

Bill No. CS for SB 2580

Barcode 454496

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Comm: RCS
04/18/2006 06:18 PM

.
. .
. .
. .
. .
. .

The Committee on Transportation and Economic Development
Appropriations (Fasano) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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

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

331.3011 Legislative findings and intent.--

(1) The Legislature finds and declares that the
aerospace industry of this state is integral to the state's
long-term success in diversifying its economy and building a
knowledge-based economy that is able to support the creation
of high value-added businesses and jobs. Further, under the
direction and leadership of a single, private-public board,
this state has the opportunity to strengthen its existing

Bill No. CS for SB 2580

Barcode 454496

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

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

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

Bill No. CS for SB 2580

Barcode 454496

1 Section 3. Section 331.302, Florida Statutes, is
2 amended to read:

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

5 331.302 Space Florida; creation; purpose.--

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

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

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

26 (4) Space Florida is not an agency as defined in ss.
27 216.011 and 287.012.

28 (5) Space Florida is not subject to the terms of
29 chapter 189.

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

Bill No. CS for SB 2580

Barcode 454496

1 331.303 Definitions.--

2 (1) "Aerospace" means the industry that designs and
3 manufactures aircraft, rockets, missiles, spacecraft,
4 satellites, space vehicles, space stations, space facilities
5 or components thereof, and equipment, systems, facilities,
6 simulators, programs, and related activities, including the
7 application of aerospace technologies in air-based,
8 land-based, and sea-based platforms for commercial, civil, and
9 defense purposes. "Authority" means the Florida Space
10 Authority created by this act.

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

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

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

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

Bill No. CS for SB 2580

Barcode 454496

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

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

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

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

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

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

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

Bill No. CS for SB 2580

Barcode 454496

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

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

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

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

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

Bill No. CS for SB 2580

Barcode 454496

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

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

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

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

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

Bill No. CS for SB 2580

Barcode 454496

1 ~~facilities and projects.~~

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

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

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

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

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

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

Bill No. CS for SB 2580

Barcode 454496

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

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

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

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

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

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

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

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

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

Bill No. CS for SB 2580

Barcode 454496

1 any instrumentality thereof.

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

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

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

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

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

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

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

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

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

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

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

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

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

Bill No. CS for SB 2580

Barcode 454496

1 ~~community development.~~

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

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

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

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

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

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

24 ~~(11)(9)~~ Own, acquire, construct, develop, create,
25 reconstruct, equip, operate, maintain, extend, and improve
26 launch pads, landing areas, ranges, payload assembly
27 buildings, payload processing facilities, laboratories,
28 aerospace ~~space~~ business incubators, launch vehicles,
29 payloads, space flight hardware, facilities and equipment for
30 the construction of payloads, space flight hardware, rockets,
31 and other launch vehicles, and other spaceport facilities and

Bill No. CS for SB 2580

Barcode 454496

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

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

9 ~~(12)(11)~~ Own, acquire, construct, reconstruct, equip,
10 operate, maintain, extend, or ~~and~~ improve transportation
11 facilities appropriate to meet the transportation requirements
12 of Space Florida ~~the authority~~ and activities conducted within
13 ~~the~~ spaceport territory.

14 ~~(13)(12)~~ Own, acquire, construct, reconstruct, equip,
15 operate, maintain, extend, or ~~and~~ improve electric power
16 plants, transmission lines and related facilities, gas mains
17 and facilities of any nature for the production or
18 distribution of natural gas, transmission lines and related
19 facilities and plants and facilities for the generation and
20 transmission of power through traditional and new and
21 experimental sources of power and energy; purchase electric
22 power, natural gas, and other sources of power for
23 distribution within any spaceport territory; develop and
24 operate water and sewer systems and waste collection and
25 disposal consistent with chapter 88-130, Laws of Florida; and
26 develop and operate such new and experimental public
27 utilities, including, but not limited to, centrally
28 distributed heating and air-conditioning facilities and
29 services, closed-circuit television systems, and computer
30 services and facilities, as the board may from time to time
31 determine. However, Space Florida may ~~the authority shall not~~

Bill No. CS for SB 2580

Barcode 454496

1 construct any system, work, project, or utility authorized to
 2 be constructed under this paragraph in the event that a
 3 system, work, project, or utility of a similar character is
 4 being actually operated by a municipality or private company
 5 in the municipality or territory adjacent thereto, unless such
 6 municipality or private company consents to such construction.

7 ~~(14)(13)~~ Designate, set aside, and maintain lands and
 8 areas within or without the territorial limits of any
 9 spaceport territory as conservation areas or bird and wildlife
 10 sanctuaries; stock such areas with animal and plant life and
 11 stock water areas with fish and other aquatic life; adopt
 12 pursuant to ss. 120.536(1) and 120.54 ~~promulgate~~ and enforce
 13 rules ~~and regulations~~ with respect thereto and protect and
 14 preserve the natural beauty thereof; and do all acts necessary
 15 or desirable in order to qualify such lands and areas as
 16 conservation areas and sanctuaries under any of the laws of
 17 the state or under federal law.

18 ~~(15)(14)~~ Establish a program for the control,
 19 abatement, and elimination of mosquitoes and other noxious
 20 insects, rodents, reptiles, and other pests throughout the
 21 spaceport territory and undertake such works and construct
 22 such facilities within or without the spaceport territory as
 23 may be determined by the board to be needed to effectuate such
 24 program; abate and suppress mosquitoes and other arthropods,
 25 whether disease-bearing or pestiferous, within any spaceport
 26 territory when in the judgment of the board such action is
 27 necessary or desirable for the health and welfare of the
 28 inhabitants of or visitors to any spaceport; and take any and
 29 all temporary or permanent eliminative measures that the board
 30 may deem advisable. The Legislature hereby finds and declares
 31 Space Florida ~~the authority~~ eligible to receive state funds,

Bill No. CS for SB 2580

Barcode 454496

1 supplies, services, and equipment available or that may in the
2 future become available to mosquito or pest control districts,
3 the provisions of s. 388.021 notwithstanding.

4 ~~(16)(15)~~ Subject to the rules and regulations of the
5 appropriate water management district, own, acquire,
6 construct, reconstruct, equip, maintain, operate, extend, and
7 improve water and flood control facilities. The Legislature
8 hereby finds and declares Space Florida ~~the authority~~ eligible
9 to receive moneys, disbursements, and assistance from the
10 state available to flood control or water management districts
11 and navigation districts or agencies.

12 ~~(17)(16)~~ Own, acquire, construct, reconstruct, equip,
13 maintain, operate, extend, and improve public safety
14 facilities for the spaceport, including security stations,
15 security vehicles, fire stations, water mains and plugs, and
16 fire trucks and other vehicles and equipment; hire employees,
17 security officers, and firefighters; and undertake such works
18 and construct such facilities determined by the board to be
19 necessary or desirable to promote and ensure public safety
20 within the spaceport territory.

21 ~~(18)(17)~~ Hire, through its president ~~executive~~
22 ~~director~~, a safety officer with substantial experience in
23 public safety procedures and programs for space vehicle
24 launching and related hazardous operations. The safety officer
25 shall monitor and report on the safety and hazards of
26 ground-based space operations to the president ~~executive~~
27 ~~director~~.

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

Bill No. CS for SB 2580

Barcode 454496

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

9 (19)~~(20)~~ Examine, develop, and use ~~utilize~~ new
10 concepts, designs, and ideas; own, acquire, construct,
11 reconstruct, equip, operate, maintain, extend, and improve
12 experimental spaceport facilities and services; and otherwise
13 undertake, sponsor, finance, and maintain such research
14 activities, experimentation, and development as the board may
15 from time to time determine, in connection with any of the
16 projects that Space Florida ~~the authority~~ is authorized to
17 undertake pursuant to the powers and authority vested in it by
18 this act, and in order to promote the development and
19 utilization of new concepts, designs, and ideas in the fields
20 of space exploration, commercialization of the space industry,
21 and spaceport facilities.

22 ~~(20)(21)~~ Issue revenue bonds, assessment bonds, or any
23 other bonds or obligations authorized by the provisions of
24 this act or any other law, or any combination of the
25 foregoing, and pay all or part of the cost of the acquisition,
26 construction, reconstruction, extension, repair, improvement,
27 or maintenance of any project or combination of projects,
28 including payloads and space flight hardware, and equipment
29 for research, development, and educational activities, to
30 provide for any facility, service, or other activity of Space
31 Florida ~~the authority~~, and provide for the retirement or

Bill No. CS for SB 2580

Barcode 454496

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

11 ~~(21)(22)~~ Make expenditures for entertainment and
12 travel expenses and business clients, guests, and other
13 authorized persons as provided in this act.

14 ~~(22)(23)~~ In connection with any financing agreement,
15 fix and collect fees, loan payments, rental payments, and
16 other charges for the use of any project in such amount as to
17 provide sufficient moneys to pay the principal of and interest
18 on bonds as the same shall become due and payable, if so
19 provided in the bond resolution or trust agreement, and to
20 create reserves for such purposes. The fees, rents, payments,
21 and charges and all other revenues and proceeds derived from
22 the project in connection with which the bonds of any issue
23 shall have been issued, except such part thereof as may be
24 necessary for such reserves or any expenditures as may be
25 provided in the resolution authorizing the issuance of the
26 bonds or in the trust agreement securing the same, shall be
27 set aside, at the time as may be specified in the resolution
28 or trust agreement, in a sinking fund which may be pledged to
29 and charged with the payment of the principal of and the
30 interest on such bonds as the same shall become due and the
31 redemption price or the purchase price of bonds retired by

Bill No. CS for SB 2580

Barcode 454496

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

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

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

24 331.3051 Duties of Space Florida.--Space Florida
 25 shall:

26 (1) Create a business plan to foster the growth and
 27 development of the aerospace industry. The business plan must
 28 address business development; finance; spaceport operations;
 29 research and development; workforce development; and
 30 education. The business plan must be completed by March 1,
 31 2007, and be revised when determined necessary by the board.

