleges, colleges, public and private universities, and other  
674 public and private partners to develop a plan to retain, train,  
675 and retrain workers, from entry-level skills training through to  
676 technician-level, and 4-year degrees and higher, with the skills  
677 most relevant to aerospace employers.

678 (10) Carry out its responsibility for creating innovative  
679 education programs by funding programs developed in conjunction  
680 with the Department of Education that target grades K-20 in an  
681 effort to promote mathematics and science education programs,  
682 which may include the Florida-NASA Matching Grant Program,  
683 aerospace-focused education programs for teachers, education-  
684 oriented microgravity flight programs for teachers and students,  
685 and Internet-based aerospace education. Funds appropriated and  
686 any in-kind or private-sector contributions may be used to carry  
687 out innovative education programs. Funding levels shall be  
688 determined by the Space Florida board of directors. In its  
689 annual report, Space Florida shall include, at a minimum, a  
690 description of programs funded, the number of students served,  
691 and private-sector support.

692 (11) Annually report on its performance with respect to  
693 its business plan, to include finance, spaceport operations,

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694 research and development, workforce development, and education.  
 695 The report shall be submitted to the Governor, the President of  
 696 the Senate, and the Speaker of the House of Representatives no  
 697 later than September 1 for the prior fiscal year.

698 Section 7. Section 331.306, Florida Statutes, is amended  
 699 to read:

700 331.306 Federal airspace notification.--In accordance  
 701 ~~coordination~~ with Federal Aviation Administration procedures ~~the~~  
 702 ~~Florida Department of Transportation, Space Florida the~~  
 703 ~~authority shall develop and file the~~ appropriate federal  
 704 airspace notification to activate special-use airspace in  
 705 support of its launch operations ~~required for priority airspace~~  
 706 ~~use.~~

707 Section 8. Section 331.308, Florida Statutes, is amended  
 708 to read:

709 331.308 Board of directors ~~supervisors~~.--

710 (1) Space Florida shall be governed by a board of  
 711 directors. Designees of appointed members do not have voting  
 712 authority. The board of directors shall consist of the following  
 713 members:

714 (a) The Governor or the Governor's designee.

715 (b) The Secretary of Transportation or the secretary's  
 716 designee.

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

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

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721 (e) The Commissioner of Education or the commissioner's  
722 designee.

723 (f) Twelve members from the private sector, one of whom  
724 shall be a representative of organized labor with professional  
725 experience in the aerospace industry, appointed by the Governor.  
726 In making these appointments, the Governor shall ensure that the  
727 composition of the board reflects the diversity of the aerospace  
728 industry community of this state and, to the greatest degree  
729 possible, that the composition of the board includes, but is not  
730 limited to, at least one individual from each of the industries  
731 of business, finance, marketing, space, aerospace, aviation,  
732 defense, research and development, and education. The Governor  
733 shall also consider whether the current members of the board,  
734 together with potential appointees, reflect the racial, ethnic,  
735 and gender diversity, as well as the geographic distribution, of  
736 the population of the state.

737 (g) Two ex officio, nonvoting members, one of whom shall  
738 be a member of the Senate, selected by the President of the  
739 Senate, and one of whom shall be a member of the House of  
740 Representatives, selected by the Speaker of the House of  
741 Representatives.

742 (2) (a) Vacancies on the board shall be filled for the  
743 unexpired term in the same manner as the original appointments  
744 to the board.

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

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748 1. The Governor shall appoint two members for a 1-year  
749 term, four members for 2-year terms, and six members for 4-year  
750 terms.

751 2. The appointees of the President of the Senate and the  
752 Speaker of the House of Representatives shall serve at the  
753 pleasure of their presiding officers.

754 (c) Any member is eligible for reappointment.

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

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

760 (5) The Governor shall serve as chair of the board of  
761 directors. The board of directors shall biennially elect one of  
762 its private sector members as vice chair to serve in the absence  
763 of the Governor and to perform such other duties as may be  
764 designated. The president shall keep a record of the proceedings  
765 of the board of directors and shall be the custodian of all  
766 books, documents, and papers filed with the board of directors,  
767 the minutes of the board of directors, and the official seal of  
768 Space Florida.

769 (6) The board of directors shall meet at least four times  
770 each year, upon the call of the chair, at the request of the  
771 vice chair, or at the request of a majority of the membership. A  
772 majority of the total number of current voting directors shall  
773 constitute a quorum. The board of directors may take official

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774 action by a majority vote of the members present at any meeting  
775 at which a quorum is present.

776 (7) Members of the board of directors shall serve without  
777 compensation, but members, the president, and staff may be  
778 reimbursed for all reasonable, necessary, and actual expenses,  
779 as determined by the board of directors of Space Florida  
780 pursuant to s. 112.061.

781 (8) Each member of the board of directors of Space Florida  
782 who is not otherwise required to file financial disclosure  
783 pursuant to s. 8, Art. II of the State Constitution or s.  
784 112.3144, shall file disclosure of financial interests pursuant  
785 to s. 112.3145. ~~There is created within the Florida Space~~  
786 ~~Authority a board of supervisors consisting of eight regular~~  
787 ~~members, who shall be appointed by the Governor, and two ex~~  
788 ~~officio nonvoting members, one of whom shall be a state senator~~  
789 ~~selected by the President of the Senate and one of whom shall be~~  
790 ~~a state representative selected by the Speaker of the House of~~  
791 ~~Representatives. The Lieutenant Governor, who is the state's~~  
792 ~~space policy leader, shall serve as chair of the board of~~  
793 ~~supervisors, and shall cast the deciding vote if the votes of~~  
794 ~~the eight regular members result in a tie. The board shall elect~~  
795 ~~a vice chair to preside in the absence of the Lieutenant~~  
796 ~~Governor and to perform such other duties as may be designated.~~  
797 ~~All regular members shall be subject to confirmation by the~~  
798 ~~Senate at the next regular session of the Legislature. Existing~~  
799 ~~board members are not prohibited from reappointment. Each of the~~  
800 ~~regular board members must be a resident of the state and must~~

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801 ~~have experience in the aerospace or commercial space industry or~~  
802 ~~in finance or have other significant relevant experience. A~~  
803 ~~private sector legal entity may not have more than one person~~  
804 ~~serving on the board at any one time. One regular member shall~~  
805 ~~represent organized labor interests, one regular member shall~~  
806 ~~represent minority interests, and four regular members must~~  
807 ~~represent space industry, at least one of whom must also be from~~  
808 ~~a small business, as defined in s. 288.703. For the purpose of~~  
809 ~~this section, "space industry" includes private sector entities~~  
810 ~~engaged in space flight business, as defined in s. 212.031,~~  
811 ~~research and technology development of space based products and~~  
812 ~~services, space station commercialization, development of~~  
813 ~~spaceport and range technology, remote sensing products and~~  
814 ~~services, space biotechnology, measurement and calibration of~~  
815 ~~space assets, space related software and information technology~~  
816 ~~development, design and architecture of space based assets and~~  
817 ~~facilities for manufacturing and other purposes, space related~~  
818 ~~nanotechnology, space tourism, and other commercial enterprises~~  
819 ~~utilizing uniquely space based capabilities.~~

820 ~~(2) Each regular member shall serve a term of 4 years or~~  
821 ~~until a successor is appointed and qualified. The term of each~~  
822 ~~such member shall be construed to commence on the date of~~  
823 ~~appointment and to terminate on June 30 of the year of the end~~  
824 ~~of the term. Appointment to the board shall not preclude any~~  
825 ~~such member from holding any other private or public position.~~

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

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

830           ~~(5) The board shall appoint an executive director.~~  
 831 ~~Meetings shall be held quarterly or more frequently at the call~~  
 832 ~~of the chair. A majority of the regular members of the board~~  
 833 ~~shall constitute a quorum, and a majority vote of such members~~  
 834 ~~present is necessary for any action taken by the board.~~

835           ~~(6) The Governor has the authority to remove from the~~  
 836 ~~board any regular member in the manner and for cause as defined~~  
 837 ~~by the laws of this state and applicable to situations that may~~  
 838 ~~arise before the board. Unless excused by the chair of the~~  
 839 ~~board, a regular member's absence from two or more consecutive~~  
 840 ~~board meetings creates a vacancy in the office to which the~~  
 841 ~~member was appointed.~~

842           Section 9. Section 331.309, Florida Statutes, is amended  
 843 to read:

844           331.309 Treasurer; depositories; fiscal agent.--

845           (1) The board shall designate an individual who is a  
 846 resident of the state, or a qualified public depository as  
 847 defined in s. 280.02, as treasurer of Space Florida ~~the~~  
 848 ~~authority~~, who shall have charge of the funds of Space Florida  
 849 ~~the authority~~. Such funds shall be disbursed only upon the order  
 850 of or pursuant to the resolution of the board by warrant, check,  
 851 authorization, or direct deposit pursuant to s. 215.85, signed  
 852 or authorized by the treasurer or his or her representative or  
 853 by such other persons as may be authorized by the board. The  
 854 board may give the treasurer such other or additional powers and



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855 duties as the board may deem appropriate and shall establish the  
856 treasurer's compensation. The board may require the treasurer to  
857 give a bond in such amount, on such terms, and with such  
858 sureties as may be deemed satisfactory to the board to secure  
859 the performance by the treasurer of his or her powers and  
860 duties. The board shall audit or have audited the books of the  
861 treasurer at least once a year.

862 (2) The board is authorized to select as depositories in  
863 which the funds of the board and of Space Florida ~~the authority~~  
864 shall be deposited any qualified public depository as defined in  
865 s. 280.02, upon such terms and conditions as to the payment of  
866 interest by such depository upon the funds so deposited as the  
867 board may deem just and reasonable. ~~Funds of the authority may~~  
868 ~~also be deposited with the Florida Commercial Space Financing~~  
869 ~~Corporation created by s. 331.407.~~ The funds of Space Florida  
870 ~~the authority~~ may be kept in or removed from the State Treasury  
871 upon written notification from the chair of the board to the  
872 Chief Financial Officer.

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

877 Section 10. Section 331.310, Florida Statutes, is amended  
878 to read:

879 331.310 Powers and duties of the board of directors  
880 ~~supervisors.~~ ~~--Except as otherwise provided in this act, all of~~  
881 ~~the powers and duties of the authority shall be exercised by and~~

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882 | ~~through the board of supervisors, including the power and duty~~  
 883 | ~~to:~~

884 |       (1) The board of directors may: ~~Adopt bylaws, rules,~~  
 885 | ~~resolutions, and orders prescribing the powers, duties, and~~  
 886 | ~~functions of the officers of the authority, the conduct of the~~  
 887 | ~~business of the authority, the maintenance of records, and the~~  
 888 | ~~form of all documents and records of the authority. The board~~  
 889 | ~~may adopt administrative rules and regulations with respect to~~  
 890 | ~~any of the projects of the authority, with notice and public~~  
 891 | ~~hearing.~~

892 |       ~~(2) Maintain an executive office and authority offices in~~  
 893 | ~~close proximity to Kennedy Space Center.~~

894 |       (a)(3) Enter, and authorize any agent or employee of Space  
 895 | Florida ~~the authority~~ to enter, upon any lands, waters, and  
 896 | premises, upon giving reasonable notice and due process to the  
 897 | land owner, for the purposes of making surveys, soundings,  
 898 | drillings, appraisals, and examinations necessary to perform its  
 899 | duties and functions. Any such entry shall not be deemed a  
 900 | trespass or an entry that would constitute a taking in an  
 901 | eminent domain proceeding. Space Florida ~~The authority~~ shall  
 902 | make reimbursement for any actual damages to such lands, waters,  
 903 | and premises as a result of such activity.

904 |       (b)(4) Execute all contracts and other documents, adopt  
 905 | all proceedings, and perform all acts determined by the board to  
 906 | be necessary or desirable to carry out the purposes of this act.  
 907 | The board may authorize one or more members of the board to

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908 execute contracts and other documents on behalf of the board or  
 909 Space Florida ~~the authority~~.

910 ~~(c)(5)~~ Establish and create such departments, committees,  
 911 or other entities ~~agencies~~ as from time to time the board may  
 912 deem necessary or desirable in the performance of any acts or  
 913 other things necessary to the exercise of the powers provided in  
 914 this act, and delegate to such departments, boards, or other  
 915 entities ~~agencies~~ such administrative duties and other powers as  
 916 the board may deem necessary or desirable.

917 (d) Provide financial services to support aerospace-  
 918 related business development within the state. Financial  
 919 services may include, but are not limited to, insuring,  
 920 coinsuring, or originating for sale direct aerospace-related  
 921 loans; direct lending; guaranteeing and collateralizing loans;  
 922 creating accounts; capitalizing, underwriting, leasing, selling,  
 923 or securing funding for aerospace-related infrastructure;  
 924 investing in permissible securities; organizing financial  
 925 institutions and international bank syndicates; and acquiring,  
 926 accepting, or administering grants, contracts, and fees from  
 927 other organizations to perform activities that are consistent  
 928 with the purposes of Space Florida's business plan. If the board  
 929 deems a financial services entity is necessary, the board may  
 930 create, form, or contract with one or more such entities.

