

Bill No. SB 2580

Barcode 525510

CHAMBER ACTION

Senate

House

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The Committee on Commerce and Consumer Services (Saunders)
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. SB 2580

Barcode 525510

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 enhances the state's workforce, education, and research
 15 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. SB 2580

Barcode 525510

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 as 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 Section 4. Section 331.303, Florida Statutes, is
29 amended to read:

30 331.303 Definitions.--

31 (1) "Aerospace" means the industry that designs and

Bill No. SB 2580

Barcode 525510

1 manufactures aircraft, rockets, missiles, spacecraft,
 2 satellites, space vehicles, space stations, space facilities
 3 or components thereof, and equipment, systems, facilities,
 4 simulators, programs, and related activities. "Authority"
 5 ~~means the Florida Space Authority created by this act.~~

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

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

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

25 ~~(5) "Complementary activity" means any space business~~
 26 ~~incubator, space tourism activity, educational involvement in~~
 27 ~~an incubator, or space tourism and space-related research and~~
 28 ~~development.~~

29 ~~(6) "Conduit bond" means any bond of the authority~~
 30 ~~which is a nonrecourse obligation of the authority payable~~
 31 ~~from the proceeds of such bonds and related financing~~

Bill No. SB 2580

Barcode 525510

1 ~~agreements.~~

2 ~~(5)(7)~~ "Cost" means all costs, fees, charges,
3 expenses, and amounts associated with the development of
4 projects by Space Florida ~~the authority~~.

5 ~~(6)(8)~~ "Entertainment expenses" means the actual,
6 necessary, and reasonable costs of providing hospitality for
7 business clients or guests, which costs are defined and
8 prescribed by rules adopted by Space Florida ~~the authority~~,
9 subject to approval by the Chief Financial Officer.

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

13 ~~(7)(10)~~ "Financing agreement" means a lease,
14 lease-purchase agreement, lease with option to purchase, sale
15 or installment sale agreement, whether title passes in whole
16 or in part at any time before ~~prior to~~, at, or after
17 completion of the project, loan agreement, or other agreement
18 forming the basis for the financing under this act, including
19 any agreements, guarantees, or security instruments forming
20 part of or related to providing assurance of payment of the
21 obligations under the ~~such~~ financing agreement.

22 ~~(8)(11)~~ "Guest" means a person, other than a state
23 official or state employee, authorized by the board or its
24 designee to receive the hospitality of Space Florida ~~the~~
25 ~~authority~~ in connection with the performance of its statutory
26 duties.

27 ~~(9)(12)~~ "Landing area" means the geographical area
28 designated by Space Florida ~~the authority~~ within the spaceport
29 territory for or intended for the landing and surface
30 maneuvering of any launch or other space vehicle.

31 ~~(10)(13)~~ "Launch pad" means any launch pad, runway,

Bill No. SB 2580

Barcode 525510

1 airstrip, or similar facility used ~~by the spaceport or~~
2 ~~spaceport user~~ for launching ~~of~~ space vehicles.

3 (11)(14) "Payload" means any property or cargo to be
4 transported aboard any vehicle launched by or from the
5 spaceport.

6 (12)(15) "Person" means any individual, child,
7 community college, college, university, firm, association,
8 joint venture, partnership, estate, trust, business trust,
9 syndicate, fiduciary, corporation, nation, government
10 (federal, state, or local), agency (government or other),
11 subdivision of the state, municipality, county, business
12 entity, or any other group or combination.

13 (13)(16) "Project" means any development, improvement,
14 property, launch, utility, facility, system, works, road,
15 sidewalk, enterprise, service, or convenience, which may
16 include coordination with state partners or agencies
17 ~~Enterprise Florida, Inc., the Board of Education, the Florida~~
18 ~~Aerospace Finance Corporation, and the Florida Space Research~~
19 ~~Institute~~; any rocket, capsule, module, launch facility,
20 assembly facility, operations or control facility, tracking
21 facility, administrative facility, or any other type of
22 aerospace-related ~~space-related~~ transportation vehicle,
23 station, or facility; any type of equipment or instrument to
24 be used or useful in connection with any of the foregoing; any
25 type of intellectual property and intellectual property
26 protection in connection with any of the foregoing including,
27 without limitation, any patent, copyright, trademark, and
28 service mark for, among other things, computer software; any
29 water, wastewater, gas, or electric utility system, plant, or
30 distribution or collection system; any small business
31 incubator initiative, including any startup aerospace company.