Bill No. CS for SB 2580

Barcode 454496

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

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

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

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

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

27 (a) Assembling, publishing, and disseminating
 28 information concerning financing opportunities and techniques
 29 for aerospace projects, programs, and activities; sources of
 30 public and private aerospace financing assistance; and sources
 31 of aerospace-related financing.

Bill No. CS for SB 2580

Barcode 454496

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

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

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

15 (7) Carry out its responsibilities for spaceport
16 operations by:

17 (a) Seeking federal support and developing
18 partnerships to renew and upgrade the infrastructure and
19 technologies at the Cape Canaveral Air Force Station, the
20 Kennedy Space Center, and the Eastern Range which will enhance
21 space and military programs of the Federal Government and
22 improve access for commercial launch activities.

23 (b) Supporting federal efforts to clarify roles and
24 responsibilities of federal agencies and to eliminate
25 duplicative federal rules and policies, in an effort to
26 streamline access for commercial launch users.

27 (c) Pursuing the development of commercial spaceports
28 in the state, in addition to those defined in s. 331.304,
29 through a competitive request for proposals in partnership
30 with counties or municipalities, the Federal Government, or
31 private entities.

Bill No. CS for SB 2580

Barcode 454496

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

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

13 (8) Carry out its responsibility for research and
 14 development by:

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

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

24 (9) Carry out its responsibility for workforce
 25 development by coordinating with Workforce Florida, Inc.,
 26 community colleges, colleges, universities, and other public
 27 and private partners to develop a plan to retain, train, and
 28 retrain workers, with skills training from entry-level through
 29 technician-level and 4-year degrees and higher, with the
 30 skills most relevant to aerospace employers.

31 (10) Carry out its responsibility for creating

Bill No. CS for SB 2580

Barcode 454496

1 innovative education programs, by funding programs developed
 2 in conjunction with the Department of Education, targeting
 3 grades K-20 in an effort to promote mathematics and science
 4 education programs, which may include the Florida-NASA
 5 Matching Grant Program, aerospace-focused education programs
 6 for teachers, education-oriented microgravity flight programs
 7 for teachers and students, and Internet-based aerospace
 8 education. Any in-kind or private-sector contribution shall be
 9 used for carrying out innovative education programs. Funding
 10 levels shall be determined by the board of directors. In its
 11 annual report, Space Florida shall include, at a minimum, a
 12 description of programs funded, the number of students served,
 13 and private-sector support.

14 (11) Annually report on its performance with respect
 15 to its business plan, to include finance, spaceport
 16 operations, research and development, education, and workforce
 17 development. The report shall be submitted to the Governor,
 18 the President of the Senate, and the Speaker of the House of
 19 Representatives no later than September 1.

20 Section 7. Section 331.306, Florida Statutes, is
 21 amended to read:

22 331.306 Federal airspace notification.--In accordance
 23 with Federal Aviation Administration procedures ~~coordination~~
 24 ~~with the Florida Department of Transportation, Space Florida~~
 25 ~~the authority shall develop and file appropriate the federal~~
 26 ~~airspace notification to activate special-use airspace in~~
 27 ~~support of their space launch operations required for priority~~
 28 ~~airspace use.~~

29 Section 8. Section 331.308, Florida Statutes, is
 30 amended to read:

31 331.308 Board of directors ~~supervisors~~.--

Bill No. CS for SB 2580

Barcode 454496

1 (1) Space Florida shall be governed by a board of
2 directors. Designees of appointed members do not have voting
3 authority. The board of directors shall consist of the
4 following members:

5 (a) The Governor.

6 (b) The Secretary of Transportation or the secretary's
7 designee.

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

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

12 (e) The Commissioner of Education or the
13 commissioner's designee.

14 (f) Twelve members from the private sector appointed
15 by the Governor, of which one must be a representative of
16 organized labor who has professional experience in the
17 aerospace industry. In making these appointments, the Governor
18 shall ensure that the composition of the board reflects the
19 diversity of the aerospace industry community of this state
20 and, to the greatest degree possible, that the composition of
21 the board includes, but is not limited to, individuals
22 representing the industries of business, finance, marketing,
23 space, aerospace, aviation, defense, research and development,
24 and education. The Governor shall also consider whether the
25 current members of the board, together with potential
26 appointees, reflect the racial, ethnic, and gender diversity,
27 as well as the geographic distribution, of the population of
28 the state.

29 (g) Two ex officio, nonvoting members, one of whom
30 shall be a member of the Senate, selected by the President of
31 the Senate, and one of whom shall be a member of the House of

Bill No. CS for SB 2580

Barcode 454496

1 Representatives, selected by the Speaker of the House of
2 Representatives.

3 (2)(a) Vacancies on the board shall be filled for the
4 unexpired term in the same manner as the original appointments
5 to the board.

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

9 1. The Governor shall appoint two members for a 1-year
10 term, four members for 2-year terms, and six members for
11 4-year terms.

12 2. The members appointed by the President of the
13 Senate and the Speaker of the House of Representatives shall
14 be appointed to 2-year terms.

15 (c) Any member is eligible for reappointment.

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

19 (4) All regular members are subject to confirmation by
20 the Senate at the next regular session of the Legislature.

21 (5) The Governor shall serve as chair of the board of
22 directors. The board of directors shall biennially elect one
23 of its private-sector members as vice chair to serve in the
24 absence of the Governor and to perform such other duties as
25 may be designated. The president shall keep a record of the
26 proceedings of the board of directors and shall be the
27 custodian of all books, documents, and papers filed with the
28 board of directors, the minutes of the board of directors, and
29 the official seal of Space Florida.

30 (6) The board of directors shall meet at least four
31 times each year, upon the call of the chair, at the request of

Barcode 454496

1 the vice chair, or at the request of a majority of the
 2 membership. A majority of the total number of current voting
 3 directors shall constitute a quorum. The board of directors
 4 may take official action by a majority vote of the members
 5 present at any meeting at which a quorum is present.

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

11 (8) Each member of the board of directors of Space
 12 Florida who is not otherwise required to file financial
 13 disclosure pursuant to s. 8, Art. II of the State Constitution
 14 or s. 112.3144, shall file disclosure of financial interests
 15 pursuant to s. 112.3145. ~~There is created within the Florida~~
 16 ~~Space Authority a board of supervisors consisting of eight~~
 17 ~~regular members, who shall be appointed by the Governor, and~~
 18 ~~two ex officio nonvoting members, one of whom shall be a state~~
 19 ~~senator selected by the President of the Senate and one of~~
 20 ~~whom shall be a state representative selected by the Speaker~~
 21 ~~of the House of Representatives. The Lieutenant Governor, who~~
 22 ~~is the state's space policy leader, shall serve as chair of~~
 23 ~~the board of supervisors, and shall cast the deciding vote if~~
 24 ~~the votes of the eight regular members result in a tie. The~~
 25 ~~board shall elect a vice chair to preside in the absence of~~
 26 ~~the Lieutenant Governor and to perform such other duties as~~
 27 ~~may be designated. All regular members shall be subject to~~
 28 ~~confirmation by the Senate at the next regular session of the~~
 29 ~~Legislature. Existing board members are not prohibited from~~
 30 ~~reappointment. Each of the regular board members must be a~~
 31 ~~resident of the state and must have experience in the~~

Bill No. CS for SB 2580

Barcode 454496

1 ~~aerospace or commercial space industry or in finance or have~~
2 ~~other significant relevant experience. A private sector legal~~
3 ~~entity may not have more than one person serving on the board~~
4 ~~at any one time. One regular member shall represent organized~~
5 ~~labor interests, one regular member shall represent minority~~
6 ~~interests, and four regular members must represent space~~
7 ~~industry, at least one of whom must also be from a small~~
8 ~~business, as defined in s. 288.703. For the purpose of this~~
9 ~~section, "space industry" includes private sector entities~~
10 ~~engaged in space flight business, as defined in s. 212.031,~~
11 ~~research and technology development of space-based products~~
12 ~~and services, space station commercialization, development of~~
13 ~~spaceport and range technology, remote sensing products and~~
14 ~~services, space biotechnology, measurement and calibration of~~
15 ~~space assets, space-related software and information~~
16 ~~technology development, design and architecture of space-based~~
17 ~~assets and facilities for manufacturing and other purposes,~~
18 ~~space-related nanotechnology, space tourism, and other~~
19 ~~commercial enterprises utilizing uniquely space-based~~
20 ~~capabilities.~~

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

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

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

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

Bill No. CS for SB 2580

Barcode 454496

1 ~~Meetings shall be held quarterly or more frequently at the~~
 2 ~~call of the chair. A majority of the regular members of the~~
 3 ~~board shall constitute a quorum, and a majority vote of such~~
 4 ~~members present is necessary for any action taken by the~~
 5 ~~board.~~

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

13 Section 9. Section 331.309, Florida Statutes, is
 14 amended to read:

15 331.309 Treasurer; depositories; fiscal agent.--

16 (1) The board shall designate an individual who is a
 17 resident of the state, or a qualified public depository as
 18 defined in s. 280.02, as treasurer of Space Florida ~~the~~
 19 ~~authority~~, who shall have charge of the funds of Space Florida
 20 ~~the authority~~. Such funds shall be disbursed only upon the
 21 order of or pursuant to the resolution of the board by
 22 warrant, check, authorization, or direct deposit pursuant to
 23 s. 215.85, signed or authorized by the treasurer or his or her
 24 representative or by such other persons as may be authorized
 25 by the board. The board may give the treasurer such other or
 26 additional powers and duties as the board may deem appropriate
 27 and shall establish the treasurer's compensation. The board
 28 may require the treasurer to give a bond in such amount, on
 29 such terms, and with such sureties as may be deemed
 30 satisfactory to the board to secure the performance by the
 31 treasurer of his or her powers and duties. The board shall

Bill No. CS for SB 2580

Barcode 454496

1 audit or have audited the books of the treasurer at least once
2 a year.