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

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

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

940        (g) Provide the strategic direction for the aerospace-  
941 related research priorities of the state and its aerospace-  
942 related businesses.

943        ~~(h)(9)~~ Execute intergovernmental agreements and  
944 development agreements consistent with prevailing statutory  
945 provisions, including, but not limited to, special benefits or  
946 tax increment financing initiatives.

947        ~~(i)(10)~~ Establish reserve funds for future board  
948 operations.

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

951        (2) The board of directors shall:

952        (a) Adopt rules and orders to conduct the business of  
953 Space Florida, the maintenance of records, and the form of all  
954 documents and records of Space Florida. The board may adopt  
955 rules with respect to any of the projects of Space Florida with  
956 notice and a public hearing.

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

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

962            (d) ~~(12)~~ Abide by all applicable federal labor laws in the  
963 construction and day-to-day operations of Space Florida ~~the~~  
964 ~~authority~~ and any spaceport. Further, the board shall establish,  
965 by rule and regulation, pursuant to chapter 120, policies and  
966 procedures for the construction and operation of Space Florida  
967 ~~the authority~~ and any spaceport. The ~~Said~~ policies and  
968 procedures shall be such that when Space Florida ~~the authority~~  
969 expends federal funds for construction or operation of any  
970 spaceport project, Space Florida ~~the authority~~ will be subject  
971 to the federal labor laws observed at the John F. Kennedy Space  
972 Center and Cape Canaveral Air Force Station, Florida, applicable  
973 as a result of such federal expenditures.

974            (e) ~~(13)~~ Prepare an annual report of operations. The ~~Said~~  
975 report shall include, but not be limited to, a balance sheet, an  
976 income statement, a statement of changes in financial position,  
977 a reconciliation of changes in equity accounts, a summary of  
978 significant accounting principles, the auditor's report, a  
979 summary of the status of existing and proposed bonding projects,  
980 comments from management about the year's business, and  
981 prospects for the next year, which shall be submitted each year  
982 by November 30 to the Governor, the President of the Senate, the  
983 Speaker of the House of Representatives, the minority leader of  
984 the Senate, and the minority leader of the House of  
985 Representatives.

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986 |       (f) Establish a personnel management system.

987 |       ~~(14) Change the name of the authority.~~

988 |       Section 11. Section 331.3101, Florida Statutes, is amended  
 989 | to read:

990 |       331.3101 Space Florida ~~Space Authority~~; travel and  
 991 | entertainment expenses.--

992 |       (1) Notwithstanding the provisions of s. 112.061, Space  
 993 | Florida ~~the authority~~ shall adopt rules by which it may make  
 994 | expenditures by advancement or reimbursement, or a combination  
 995 | thereof, to Space Florida ~~authority~~ officers and employees;  
 996 | reimburse business clients, guests, and authorized persons as  
 997 | defined in s. 112.061(2)(e); and make direct payments to third-  
 998 | party vendors:

999 |       (a) For travel expenses of such business clients, guests,  
 1000 | and authorized persons incurred by Space Florida ~~the authority~~  
 1001 | in connection with the performance of its statutory duties, and  
 1002 | for travel expenses incurred by state officials and state  
 1003 | employees while accompanying such business clients, guests, or  
 1004 | authorized persons or when authorized by the board or its  
 1005 | designee.

1006 |       (b) For entertainment expenses of such guests, business  
 1007 | clients, and authorized persons incurred by Space Florida ~~the~~  
 1008 | ~~authority~~ in connection with the performance of its statutory  
 1009 | duties, and for entertainment expenses incurred for Space  
 1010 | Florida ~~authority~~ officials and employees when such expenses are  
 1011 | incurred while in the physical presence of such business  
 1012 | clients, guests, or authorized persons.

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1013           (2) The rules shall be subject to approval by the Chief  
1014 Financial Officer before adoption ~~prior to promulgation~~. The  
1015 rules shall require the submission of paid receipts, or other  
1016 proof prescribed by the Chief Financial Officer, with any claim  
1017 for reimbursement, and shall require, as a condition for any  
1018 advancement, an agreement to submit paid receipts or other proof  
1019 and to refund any unused portion of the advancement within 15  
1020 days after the expense is incurred or, if the advancement is  
1021 made in connection with travel, within 15 days after completion  
1022 of the travel. However, with respect to an advancement made  
1023 solely for travel expenses, the rules may allow paid receipts or  
1024 other proof to be submitted, and any unused portion of the  
1025 advancement to be refunded, within 30 days after completion of  
1026 the travel.

1027           (3) An annual report shall be made to the Legislature not  
1028 later than November 30 of each year for the previous fiscal  
1029 year, which shall consist of a synopsis concisely summarizing  
1030 all travel, entertainment, and incidental expenses incurred  
1031 within the United States and, separately, all travel,  
1032 entertainment, and incidental expenses incurred outside the  
1033 United States.

1034           (4) A ~~No~~ claim submitted under this section is not ~~shall~~  
1035 ~~be~~ required to be sworn to before a notary public or other  
1036 officer authorized to administer oaths, but any claim authorized  
1037 or required to be made under any provision of this section must  
1038 ~~shall~~ contain a statement that the expenses were actually  
1039 incurred as necessary travel or entertainment expenses in the

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1040 performance of official duties of Space Florida ~~the authority~~  
 1041 and shall be verified by written declaration that it is true and  
 1042 correct as to every material matter. Any person who willfully  
 1043 makes and subscribes to any such claim which the person does not  
 1044 believe to be true and correct as to every material matter or  
 1045 who willfully aids or assists in, or procures, counsels, or  
 1046 advises, the preparation or presentation of a claim pursuant to  
 1047 this section, which claim is fraudulent or false as to any  
 1048 material matter, whether or not such falsity or fraud is with  
 1049 the knowledge or consent of the person authorized or required to  
 1050 present such claim, commits a misdemeanor of the second degree,  
 1051 punishable as provided in s. 775.082 or s. 775.083. Whoever  
 1052 receives an advancement or reimbursement by means of a false  
 1053 claim is civilly liable, in the amount of the overpayment, for  
 1054 the reimbursement of the public fund from which the claim was  
 1055 paid.

1056 Section 12. Section 331.311, Florida Statutes, is amended  
 1057 to read:

1058 331.311 Exercise by Space Florida ~~authority~~ of its powers  
 1059 within municipalities and other political subdivisions.--Space  
 1060 Florida may ~~The authority shall have the power to~~ exercise any  
 1061 of its rights, powers, privileges, and authority in any and all  
 1062 portions of any spaceport territory lying within the boundaries  
 1063 of any municipal corporation or other political subdivision,  
 1064 heretofore or hereafter created or organized, whose boundaries  
 1065 lie wholly or partly within the geographical limits of the  
 1066 spaceport territory, to the same extent and in the same manner



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1067 as in areas of the spaceport territory not incorporated as part  
 1068 of a municipality or other political subdivision. With respect  
 1069 to any municipal corporation or other political subdivision  
 1070 whose boundaries lie partly within and partly without the  
 1071 geographical limits of the spaceport territory, Space Florida  
 1072 ~~may the authority shall have the power to~~ exercise its rights,  
 1073 powers, privileges, and authority only within the portion of the  
 1074 ~~such~~ municipal corporation or other political subdivision lying  
 1075 within the boundaries of the spaceport territory.

1076 Section 13. Section 331.312, Florida Statutes, is amended  
 1077 to read:

1078 331.312 Furnishing facilities and services within the  
 1079 spaceport territory.--Space Florida may ~~The authority shall have~~  
 1080 ~~the power to~~ construct, develop, create, maintain, and operate  
 1081 its projects within the geographical limits of the spaceport  
 1082 territory, including any portions of the spaceport territory  
 1083 located inside the boundaries of any incorporated municipality  
 1084 or other political subdivision, and to offer, supply, and  
 1085 furnish the facilities and services provided for in this act to,  
 1086 and to establish and collect fees, rentals, and other charges  
 1087 from, persons, public or private, within the geographical limits  
 1088 of the spaceport territory and for the use of Space Florida ~~the~~  
 1089 ~~authority~~ itself.

1090 Section 14. Section 331.313, Florida Statutes, is amended  
 1091 to read:

1092 331.313 Power of Space Florida ~~the authority~~ with respect  
 1093 to roads.--Within the territorial limits of any spaceport

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1094 territory, Space Florida may ~~the authority has the right to~~  
 1095 acquire, through purchase or interagency agreement, or as  
 1096 otherwise provided in law, and to construct, control, and  
 1097 maintain, roads deemed necessary by Space Florida ~~the authority~~  
 1098 and connections thereto and extensions thereof now or hereafter  
 1099 acquired, constructed, or maintained in accordance with  
 1100 established highway safety standards; provided that, in the  
 1101 event a road being addressed by Space Florida ~~the authority~~ is  
 1102 owned by another agency or jurisdiction, Space Florida ~~the~~  
 1103 ~~authority~~, before ~~prior to~~ proceeding with the proposed project  
 1104 or work activity, shall have either coordinated the desired work  
 1105 with the owning agency or jurisdiction or shall have  
 1106 successfully executed an interagency agreement with the owning  
 1107 agency or jurisdiction.

1108 Section 15. Section 331.316, Florida Statutes, is amended  
 1109 to read:

1110 331.316 Rates, fees, rentals, tolls, fares, and charges;  
 1111 procedure for adoption and modification; minimum revenue  
 1112 requirements.--

1113 (1) To recover the costs of the spaceport facility or  
 1114 system, Space Florida may ~~the authority shall have the power to~~  
 1115 prescribe, fix, establish, and collect rates, fees, rentals,  
 1116 tolls, fares, or other charges (hereinafter referred to as  
 1117 "revenues"), and to revise the same from time to time, for the  
 1118 facilities and services furnished or to be furnished by Space  
 1119 Florida ~~the authority~~ and the spaceport, including, but not  
 1120 limited to, launch pads, ranges, payload assembly and processing

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1121 facilities, visitor and tourist facilities, transportation  
 1122 facilities, and parking and other related facilities, and may  
 1123 ~~shall have the power to~~ provide for reasonable penalties against  
 1124 any user or property for any such rates, fees, rentals, tolls,  
 1125 fares, or other charges that are delinquent.

1126 (2) The board may ~~shall have the power to~~ enter into  
 1127 contracts for the use of the projects of Space Florida ~~the~~  
 1128 ~~authority~~ and for the services and facilities furnished or to be  
 1129 furnished by Space Florida ~~the authority~~, including, but not  
 1130 limited to, launch services, payload assembly and processing,  
 1131 and other aerospace-related ~~space-related~~ services, for such  
 1132 consideration and on such other terms and conditions as the  
 1133 board may approve. Such contracts, and revenues or service  
 1134 charges received or to be received by Space Florida ~~the~~  
 1135 ~~authority~~ thereunder, may be pledged as security for any of the  
 1136 bonds of Space Florida ~~the authority~~.

1137 Section 16. Section 331.317, Florida Statutes, is amended  
 1138 to read:

1139 331.317 Recovery of delinquent charges.--In the event that  
 1140 any of the rates, fees, rentals, tolls, fares, other charges, or  
 1141 delinquent penalties shall not be paid as and when due and shall  
 1142 be in default for 30 days or more, the unpaid balance thereof  
 1143 and all interest accrued thereon, together with attorney's fees  
 1144 and costs, may be recovered by Space Florida ~~the authority~~ in a  
 1145 civil action.

1146 Section 17. Section 331.318, Florida Statutes, is amended  
 1147 to read:

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1148           331.318 Discontinuance of service.--In the event that the  
 1149 rates, fees, rentals, tolls, fares, or other charges for the  
 1150 services and facilities of any project are not paid when due,  
 1151 the board may ~~shall have the power to~~ discontinue and shut off  
 1152 the same until such rates, fees, rentals, tolls, fares, or other  
 1153 charges, including interest, penalties, and charges for the  
 1154 shutting off and discontinuance and the restoration of such  
 1155 services and facilities, are fully paid. Such delinquent rates,  
 1156 fees, rentals, tolls, fares, or other charges, together with  
 1157 interest, penalties, and charges for the shutting off and  
 1158 discontinuance and the restoration of such services and  
 1159 facilities, and reasonable attorney's fees and other expenses,  
 1160 may be recovered by Space Florida ~~the authority~~ by suit in any  
 1161 court of competent jurisdiction. Space Florida ~~The authority~~ may  
 1162 also enforce payment of such delinquent rates, fees, rentals,  
 1163 tolls, fares, or other charges by any other lawful method of  
 1164 enforcement.