Bill No. SB 2580

Barcode 525510

1 and any aerospace business proposing to expand or locate its
 2 business in this state, research and development company,
 3 research and development facility, education and workforce
 4 training facility, storage facility, and consulting service;
 5 or any tourism initiative, including any space experience
 6 attraction, microgravity flight program, aerospace
 7 space-launch-related activity, and space museum sponsored or
 8 promoted by Space Florida the authority.

9 (14)(17) "Range" means the geographical area
 10 designated by Space Florida the authority or other appropriate
 11 body as the area for the launching of rockets, missiles,
 12 launch vehicles, and other vehicles designed to reach high
 13 altitude.

14 (15)(18) "Recovery" means the recovery of space
 15 vehicles and payloads which have been launched from or by a
 16 ~~the~~ spaceport.

17 (16)(19) "Spaceport" means any area of land or water,
 18 or any manmade object or facility located therein, developed
 19 by Space Florida the authority under this act, which area is
 20 intended for public use or for the launching, takeoff, and
 21 landing of spacecraft and aircraft, and includes any
 22 appurtenant areas which are used or intended for public use,
 23 for spaceport buildings, or for other spaceport facilities,
 24 spaceport projects, or rights-of-way.

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

27 (17)(21) "Spaceport launch facilities" means ~~shall be~~
 28 ~~defined as~~ industrial facilities as described in ~~accordance~~
 29 ~~with~~ s. 380.0651(3)(c) and include any launch pad, launch
 30 control center, and fixed launch-support equipment.

31 (18)(22) "Spaceport system" means the programs,

Bill No. SB 2580

Barcode 525510

1 organizations, and infrastructure developed by Space Florida
 2 ~~the authority~~ for the development of facilities or activities
 3 to enhance and provide commercial aerospace space-related
 4 development opportunities for business, education, workforce
 5 development, and government within the state.

6 ~~(19)(23)~~ "Spaceport territory" means the geographical
 7 area designated in s. 331.304 and as amended or changed in
 8 accordance with s. 331.329.

9 ~~(20)(24)~~ "Spaceport user" means any person who uses
 10 the facilities or services of any spaceport; and, for the
 11 purposes of any exemptions or rights granted under this act,
 12 the said spaceport user shall be deemed a spaceport user only
 13 during the time period in which the ~~such~~ person has in effect
 14 a contract, memorandum of understanding, or agreement with the
 15 spaceport, and such rights and exemptions shall be granted
 16 with respect to transactions relating only to spaceport
 17 projects.

18 ~~(21)(25)~~ "Travel expenses" means the actual,
 19 necessary, and reasonable costs of transportation, meals,
 20 lodging, and incidental expenses normally incurred by a
 21 traveler, which costs are defined and prescribed by rules
 22 adopted by Space Florida ~~the authority~~, subject to approval by
 23 the Chief Financial Officer.

24 ~~(22)(26)~~ "Spaceport discretionary capacity improvement
 25 projects" means capacity improvements that enhance space
 26 transportation capacity at spaceports that have had one or
 27 more orbital or suborbital flights during the previous
 28 calendar year or have an agreement in writing for installation
 29 of one or more regularly scheduled orbital or suborbital
 30 flights upon the commitment of funds for stipulated spaceport
 31 capital improvements.

Bill No. SB 2580

Barcode 525510

1 Section 5. Section 331.305, Florida Statutes, is
2 amended to read:

3 331.305 Powers of Space Florida ~~the authority.--Space~~
4 Florida has ~~The authority shall have~~ the power to:

5 (1) Exercise all powers granted to corporations under
6 the Florida Business Corporation Act, chapter 607.