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

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

18 Section 10. Section 331.310, Florida Statutes, is
19 amended to read:

20 331.310 Powers and duties of the board of directors
21 ~~supervisors.--Except as otherwise provided in this act, all of~~
22 ~~the powers and duties of the authority shall be exercised by~~
23 ~~and through the board of supervisors, including the power and~~
24 ~~duty to:~~

25 (1) The board has the power to: ~~Adopt bylaws, rules,~~
26 ~~resolutions, and orders prescribing the powers, duties, and~~
27 ~~functions of the officers of the authority, the conduct of the~~
28 ~~business of the authority, the maintenance of records, and the~~
29 ~~form of all documents and records of the authority. The board~~
30 ~~may adopt administrative rules and regulations with respect to~~
31 ~~any of the projects of the authority, with notice and public~~

Bill No. CS for SB 2580

Barcode 454496

1 ~~hearing.~~

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

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

14 ~~(b)(4)~~ Execute all contracts and other documents,
15 adopt all proceedings, and perform all acts determined by the
16 board to be necessary or desirable to carry out the purposes
17 of this act. The board may authorize one or more members of
18 the board to execute contracts and other documents on behalf
19 of the board or Space Florida ~~the authority~~.

20 ~~(c)(5)~~ Establish and create such departments,
21 committees, or other entities ~~agencies~~ as from time to time
22 the board may deem necessary or desirable in the performance
23 of any acts or other things necessary to the exercise of the
24 powers provided in this act, and delegate to such departments,
25 boards, or other agencies such administrative duties and other
26 powers as the board may deem necessary or desirable.

27 (d) Provide financial services to support
28 aerospace-related business development within the state.
29 Financial services may include, but are not limited to,
30 insuring, coinsuring, or originating for sale direct
31 aerospace-related loans, direct lending, providing loan

Bill No. CS for SB 2580

Barcode 454496

1 guarantees and collateralized loans, creating accounts,
 2 capitalizing, underwriting, leasing, selling, or securing
 3 funding for aerospace-related infrastructure, investing in
 4 permissible securities, organizing financial institutions and
 5 international bank syndicates, and acquiring, accepting, or
 6 administering grants, contracts, and fees from other
 7 organizations to perform activities that are consistent with
 8 the purposes of Space Florida's business plan. If the board
 9 deems a financial services entity is necessary, the board may
 10 create, form, acquire, or contract with such entities. This
 11 may include creating an independent corporation, organized
 12 under chapter 617, having a board of directors appointed by an
 13 appointment committee of Space Florida.

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

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

21 (f) Provide strategic direction for the
 22 aerospace-related research priorities of the state and its
 23 aerospace-related businesses.

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

27 ~~(h)(9)~~ Execute intergovernmental agreements and
 28 development agreements consistent with prevailing statutory
 29 provisions, including, but not limited to, special benefits or
 30 tax increment financing initiatives.

31 ~~(i)(10)~~ Establish reserve funds for future board

Bill No. CS for SB 2580

Barcode 454496

1 operations.

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

4 (2) The board of directors shall:

5 (a) Adopt bylaws, rules, resolutions, and orders
6 prescribing the powers, duties, and functions of Space Florida
7 to conduct the business of Space Florida, the maintenance of
8 records, and the form of all documents and records of Space
9 Florida. The board may adopt rules with respect to any of the
10 projects of Space Florida with notice and a public hearing.

11 (b) Maintain Space Florida's offices in close
12 proximity to Kennedy Space Center.

13 (c) Appoint a person to act as the president of Space
14 Florida, having such official title, functions, duties,
15 powers, and salary as the board prescribes.

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

29 ~~(e)(13)~~ Prepare an annual report of operations. The
30 ~~said~~ report shall include, but not be limited to, a balance
31 sheet, an income statement, a statement of changes in

Bill No. CS for SB 2580

Barcode 454496

1 financial position, a reconciliation of changes in equity
 2 accounts, a summary of significant accounting principles, the
 3 auditor's report, a summary of the status of existing and
 4 proposed bonding projects, comments from management about the
 5 year's business, and prospects for the next year, which shall
 6 be submitted each year by November 30 to the Governor, the
 7 President of the Senate, the Speaker of the House of
 8 Representatives, the minority leader of the Senate, and the
 9 minority leader of the House of Representatives.

10 (f) Establish a personnel management system. Personnel
 11 of Space Florida are not state employees.

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

13 Section 11. Section 331.3101, Florida Statutes, is
 14 amended to read:

15 331.3101 Space Florida ~~Space Authority~~; travel and
 16 entertainment expenses.--

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

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

31 (b) For entertainment expenses of such guests,

Bill No. CS for SB 2580

Barcode 454496

1 business clients, and authorized persons incurred by Space
 2 Florida ~~the authority~~ in connection with the performance of
 3 its statutory duties, and for entertainment expenses incurred
 4 for Space Florida ~~authority~~ officials and employees when such
 5 expenses are incurred while in the physical presence of such
 6 business clients, guests, or authorized persons.

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

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

28 (4) A ~~No~~ claim submitted under this section is not
 29 ~~shall be~~ required to be sworn to before a notary public or
 30 other officer authorized to administer oaths, but any claim
 31 authorized or required to be made under any provision of this

Bill No. CS for SB 2580

Barcode 454496

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

20 Section 12. Section 331.311, Florida Statutes, is
21 amended to read:

22 331.311 Exercise by authority of its powers within
23 municipalities and other political subdivisions.--Space
24 Florida may ~~The authority shall have the power to~~ exercise any
25 of its rights, powers, privileges, and authority in any and
26 all portions of any spaceport territory lying within the
27 boundaries of any municipal corporation or other political
28 subdivision, heretofore or hereafter created or organized,
29 whose boundaries lie wholly or partly within the geographical
30 limits of the spaceport territory, to the same extent and in
31 the same manner as in areas of the spaceport territory not

Bill No. CS for SB 2580

Barcode 454496

1 incorporated as part of a municipality or other political
 2 subdivision. With respect to any municipal corporation or
 3 other political subdivision whose boundaries lie partly within
 4 and partly without the geographical limits of the spaceport
 5 territory, Space Florida may ~~the authority shall have the~~
 6 ~~power to~~ exercise its rights, powers, privileges, and
 7 authority only within the portion of the ~~such~~ municipal
 8 corporation or other political subdivision lying within the
 9 boundaries of the spaceport territory.

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

12 331.312 Furnishing facilities and services within the
 13 spaceport territory.--Space Florida may ~~The authority shall~~
 14 ~~have the power to~~ construct, develop, create, maintain, and
 15 operate its projects within the geographical limits of the
 16 spaceport territory, including any portions of the spaceport
 17 territory located inside the boundaries of any incorporated
 18 municipality or other political subdivision, and to offer,
 19 supply, and furnish the facilities and services provided for
 20 in this act to, and to establish and collect fees, rentals,
 21 and other charges from, persons, public or private, within the
 22 geographical limits of the spaceport territory and for the use
 23 of Space Florida ~~the authority~~ itself.

24 Section 14. Section 331.313, Florida Statutes, is
 25 amended to read:

26 331.313 Power of Space Florida ~~the authority~~ with
 27 respect to roads.--Within the territorial limits of any
 28 spaceport territory, Space Florida may ~~the authority has the~~
 29 ~~right to~~ acquire, through purchase or interagency agreement,
 30 or as otherwise provided in law, and to construct, control,
 31 and maintain, roads deemed necessary by Space Florida ~~the~~

Bill No. CS for SB 2580

Barcode 454496

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

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

13 331.316 Rates, fees, rentals, tolls, fares, and
 14 charges; procedure for adoption and modification; minimum
 15 revenue requirements.--

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

30 (2) The board may ~~shall have the power to~~ enter into
 31 contracts for the use of the projects of Space Florida ~~the~~

Bill No. CS for SB 2580

Barcode 454496

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

10 Section 16. Section 331.317, Florida Statutes, is
 11 amended to read:

12 331.317 Recovery of delinquent charges.--In the event
 13 that any of the rates, fees, rentals, tolls, fares, other
 14 charges, or delinquent penalties shall not be paid as and when
 15 due and shall be in default for 30 days or more, the unpaid
 16 balance thereof and all interest accrued thereon, together
 17 with attorney's fees and costs, may be recovered by Space
 18 Florida ~~the authority~~ in a civil action.

19 Section 17. Section 331.318, Florida Statutes, is
 20 amended to read:

21 331.318 Discontinuance of service.--In the event that
 22 the rates, fees, rentals, tolls, fares, or other charges for
 23 the services and facilities of any project are not paid when
 24 due, the board may ~~shall have the power to~~ discontinue and
 25 shut off the same until such rates, fees, rentals, tolls,
 26 fares, or other charges, including interest, penalties, and
 27 charges for the shutting off and discontinuance and the
 28 restoration of such services and facilities, are fully paid.
 29 Such delinquent rates, fees, rentals, tolls, fares, or other
 30 charges, together with interest, penalties, and charges for
 31 the shutting off and discontinuance and the restoration of

Bill No. CS for SB 2580

Barcode 454496

1 such services and facilities, and reasonable attorney's fees
 2 and other expenses, may be recovered by Space Florida ~~the~~
 3 ~~authority~~ by suit in any court of competent jurisdiction.
 4 Space Florida ~~The authority~~ may also enforce payment of such
 5 delinquent rates, fees, rentals, tolls, fares, or other
 6 charges by any other lawful method of enforcement.

7 Section 18. Section 331.319, Florida Statutes, is
 8 amended to read:

9 331.319 Comprehensive planning; building and safety
 10 codes.--The board of directors may ~~supervisors shall have the~~
 11 ~~power to:~~

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

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

31 Section 19. Section 331.320, Florida Statutes, is

Bill No. CS for SB 2580

Barcode 454496

1 amended to read:

2 331.320 Additional powers of board.--The board of
3 directors may ~~shall have the power~~ within any spaceport
4 territory ~~to~~:

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

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

14 Section 20. Section 331.321, Florida Statutes, is
15 amended to read:

16 331.321 Federal and other funds and aid.--Space
17 Florida may ~~The authority is authorized to~~ accept, receive,
18 and receipt for federal moneys, property, and other moneys or
19 properties, either public or private, for the acquisition,
20 planning, operation, construction, enlargement, improvement,
21 maintenance, equipment, or development of programs,
22 facilities, and sites therefor, and ~~to~~ comply with the
23 provisions of the laws of the United States and any rules and
24 regulations made thereunder for the expenditure of federal
25 moneys.