1165           Section 18. Section 331.319, Florida Statutes, is amended  
 1166 to read:

1167           331.319 Comprehensive planning; building and safety  
 1168 codes.--The board of directors ~~supervisors shall have the~~  
 1169 ~~power to~~:

1170           (1) Adopt, and from time to time review, amend,  
 1171 supplement, or repeal, a comprehensive general plan for the  
 1172 physical development of the area within the spaceport territory  
 1173 in accordance with the objectives and purposes of this act and  
 1174 consistent with the comprehensive plans of the applicable county

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1175 or counties and municipality or municipalities adopted pursuant  
 1176 to the Local Government Comprehensive Planning and Land  
 1177 Development Regulation Act, part II of chapter 163.

1178 (2) Prohibit within the spaceport territory the  
 1179 construction, alteration, repair, removal, or demolition, or the  
 1180 commencement of the construction, alteration, repair (except  
 1181 emergency repairs), removal, or demolition, of any building or  
 1182 structure, including, but not by way of limitation, public  
 1183 utility poles, lines, pipes, and facilities, without first  
 1184 obtaining a permit from the board or such other officer or  
 1185 agency as the board may designate, and to prescribe the  
 1186 procedure with respect to the obtaining of such permit.

1187 Section 19. Section 331.320, Florida Statutes, is amended  
 1188 to read:

1189 331.320 Additional powers of board.--The board of  
 1190 directors may ~~shall have the power~~ within any spaceport  
 1191 territory ~~to~~:

1192 (1) Adopt regulations to prohibit or control the pollution  
 1193 of air and water, and require certain location and placement of  
 1194 electrical power, telephone, and other utility lines, cables,  
 1195 pipes, and ducts.

1196 (2) Divide the spaceport territory into zones or districts  
 1197 of such number, shape, and area as the board may deem best  
 1198 suited to carry out the purposes of this act, and within and for  
 1199 each such district make regulations and restrictions as provided  
 1200 for in subsection (1).

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1201 Section 20. Section 331.321, Florida Statutes, is amended  
 1202 to read:

1203 331.321 Federal and other funds and aid.--Space Florida  
 1204 may ~~The authority is authorized to~~ accept, receive, and receipt  
 1205 for federal moneys, property, and other moneys or properties,  
 1206 either public or private, for the acquisition, planning,  
 1207 operation, construction, enlargement, improvement, maintenance,  
 1208 equipment, or development of programs, facilities, and sites  
 1209 therefor, and ~~to~~ comply with the provisions of the laws of the  
 1210 United States and any rules and regulations made thereunder for  
 1211 the expenditure of federal moneys.

1212 Section 21. Section 331.322, Florida Statutes, is amended  
 1213 to read:

1214 331.322 Agreements with municipalities within any  
 1215 spaceport territory.--The board of directors and the governing  
 1216 body or bodies of any one or more municipalities located wholly  
 1217 or partly within any spaceport territory, whether now in  
 1218 existence or hereafter created, may ~~are authorized to~~ enter into  
 1219 and carry into effect contracts and agreements relating to the  
 1220 common powers, duties, and functions of the board and other  
 1221 officers, agents, and employees of Space Florida ~~the authority~~,  
 1222 and the respective governing body or bodies of one or more such  
 1223 municipalities, and their respective officers, agents, and  
 1224 employees, to the end that there may be effective cooperation  
 1225 between and coordination of the efforts of such municipality or  
 1226 municipalities and Space Florida ~~the authority~~ in discharging  
 1227 their common functions, powers, and duties and in rendering

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1228 services to the respective residents and property owners of such  
 1229 municipality or municipalities and Space Florida ~~the authority~~.  
 1230 The board and the governing body or bodies of one or more such  
 1231 municipalities are further authorized to enter into and carry  
 1232 into effect contracts and agreements for the performance of any  
 1233 of their common functions, powers, and duties by a central  
 1234 agency or common agent of the contracting parties.

1235 Section 22. Section 331.323, Florida Statutes, is amended  
 1236 to read:

1237 331.323 Cooperative agreements with the state, counties,  
 1238 and municipalities.--

1239 (1) The state and the counties, municipalities, and other  
 1240 political subdivisions, public bodies, and agencies thereof, or  
 1241 any of them, whether now existing or hereafter created, are  
 1242 authorized to aid and cooperate with Space Florida ~~the authority~~  
 1243 in carrying out any of the purposes and projects of Space  
 1244 Florida ~~the authority~~, to enter into cooperative agreements with  
 1245 Space Florida ~~the authority~~, to provide in any such cooperative  
 1246 agreement for the making of loans, gifts, grants, or  
 1247 contributions to Space Florida ~~the authority~~ and the granting  
 1248 and conveyance to Space Florida ~~the authority~~ of real or  
 1249 personal property of any kind or nature, or any interest  
 1250 therein, for the carrying out of the purpose and projects of  
 1251 Space Florida ~~the authority~~; to covenant in any such cooperative  
 1252 agreement to pay all or any part of the costs of acquisition,  
 1253 planning, development, construction, reconstruction, extension,  
 1254 improvement, operation, and maintenance of any projects of Space

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1255 Florida ~~the authority~~; and to pay all or any part of the  
 1256 principal and interest on any bonds of Space Florida ~~the~~  
 1257 ~~authority~~.

1258 (2) The state and the counties, municipalities, and other  
 1259 political subdivisions, public bodies, and agencies thereof, or  
 1260 any of them, whether now existing or hereafter created, and  
 1261 Space Florida ~~the authority created by this act~~, are further  
 1262 authorized to enter into cooperative agreements to provide for  
 1263 the furnishing by Space Florida ~~the authority~~ to the state or  
 1264 any county, municipality, or other political subdivision, public  
 1265 body, or agency thereof of any of the facilities and services of  
 1266 Space Florida ~~the authority~~, or by the state or any county,  
 1267 municipality, or other political subdivision, public body, or  
 1268 agency thereof to Space Florida ~~the authority~~ and to persons  
 1269 within the spaceport territory of facilities and services of the  
 1270 type that Space Florida ~~the authority~~ is authorized to furnish  
 1271 or undertake, or such other facilities and services as may be  
 1272 determined necessary or desirable by the board for the carrying  
 1273 out of the purposes of this act. Without limitation of the  
 1274 foregoing, such cooperative agreements may provide for the  
 1275 furnishing by any county, municipality, or other political  
 1276 subdivision of fire and police protection for Space Florida ~~the~~  
 1277 ~~authority~~ and persons and property within Space Florida ~~the~~  
 1278 ~~authority~~, and for the providing to Space Florida ~~the authority~~  
 1279 of any services deemed necessary or desirable by the board for  
 1280 the proper functioning of Space Florida ~~the authority~~.



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1281 (3) Without limitation of the foregoing, the board may  
 1282 undertake and finance any of the projects of Space Florida ~~the~~  
 1283 ~~authority~~, in whole or in part, jointly with any municipality or  
 1284 municipalities, now existing or hereafter created, or in any  
 1285 other manner combine the projects of Space Florida ~~the authority~~  
 1286 with the projects of such municipality or municipalities.

1287 (4) Any agreement of the type authorized by this section  
 1288 may be made and entered into under ~~pursuant to~~ this act for such  
 1289 time or times, not exceeding 40 years.

1290 Section 23. Section 331.324, Florida Statutes, is amended  
 1291 to read:

1292 331.324 Contracts, grants, and contributions.--Space  
 1293 Florida may ~~The authority shall have the power to~~ make and enter  
 1294 all contracts and agreements necessary or incidental to the  
 1295 performance of the functions of Space Florida ~~the authority~~ and  
 1296 the execution of its powers, and to contract with, and to accept  
 1297 and receive grants or loans of money, material, or property  
 1298 from, any person, private or public, as the board shall  
 1299 determine to be necessary or desirable to carry out the purposes  
 1300 of this act, and in connection with any such contract, grant, or  
 1301 loan to stipulate and agree to such covenants, terms, and  
 1302 conditions as the board shall deem appropriate.

1303 Section 24. Section 331.325, Florida Statutes, is amended  
 1304 to read:

1305 331.325 Environmental permits.--Space Florida ~~The~~  
 1306 ~~authority~~ shall obtain required environmental permits in

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1307 accordance with federal and state law and shall comply with the  
 1308 provisions of chapter 380.

1309 Section 25. Section 331.326, Florida Statutes, is amended  
 1310 to read:

1311 331.326 Information relating to trade secrets  
 1312 confidential.--The records of Space Florida ~~the authority~~  
 1313 regarding matters encompassed by this act are public records  
 1314 subject to the provisions of chapter 119. Any information held  
 1315 by Space Florida ~~the authority~~ which is a trade secret, as  
 1316 defined in s. 812.081, including trade secrets of Space Florida  
 1317 ~~the authority~~, any spaceport user, or the space industry  
 1318 business, is confidential and exempt from the provisions of s.  
 1319 119.07(1) and s. 24(a), Art. I of the State Constitution and may  
 1320 not be disclosed. If Space Florida ~~the authority~~ determines that  
 1321 any information requested by the public will reveal a trade  
 1322 secret, it shall, in writing, inform the person making the  
 1323 request of that determination. The determination is a final  
 1324 order as defined in s. 120.52. Any meeting or portion of a  
 1325 meeting of Space Florida's ~~the authority's~~ board of ~~supervisors~~  
 1326 is exempt from the provisions of s. 286.011 and s. 24(b), Art. I  
 1327 of the State Constitution when the board is discussing trade  
 1328 secrets. Any public record generated during the closed portions  
 1329 of the ~~such~~ meetings, such as minutes, tape recordings, and  
 1330 notes, is confidential and exempt from the provisions of s.  
 1331 119.07(1) and s. 24(a), Art. I of the State Constitution.

1332 Section 26. Section 331.327, Florida Statutes, is amended  
 1333 to read:

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1334           331.327 Foreign trade zone.--Space Florida may ~~The~~  
 1335 ~~authority shall have the power to~~ apply to the Federal  
 1336 Government for a grant allowing the designation of any spaceport  
 1337 territory as a foreign trade zone pursuant to ss. 288.36 and  
 1338 288.37. However, the designation of any spaceport territory as a  
 1339 foreign trade zone does ~~shall not be deemed to~~ authorize an  
 1340 exemption from any tax imposed by the state or by any political  
 1341 subdivision, agency, or instrumentality thereof.

1342           Section 27. Section 331.328, Florida Statutes, is amended  
 1343 to read:

1344           331.328 Sovereign immunity.--As an independent special  
 1345 district, Space Florida has ~~The authority shall be granted~~  
 1346 sovereign immunity in the same manner as the state under the  
 1347 laws and Constitution of the State of Florida. The state, by  
 1348 this section, hereby waives the sovereign immunity granted to  
 1349 the same extent as waived by the state under state law.

1350           Section 28. Section 331.329, Florida Statutes, is amended  
 1351 to read:

1352           331.329 Changing boundary lines; annexation and exclusion  
 1353 of lands; creation of municipalities within the geographical  
 1354 limits of any spaceport territory; limitations on the furnishing  
 1355 of services within annexed areas.--

1356           (1) The board of directors may at any time strike out or  
 1357 correct the description of any land within or claimed to be  
 1358 within the boundary lines of any spaceport territory upon the  
 1359 written consent of the owners of all the land that would be  
 1360 included or excluded from the boundary lines of any spaceport

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1361 territory or otherwise affected by the taking of such action,  
 1362 and of the owners of not less than the majority in acreage of  
 1363 all lands within any spaceport territory.

1364 (a) The board may enlarge the geographical limits of any  
 1365 spaceport territory to include any lands not then within any  
 1366 spaceport territory:

1367 1. Upon the written consent of the owners of all the land  
 1368 to be included in any spaceport territory and of the owners of  
 1369 not less than a majority in acreage of all the land then within  
 1370 any spaceport territory; or

1371 2. By resolution of the board approved at a special  
 1372 election called for such purpose, by vote of a majority of  
 1373 freeholders residing within the area to be annexed and a  
 1374 majority of freeholders residing within any spaceport territory.

1375 (b) The board of directors may contract the geographical  
 1376 limits of any spaceport territory so as to exclude from any  
 1377 spaceport territory any land then within any spaceport  
 1378 territory:

1379 1. Upon the written consent of the owners of all the land  
 1380 to be so excluded and of the owners of not less than a majority  
 1381 in acreage of all the land then within any spaceport territory;  
 1382 or

1383 2. By resolution of the board approved at a special  
 1384 election called for such purpose, by vote of a majority of  
 1385 freeholders residing within the area to be excluded and a  
 1386 majority of the freeholders residing within any spaceport  
 1387 territory.

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1388           (2) Land, including property situated thereon, added to  
 1389 any spaceport territory in the manner provided in subsection (1)  
 1390 shall from the time of its inclusion within such spaceport  
 1391 territory be subject to all assessments thereafter levied and  
 1392 assessed on all other land or property of any spaceport  
 1393 territory similarly situated. Land, including property situated  
 1394 thereon, excluded from any spaceport territory in the manner  
 1395 provided in subsection (1) shall from the date of such exclusion  
 1396 be exempt from assessments thereafter imposed by Space Florida  
 1397 ~~the authority~~ but shall not be exempt from assessments  
 1398 theretofore levied or due with respect to such land or property,  
 1399 or from subsequent installments of assessments theretofore  
 1400 levied or assessed with respect thereto, and such assessments  
 1401 may be enforced and collected by or on behalf of Space Florida  
 1402 ~~the authority~~ in the same manner as if such land or property  
 1403 continued to be within the geographical limits of any spaceport  
 1404 territory.

1405           (3) In the event that the geographical limits of any  
 1406 spaceport territory as set forth in s. 331.304 are revised so as  
 1407 to include within any spaceport territory any areas not  
 1408 presently contained within any spaceport territory, Space  
 1409 Florida may ~~the authority shall~~ not engage in the business of  
 1410 furnishing electric power for sale in such annexed area, unless  
 1411 Space Florida ~~the authority~~ shall offer to purchase from any  
 1412 person who is at the time engaged in the business of making,  
 1413 generating, or distributing electricity for sale within such  
 1414 annexed area, such portion of its electric plant and property

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1415 | suitable and used for such business in connection therewith as  
 1416 | lies within the limits of such annexed area, in a manner  
 1417 | consistent with law.

1418 |       (4) Space Florida ~~The authority~~ shall designate new launch  
 1419 | pads outside the present designated spaceport territories by  
 1420 | statutory amendment of s. 331.304.

1421 |       Section 29. Section 331.331, Florida Statutes, is amended  
 1422 | to read:

1423 |       331.331 Revenue bonds.--

1424 |       (1) Revenue bonds issued by Space Florida ~~the authority~~  
 1425 | shall not be deemed revenue bonds issued by the state or its  
 1426 | agencies for purposes of s. 11, Art. VII of the State  
 1427 | Constitution and ss. 215.57-215.83. Space Florida ~~The authority~~  
 1428 | shall include in its annual report to the Governor and  
 1429 | Legislature, as provided in s. 331.310, a summary of the status  
 1430 | of existing and proposed bonding projects.

1431 |       (2) The issuance of revenue bonds may be secured by or  
 1432 | payable from the gross or net pledge of the revenues to be  
 1433 | derived from any project or combination of projects, from the  
 1434 | rates, fees, rentals, tolls, fares, or other charges to be  
 1435 | collected from the users of any project or projects; from any  
 1436 | revenue-producing undertaking or activity of Space Florida ~~the~~  
 1437 | ~~authority~~; or from any source of pledged security. Such bonds  
 1438 | shall not constitute an indebtedness of Space Florida ~~the~~  
 1439 | ~~authority~~ unless such bonds are additionally secured by the full  
 1440 | faith and credit of Space Florida ~~the authority~~. Bonds issued by  
 1441 | Space Florida ~~the authority~~ are not secured by the full faith

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1442 and credit of the State of Florida and do not constitute an  
 1443 obligation, either general or special, thereof.

1444 (3) Any two or more projects may be combined and  
 1445 consolidated into a single project, and may thereafter be  
 1446 operated and maintained as a single project. The revenue bonds  
 1447 authorized herein may be issued to finance any one or more such  
 1448 projects separately, or to finance two or more such projects,  
 1449 regardless whether or not such projects have been combined and  
 1450 consolidated into a single project. If the board deems it  
 1451 advisable, the proceedings authorizing such revenue bonds may  
 1452 provide that Space Florida ~~the authority~~ may thereafter combine  
 1453 the projects then being financed or theretofore financed with  
 1454 other projects to be subsequently financed by Space Florida ~~the~~  
 1455 ~~authority~~ shall be on a parity with the revenue bonds then being  
 1456 issued, all on such terms, conditions, and limitations as shall  
 1457 be provided, and may further provide that the revenues to be  
 1458 derived from the subsequent projects shall at the time of the  
 1459 issuance of such parity revenue bonds be also pledged to the  
 1460 holders of any revenue bonds theretofore issued to finance the  
 1461 revenue undertakings which are later combined with such  
 1462 subsequent projects. Space Florida ~~The authority~~ may pledge for  
 1463 the security of the revenue bonds a fixed amount, without regard  
 1464 to any fixed proportion of the gross revenues of any project.

1465 Section 30. Section 331.333, Florida Statutes, is amended  
 1466 to read:

1467 331.333 Refunding bonds.--Space Florida ~~The authority~~  
 1468 through its board may ~~shall have the power to~~ issue bonds to

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1469 provide for the retirement or refunding of any bonds or  
 1470 obligations of Space Florida ~~the authority~~ that at the time of  
 1471 such issuance are or subsequently thereto become due and  
 1472 payable, or that at the time of issuance have been called or are  
 1473 or will be subject to call for redemption within 10 years  
 1474 thereafter, or the surrender of which can be procured from the  
 1475 holders thereof at prices satisfactory to the board. Refunding  
 1476 bonds may be issued at any time when in the judgment of the  
 1477 board such issuance will be advantageous to Space Florida ~~the~~  
 1478 ~~authority~~. The provisions of this act pertaining to bonds of  
 1479 Space Florida ~~the authority~~ shall, unless the context otherwise  
 1480 requires, govern the issuance of refunding bonds, the form and  
 1481 other details thereof, the rights of the holders thereof, and  
 1482 the duties of the board with respect to the same.

1483 Section 31. Section 331.334, Florida Statutes, is amended  
 1484 to read:

1485 331.334 Pledging assessments and other revenues and  
 1486 properties as additional security on bonds.--Space Florida ~~The~~  
 1487 ~~authority~~ may pledge as additional security for the payment of  
 1488 any of the bonds of Space Florida ~~the authority~~ its full faith  
 1489 and credit, and provide that such bonds shall be payable as to  
 1490 both principal and interest, and as to any reserve or other  
 1491 funds provided therefor, to the full extent that any revenues as  
 1492 defined in this act, assessments, or other funds, or any  
 1493 combination thereof, pledged therefor are insufficient for the  
 1494 full payment of the same, and provided further that no bonds  
 1495 shall be issued to the payment of which the full faith and



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1496 credit of Space Florida ~~the authority~~ is pledged unless approved  
 1497 at an election in the manner provided by law. Space Florida ~~The~~  
 1498 ~~authority~~ by resolution of the board may also pledge as  
 1499 additional security for said bonds the revenues from any project  
 1500 of Space Florida ~~the authority~~, utility service, assessments,  
 1501 and any other sources of revenue or funds, or any combination of  
 1502 the foregoing, and may pledge or mortgage any of the properties,  
 1503 rights, interest, or other assets of Space Florida ~~the~~  
 1504 ~~authority~~. Bonds issued by Space Florida ~~the authority~~ are not  
 1505 secured by the full faith and credit of the State of Florida and  
 1506 do not constitute an obligation, either general or special,  
 1507 thereof. The board may also provide with respect to any bonds of  
 1508 Space Florida ~~the authority~~ that such bonds shall be payable, in  
 1509 whole or in part, as to principal amount or interest, or both,  
 1510 out of rates, fees, rentals, tolls, fares, or other charges  
 1511 collected with respect to any of the projects of Space Florida  
 1512 ~~the authority~~.

1513 Section 32. Section 331.335, Florida Statutes, is amended  
 1514 to read:

1515 331.335 Lien of pledges.--All pledges of revenues and  
 1516 assessments made pursuant to the provisions of this act shall be  
 1517 valid and binding from the time when such pledges are made. All  
 1518 such revenues and assessments so pledged and thereafter  
 1519 collected shall immediately be subject to the lien of such  
 1520 pledges without any physical delivery thereof or further action,  
 1521 and the lien of such pledges shall be valid and binding as  
 1522 against all parties having claims of any kind in tort, contract,

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1523 or otherwise against Space Florida ~~the authority~~, irrespective  
 1524 of whether such parties have notice thereof.

1525 Section 33. Section 331.336, Florida Statutes, is amended  
 1526 to read:

1527 331.336 Issuance of bond anticipation notes.--In addition  
 1528 to the other powers provided for in this act and not in  
 1529 limitation thereof, Space Florida ~~the authority shall have~~  
 1530 ~~the power~~, at any time from time to time after the issuance of  
 1531 any bonds of Space Florida ~~the authority shall~~ have been  
 1532 authorized, ~~to~~ borrow money for the purposes for which such  
 1533 bonds are to be issued in anticipation of the receipt of the  
 1534 proceeds of the sale of such bonds and ~~to~~ issue bond  
 1535 anticipation notes in a principal amount not in excess of the  
 1536 authorized maximum amount of such bond issue. Such notes shall  
 1537 be in such denomination or denominations, bear interest at such  
 1538 rate or rates, mature at such time or times, be renewable for  
 1539 such additional term or terms, and be in such form and executed  
 1540 in such manner as the board shall prescribe. Such notes may be  
 1541 sold at public sale, or if such notes shall be renewable notes,  
 1542 may be exchanged for notes then outstanding on such terms as the  
 1543 board shall determine. Such notes shall be paid from the  
 1544 proceeds of such bonds when issued. The board may in its  
 1545 discretion, in lieu of retiring the notes by means of bonds,  
 1546 retire them by means of current revenues or from any assessments  
 1547 levied for the payment of such bonds, but in such event a like  
 1548 amount of the bonds authorized shall not be issued.

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1549 Section 34. Section 331.337, Florida Statutes, is amended  
 1550 to read:

1551 331.337 Short-term borrowing.--Space Florida ~~The authority~~  
 1552 at any time may obtain loans, in such amount and on such terms  
 1553 and conditions as the board may approve, for the purpose of  
 1554 paying any of the expenses of Space Florida ~~the authority~~ or any  
 1555 costs incurred or that may be incurred in connection with any of  
 1556 the projects of Space Florida ~~the authority~~, which loans shall  
 1557 have such term or terms, be renewable for such term or terms,  
 1558 bear interest at such rate or rates, and be payable from and  
 1559 secured by a pledge of such funds, revenues, and assessments as  
 1560 the board may determine. For the purpose of defraying such costs  
 1561 and expenses, Space Florida ~~the authority~~ may issue negotiable  
 1562 notes, warrants, or other evidences of debt signed on behalf of  
 1563 Space Florida ~~the authority~~ by any one of the board, such notes  
 1564 or other evidences of indebtedness to be payable at such time or  
 1565 times, to bear interest at such rate or rates, and to be sold or  
 1566 discounted at such price or prices and on such term or terms as  
 1567 the board may deem advisable. The board may ~~shall have the right~~  
 1568 ~~to~~ provide for the payment thereof by pledging the whole or any  
 1569 part of the funds, revenues, and assessments of Space Florida  
 1570 ~~the authority~~.

1571 Section 35. Section 331.338, Florida Statutes, is amended  
 1572 to read:

1573 331.338 Trust agreements.--In the discretion of the board,  
 1574 any issue of bonds may be secured by a trust agreement by and  
 1575 between Space Florida ~~the authority~~ and a corporate trustee

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1576 | which may be any trust company or bank having the powers of a  
 1577 | trust company within or without the state. The resolution  
 1578 | authorizing the issuance of the bonds or such trust agreement  
 1579 | may pledge the revenues to be received from any projects of  
 1580 | Space Florida ~~the authority~~ and any other authorized moneys to  
 1581 | be used for the repayment of bonds, and may contain such  
 1582 | provisions for protecting and enforcing the rights and remedies  
 1583 | of the bondholders as the board may approve, including without  
 1584 | limitation covenants setting forth the duties of Space Florida  
 1585 | ~~the authority~~ in relation to the acquisition, planning,  
 1586 | development, construction, reconstruction, improvement,  
 1587 | maintenance, repair, operation, and insurance of any projects,  
 1588 | the fixing and revision of the rates, fees, rentals, tolls,  
 1589 | fares, and charges, and the custody, safeguarding, and  
 1590 | application of all moneys, and for the employment of consulting  
 1591 | engineers in connection with such acquisition, planning,  
 1592 | development, construction, reconstruction, improvement,  
 1593 | maintenance, repair, or operation. It shall be lawful for any  
 1594 | bank or trust company incorporated under the laws of the state  
 1595 | or the United States which may act as a depository of the  
 1596 | proceeds of bonds or of revenues to furnish such indemnifying  
 1597 | bonds or to pledge such securities as may be required by Space  
 1598 | Florida ~~the authority~~. Such resolution or trust agreement may  
 1599 | set forth the rights and remedies of the bondholders and of the  
 1600 | trustee, if any, and may restrict the individual right of action  
 1601 | by bondholders. The board may provide for the payment of the  
 1602 | proceeds of the sale of the bonds and the revenues of any

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1603 project to such officer, board, or depository as it may  
1604 designate for the custody thereof, and for the method of  
1605 disbursement thereof, with such safeguards and restrictions as  
1606 it may determine. All expenses incurred in carrying out the  
1607 provisions of such resolution or trust agreement may be treated  
1608 as part of the cost of the project to which such trust agreement  
1609 pertains.