26 Section 21. Section 331.322, Florida Statutes, is
27 amended to read:

28 331.322 Agreements with municipalities within any
29 spaceport territory.--The board of directors and the governing
30 body or bodies of any one or more municipalities located
31 wholly or partly within any spaceport territory, whether now

Bill No. CS for SB 2580

Barcode 454496

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

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

21 331.323 Cooperative agreements with the state,
22 counties, and municipalities.--

23 (1) The state and the counties, municipalities, and
24 other political subdivisions, public bodies, and agencies
25 thereof, or any of them, whether now existing or hereafter
26 created, are authorized to aid and cooperate with Space
27 Florida ~~the authority~~ in carrying out any of the purposes and
28 projects of Space Florida ~~the authority~~, to enter into
29 cooperative agreements with Space Florida ~~the authority~~, to
30 provide in any such cooperative agreement for the making of
31 loans, gifts, grants, or contributions to Space Florida ~~the~~

Bill No. CS for SB 2580

Barcode 454496

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

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

Bill No. CS for SB 2580

Barcode 454496

1 for the providing to Space Florida ~~the authority~~ of any
2 services deemed necessary or desirable by the board for the
3 proper functioning of Space Florida ~~the authority~~.

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

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

14 Section 23. Section 331.324, Florida Statutes, is
15 amended to read:

16 331.324 Contracts, grants, and contributions.--Space
17 Florida may ~~The authority shall have the power to~~ make and
18 enter all contracts and agreements necessary or incidental to
19 the performance of the functions of Space Florida ~~the~~
20 ~~authority~~ and the execution of its powers, and to contract
21 with, and to accept and receive grants or loans of money,
22 material, or property from, any person, private or public, as
23 the board shall determine to be necessary or desirable to
24 carry out the purposes of this act, and in connection with any
25 such contract, grant, or loan to stipulate and agree to such
26 covenants, terms, and conditions as the board shall deem
27 appropriate.

28 Section 24. Section 331.325, Florida Statutes, is
29 amended to read:

30 331.325 Environmental permits.--Space Florida ~~The~~
31 ~~authority~~ shall obtain required environmental permits in

Bill No. CS for SB 2580

Barcode 454496

1 accordance with federal and state law and shall comply with
2 the provisions of chapter 380.

3 Section 25. Section 331.326, Florida Statutes, is
4 amended to read:

5 331.326 Information relating to trade secrets
6 confidential.--The records of Space Florida ~~the authority~~
7 regarding matters encompassed by this act are public records
8 subject to the provisions of chapter 119. Any information held
9 by Space Florida ~~the authority~~ which is a trade secret, as
10 defined in s. 812.081, including trade secrets of Space
11 Florida ~~the authority~~, any spaceport user, or the space
12 industry business, is confidential and exempt from the
13 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
14 Constitution and may not be disclosed. If Space Florida ~~the~~
15 ~~authority~~ determines that any information requested by the
16 public will reveal a trade secret, it shall, in writing,
17 inform the person making the request of that determination.
18 The determination is a final order as defined in s. 120.52.
19 Any meeting or portion of a meeting of Space Florida's ~~the~~
20 ~~authority's~~ board ~~of supervisors~~ is exempt from the provisions
21 of s. 286.011 and s. 24(b), Art. I of the State Constitution
22 when the board is discussing trade secrets. Any public record
23 generated during the closed portions of the ~~such~~ meetings,
24 such as minutes, tape recordings, and notes, is confidential
25 and exempt from the provisions of s. 119.07(1) and s. 24(a),
26 Art. I of the State Constitution.

27 Section 26. Section 331.327, Florida Statutes, is
28 amended to read:

29 331.327 Foreign trade zone.--Space Florida may ~~The~~
30 ~~authority shall have the power to~~ apply to the Federal
31 Government for a grant allowing the designation of any

Bill No. CS for SB 2580

Barcode 454496

1 spaceport territory as a foreign trade zone pursuant to ss.
 2 288.36 and 288.37. However, the designation of any spaceport
 3 territory as a foreign trade zone does ~~shall not be deemed to~~
 4 authorize an exemption from any tax imposed by the state or by
 5 any political subdivision, agency, or instrumentality thereof.

6 Section 27. Section 331.328, Florida Statutes, is
 7 amended to read:

8 331.328 Sovereign immunity.--Space Florida ~~The~~
 9 ~~authority~~ shall be granted sovereign immunity in the same
 10 manner as the state under the laws and Constitution of the
 11 State of Florida. The state, by this section, hereby waives
 12 the sovereign immunity granted to the same extent as waived by
 13 the state under state law.

14 Section 28. Section 331.329, Florida Statutes, is
 15 amended to read:

16 331.329 Changing boundary lines; annexation and
 17 exclusion of lands; creation of municipalities within the
 18 geographical limits of any spaceport territory; limitations on
 19 the furnishing of services within annexed areas.--

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

28 (a) The board may enlarge the geographical limits of
 29 any spaceport territory to include any lands not then within
 30 any spaceport territory:

31 1. Upon the written consent of the owners of all the

Bill No. CS for SB 2580

Barcode 454496

1 land to be included in any spaceport territory and of the
2 owners of not less than a majority in acreage of all the land
3 then within any spaceport territory; or

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

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

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

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

22 (2) Land, including property situated thereon, added
23 to any spaceport territory in the manner provided in
24 subsection (1) shall from the time of its inclusion within
25 such spaceport territory be subject to all assessments
26 thereafter levied and assessed on all other land or property
27 of any spaceport territory similarly situated. Land, including
28 property situated thereon, excluded from any spaceport
29 territory in the manner provided in subsection (1) shall from
30 the date of such exclusion be exempt from assessments
31 thereafter imposed by Space Florida ~~the authority~~ but shall

Bill No. CS for SB 2580

Barcode 454496

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

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

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

24 Section 29. Section 331.331, Florida Statutes, is
 25 amended to read:

26 331.331 Revenue bonds.--

27 (1) Revenue bonds issued by Space Florida ~~the~~
 28 ~~authority~~ shall not be deemed revenue bonds issued by the
 29 state or its agencies for purposes of s. 11, Art. VII of the
 30 State Constitution and ss. 215.57-215.83. Space Florida ~~The~~
 31 ~~authority~~ shall include in its annual report to the Governor

Bill No. CS for SB 2580

Barcode 454496

1 and Legislature, as provided in s. 331.310, a summary of the
2 status of existing and proposed bonding projects.

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

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

Bill No. CS for SB 2580

Barcode 454496

1 parity revenue bonds be also pledged to the holders of any
 2 revenue bonds theretofore issued to finance the revenue
 3 undertakings which are later combined with such subsequent
 4 projects. Space Florida ~~The authority~~ may pledge for the
 5 security of the revenue bonds a fixed amount, without regard
 6 to any fixed proportion of the gross revenues of any project.

7 Section 30. Section 331.333, Florida Statutes, is
 8 amended to read:

9 331.333 Refunding bonds.--Space Florida ~~The authority~~
 10 through its board may ~~shall have the power to~~ issue bonds to
 11 provide for the retirement or refunding of any bonds or
 12 obligations of Space Florida ~~the authority~~ that at the time of
 13 such issuance are or subsequently thereto become due and
 14 payable, or that at the time of issuance have been called or
 15 are or will be subject to call for redemption within 10 years
 16 thereafter, or the surrender of which can be procured from the
 17 holders thereof at prices satisfactory to the board. Refunding
 18 bonds may be issued at any time when in the judgment of the
 19 board such issuance will be advantageous to Space Florida ~~the~~
 20 ~~authority~~. The provisions of this act pertaining to bonds of
 21 Space Florida ~~the authority~~ shall, unless the context
 22 otherwise requires, govern the issuance of refunding bonds,
 23 the form and other details thereof, the rights of the holders
 24 thereof, and the duties of the board with respect to the same.

25 Section 31. Section 331.334, Florida Statutes, is
 26 amended to read:

27 331.334 Pledging assessments and other revenues and
 28 properties as additional security on bonds.--Space Florida ~~The~~
 29 ~~authority~~ may pledge as additional security for the payment of
 30 any of the bonds of Space Florida ~~the authority~~ its full faith
 31 and credit, and provide that such bonds shall be payable as to

Bill No. CS for SB 2580

Barcode 454496

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

24 Section 32. Section 331.335, Florida Statutes, is
 25 amended to read:

26 331.335 Lien of pledges.--All pledges of revenues and
 27 assessments made pursuant to the provisions of this act shall
 28 be valid and binding from the time when such pledges are made.
 29 All such revenues and assessments so pledged and thereafter
 30 collected shall immediately be subject to the lien of such
 31 pledges without any physical delivery thereof or further

Bill No. CS for SB 2580

Barcode 454496

1 action, and the lien of such pledges shall be valid and
 2 binding as against all parties having claims of any kind in
 3 tort, contract, or otherwise against Space Florida ~~the~~
 4 ~~authority~~, irrespective of whether such parties have notice
 5 thereof.

6 Section 33. Section 331.336, Florida Statutes, is
 7 amended to read:

8 331.336 Issuance of bond anticipation notes.--In
 9 addition to the other powers provided for in this act and not
 10 in limitation thereof, Space Florida ~~may~~ ~~the authority shall~~
 11 ~~have the power~~, at any time ~~from time to time~~ after the
 12 issuance of any bonds of Space Florida ~~the authority shall~~
 13 have been authorized, ~~to~~ borrow money for the purposes for
 14 which such bonds are to be issued in anticipation of the
 15 receipt of the proceeds of the sale of such bonds and ~~to~~ issue
 16 bond anticipation notes in a principal amount not in excess of
 17 the authorized maximum amount of such bond issue. Such notes
 18 shall be in such denomination or denominations, bear interest
 19 at such rate or rates, mature at such time or times, be
 20 renewable for such additional term or terms, and be in such
 21 form and executed in such manner as the board shall prescribe.
 22 Such notes may be sold at public sale, or if such notes shall
 23 be renewable notes, may be exchanged for notes then
 24 outstanding on such terms as the board shall determine. Such
 25 notes shall be paid from the proceeds of such bonds when
 26 issued. The board may in its discretion, in lieu of retiring
 27 the notes by means of bonds, retire them by means of current
 28 revenues or from any assessments levied for the payment of
 29 such bonds, but in such event a like amount of the bonds
 30 authorized shall not be issued.