1610 Section 36. Section 331.339, Florida Statutes, is amended  
1611 to read:

1612 331.339 Sale of bonds.--Bonds may be sold in blocks or  
1613 installments at different times, or an entire issue or series  
1614 may be sold at one time. Bonds may only be sold at public sale  
1615 after being advertised and publicly noticed, unless Space  
1616 Florida ~~the authority~~ has previously complied with the  
1617 provisions of s. 218.385. Bonds may be sold or exchanged for  
1618 refunding bonds. Special assessment and revenue bonds may be  
1619 delivered as payment by Space Florida ~~the authority~~ of the  
1620 purchase price or lease of any project or part thereof, or a  
1621 combination of projects or parts thereof, or as the purchase  
1622 price of, or exchange for, any property, real, personal, or  
1623 mixed, including franchises, or services rendered by any  
1624 contractor, engineer, or other person, all at one time or in  
1625 blocks from time to time, in such manner and upon such terms as  
1626 the board in its discretion shall determine. The price or prices  
1627 for any bonds sold, exchanged, or delivered may be:

1628 (1) The money paid for the bonds.

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1629           (2) The principal amount, plus accrued interest to date of  
 1630 redemption or exchange, of outstanding obligations exchanged for  
 1631 refunding bonds.

1632           (3) In the case of special assessment or revenue bonds,  
 1633 the amount of any indebtedness to contractors or other persons  
 1634 paid with such bonds, or the fair value of any properties  
 1635 exchanged for the bonds, as determined by the board.

1636           Section 37. Section 331.340, Florida Statutes, is amended  
 1637 to read:

1638           331.340 Authorization and form of bonds.--Bonds may be  
 1639 authorized by resolution or resolutions of the board which shall  
 1640 be adopted by a majority of all of the members thereof then in  
 1641 office and present at the meeting at which the resolution or  
 1642 resolutions are adopted and shall be approved as provided in s.  
 1643 331.305. The resolution or resolutions of the board may be  
 1644 adopted at the same meeting at which they are introduced, and  
 1645 shall be published and noticed. The board may by resolution  
 1646 authorize the issuance of bonds, fix the aggregate amount of  
 1647 bonds to be issued, the purpose or purposes for which the moneys  
 1648 derived therefrom shall be expended, the rate or rates of  
 1649 interest, the denomination of the bonds, whether or not the  
 1650 bonds are to be issued in one or more series, the date or dates  
 1651 thereof, the date or dates of maturity, which shall not exceed  
 1652 40 years from their respective dates of issuance, the medium of  
 1653 payment, the place or places within or without the state where  
 1654 payment shall be made, registration privileges, redemption terms  
 1655 and privileges (whether with or without premium), the manner of

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1656 execution, the form of the bonds including any interest coupons  
 1657 to be attached thereto, the manner of execution of bonds and  
 1658 coupons, and any and all other terms, covenants, and conditions  
 1659 thereof, and the establishment of reserve or other funds. Such  
 1660 authorizing resolution may further provide that such bonds may  
 1661 be executed manually or by engraved, lithographed, or facsimile  
 1662 signature, provided that where signatures are engraved,  
 1663 lithographed, or facsimile no bond shall be valid unless  
 1664 countersigned by a registrar or other officer designated by  
 1665 appropriate resolution of the board. The seal of Space Florida  
 1666 ~~the authority~~ may be affixed, lithographed, engraved, or  
 1667 otherwise reproduced in facsimile on such bonds. In case any  
 1668 officer whose signature or a facsimile of whose signature shall  
 1669 appear on any bonds or coupons shall cease to be such officer  
 1670 before the delivery of such bonds, such signature or facsimile  
 1671 shall nevertheless be valid and sufficient for all purposes the  
 1672 same as if the officer had remained in office until such  
 1673 delivery.

1674 Section 38. Section 331.343, Florida Statutes, is amended  
 1675 to read:

1676 331.343 Defeasance.--The board may make such provision  
 1677 with respect to the defeasance of the right, title, and interest  
 1678 of the holders of any of the bonds and obligations of Space  
 1679 Florida ~~the authority~~ in any revenues, funds, or other  
 1680 properties by which such bonds are secured as the board deems  
 1681 appropriate and, without limitation on the foregoing, may  
 1682 provide that when such bonds or obligations become due and

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1683 payable or shall have been called for redemption, and the whole  
 1684 amount of the principal and the interest and premium, if any,  
 1685 due and payable upon the bonds or obligations when outstanding  
 1686 shall be paid, or sufficient moneys or direct obligations of the  
 1687 United States Government the principal of and the interest on  
 1688 which when due will provide sufficient moneys, shall be held or  
 1689 deposited in trust for such purpose, and provision shall also be  
 1690 made for paying all other sums payable in connection with such  
 1691 bonds or other obligations, then and in such event the right,  
 1692 title, and interest of the holders of the bonds in any revenues,  
 1693 funds, or other properties by which such bonds are secured shall  
 1694 thereupon cease, terminate, and become void; and the board may  
 1695 apply any surplus in any sinking fund established in connection  
 1696 with such bonds or obligations and all balances remaining in all  
 1697 other funds or accounts other than money held for the redemption  
 1698 or payment of the bonds or other obligations to any lawful  
 1699 purpose of Space Florida ~~the authority~~ as the board shall  
 1700 determine.

1701 Section 39. Section 331.345, Florida Statutes, is amended  
 1702 to read:

1703 331.345 Covenants.--Any resolution authorizing the  
 1704 issuance of bonds may contain such covenants as the board may  
 1705 deem advisable and all such covenants shall constitute valid and  
 1706 legally binding and enforceable contracts between Space Florida  
 1707 ~~the authority~~ and the bondholders, regardless of the time of  
 1708 issuance thereof. Such covenants may include, without  
 1709 limitation, covenants concerning the disposition of the bond



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1710 proceeds, the use and disposition of project revenues, the  
 1711 pledging of revenues, and assessments, the obligations of Space  
 1712 Florida ~~the authority~~ with respect to the operation of the  
 1713 project and the maintenance of adequate project revenues, the  
 1714 issuance of additional bonds, the appointment, powers, and  
 1715 duties of trustees and receivers, the acquisition of outstanding  
 1716 bonds and obligations, restrictions on the establishing of  
 1717 competing projects or facilities, restrictions on the sale or  
 1718 disposal of the assets and property of Space Florida ~~the~~  
 1719 ~~authority~~, the priority of assessment liens, the priority of  
 1720 claims by bondholders on the taxing power of Space Florida ~~the~~  
 1721 ~~authority~~, the maintenance of deposits to assure the payment of  
 1722 revenues by users of spaceport facilities and services, the  
 1723 discontinuance of Space Florida ~~authority~~ services by reason of  
 1724 delinquent payments, acceleration upon default, the execution of  
 1725 necessary instruments, the procedure for amending or abrogating  
 1726 covenants with the bondholders, and such other covenants as may  
 1727 be deemed necessary or desirable for the security of the  
 1728 bondholders.

1729 Section 40. Section 331.346, Florida Statutes, is amended  
 1730 to read:

1731 331.346 Validity of bonds; validation proceedings.--Any  
 1732 bonds issued by Space Florida ~~the authority~~ shall be  
 1733 incontestable in the hands of bona fide purchasers or holders  
 1734 for value and shall not be invalid because of any irregularity  
 1735 or defect in the proceedings for the issue and sale thereof.  
 1736 Prior to the issuance of any bonds, Space Florida ~~the authority~~

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1737 shall publish a notice at least once in a newspaper or  
1738 newspapers published or of general circulation in the  
1739 appropriate counties in the state, stating the date of adoption  
1740 of the resolution authorizing such obligations, the amount,  
1741 maximum rate of interest, and maturity of such obligations, and  
1742 the purpose in general terms for which such obligations are to  
1743 be issued, and further stating that no action or proceeding  
1744 questioning the validity of such obligations or of the  
1745 proceedings authorizing the issuance thereof, or of any  
1746 covenants made therein, must be instituted within 20 days after  
1747 the first publication of such notice, or the validity of such  
1748 obligations, proceedings, and covenants shall not be thereafter  
1749 questioned in any court whatsoever. If no such action or  
1750 proceeding is so instituted within such 20-day period, then the  
1751 validity of such obligations, proceedings, and covenants shall  
1752 be conclusive, and all persons or parties whatsoever shall be  
1753 forever barred from questioning the validity of such  
1754 obligations, proceedings, or covenants in any court whatsoever.

1755 Section 41. Section 331.347, Florida Statutes, is amended  
1756 to read:

1757 331.347 Act furnishes full authority for issuance of  
1758 bonds.--This act constitutes full and complete authority for the  
1759 issuance of bonds and the exercise of the powers of Space  
1760 Florida ~~the authority~~ provided herein. Any and all bonds issued  
1761 by Space Florida ~~the authority~~ shall not be secured by the full  
1762 faith and credit of the State of Florida and do not constitute  
1763 an obligation, either general or special, thereof.

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1764 Section 42. Section 331.348, Florida Statutes, is amended  
 1765 to read:

1766 331.348 Investment of funds.--The board may in its  
 1767 discretion invest funds of Space Florida ~~the authority~~ through  
 1768 the Chief Financial Officer or in:

1769 (1) Direct obligations of or obligations guaranteed by the  
 1770 United States or for the payment of the principal and interest  
 1771 of which the faith and credit of the United States is pledged;

1772 (2) Bonds or notes issued by any of the following federal  
 1773 agencies: Bank for Cooperatives; federal intermediate credit  
 1774 banks; federal home loan bank system; federal land banks; or the  
 1775 Federal National Mortgage Association (including debentures or  
 1776 participating certificates issued by such association);

1777 (3) Public housing bonds issued by public housing  
 1778 authorities and secured by a pledge or annual contributions  
 1779 under an annual contribution contract or contracts with the  
 1780 United States;

1781 (4) Bonds or other interest-bearing obligations of any  
 1782 county, district, city, or town located in the state for which  
 1783 the full faith and credit of such political subdivision is  
 1784 pledged;

1785 (5) Any investment authorized for insurers by ss. 625.306-  
 1786 625.316 and amendments thereto; or

1787 (6) Any investment authorized under s. 17.57 and  
 1788 amendments thereto.

1789 Section 43. Section 331.349, Florida Statutes, is amended  
 1790 to read:

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1791           331.349 Fiscal year of Space Florida ~~the authority~~.--The  
 1792 board may ~~has the power to~~ establish and from time to time  
 1793 redetermine the fiscal year of Space Florida ~~the authority~~.  
 1794 Unless the board otherwise provides, Space Florida's ~~the~~  
 1795 ~~authority's~~ fiscal year shall be July 1 through June 30.

1796           Section 44. Section 331.350, Florida Statutes, is amended  
 1797 to read:

1798           331.350 Insurance coverage of Space Florida ~~the authority~~;  
 1799 safety program.--

1800           (1) Notwithstanding any other provision of law, the State  
 1801 Risk Management Trust Fund established under s. 284.30 may ~~shall~~  
 1802 not insure buildings and property owned or leased by Space  
 1803 Florida ~~the authority~~.

1804           (2) Notwithstanding any other provision of law, the State  
 1805 Risk Management Trust Fund established under s. 284.30 may ~~shall~~  
 1806 not insure against any liability of Space Florida ~~the authority~~.

1807           (3) Space Florida ~~The authority~~ shall establish a safety  
 1808 program. The safety program shall include:

1809           (a) The development and implementation of a loss  
 1810 prevention program which shall consist of a comprehensive  
 1811 ~~authority-wide~~ safety program for all of Space Florida,  
 1812 including a statement, established by the board of directors  
 1813 ~~supervisors~~, of safety policy and responsibility.

1814           (b) Provision for regular and periodic facility and  
 1815 equipment inspections.

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1816 (c) Investigation of job-related employee accidents and  
 1817 other accidents occurring on the premises of Space Florida ~~the~~  
 1818 ~~authority~~ or within areas of its jurisdiction.

1819 (d) Establishment of a program to promote increased safety  
 1820 awareness among employees, agents, and subcontractors of Space  
 1821 Florida ~~the authority~~.

1822 (4)(a) Space Florida ~~The authority~~ shall, if available,  
 1823 secure insurance coverage within reasonable limits for liability  
 1824 which may arise as a consequence of its responsibilities.

1825 (b) Space Florida ~~The authority~~ shall, if available, and  
 1826 if cost-effective, secure insurance coverage on its buildings,  
 1827 facilities, and property at reasonable levels.

1828 (c) Space Florida ~~The authority~~, with respect to the  
 1829 purchase of insurance, shall be subject to the applicable  
 1830 provisions of chapter 287 and other applicable law.

1831 Section 45. Section 331.351, Florida Statutes, is amended  
 1832 to read:

1833 331.351 Participation by women, minorities, and socially  
 1834 and economically disadvantaged business enterprises  
 1835 encouraged.--It is the intent of the Legislature and the public  
 1836 policy of this state that women, minorities, and socially and  
 1837 economically disadvantaged business enterprises be encouraged to  
 1838 participate fully in all phases of economic and community  
 1839 development. Accordingly, to achieve such purpose, Space Florida  
 1840 ~~the authority~~ shall, in accordance with applicable state and  
 1841 federal law, involve and utilize women, minorities, and socially  
 1842 and economically disadvantaged business enterprises in all

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1843 | phases of the design, development, construction, maintenance,  
 1844 | and operation of spaceports developed under this act.

1845 |         Section 46. Section 331.354, Florida Statutes, is amended  
 1846 | to read:

1847 |         331.354 Tax exemption.--The exercise of the powers granted  
 1848 | by this act in all respects shall be for the benefit of the  
 1849 | people of the state, for the increase of their industry and  
 1850 | prosperity, for the improvement of their health and living  
 1851 | conditions, and for the provision of gainful employment and  
 1852 | shall constitute the performance of essential public functions.  
 1853 | Space Florida is ~~The authority shall~~ not be required to pay any  
 1854 | taxes on any project or any other property owned by Space  
 1855 | Florida ~~the authority~~ under ~~the provisions of~~ this act or upon  
 1856 | the income therefrom. The bonds issued under ~~the provisions of~~  
 1857 | this act or upon the income therefrom (including any profit made  
 1858 | on the sale thereof), and all notes, mortgages, security  
 1859 | agreements, letters of credit, or other instruments which arise  
 1860 | out of or are given to secure the repayment of bonds issued in  
 1861 | connection with a project financed under this act, shall at all  
 1862 | times be free from taxation by the state or any local unit,  
 1863 | political subdivision, or other instrumentality of the state.  
 1864 | ~~Nothing in~~ This section, however, does not exempt ~~shall be~~  
 1865 | ~~construed as exempting~~ from taxation or assessments the  
 1866 | leasehold interest of a lessee in any project or any other  
 1867 | property or interest owned by the lessee. The exemption granted  
 1868 | by this section is ~~shall~~ not be applicable to any tax imposed by

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1869 chapter 220 on interest, income, or profits on debt obligations  
 1870 owned by corporations.

1871 Section 47. Section 331.355, Florida Statutes, is amended  
 1872 to read:

1873 331.355 Use of name; ownership rights to intellectual  
 1874 property.--

1875 (1) (a) The corporate name of a corporation incorporated or  
 1876 authorized to transact business in this state, or the name of  
 1877 any person or business entity transacting business in this  
 1878 state, may not use the words "Space Florida," "Florida Space  
 1879 Authority," "Florida Aerospace Finance Corporation," "Florida  
 1880 Space Research Institute," "spaceport Florida," or "Florida  
 1881 spaceport" in its name unless the Space Florida board of  
 1882 directors ~~the authority~~ gives written approval for such use.

1883 (b) The Department of State may dissolve, pursuant to s.  
 1884 607.1421, any corporation that violates paragraph (a).

1885 (2) Notwithstanding any provision of chapter 286, the  
 1886 legal title and every right, interest, claim, or demand of any  
 1887 kind in and to any patent, trademark, copyright, certification  
 1888 mark, or other right acquired under the patent and trademark  
 1889 laws of the United States or this state or any foreign country,  
 1890 or the application for the same, as is owned or held, acquired,  
 1891 or developed by Space Florida ~~the authority~~, under the authority  
 1892 and directions given it by this part, is vested in Space Florida  
 1893 ~~the authority~~ for the use, benefit, and purposes provided in  
 1894 this part. Space Florida ~~The authority~~ is vested with and is  
 1895 authorized to exercise any and all of the normal incidents of

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1896 such ownership, including the receipt and disposition of  
 1897 royalties. Any sums received as royalties from any such rights  
 1898 are hereby appropriated to Space Florida ~~the authority~~ for any  
 1899 and all of the purposes and uses provided in this part.

1900 Section 48. Section 331.360, Florida Statutes, is amended  
 1901 to read:

1902 331.360 Joint participation ~~project~~ agreement or  
 1903 assistance; spaceport master plan.--

1904 (1) It shall be the duty, function, and responsibility of  
 1905 the Department of Transportation to promote the further  
 1906 development and improvement of aerospace transportation  
 1907 facilities; to address intermodal requirements and impacts of  
 1908 the launch ranges, spaceports, and other space transportation  
 1909 facilities; to assist in the development of joint-use facilities  
 1910 and technology that support aviation and aerospace operations;  
 1911 to coordinate and cooperate in the development of spaceport  
 1912 infrastructure and related transportation facilities contained  
 1913 in the Strategic Intermodal System Plan; to encourage, where  
 1914 appropriate, the cooperation and integration of airports and  
 1915 spaceports in order to meet transportation-related needs; and to  
 1916 facilitate and promote cooperative efforts between federal and  
 1917 state government entities to improve space transportation  
 1918 capacity and efficiency. In carrying out this duty and  
 1919 responsibility, the department may assist and advise, cooperate  
 1920 with, and coordinate with federal, state, local, or private  
 1921 organizations and individuals. The department may



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1922 | administratively house its space transportation responsibilities  
 1923 | within an existing division or office.

1924 |         (2) Notwithstanding any other provision of law, the  
 1925 | Department of Transportation may enter into a joint  
 1926 | participation project ~~project~~ agreement with, or otherwise assist, ~~the~~  
 1927 | ~~Florida~~ Space Florida ~~Authority~~ as necessary to effectuate the  
 1928 | provisions of this chapter and may allocate funds for such  
 1929 | purposes in its 5-year work program. However, the department may  
 1930 | not fund the administrative or operational costs of Space  
 1931 | Florida ~~the authority~~.

1932 |         (3) Space Florida ~~The authority~~ shall develop a spaceport  
 1933 | master plan for expansion and modernization of space  
 1934 | transportation facilities within spaceport territories as  
 1935 | defined in s. 331.303~~(23)~~. The plan shall contain recommended  
 1936 | projects to meet current and future commercial, national, and  
 1937 | state space transportation requirements. Space Florida ~~The~~  
 1938 | ~~authority~~ shall submit the plan to any appropriate metropolitan  
 1939 | planning organization ~~M.P.O.~~ for review of intermodal impacts.  
 1940 | Space Florida ~~The authority~~ shall submit the spaceport master  
 1941 | plan to the Department of Transportation, and such plan may be  
 1942 | included within the department's 5-year work program of  
 1943 | qualifying aerospace discretionary capacity improvement under  
 1944 | subsection (4). The plan shall identify appropriate funding  
 1945 | levels and include recommendations on appropriate sources of  
 1946 | revenue that may be developed to contribute to the State  
 1947 | Transportation Trust Fund.

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1948 (4) Subject to the availability of appropriated funds, the  
 1949 department may participate in the capital cost of eligible  
 1950 spaceport discretionary capacity improvement projects. The  
 1951 annual legislative budget request shall be based on the proposed  
 1952 funding requested for approved spaceport discretionary capacity  
 1953 improvement projects.

1954 Section 49. Section 331.369, Florida Statutes, is amended  
 1955 to read:

1956 331.369 Space Industry Workforce Initiative.--

1957 (1) The Legislature finds that the aerospace ~~space~~  
 1958 industry is critical to the economic future of the state and  
 1959 that the competitiveness of the industry in the state depends  
 1960 upon the development and maintenance of a qualified workforce.  
 1961 The Legislature further finds that the aerospace ~~space~~ industry  
 1962 in this state has diverse and complex workforce needs,  
 1963 including, but not limited to, the need for qualified entry-  
 1964 level workers, the need to upgrade the skills of technician-  
 1965 level incumbent workers, and the need to ensure continuing  
 1966 education opportunities for workers with advanced educational  
 1967 degrees. It is the intent of the Legislature to support programs  
 1968 designed to address the workforce development needs of the  
 1969 aerospace ~~space~~ industry in this state.

1970 (2) The Workforce Development Board of Enterprise Florida,  
 1971 Inc., or its successor entity, shall coordinate development of a  
 1972 Space Industry Workforce Initiative in partnership with Space  
 1973 Florida, ~~the Florida Space Research Institute, the institute's~~  
 1974 ~~consortium of~~ public and private universities, community

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1975 colleges, and other training providers approved by the board.  
 1976 The purpose of the initiative is to use or revise existing  
 1977 programs and to develop innovative new programs to address the  
 1978 workforce needs of the aerospace ~~space~~ industry.  
 1979 (3) The initiative shall emphasize:  
 1980 (a) Curricula content and timeframes developed with  
 1981 industry participation and endorsed by the industry;  
 1982 (b) Programs that certify persons completing training as  
 1983 meeting industry-approved standards or competencies;  
 1984 (c) Use of distance-learning and computer-based training  
 1985 modules as appropriate and feasible;  
 1986 (d) Industry solicitation of public and private  
 1987 universities to develop continuing education programs at the  
 1988 master's and doctoral levels;  
 1989 (e) Agreements with the National Aeronautics and Space  
 1990 Administration to replicate on a national level successful  
 1991 training programs developed through the initiative; and  
 1992 (f) Leveraging of state and federal workforce funds.  
 1993 (4) The Workforce Development Board of Enterprise Florida,  
 1994 Inc., or its successor entity, with the assistance of Space  
 1995 Florida ~~the Florida Space Research Institute~~, shall convene  
 1996 representatives from the aerospace ~~space~~ industry to identify  
 1997 the priority training and education needs of the industry and to  
 1998 appoint a team to design programs to meet the ~~such~~ priority  
 1999 needs.  
 2000 (5) The Workforce Development Board of Enterprise Florida,  
 2001 Inc., or its successor entity, as part of its statutorily

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2002 | prescribed annual report to the Legislature, shall provide  
 2003 | recommendations for policies, programs, and funding to enhance  
 2004 | the workforce needs of the aerospace ~~space~~ industry.

2005 |       Section 50. Paragraph (g) of subsection (2) of section  
 2006 | 14.2015, Florida Statutes, is amended to read:

2007 |       14.2015 Office of Tourism, Trade, and Economic  
 2008 | Development; creation; powers and duties.--

2009 |       (2) The purpose of the Office of Tourism, Trade, and  
 2010 | Economic Development is to assist the Governor in working with  
 2011 | the Legislature, state agencies, business leaders, and economic  
 2012 | development professionals to formulate and implement coherent  
 2013 | and consistent policies and strategies designed to provide  
 2014 | economic opportunities for all Floridians. To accomplish such  
 2015 | purposes, the Office of Tourism, Trade, and Economic Development  
 2016 | shall:

2017 |       (g) Serve as contract administrator for the state with  
 2018 | respect to contracts with Enterprise Florida, Inc., the Florida  
 2019 | Commission on Tourism, Space Florida, and all direct-support  
 2020 | organizations under this act, excluding those relating to  
 2021 | tourism. To accomplish the provisions of this act and applicable  
 2022 | provisions of chapter 288, and notwithstanding the provisions of  
 2023 | part I of chapter 287, the office shall enter into specific  
 2024 | contracts with Enterprise Florida, Inc., the Florida Commission  
 2025 | on Tourism, Space Florida, and other appropriate direct-support  
 2026 | organizations. Such contracts may be multiyear and shall include  
 2027 | specific performance measures for each year.

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2028           Section 51. Section 74.011, Florida Statutes, is amended  
 2029 to read:

2030           74.011 Scope.--In any eminent domain action, properly  
 2031 instituted by and in the name of the state; the Department of  
 2032 Transportation; any county, school board, municipality,  
 2033 expressway authority, regional water supply authority,  
 2034 transportation authority, flood control district, or drainage or  
 2035 subdrainage district; the ship canal authority; any lawfully  
 2036 constituted housing, port, or aviation authority; ~~the Florida~~  
 2037 ~~Space Authority~~; or any rural electric cooperative, telephone  
 2038 cooperative corporation, or public utility corporation, the  
 2039 petitioner may avail itself of the provisions of this chapter to  
 2040 take possession and title in advance of the entry of final  
 2041 judgment.