31 Section 34. Section 331.337, Florida Statutes, is

Bill No. CS for SB 2580

Barcode 454496

1 amended to read:

2 331.337 Short-term borrowing.--Space Florida ~~The~~
3 ~~authority~~ at any time may obtain loans, in such amount and on
4 such terms and conditions as the board may approve, for the
5 purpose of paying any of the expenses of Space Florida ~~the~~
6 ~~authority~~ or any costs incurred or that may be incurred in
7 connection with any of the projects of Space Florida ~~the~~
8 ~~authority~~, which loans shall have such term or terms, be
9 renewable for such term or terms, bear interest at such rate
10 or rates, and be payable from and secured by a pledge of such
11 funds, revenues, and assessments as the board may determine.
12 For the purpose of defraying such costs and expenses, Space
13 Florida ~~the authority~~ may issue negotiable notes, warrants, or
14 other evidences of debt signed on behalf of Space Florida ~~the~~
15 ~~authority~~ by any one of the board, such notes or other
16 evidences of indebtedness to be payable at such time or times,
17 to bear interest at such rate or rates, and to be sold or
18 discounted at such price or prices and on such term or terms
19 as the board may deem advisable. The board may ~~shall have the~~
20 ~~right to~~ provide for the payment thereof by pledging the whole
21 or any part of the funds, revenues, and assessments of Space
22 Florida ~~the authority~~.

23 Section 35. Section 331.338, Florida Statutes, is
24 amended to read:

25 331.338 Trust agreements.--In the discretion of the
26 board, any issue of bonds may be secured by a trust agreement
27 by and between Space Florida ~~the authority~~ and a corporate
28 trustee which may be any trust company or bank having the
29 powers of a trust company within or without the state. The
30 resolution authorizing the issuance of the bonds or such trust
31 agreement may pledge the revenues to be received from any

Bill No. CS for SB 2580

Barcode 454496

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

Bill No. CS for SB 2580

Barcode 454496

1 Section 36. Section 331.339, Florida Statutes, is
2 amended to read:

3 331.339 Sale of bonds.--Bonds may be sold in blocks or
4 installments at different times, or an entire issue or series
5 may be sold at one time. Bonds may only be sold at public sale
6 after being advertised and publicly noticed, unless Space
7 Florida ~~the authority~~ has previously complied with the
8 provisions of s. 218.385. Bonds may be sold or exchanged for
9 refunding bonds. Special assessment and revenue bonds may be
10 delivered as payment by Space Florida ~~the authority~~ of the
11 purchase price or lease of any project or part thereof, or a
12 combination of projects or parts thereof, or as the purchase
13 price of, or exchange for, any property, real, personal, or
14 mixed, including franchises, or services rendered by any
15 contractor, engineer, or other person, all at one time or in
16 blocks from time to time, in such manner and upon such terms
17 as the board in its discretion shall determine. The price or
18 prices for any bonds sold, exchanged, or delivered may be:

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

28 Section 37. Section 331.340, Florida Statutes, is
29 amended to read:

30 331.340 Authorization and form of bonds.--Bonds may be
31 authorized by resolution or resolutions of the board which

Bill No. CS for SB 2580

Barcode 454496

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

Bill No. CS for SB 2580

Barcode 454496

1 coupons shall cease to be such officer before the delivery of
2 such bonds, such signature or facsimile shall nevertheless be
3 valid and sufficient for all purposes the same as if the
4 officer had remained in office until such delivery.

5 Section 38. Section 331.343, Florida Statutes, is
6 amended to read:

7 331.343 Defeasance.--The board may make such provision
8 with respect to the defeasance of the right, title, and
9 interest of the holders of any of the bonds and obligations of
10 Space Florida ~~the authority~~ in any revenues, funds, or other
11 properties by which such bonds are secured as the board deems
12 appropriate and, without limitation on the foregoing, may
13 provide that when such bonds or obligations become due and
14 payable or shall have been called for redemption, and the
15 whole amount of the principal and the interest and premium, if
16 any, due and payable upon the bonds or obligations when
17 outstanding shall be paid, or sufficient moneys or direct
18 obligations of the United States Government the principal of
19 and the interest on which when due will provide sufficient
20 moneys, shall be held or deposited in trust for such purpose,
21 and provision shall also be made for paying all other sums
22 payable in connection with such bonds or other obligations,
23 then and in such event the right, title, and interest of the
24 holders of the bonds in any revenues, funds, or other
25 properties by which such bonds are secured shall thereupon
26 cease, terminate, and become void; and the board may apply any
27 surplus in any sinking fund established in connection with
28 such bonds or obligations and all balances remaining in all
29 other funds or accounts other than money held for the
30 redemption or payment of the bonds or other obligations to any
31 lawful purpose of Space Florida ~~the authority~~ as the board

Bill No. CS for SB 2580

Barcode 454496

1 shall determine.

2 Section 39. Section 331.345, Florida Statutes, is
3 amended to read:

4 331.345 Covenants.--Any resolution authorizing the
5 issuance of bonds may contain such covenants as the board may
6 deem advisable and all such covenants shall constitute valid
7 and legally binding and enforceable contracts between Space
8 Florida ~~the authority~~ and the bondholders, regardless of the
9 time of issuance thereof. Such covenants may include, without
10 limitation, covenants concerning the disposition of the bond
11 proceeds, the use and disposition of project revenues, the
12 pledging of revenues, and assessments, the obligations of
13 Space Florida ~~the authority~~ with respect to the operation of
14 the project and the maintenance of adequate project revenues,
15 the issuance of additional bonds, the appointment, powers, and
16 duties of trustees and receivers, the acquisition of
17 outstanding bonds and obligations, restrictions on the
18 establishing of competing projects or facilities, restrictions
19 on the sale or disposal of the assets and property of Space
20 Florida ~~the authority~~, the priority of assessment liens, the
21 priority of claims by bondholders on the taxing power of Space
22 Florida ~~the authority~~, the maintenance of deposits to assure
23 the payment of revenues by users of spaceport facilities and
24 services, the discontinuance of Space Florida ~~authority~~
25 services by reason of delinquent payments, acceleration upon
26 default, the execution of necessary instruments, the procedure
27 for amending or abrogating covenants with the bondholders, and
28 such other covenants as may be deemed necessary or desirable
29 for the security of the bondholders.

30 Section 40. Section 331.346, Florida Statutes, is
31 amended to read:

Bill No. CS for SB 2580

Barcode 454496

1 331.346 Validity of bonds; validation
2 proceedings.--Any bonds issued by Space Florida ~~the authority~~
3 shall be incontestable in the hands of bona fide purchasers or
4 holders for value and shall not be invalid because of any
5 irregularity or defect in the proceedings for the issue and
6 sale thereof. Prior to the issuance of any bonds, Space
7 Florida ~~the authority~~ shall publish a notice at least once in
8 a newspaper or newspapers published or of general circulation
9 in the appropriate counties in the state, stating the date of
10 adoption of the resolution authorizing such obligations, the
11 amount, maximum rate of interest, and maturity of such
12 obligations, and the purpose in general terms for which such
13 obligations are to be issued, and further stating that no
14 action or proceeding questioning the validity of such
15 obligations or of the proceedings authorizing the issuance
16 thereof, or of any covenants made therein, must be instituted
17 within 20 days after the first publication of such notice, or
18 the validity of such obligations, proceedings, and covenants
19 shall not be thereafter questioned in any court whatsoever. If
20 no such action or proceeding is so instituted within such
21 20-day period, then the validity of such obligations,
22 proceedings, and covenants shall be conclusive, and all
23 persons or parties whatsoever shall be forever barred from
24 questioning the validity of such obligations, proceedings, or
25 covenants in any court whatsoever.

26 Section 41. Section 331.347, Florida Statutes, is
27 amended to read:

28 331.347 Act furnishes full authority for issuance of
29 bonds.--This act constitutes full and complete authority for
30 the issuance of bonds and the exercise of the powers of Space
31 Florida ~~the authority~~ provided herein. Any and all bonds

Bill No. CS for SB 2580

Barcode 454496

1 issued by Space Florida ~~the authority~~ shall not be secured by
2 the full faith and credit of the State of Florida and do not
3 constitute an obligation, either general or special, thereof.

4 Section 42. Section 331.348, Florida Statutes, is
5 amended to read:

6 331.348 Investment of funds.--The board may in its
7 discretion invest funds of Space Florida ~~the authority~~ through
8 the Chief Financial Officer or in:

9 (1) Direct obligations of or obligations guaranteed by
10 the United States or for the payment of the principal and
11 interest of which the faith and credit of the United States is
12 pledged;

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

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

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

27 (5) Any investment authorized for insurers by ss.
28 625.306-625.316 and amendments thereto; or

29 (6) Any investment authorized under s. 17.57 and
30 amendments thereto.

31 Section 43. Section 331.349, Florida Statutes, is

Bill No. CS for SB 2580

Barcode 454496

1 amended to read:

2 331.349 Fiscal year of Space Florida ~~the~~
3 ~~authority~~.--The board may ~~has the power to~~ establish and from
4 time to time redetermine the fiscal year of Space Florida ~~the~~
5 ~~authority~~. Unless the board otherwise provides, Space
6 Florida's ~~the authority's~~ fiscal year shall be July 1 through
7 June 30.