2042           Section 52. Subsection (6) of section 196.012, Florida  
 2043 Statutes, is amended to read:

2044           196.012 Definitions.--For the purpose of this chapter, the  
 2045 following terms are defined as follows, except where the context  
 2046 clearly indicates otherwise:

2047           (6) Governmental, municipal, or public purpose or function  
 2048 shall be deemed to be served or performed when the lessee under  
 2049 any leasehold interest created in property of the United States,  
 2050 the state or any of its political subdivisions, or any  
 2051 municipality, agency, special district, authority, or other  
 2052 public body corporate of the state is demonstrated to perform a  
 2053 function or serve a governmental purpose which could properly be  
 2054 performed or served by an appropriate governmental unit or which

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2055 | is demonstrated to perform a function or serve a purpose which  
 2056 | would otherwise be a valid subject for the allocation of public  
 2057 | funds. For purposes of the preceding sentence, an activity  
 2058 | undertaken by a lessee which is permitted under the terms of its  
 2059 | lease of real property designated as an aviation area on an  
 2060 | airport layout plan which has been approved by the Federal  
 2061 | Aviation Administration and which real property is used for the  
 2062 | administration, operation, business offices and activities  
 2063 | related specifically thereto in connection with the conduct of  
 2064 | an aircraft full service fixed base operation which provides  
 2065 | goods and services to the general aviation public in the  
 2066 | promotion of air commerce shall be deemed an activity which  
 2067 | serves a governmental, municipal, or public purpose or function.  
 2068 | Any activity undertaken by a lessee which is permitted under the  
 2069 | terms of its lease of real property designated as a public  
 2070 | airport as defined in s. 332.004(14) by municipalities,  
 2071 | agencies, special districts, authorities, or other public bodies  
 2072 | corporate and public bodies politic of the state, a spaceport as  
 2073 | defined in s. 331.303~~(19)~~, or which is located in a deepwater  
 2074 | port identified in s. 403.021(9)(b) and owned by one of the  
 2075 | foregoing governmental units, subject to a leasehold or other  
 2076 | possessory interest of a nongovernmental lessee that is deemed  
 2077 | to perform an aviation, airport, aerospace, maritime, or port  
 2078 | purpose or operation shall be deemed an activity that serves a  
 2079 | governmental, municipal, or public purpose. The use by a lessee,  
 2080 | licensee, or management company of real property or a portion  
 2081 | thereof as a convention center, visitor center, sports facility

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2082 with permanent seating, concert hall, arena, stadium, park, or  
 2083 beach is deemed a use that serves a governmental, municipal, or  
 2084 public purpose or function when access to the property is open  
 2085 to the general public with or without a charge for admission. If  
 2086 property deeded to a municipality by the United States is  
 2087 subject to a requirement that the Federal Government, through a  
 2088 schedule established by the Secretary of the Interior, determine  
 2089 that the property is being maintained for public historic  
 2090 preservation, park, or recreational purposes and if those  
 2091 conditions are not met the property will revert back to the  
 2092 Federal Government, then such property shall be deemed to serve  
 2093 a municipal or public purpose. The term "governmental purpose"  
 2094 also includes a direct use of property on federal lands in  
 2095 connection with the Federal Government's Space Exploration  
 2096 Program or spaceport activities as defined in s. 212.02(22).  
 2097 Real property and tangible personal property owned by the  
 2098 Federal Government or Space Florida ~~the Florida Space Authority~~  
 2099 and used for defense and space exploration purposes or which is  
 2100 put to a use in support thereof shall be deemed to perform an  
 2101 essential national governmental purpose and shall be exempt.  
 2102 "Owned by the lessee" as used in this chapter does not include  
 2103 personal property, buildings, or other real property  
 2104 improvements used for the administration, operation, business  
 2105 offices and activities related specifically thereto in  
 2106 connection with the conduct of an aircraft full service fixed  
 2107 based operation which provides goods and services to the general  
 2108 aviation public in the promotion of air commerce provided that

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2109 | the real property is designated as an aviation area on an  
 2110 | airport layout plan approved by the Federal Aviation  
 2111 | Administration. For purposes of determination of "ownership,"  
 2112 | buildings and other real property improvements which will revert  
 2113 | to the airport authority or other governmental unit upon  
 2114 | expiration of the term of the lease shall be deemed "owned" by  
 2115 | the governmental unit and not the lessee. Providing two-way  
 2116 | telecommunications services to the public for hire by the use of  
 2117 | a telecommunications facility, as defined in s. 364.02(15), and  
 2118 | for which a certificate is required under chapter 364 does not  
 2119 | constitute an exempt use for purposes of s. 196.199, unless the  
 2120 | telecommunications services are provided by the operator of a  
 2121 | public-use airport, as defined in s. 332.004, for the operator's  
 2122 | provision of telecommunications services for the airport or its  
 2123 | tenants, concessionaires, or licensees, or unless the  
 2124 | telecommunications services are provided by a public hospital.  
 2125 | However, property that is being used to provide such  
 2126 | telecommunications services on or before October 1, 1997, shall  
 2127 | remain exempt, but such exemption expires October 1, 2004.

2128 |       Section 53. Subsection (22) of section 212.02, Florida  
 2129 | Statutes, is amended to read:

2130 |           212.02 Definitions.--The following terms and phrases when  
 2131 | used in this chapter have the meanings ascribed to them in this  
 2132 | section, except where the context clearly indicates a different  
 2133 | meaning:

2134 |           (22) "Spaceport activities" means activities directed or  
 2135 | sponsored by Space Florida ~~the Florida Space Authority~~ on



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2136 | spaceport territory pursuant to its powers and responsibilities  
 2137 | under the Space Florida Act ~~Florida Space Authority Act~~.

2138 |         Section 54. Subsection (7) of section 288.063, Florida  
 2139 | Statutes, is amended to read:

2140 |             288.063 Contracts for transportation projects.--

2141 |             (7) For the purpose of this section, Space Florida ~~the~~  
 2142 | ~~Florida Space Authority~~ may serve as the local government or as  
 2143 | the contracting agency for transportation projects within  
 2144 | spaceport territory as defined by s. 331.304.

2145 |         Section 55. Subsection (1) of section 288.075, Florida  
 2146 | Statutes, is amended to read:

2147 |             288.075 Confidentiality of records.--

2148 |             (1) As used in this section, the term "economic  
 2149 | development agency" means the Office of Tourism, Trade, and  
 2150 | Economic Development, any industrial development authority  
 2151 | created in accordance with part III of chapter 159 or by special  
 2152 | law, Space Florida ~~the Florida Space Authority~~ created in part  
 2153 | II of chapter 331, ~~the Florida Aerospace Finance Corporation~~  
 2154 | ~~created in part III of chapter 331~~, the public economic  
 2155 | development agency of a county or municipality, or any research  
 2156 | and development authority created in accordance with part V of  
 2157 | chapter 159. The term also includes any private agency, person,  
 2158 | partnership, corporation, or business entity when authorized by  
 2159 | the state, a municipality, or a county to promote the general  
 2160 | business interests or industrial interests of the state or that  
 2161 | municipality or county.

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2162 Section 56. Subsection (2) of section 288.35, Florida  
 2163 Statutes, is amended to read:

2164 288.35 Definitions.--The following terms, wherever used or  
 2165 referred to in this part, shall have the following meanings:

2166 (2) "Government agency" means the state or any county or  
 2167 political subdivision thereof; any state agency; any  
 2168 consolidated government of a county, and some or all of the  
 2169 municipalities located within the ~~said~~ county; any chartered  
 2170 municipality in the state; and any of the institutions of such  
 2171 consolidated governments, counties, or municipalities.  
 2172 Specifically included are airports, port authorities, industrial  
 2173 authorities, and Space Florida ~~the Florida Space Authority~~.

2174 Section 57. Subsection (2) of section 288.9415, Florida  
 2175 Statutes, is amended to read:

2176 288.9415 International Trade Grants.--

2177 (2) A county, municipality, economic development council,  
 2178 Space Florida ~~the Florida Space Authority~~, or a not-for-profit  
 2179 association of businesses organized to assist in the promotion  
 2180 of international trade may apply for a grant of state funds for  
 2181 the promotion of international trade.

2182 Section 58. Paragraph (j) of subsection (5) of section  
 2183 212.08, Florida Statutes, is amended to read:

2184 212.08 Sales, rental, use, consumption, distribution, and  
 2185 storage tax; specified exemptions.--The sale at retail, the  
 2186 rental, the use, the consumption, the distribution, and the  
 2187 storage to be used or consumed in this state of the following

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2188 are hereby specifically exempt from the tax imposed by this  
 2189 chapter.

2190 (5) EXEMPTIONS; ACCOUNT OF USE.--

2191 (j) Machinery and equipment used in semiconductor,  
 2192 defense, or space technology production and research and  
 2193 development.--

2194 1.a. Industrial machinery and equipment used in  
 2195 semiconductor technology facilities certified under subparagraph  
 2196 6. to manufacture, process, compound, or produce semiconductor  
 2197 technology products for sale or for use by these facilities are  
 2198 exempt from the tax imposed by this chapter. For purposes of  
 2199 this paragraph, industrial machinery and equipment includes  
 2200 molds, dies, machine tooling, other appurtenances or accessories  
 2201 to machinery and equipment, testing equipment, test beds,  
 2202 computers, and software, whether purchased or self-fabricated,  
 2203 and, if self-fabricated, includes materials and labor for  
 2204 design, fabrication, and assembly.

2205 b. Industrial machinery and equipment used in defense or  
 2206 space technology facilities certified under subparagraph 6. to  
 2207 design, manufacture, assemble, process, compound, or produce  
 2208 defense technology products or space technology products for  
 2209 sale or for use by these facilities are exempt from ~~25 percent~~  
 2210 ~~of~~ the tax imposed by this chapter.

2211 2.a. Machinery and equipment are exempt from the tax  
 2212 imposed by this chapter if used predominately in semiconductor  
 2213 wafer research and development activities in a semiconductor  
 2214 technology research and development facility certified under

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2215 subparagraph 6. For purposes of this paragraph, machinery and  
 2216 equipment includes molds, dies, machine tooling, other  
 2217 appurtenances or accessories to machinery and equipment, testing  
 2218 equipment, test beds, computers, and software, whether purchased  
 2219 or self-fabricated, and, if self-fabricated, includes materials  
 2220 and labor for design, fabrication, and assembly.

2221 b. Machinery and equipment are exempt from ~~25 percent of~~  
 2222 the tax imposed by this chapter if used predominately in defense  
 2223 or space research and development activities in a defense or  
 2224 space technology research and development facility certified  
 2225 under subparagraph 6.

2226 3. Building materials purchased for use in manufacturing  
 2227 or expanding clean rooms in semiconductor-manufacturing  
 2228 facilities are exempt from the tax imposed by this chapter.

2229 4. In addition to meeting the criteria mandated by  
 2230 subparagraph 1., subparagraph 2., or subparagraph 3., a business  
 2231 must be certified by the Office of Tourism, Trade, and Economic  
 2232 Development as authorized in this paragraph in order to qualify  
 2233 for exemption under this paragraph.

2234 5. For items purchased tax exempt pursuant to this  
 2235 paragraph, possession of a written certification from the  
 2236 purchaser, certifying the purchaser's entitlement to exemption  
 2237 pursuant to this paragraph, relieves the seller of the  
 2238 responsibility of collecting the tax on the sale of such items,  
 2239 and the department shall look solely to the purchaser for  
 2240 recovery of tax if it determines that the purchaser was not  
 2241 entitled to the exemption.

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2242           6.a. To be eligible to receive the exemption provided by  
2243 subparagraph 1., subparagraph 2., or subparagraph 3., a  
2244 qualifying business entity shall initially apply to Enterprise  
2245 Florida, Inc. The original certification shall be valid for a  
2246 period of 2 years. In lieu of submitting a new application, the  
2247 original certification may be renewed biennially by submitting  
2248 to the Office of Tourism, Trade, and Economic Development a  
2249 statement, certified under oath, that there has been no material  
2250 change in the conditions or circumstances entitling the business  
2251 entity to the original certification. The initial application  
2252 and certification renewal statement shall be developed by the  
2253 Office of Tourism, Trade, and Economic Development in  
2254 consultation with Enterprise Florida, Inc.

2255           b. Enterprise Florida, Inc., shall review each submitted  
2256 initial application and information and determine whether or not  
2257 the application is complete within 5 working days. Once an  
2258 application is complete, Enterprise Florida, Inc., shall, within  
2259 10 working days, evaluate the application and recommend approval  
2260 or disapproval of the application to the Office of Tourism,  
2261 Trade, and Economic Development.

2262           c. Upon receipt of the initial application and  
2263 recommendation from Enterprise Florida, Inc., or upon receipt of  
2264 a certification renewal statement, the Office of Tourism, Trade,  
2265 and Economic Development shall certify within 5 working days  
2266 those applicants who are found to meet the requirements of this  
2267 section and notify the applicant, Enterprise Florida, Inc., and  
2268 the department of the original certification or certification

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2269 renewal. If the Office of Tourism, Trade, and Economic  
 2270 Development finds that the applicant does not meet the  
 2271 requirements of this section, it shall notify the applicant and  
 2272 Enterprise Florida, Inc., within 10 working days that the  
 2273 application for certification has been denied and the reasons  
 2274 for denial. The Office of Tourism, Trade, and Economic  
 2275 Development has final approval authority for certification under  
 2276 this section.

2277 ~~7.a. A business may apply once each year for the~~  
 2278 ~~exemption.~~

2279 ~~d.b.~~ The initial application and certification renewal  
 2280 statement must indicate, for program evaluation purposes only,  
 2281 the average number of full-time equivalent employees at the  
 2282 facility over the preceding calendar year, the average wage and  
 2283 benefits paid to those employees over the preceding calendar  
 2284 year, the total investment made in real and tangible personal  
 2285 property over the preceding calendar year, and the total value  
 2286 of tax-exempt purchases and taxes exempted during the previous  
 2287 year. The department shall assist the Office of Tourism, Trade,  
 2288 and Economic Development in evaluating and verifying information  
 2289 provided in the application for exemption.

2290 ~~e.e.~~ The Office of Tourism, Trade, and Economic  
 2291 Development may use the information reported on the initial  
 2292 application and certification renewal statement for evaluation  
 2293 purposes only and shall prepare an annual report on the  
 2294 exemption program and its cost and impact. The annual report for  
 2295 the preceding fiscal year shall be submitted to the Governor,

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2296 | the President of the Senate, and the Speaker of the House of  
 2297 | Representatives by September 30 of each fiscal year.

2298 |       ~~7.8-~~ A business certified to receive this exemption may  
 2299 | elect to designate one or more state universities or community  
 2300 | colleges as recipients of up to 100 percent of the amount of the  
 2301 | exemption for which they may qualify. To receive these funds,  
 2302 | the institution must agree to match the funds so earned with  
 2303 | equivalent cash, programs, services, or other in-kind support on  
 2304 | a one-to-one basis in the pursuit of research and development  
 2305 | projects as requested by the certified business. The rights to  
 2306 | any patents, royalties, or real or intellectual property must be  
 2307 | vested in the business unless otherwise agreed to by the  
 2308 | business and the university or community college.

2309 |       ~~8.9-~~ As used in this paragraph, the term:

2310 |       a. "Predominately" means at least 50 percent of the time  
 2311 | in qualifying research and development.

2312 |       b. "Research and development" means basic and applied  
 2313 | research in the science or engineering, as well as the design,  
 2314 | development, and testing, of prototypes or processes of new or  
 2315 | improved products, including the design, development, and  
 2316 | testing of space launch vehicles, space flight vehicles,  
 2317 | missiles, satellites, or research payloads, avionics, and  
 2318 | associated control systems and processing systems, and  
 2319 | components of any of the foregoing. Research and development  
 2320 | does not include market research, routine consumer product  
 2321 | testing, sales research, research in the social sciences or

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2322 psychology, or similar nontechnological activities, or ~~technical~~  
 2323 services.

2324 c. "Semiconductor technology products" means raw  
 2325 semiconductor wafers or semiconductor thin films that are  
 2326 transformed into semiconductor memory or logic wafers, including  
 2327 wafers containing mixed memory and logic circuits; related  
 2328 assembly and test operations; active-matrix flat panel displays;  
 2329 semiconductor chips; semiconductor lasers; optoelectronic  
 2330 elements; and related semiconductor technology products as  
 2331 determined by the Office of Tourism, Trade, and Economic  
 2332 Development.

2333 d. "Clean rooms" means manufacturing facilities enclosed  
 2334 in a manner that meets the clean manufacturing requirements  
 2335 necessary for high-technology semiconductor-manufacturing  
 2336 environments.

2337 e. "Defense technology products" means products that have  
 2338 a military application, including, but not limited to, weapons,  
 2339 weapons systems, guidance systems, surveillance systems,  
 2340 communications or information systems, munitions, aircraft,  
 2341 vessels, or boats, or components thereof, which are intended for  
 2342 military use and manufactured in performance of a contract with  
 2343 the United States Department of Defense or the military branch  
 2344 of a recognized foreign government or a subcontract thereunder  
 2345 which relates to matters of national defense.

2346 f. "Space technology products" means products that are  
 2347 specifically designed or manufactured for application in space  
 2348 activities, including, but not limited to, space launch



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2349 | vehicles, space flight vehicles, missiles, satellites or  
 2350 | research payloads, avionics, and associated control systems and  
 2351 | processing systems and components of any of the foregoing. The  
 2352 | term does not include products that are designed or manufactured  
 2353 | for general commercial aviation or other uses even though those  
 2354 | products may also serve an incidental use in space applications.

2355 |       Section 59. Section 1004.86, Florida Statutes, is created  
 2356 | to read:

2357 |       1004.86 Florida Center for Mathematics and Science  
 2358 | Education Research.--

2359 |       (1) The Department of Education shall contract with a  
 2360 | competitively selected public or private university to create  
 2361 | and operate the Florida Center for Mathematics and Science  
 2362 | Education Research. The purpose of the center is increasing  
 2363 | student achievement in mathematics and science, with an emphasis  
 2364 | on K-12 education. The center shall:

2365 |       (a) Provide technical assistance and support to school  
 2366 | districts and schools in the development and implementation of  
 2367 | mathematics and science instruction.

2368 |       (b) Conduct applied research on policy and practices  
 2369 | related to mathematics and science instruction and assessment in  
 2370 | the state.

2371 |       (c) Conduct or compile basic research regarding student  
 2372 | acquisition of mathematics and science knowledge and skills.

2373 |       (d) Develop comprehensive course frameworks for  
 2374 | mathematics and science courses that emphasize rigor and  
 2375 | relevance at the elementary, middle, and high school levels.

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2376 Student achievement data should be used to aid in the  
2377 development of course frameworks for low-performing schools,  
2378 special needs students, females, and minorities.

2379 (e) Disseminate information regarding research-based  
2380 teaching practices in mathematics and science to teachers and  
2381 teacher educators in the state.

2382 (f) Collect, manage, and report on assessment information  
2383 regarding student achievement in mathematics and science. The  
2384 report shall include student achievement by ethnic group.

2385 (g) Establish partnerships with public and private  
2386 universities, community colleges, school districts, and other  
2387 appropriate entities to further increase student achievement in  
2388 mathematics and science.

2389 (h) Develop a comprehensive plan, with input from school  
2390 districts, to increase the number and percentage of females and  
2391 minority students enrolling in and successfully completing  
2392 mathematics and science courses.

2393 (2) The department shall monitor the center through the  
2394 Division of K-12 Public Schools.

2395 Section 60. Sections 331.314, 331.315, 331.367, 331.368,  
2396 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415,  
2397 331.417, and 331.419, Florida Statutes, are repealed.

2398 Section 61. No later than September 1, 2006, the Florida  
2399 Space Authority, the Florida Space Research Institute, and the  
2400 Florida Aerospace Finance Corporation shall submit articles of  
2401 dissolution to the Department of State in accordance with s.  
2402 607.1403, Florida Statutes, or s. 617.1403, Florida Statutes, as

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2403 applicable. The Florida Space Authority shall also comply with  
2404 the dissolution procedures provided s. 189.4042, Florida  
2405 Statutes. Space Florida, as created by this act, is the  
2406 successor organization to the Florida Space Authority, the  
2407 Florida Space Research Institute, and the Florida Aerospace  
2408 Finance Corporation. The Florida Space Authority, the Florida  
2409 Space Research Institute, and the Florida Aerospace Finance  
2410 Corporation shall transfer and Space Florida shall receive all  
2411 records, property, obligations, and unexpended balances of  
2412 appropriations, allocations, or other funds of the dissolved  
2413 entities. To ensure compliance with 26 U.S.C. 501(c)(3), Space  
2414 Florida shall use the assets and funds transferred to it from  
2415 the Florida Space Research Institute and the Florida Aerospace  
2416 Finance Corporation in a manner consistent with the purposes for  
2417 which the originating entity received such assets and funds.

2418       Section 62. The Governor, the President of the Senate, and  
2419 the Speaker of the House of Representatives shall appoint the  
2420 board of directors of Space Florida no later than July 1, 2006.  
2421 The board of directors of Space Florida shall hold its first  
2422 meeting no later than August 1, 2006. The board of directors of  
2423 Space Florida shall appoint a president no later than September  
2424 1, 2006. The Executive Office of the Governor shall provide  
2425 staffing and transitional support to Space Florida until  
2426 December 31, 2006.

2427       Section 63. Subsection (12) is added to section 288.1224,  
2428 Florida Statutes, to read:

2429       288.1224 Powers and duties.--The commission:

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2430           (12) Shall advise and cooperate with Space Florida  
 2431 regarding space tourism marketing, when appropriate and  
 2432 beneficial.

2433           Section 64. Subsection (7) is added to section 288.9015,  
 2434 Florida Statutes, to read:

2435           288.9015 Enterprise Florida, Inc.; purpose; duties.--

2436           (7) Enterprise Florida, Inc., shall enter into an  
 2437 agreement with Space Florida to:

2438           (a) Develop a plan to retain, expand, attract, and create  
 2439 aerospace industry entities, public or private, which result in  
 2440 the creation of high-value-added businesses and jobs in this  
 2441 state.

2442           (b) Develop a plan to assist in the financing of aerospace  
 2443 businesses.

2444           Section 65. Subsection (33) is added to section 334.044,  
 2445 Florida Statutes, to read:

2446           334.044 Department; powers and duties.--The department  
 2447 shall have the following general powers and duties:

2448           (33) To enter into agreement with Space Florida to  
 2449 coordinate and cooperate in the development of spaceport  
 2450 infrastructure and related transportation facilities contained  
 2451 in the Strategic Intermodal System Plan and, where appropriate,  
 2452 encourage the cooperation and integration of airports and  
 2453 spaceports in order to meet transportation-related needs.

2454           Section 66. Subsection (12) is added to section 445.004,  
 2455 Florida Statutes, to read:

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2456 445.004 Workforce Florida, Inc.; creation; purpose;  
 2457 membership; duties and powers.--

2458 (12) Workforce Florida, Inc., shall enter into agreement  
 2459 with Space Florida and collaborate with vocational institutes,  
 2460 community colleges, colleges, and universities in this state, to  
 2461 develop a workforce development strategy to implement the  
 2462 workforce provisions of s. 331.3051.

2463 Section 67. Subsection (17) is added to section 1001.10,  
 2464 Florida Statutes, read:

2465 1001.10 Commissioner of Education; general powers and  
 2466 duties.--The Commissioner of Education is the chief educational  
 2467 officer of the state, and is responsible for giving full  
 2468 assistance to the State Board of Education in enforcing  
 2469 compliance with the mission and goals of the seamless K-20  
 2470 education system. To facilitate innovative practices and to  
 2471 allow local selection of educational methods, the State Board of  
 2472 Education may authorize the commissioner to waive, upon the  
 2473 request of a district school board, State Board of Education  
 2474 rules that relate to district school instruction and school  
 2475 operations, except those rules pertaining to civil rights, and  
 2476 student health, safety, and welfare. The Commissioner of  
 2477 Education is not authorized to grant waivers for any provisions  
 2478 in rule pertaining to the allocation and appropriation of state  
 2479 and local funds for public education; the election,  
 2480 compensation, and organization of school board members and  
 2481 superintendents; graduation and state accountability standards;  
 2482 financial reporting requirements; reporting of out-of-field

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2483 teaching assignments under s. 1012.42; public meetings; public  
 2484 records; or due process hearings governed by chapter 120. No  
 2485 later than January 1 of each year, the commissioner shall report  
 2486 to the Legislature and the State Board of Education all approved  
 2487 waiver requests in the preceding year. Additionally, the  
 2488 commissioner has the following general powers and duties:

2489 (17) To enter into agreement with Space Florida to develop  
 2490 innovative aerospace-related education programs that promote  
 2491 mathematics and science education for grades K-20.

2492  
 2493 The commissioner's office shall operate all statewide functions  
 2494 necessary to support the State Board of Education and the K-20  
 2495 education system, including strategic planning and budget  
 2496 development, general administration, and assessment and  
 2497 accountability.

2498 Section 68. There is appropriated for the 2006-2007 state  
 2499 fiscal year to the Office of Tourism, Trade, and Economic  
 2500 Development within the Office of the Governor \$35 million of  
 2501 nonrecurring funds from the General Revenue Fund to be used for  
 2502 infrastructure needs related to the development of the National  
 2503 Aeronautics and Space Administration's Crew Exploration Vehicle;  
 2504 \$3 million of nonrecurring funds from the General Revenue Fund  
 2505 for operational needs of Space Florida, including operational  
 2506 funding through September 1, 2006, for the Florida Space  
 2507 Authority, the Florida Aerospace Finance Corporation, and the  
 2508 Florida Space Research Institute; and \$4 million of nonrecurring  
 2509 funds from the General Revenue Fund for implementation of

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2510 innovative education programs and financing assistance for  
2511 aerospace business-development projects.

2512 Section 69. Notwithstanding s. 331.308(1)(f), Florida  
2513 Statutes, the current board appointees, including ex officio  
2514 appointees, to the Florida Space Authority Board of Supervisors  
2515 shall complete their appointed terms as members of the Space  
2516 Florida Board and shall assist Space Florida with its  
2517 transition. Their historical perspective, insight, and expertise  
2518 will ensure continuity of operations. The Governor shall make  
2519 appointments to fill the remaining vacancies by July 1, 2006.  
2520 Other vacancies occurring prior to the expiration of a term may  
2521 be filled as provided in this act. The board of directors of  
2522 Space Florida shall hold its first meeting by August 1, 2006.  
2523 The board of directors shall appoint a president by September 1,  
2524 2006. The Executive Office of the Governor shall provide  
2525 staffing and transition assistance to Space Florida until  
2526 December 31, 2006.

2527 Section 70. This act shall take effect upon becoming a  
2528 law.