8 Section 44. Section 331.350, Florida Statutes, is
9 amended to read:

10 331.350 Insurance coverage of Space Florida ~~the~~
11 ~~authority~~; safety program.--

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

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

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

22 (a) The development and implementation of a loss
23 prevention program which shall consist of a comprehensive
24 authority wide safety program, including a statement,
25 established by the board of directors ~~supervisors~~, of safety
26 policy and responsibility.

27 (b) Provision for regular and periodic facility and
28 equipment inspections.

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

Bill No. CS for SB 2580

Barcode 454496

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

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

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

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

14 Section 45. Section 331.351, Florida Statutes, is
15 amended to read:

16 331.351 Participation by women, minorities, and
17 socially and economically disadvantaged business enterprises
18 encouraged.--It is the intent of the Legislature and the
19 public policy of this state that women, minorities, and
20 socially and economically disadvantaged business enterprises
21 be encouraged to participate fully in all phases of economic
22 and community development. Accordingly, to achieve such
23 purpose, Space Florida ~~the authority~~ shall, in accordance with
24 applicable state and federal law, involve and utilize women,
25 minorities, and socially and economically disadvantaged
26 business enterprises in all phases of the design, development,
27 construction, maintenance, and operation of spaceports
28 developed under this act.

29 Section 46. Section 331.354, Florida Statutes, is
30 amended to read:

31 331.354 Tax exemption.--The exercise of the powers

Bill No. CS for SB 2580

Barcode 454496

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

25 Section 47. Section 331.355, Florida Statutes, is
26 amended to read:

27 331.355 Use of name; ownership rights to intellectual
28 property.--

29 (1)(a) The corporate name of a corporation
30 incorporated or authorized to transact business in this state,
31 or the name of any person or business entity transacting

Bill No. CS for SB 2580

Barcode 454496

1 business in this state, may not use the words "Space Florida,"
 2 "Florida Space Authority," "Florida Aerospace Finance
 3 Corporation," "Florida Space Research Institute," "spaceport
 4 Florida," or "Florida spaceport" in its name unless the board
 5 of directors of Space Florida ~~the authority~~ gives written
 6 approval for such use.

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

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

25 Section 48. Section 331.360, Florida Statutes, is
 26 amended to read:

27 331.360 Joint project agreement or assistance;
 28 spaceport master plan.--

29 (1) It shall be the duty, function, and responsibility
 30 of the Department of Transportation to promote the further
 31 development and improvement of aerospace transportation

Bill No. CS for SB 2580

Barcode 454496

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

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

26 (3) Space Florida ~~The authority~~ shall develop a
 27 spaceport master plan for expansion and modernization of space
 28 transportation facilities within spaceport territories as
 29 defined in s. 331.303(19) ~~s. 331.303(23)~~. The plan shall
 30 contain recommended projects to meet current and future
 31 commercial, national, and state space transportation

Bill No. CS for SB 2580

Barcode 454496

1 requirements. Space Florida ~~The authority~~ shall submit the
 2 plan to any appropriate metropolitan planning organization
 3 ~~M.P.O.~~ for review of intermodal impacts. Space Florida ~~The~~
 4 ~~authority~~ shall submit the spaceport master plan to the
 5 Department of Transportation, and such plan may be included
 6 within the department's 5-year work program of qualifying
 7 aerospace discretionary capacity improvement under subsection
 8 (4). The plan shall identify appropriate funding levels and
 9 include recommendations on appropriate sources of revenue that
 10 may be developed to contribute to the State Transportation
 11 Trust Fund.

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

18 Section 49. Section 331.369, Florida Statutes, is
 19 amended to read:

20 331.369 Space Industry Workforce Initiative.--

21 (1) The Legislature finds that the aerospace ~~space~~
 22 industry is critical to the economic future of the state and
 23 that the competitiveness of the industry in the state depends
 24 upon the development and maintenance of a qualified workforce.
 25 The Legislature further finds that the aerospace ~~space~~
 26 industry in this state has diverse and complex workforce
 27 needs, including, but not limited to, the need for qualified
 28 entry-level workers, the need to upgrade the skills of
 29 technician-level incumbent workers, and the need to ensure
 30 continuing education opportunities for workers with advanced
 31 educational degrees. It is the intent of the Legislature to

Bill No. CS for SB 2580

Barcode 454496

1 support programs designed to address the workforce development
2 needs of the aerospace ~~space~~ industry in this state.

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

13 (3) The initiative shall emphasize:

14 (a) Curricula content and timeframes developed with
15 industry participation and endorsed by the industry;

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

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

20 (d) Industry solicitation of public and private
21 universities to develop continuing education programs at the
22 master's and doctoral levels;

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

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

27 (4) The Workforce Development Board of Enterprise
28 Florida, Inc., or its successor entity, with the assistance of
29 Space Florida ~~the Florida Space Research Institute~~, shall
30 convene representatives from the aerospace ~~space~~ industry to
31 identify the priority training and education needs of the

Bill No. CS for SB 2580

Barcode 454496

1 industry and to appoint a team to design programs to meet the
2 ~~such~~ priority needs.

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

8 Section 50. Paragraph (g) of subsection (2) of section
9 14.2015, Florida Statutes, is amended to read:

10 14.2015 Office of Tourism, Trade, and Economic
11 Development; creation; powers and duties.--

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

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

Bill No. CS for SB 2580

Barcode 454496

1 Section 51. Section 74.011, Florida Statutes, is
2 amended to read:

3 74.011 Scope.--In any eminent domain action, properly
4 instituted by and in the name of the state; the Department of
5 Transportation; any county, school board, municipality,
6 expressway authority, regional water supply authority,
7 transportation authority, flood control district, or drainage
8 or subdrainage district; the ship canal authority; any
9 lawfully constituted housing, port, or aviation authority; ~~the~~
10 ~~Florida Space Authority;~~ or any rural electric cooperative,
11 telephone cooperative corporation, or public utility
12 corporation, the petitioner may avail itself of the provisions
13 of this chapter to take possession and title in advance of the
14 entry of final judgment.

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

17 196.012 Definitions.--For the purpose of this chapter,
18 the following terms are defined as follows, except where the
19 context clearly indicates otherwise:

20 (6) Governmental, municipal, or public purpose or
21 function shall be deemed to be served or performed when the
22 lessee under any leasehold interest created in property of the
23 United States, the state or any of its political subdivisions,
24 or any municipality, agency, special district, authority, or
25 other public body corporate of the state is demonstrated to
26 perform a function or serve a governmental purpose which could
27 properly be performed or served by an appropriate governmental
28 unit or which is demonstrated to perform a function or serve a
29 purpose which would otherwise be a valid subject for the
30 allocation of public funds. For purposes of the preceding
31 sentence, an activity undertaken by a lessee which is

Bill No. CS for SB 2580

Barcode 454496

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

Bill No. CS for SB 2580

Barcode 454496

1 the Interior, determine that the property is being maintained
2 for public historic preservation, park, or recreational
3 purposes and if those conditions are not met the property will
4 revert back to the Federal Government, then such property
5 shall be deemed to serve a municipal or public purpose. The
6 term "governmental purpose" also includes a direct use of
7 property on federal lands in connection with the Federal
8 Government's Space Exploration Program or spaceport activities
9 as defined in s. 212.02(22). Real property and tangible
10 personal property owned by the Federal Government or Space
11 Florida ~~the Florida Space Authority~~ and used for defense and
12 space exploration purposes or which is put to a use in support
13 thereof shall be deemed to perform an essential national
14 governmental purpose and shall be exempt. "Owned by the
15 lessee" as used in this chapter does not include personal
16 property, buildings, or other real property improvements used
17 for the administration, operation, business offices and
18 activities related specifically thereto in connection with the
19 conduct of an aircraft full service fixed based operation
20 which provides goods and services to the general aviation
21 public in the promotion of air commerce provided that the real
22 property is designated as an aviation area on an airport
23 layout plan approved by the Federal Aviation Administration.
24 For purposes of determination of "ownership," buildings and
25 other real property improvements which will revert to the
26 airport authority or other governmental unit upon expiration
27 of the term of the lease shall be deemed "owned" by the
28 governmental unit and not the lessee. Providing two-way
29 telecommunications services to the public for hire by the use
30 of a telecommunications facility, as defined in s. 364.02(15),
31 and for which a certificate is required under chapter 364 does

Bill No. CS for SB 2580

Barcode 454496

1 not constitute an exempt use for purposes of s. 196.199,
 2 unless the telecommunications services are provided by the
 3 operator of a public-use airport, as defined in s. 332.004,
 4 for the operator's provision of telecommunications services
 5 for the airport or its tenants, concessionaires, or licensees,
 6 or unless the telecommunications services are provided by a
 7 public hospital. However, property that is being used to
 8 provide such telecommunications services on or before October
 9 1, 1997, shall remain exempt, but such exemption expires
 10 October 1, 2004.

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

13 212.02 Definitions.--The following terms and phrases
 14 when used in this chapter have the meanings ascribed to them
 15 in this section, except where the context clearly indicates a
 16 different meaning:

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

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

24 288.063 Contracts for transportation projects.--

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

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

31 288.075 Confidentiality of records.--

Bill No. CS for SB 2580

Barcode 454496

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

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

17 288.35 Definitions.--The following terms, wherever
18 used or referred to in this part, shall have the following
19 meanings:

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

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

31 288.9415 International Trade Grants.--

Bill No. CS for SB 2580

Barcode 454496

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

6 Section 58. Paragraph (j) of subsection (5) of section
 7 212.08, Florida Statutes, is amended to read:

8 212.08 Sales, rental, use, consumption, distribution,
 9 and storage tax; specified exemptions.--The sale at retail,
 10 the rental, the use, the consumption, the distribution, and
 11 the storage to be used or consumed in this state of the
 12 following are hereby specifically exempt from the tax imposed
 13 by this chapter.

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

15 (j) Machinery and equipment used in semiconductor,
 16 defense, or space technology production and research and
 17 development.--

18 1.a. Industrial machinery and equipment used in
 19 semiconductor technology facilities certified under
 20 subparagraph 6. to manufacture, process, compound, or produce
 21 semiconductor technology products for sale or for use by these
 22 facilities are exempt from the tax imposed by this chapter.
 23 For purposes of this paragraph, industrial machinery and
 24 equipment includes molds, dies, machine tooling, other
 25 appurtenances or accessories to machinery and equipment,
 26 testing equipment, test beds, computers, and software, whether
 27 purchased or self-fabricated, and, if self-fabricated,
 28 includes materials and labor for design, fabrication, and
 29 assembly.

30 b. Industrial machinery and equipment used in defense
 31 or space technology facilities certified under subparagraph 6.

Bill No. CS for SB 2580

Barcode 454496

1 to design, manufacture, assemble, process, compound, or
 2 produce defense technology products or space technology
 3 products for sale or for use by these facilities are exempt
 4 from ~~25 percent~~ of the tax imposed by this chapter.

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

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

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

25 4. In addition to meeting the criteria mandated by
 26 subparagraph 1., subparagraph 2., or subparagraph 3., a
 27 business must be certified by the Office of Tourism, Trade,
 28 and Economic Development as authorized in this paragraph in
 29 order to qualify for exemption under this paragraph.

30 5. For items purchased tax exempt pursuant to this
 31 paragraph, possession of a written certification from the

Bill No. CS for SB 2580

Barcode 454496

1 purchaser, certifying the purchaser's entitlement to exemption
2 pursuant to this paragraph, relieves the seller of the
3 responsibility of collecting the tax on the sale of such
4 items, and the department shall look solely to the purchaser
5 for recovery of tax if it determines that the purchaser was
6 not entitled to the exemption.

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

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

27 c. Upon receipt of the initial application and
28 recommendation from Enterprise Florida, Inc., or upon receipt
29 of a certification-renewal statement, the Office of Tourism,
30 Trade, and Economic Development shall certify within 5 working
31 days those applicants who are found to meet the requirements

Bill No. CS for SB 2580

Barcode 454496

1 of this section and notify the applicant, Enterprise Florida,
2 Inc., and the department of the original certification or
3 certification renewal. If the Office of Tourism, Trade, and
4 Economic Development finds that the applicant does not meet
5 the requirements of this section, it shall notify the
6 applicant and Enterprise Florida, Inc., within 10 working days
7 that the application for certification has been denied and the
8 reasons for denial. The Office of Tourism, Trade, and Economic
9 Development has final approval authority for certification
10 under this section.

11 ~~7.a. A business may apply once each year for the~~
12 ~~exemption.~~

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

25 e.c. The Office of Tourism, Trade, and Economic
26 Development may use the information reported on the
27 application for evaluation purposes only and shall prepare an
28 annual report on the exemption program and its cost and
29 impact. The annual report for the preceding fiscal year shall
30 be submitted to the Governor, the President of the Senate, and
31 the Speaker of the House of Representatives by September 30 of

Bill No. CS for SB 2580

Barcode 454496

1 each fiscal year.

2 ~~7.8.~~ A business certified to receive this exemption
3 may elect to designate one or more state universities or
4 community colleges as recipients of up to 100 percent of the
5 amount of the exemption for which they may qualify. To receive
6 these funds, the institution must agree to match the funds so
7 earned with equivalent cash, programs, services, or other
8 in-kind support on a one-to-one basis in the pursuit of
9 research and development projects as requested by the
10 certified business. The rights to any patents, royalties, or
11 real or intellectual property must be vested in the business
12 unless otherwise agreed to by the business and the university
13 or community college.

14 ~~8.9.~~ As used in this paragraph, the term:

15 a. "Predominately" means at least 50 percent of the
16 time in qualifying research and development.

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

29 c. "Semiconductor technology products" means raw
30 semiconductor wafers or semiconductor thin films that are
31 transformed into semiconductor memory or logic wafers,

Bill No. CS for SB 2580

Barcode 454496

1 including wafers containing mixed memory and logic circuits;
 2 related assembly and test operations; active-matrix flat panel
 3 displays; semiconductor chips; semiconductor lasers;
 4 optoelectronic elements; and related semiconductor technology
 5 products as determined by the Office of Tourism, Trade, and
 6 Economic Development.

7 d. "Clean rooms" means manufacturing facilities
 8 enclosed in a manner that meets the clean manufacturing
 9 requirements necessary for high-technology
 10 semiconductor-manufacturing environments.

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

21 f. "Space technology products" means products that are
 22 specifically designed or manufactured for application in space
 23 activities, including, but not limited to, space launch
 24 vehicles, space flight vehicles, missiles, satellites or
 25 research payloads, avionics, and associated control systems
 26 and processing systems and components of any of the foregoing.
 27 The term does not include products that are designed or
 28 manufactured for general commercial aviation or other uses
 29 even though those products may also serve an incidental use in
 30 space applications.

31 Section 59. Section 1004.86, Florida Statutes, is

Bill No. CS for SB 2580

Barcode 454496

1 created to read:

2 1004.86 Florida Center for Mathematics and Science
3 Education Research.--

4 (1) The Department of Education shall contract with a
5 competitively selected public state university to create and
6 operate the Florida Center for Mathematics and Science
7 Education Research. The purpose of the center shall be to
8 increase student achievement in science and mathematics, with
9 an emphasis on K-12 education. The center shall:

10 (a) Provide technical assistance and support to school
11 districts and schools in the development and implementation of
12 mathematics and science instruction.

13 (b) Conduct applied research on policy and practices
14 related to mathematics and science instruction and assessment
15 in the state.

16 (c) Conduct or compile basic research regarding
17 student acquisition of mathematics and science knowledge and
18 skills.

19 (d) Develop comprehensive course frameworks for
20 mathematics and science courses that emphasize rigor and
21 relevance at the elementary, middle, and high school levels.

22 (e) Disseminate information regarding research-based
23 teaching practices in mathematics and science to teachers and
24 teacher educators in the state.

25 (f) Collect, manage, and report on assessment
26 information regarding student achievement in mathematics and
27 science.

28 (g) Establish partnerships with public and private
29 state universities, community colleges, school districts, and
30 other appropriate entities to further increase student
31 achievement in science and mathematics.

Bill No. CS for SB 2580

Barcode 454496

1 (h) Collaborate with the Florida Center for Reading
 2 Research in order to provide research-based practices that
 3 integrate the teaching of reading within mathematics and
 4 sciences courses.

5 (2) The department shall monitor this center through
 6 the Division of K-12 Public Schools.

7 Section 60. Sections 331.314, 331.315, 331.367,
 8 331.368, 331.401, 331.403, 331.405, 331.407, 331.409, 331.411,
 9 331.415, 331.417, and 331.419, Florida Statutes, are repealed.

10 Section 61. The Florida Space Authority, the Florida
 11 Space Research Institute, and the Florida Aerospace Finance
 12 Corporation shall submit articles of dissolution to the
 13 Department of State, in accordance with s. 607.1403, Florida
 14 Statutes, no later than September 1, 2006. Space Florida, as
 15 created by this act, is the successor organization to the
 16 Florida Space Authority, the Florida Space Research Institute,
 17 and the Florida Aerospace Finance Corporation. The Florida
 18 Space Authority, the Florida Space Research Institute, and the
 19 Florida Aerospace Finance Corporation shall transfer, and
 20 Space Florida shall receive, all records, property,
 21 obligations, and unexpended balances of appropriations,
 22 allocations, or other funds of the dissolved entities. To
 23 ensure compliance with 26 U.S.C. 501(c)(3), Space Florida
 24 shall use the assets or funds transferred to it from the
 25 Florida Space Authority, the Florida Space Research Institute,
 26 and the Florida Aerospace Finance Corporation in a manner
 27 consistent with the purpose for which the originating entity
 28 received them.

29 Section 62. The Governor, the President of the Senate,
 30 and the Speaker of the House of Representatives shall appoint
 31 the board of directors of Space Florida no later than July 1,

Bill No. CS for SB 2580

Barcode 454496

1 2006. The board of directors of Space Florida shall hold its
 2 first meeting no later than August 1, 2006. The board of
 3 directors of Space Florida shall appoint a president no later
 4 than September 1, 2006. The Executive Office of the Governor
 5 shall provide staffing, and transitional support to Space
 6 Florida until December 31, 2006.

7 Section 63. Subsection (12) is added to section
 8 288.1224, Florida Statutes, to read:

9 288.1224 Powers and duties.--The commission:

10 (12) Shall advise and cooperate with Space Florida
 11 regarding the marketing of space tourism when appropriate and
 12 beneficial.

13 Section 64. Subsection (7) is added to section
 14 288.9015, Florida Statutes, to read:

15 288.9015 Enterprise Florida, Inc.; purpose; duties.--

16 (7) Enterprise Florida, Inc., shall enter into
 17 agreement with Space Florida to:

18 (a) Develop a plan to retain, expand, attract, and
 19 create aerospace industry entities, public or private, which
 20 result in the creation of high-value-added businesses and jobs
 21 in this state; and

22 (b) Develop a plan to assist in the financing of
 23 aerospace businesses.

24 Section 65. Subsection (12) is added to section
 25 445.004, Florida Statutes, to read:

26 445.004 Workforce Florida, Inc.; creation; purpose;
 27 membership; duties and powers.--

28 (12) Workforce Florida, Inc., shall enter into
 29 agreement with Space Florida, and collaborate with Florida
 30 vocational institutes, community colleges, colleges, and
 31 universities, to develop a workforce development strategy to

Bill No. CS for SB 2580

Barcode 454496

1 implement s. 331.3051.

2 Section 66. Section 1001.10, Florida Statutes, is
3 amended to read:

4 1001.10 Commissioner of Education; general powers and
5 duties.--The Commissioner of Education is the chief
6 educational officer of the state, and is responsible for
7 giving full assistance to the State Board of Education in
8 enforcing compliance with the mission and goals of the
9 seamless K-20 education system. To facilitate innovative
10 practices and to allow local selection of educational methods,
11 the State Board of Education may authorize the commissioner to
12 waive, upon the request of a district school board, State
13 Board of Education rules that relate to district school
14 instruction and school operations, except those rules
15 pertaining to civil rights, and student health, safety, and
16 welfare. The Commissioner of Education is not authorized to
17 grant waivers for any provisions in rule pertaining to the
18 allocation and appropriation of state and local funds for
19 public education; the election, compensation, and organization
20 of school board members and superintendents; graduation and
21 state accountability standards; financial reporting
22 requirements; reporting of out-of-field teaching assignments
23 under s. 1012.42; public meetings; public records; or due
24 process hearings governed by chapter 120. No later than
25 January 1 of each year, the commissioner shall report to the
26 Legislature and the State Board of Education all approved
27 waiver requests in the preceding year. Additionally, the
28 commissioner has the following general powers and duties:

29 (1) To appoint staff necessary to carry out his or her
30 powers and duties.

31 (2) To advise and counsel with the State Board of

Bill No. CS for SB 2580

Barcode 454496

1 Education on all matters pertaining to education; to recommend
 2 to the State Board of Education actions and policies as, in
 3 the commissioner's opinion, should be acted upon or adopted;
 4 and to execute or provide for the execution of all acts and
 5 policies as are approved.

6 (3) To keep such records as are necessary to set forth
 7 clearly all acts and proceedings of the State Board of
 8 Education.

9 (4) To have a seal for his or her office with which,
 10 in connection with his or her own signature, the commissioner
 11 shall authenticate true copies of decisions, acts, or
 12 documents.

13 (5) To recommend to the State Board of Education
 14 policies and steps designed to protect and preserve the
 15 principal of the State School Fund; to provide an assured and
 16 stable income from the fund; to execute such policies and
 17 actions as are approved; and to administer the State School
 18 Fund.

19 (6) To take action on the release of mineral rights
 20 based upon the recommendations of the Board of Trustees of the
 21 Internal Improvement Trust Fund.

22 (7) To submit to the State Board of Education, on or
 23 before August 1 of each year, recommendations for a
 24 coordinated K-20 education budget that estimates the
 25 expenditures for the State Board of Education, including the
 26 Department of Education, the Commissioner of Education, and
 27 all of the boards, institutions, agencies, and services under
 28 the general supervision of the State Board of Education for
 29 the ensuing fiscal year. Any program recommended to the State
 30 Board of Education that will require increases in state
 31 funding for more than 1 year must be presented in a multiyear

Bill No. CS for SB 2580

Barcode 454496

1 budget plan.

2 (8) To develop and implement a plan for cooperating
3 with the Federal Government in carrying out any or all phases
4 of the educational program and to recommend policies for
5 administering funds that are appropriated by Congress and
6 apportioned to the state for any or all educational purposes.

7 (9) To develop and implement policies for cooperating
8 with other public agencies in carrying out those phases of the
9 program in which such cooperation is required by law or is
10 deemed by the commissioner to be desirable and to cooperate
11 with public and nonpublic agencies in planning and bringing
12 about improvements in the educational program.

13 (10) To prepare forms and procedures as are necessary
14 to be used by district school boards and all other educational
15 agencies to assure uniformity, accuracy, and efficiency in the
16 keeping of records, the execution of contracts, the
17 preparation of budgets, or the submission of reports; and to
18 furnish at state expense, when deemed advisable by the
19 commissioner, those forms that can more economically and
20 efficiently be provided.

21 (11) To implement a program of school improvement and
22 education accountability designed to provide all students the
23 opportunity to make adequate learning gains in each year of
24 school as provided by statute and State Board of Education
25 rule based upon the achievement of the state education goals,
26 recognizing the following:

27 (a) The State Board of Education is the body corporate
28 responsible for the supervision of the system of public
29 education.

30 (b) The district school board is responsible for
31 school and student performance.

Bill No. CS for SB 2580

Barcode 454496

1 (c) The individual school is the unit for education
2 accountability.

3 (d) The community college board of trustees is
4 responsible for community college performance and student
5 performance.

6 (e) The university board of trustees is responsible
7 for university performance and student performance.

8 (12) To establish a Citizen Information Center
9 responsible for the preparation, publication, and distribution
10 of materials relating to the state system of seamless K-20
11 public education.

12 (13) To prepare and publish annually reports giving
13 statistics and other useful information pertaining to the
14 Opportunity Scholarship Program.

15 (14) To have printed or electronic copies of school
16 laws, forms, instruments, instructions, and rules of the State
17 Board of Education and provide for their distribution.

18 (15) To develop criteria for use by state
19 instructional materials committees in evaluating materials
20 submitted for adoption consideration. The criteria shall, as
21 appropriate, be based on instructional expectations reflected
22 in curriculum frameworks and student performance standards.
23 The criteria for each subject or course shall be made
24 available to publishers of instructional materials pursuant to
25 the requirements of chapter 1006.

26 (16) To prescribe procedures for evaluating
27 instructional materials submitted by publishers and
28 manufacturers in each adoption.

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

Bill No. CS for SB 2580

Barcode 454496

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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

Section 67. Subsection (33) is added to section 334.044, Florida Statutes, to read:

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

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

Section 68. There is appropriated for the 2006-2007 state fiscal year to the Office of Tourism, Trade, and Economic Development within the Office of the Governor \$35 million of nonrecurring funds from the General Revenue Fund to be used for infrastructure needs related to the development of the National Aeronautics and Space Administration's Crew Exploration Vehicle; \$3 million of nonrecurring funds from the General Revenue Fund for operational needs of Space Florida, including operational funding through September 1, 2006, for the Florida Space Authority, the Florida Aerospace Finance Corporation, and the Florida Space Research Institute; and \$4 million of nonrecurring funds from the General Revenue Fund for implementation of innovative education programs and financing assistance for aerospace business-development

Bill No. CS for SB 2580

Barcode 454496

1 projects.

2 Section 69. This act shall take effect upon becoming a
3 law.

4

5

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

7 And the title is amended as follows:

8 Delete everything before the enacting clause

9

10 and insert:

11 A bill to be entitled

12 An act relating to the state's aerospace
13 industry; redesignating the "Florida Space
14 Authority" as "Space Florida"; providing
15 legislative intent; providing, revising, and
16 repealing definitions; revising and
17 consolidating the roles, purposes,
18 responsibilities, assets, and duties of the
19 Florida Space Authority as those of Space
20 Florida; deleting authority to establish
21 facilities and complementary activities;
22 providing additional powers and duties of Space
23 Florida; prohibiting Space Florida from
24 endorsing political candidates or making
25 campaign contributions; characterizing certain
26 property as Space Florida territory; providing
27 additional powers and responsibilities of Space
28 Florida relating to the state's aerospace
29 industry; deleting authority to exercise
30 eminent domain powers; requiring Space Florida
31 to create a business plan and a marketing

Bill No. CS for SB 2580

Barcode 454496

1 campaign; requiring Space Florida to coordinate
2 its activities with federal and state agencies;
3 replacing provisions providing for a board of
4 supervisors with provisions providing for a
5 board of directors of Space Florida; providing
6 for designation and appointment of members;
7 providing for terms, removal of members, and
8 filling of vacancies; providing for board
9 meetings; specifying service without
10 compensation; providing for reimbursement of
11 certain expenses; providing financial
12 disclosure requirements; revising powers and
13 duties of the board; creating ss. 331.3011 and
14 331.3051, F.S.; amending ss. 331.301, 331.302,
15 331.303, 331.305, 331.306, 331.308, 331.309,
16 331.310, 331.3101, 331.311, 331.312, 331.313,
17 331.316, 331.317, 331.318, 331.319, 331.320,
18 331.321, 331.322, 331.323, 331.324, 331.325,
19 331.326 331.327, 331.328, 331.329, 331.331,
20 331.333, 331.334, 331.335, 331.336, 331.337,
21 331.338, 331.339, 331.340, 331.343, 331.345,
22 331.346, 331.347, 331.348, 331.349, 331.350,
23 331.351, 331.354, 331.355, 331.360, and
24 331.369, F.S., to conform; amending ss.
25 14.2015, 74.011, 196.012, 212.02, 288.063,
26 288.075, 288.35, and 288.9415, F.S., to
27 conform; amending s. 212.08, F.S.; expanding
28 the exemption from the sales and use tax on
29 certain machinery and equipment; creating s.
30 1004.86, F.S.; requiring the Department of
31 Education to establish the Florida Center for

Bill No. CS for SB 2580

Barcode 454496

1 Mathematics and Science Education Research at a
2 public state university; specifying
3 requirements for the center; repealing s.
4 331.314, F.S., relating to the exclusive
5 authority of the Florida Space Authority to
6 regulate spaceports; repealing s. 331.315,
7 F.S., relating to maintenance of projects
8 across rights-of-way; repealing s. 331.367,
9 F.S., relating to the Spaceport Management
10 Council; repealing s. 331.368, F.S., relating
11 to the Florida Space Research Institute;
12 repealing ss. 331.401, 331.403, 331.405,
13 331.407, 331.409, 331.411, 331.415, 331.417,
14 and 331.419, F.S., relating to the Florida
15 Aerospace Finance Corporation; providing that
16 the Florida Space Authority, the Florida Space
17 Research Institute, and the Florida Aerospace
18 Finance Corporation are dissolved on a
19 specified date; providing that Space Florida
20 assumes the records, property, and unexpended
21 balances of appropriations, allocations, and
22 other funds from the dissolved entities;
23 requiring the Governor, the President of the
24 Senate, and the Speaker of the House of
25 Representatives to appoint the board of
26 directors of Space Florida by a specified date;
27 requiring the board of directors of Space
28 Florida to hold its first meeting by a
29 specified date; amending ss. 228.1224,
30 288.9015, 445.004, and 1001.10, F.S.; requiring
31 the Florida Commission on Tourism, Enterprise

Bill No. CS for SB 2580

Barcode 454496

1 Florida, Inc., Workforce Florida, Inc., and the
2 Commissioner of Education to enter into
3 memoranda of agreement with Space Florida;
4 amending s. 334.044, F.S.; prescribing power of
5 the Department of Transportation to enter into
6 agreement with Space Florida; providing
7 appropriations; providing an effective date.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31