7 ~~(2) Sue and be sued by its name in any court of law or~~
8 ~~in equity.~~

9 ~~(3) Adopt and use a corporate seal and alter the same~~
10 ~~at pleasure.~~

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

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

21 ~~(b) Products, services description--potential,~~
22 ~~technologies, skills.~~

23 ~~(c) Market research and evaluation--customers,~~
24 ~~competition, economics.~~

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

26 ~~(e) Design and development plan--tasks, difficulties,~~
27 ~~costs.~~

28 ~~(f) Manufacturing locations, facilities, and~~
29 ~~operations plan.~~

30 ~~(g) Management organization roles and~~
31 ~~responsibilities.~~

Bill No. SB 2580

Barcode 525510

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

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

3 ~~(j) Community impact economic, human development,~~
4 ~~community development.~~

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

7 ~~(l) Proposed authority offering financing,~~
8 ~~capitalization, use of funds.~~

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

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

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

25 ~~(8) Appoint, through its board of supervisors, an~~
26 ~~executive director.~~

27 ~~(2)(9)~~ Own, acquire, construct, develop, create,
28 reconstruct, equip, operate, maintain, extend, and improve
29 launch pads, landing areas, ranges, payload assembly
30 buildings, payload processing facilities, laboratories,
31 aerospace ~~space~~ business incubators, launch vehicles,

Bill No. SB 2580

Barcode 525510

1 payloads, space flight hardware, facilities and equipment for
 2 the construction of payloads, space flight hardware, rockets,
 3 and other launch vehicles, and other spaceport facilities and
 4 other aerospace-related ~~space-related~~ systems, including
 5 educational, cultural, and parking facilities and
 6 space-related initiatives.

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

12 ~~(3)(11)~~ Own, acquire, construct, reconstruct, equip,
 13 operate, maintain, extend, or ~~and~~ improve transportation
 14 facilities appropriate to meet the transportation requirements
 15 of Space Florida ~~the authority~~ and activities conducted within
 16 ~~the~~ spaceport territory.

17 ~~(4)(12)~~ Own, acquire, construct, reconstruct, equip,
 18 operate, maintain, extend, or ~~and~~ improve electric power
 19 plants, transmission lines and related facilities, gas mains
 20 and facilities of any nature for the production or
 21 distribution of natural gas, transmission lines and related
 22 facilities and plants and facilities for the generation and
 23 transmission of power through traditional and new and
 24 experimental sources of power and energy; purchase electric
 25 power, natural gas, and other sources of power for
 26 distribution within any spaceport territory; develop and
 27 operate water and sewer systems and waste collection and
 28 disposal consistent with chapter 88-130, Laws of Florida; and
 29 develop and operate such new and experimental public
 30 utilities, including, but not limited to, centrally
 31 distributed heating and air-conditioning facilities and

Bill No. SB 2580

Barcode 525510

1 services, closed-circuit television systems, and computer
 2 services and facilities, as the board may from time to time
 3 determine. However, Space Florida may ~~the authority shall not~~
 4 construct any system, work, project, or utility authorized to
 5 be constructed under this paragraph in the event that a
 6 system, work, project, or utility of a similar character is
 7 being actually operated by a municipality or private company
 8 in the municipality or territory adjacent thereto, unless such
 9 municipality or private company consents to such construction.

10 ~~(5)(13)~~ Designate, set aside, and maintain lands and
 11 areas within or without the territorial limits of any
 12 spaceport territory as conservation areas or bird and wildlife
 13 sanctuaries; stock such areas with animal and plant life and
 14 stock water areas with fish and other aquatic life; adopt
 15 pursuant to ss. 120.536(1) and 120.54 ~~promulgate~~ and enforce
 16 rules ~~and regulations~~ with respect thereto and protect and
 17 preserve the natural beauty thereof; and do all acts necessary
 18 or desirable in order to qualify such lands and areas as
 19 conservation areas and sanctuaries under any of the laws of
 20 the state or under federal law.

21 ~~(6)(14)~~ Establish a program for the control,
 22 abatement, and elimination of mosquitoes and other noxious
 23 insects, rodents, reptiles, and other pests throughout the
 24 spaceport territory and undertake such works and construct
 25 such facilities within or without the spaceport territory as
 26 may be determined by the board to be needed to effectuate such
 27 program; abate and suppress mosquitoes and other arthropods,
 28 whether disease-bearing or pestiferous, within any spaceport
 29 territory when in the judgment of the board such action is
 30 necessary or desirable for the health and welfare of the
 31 inhabitants of or visitors to any spaceport; and take any and

Bill No. SB 2580

Barcode 525510

1 all temporary or permanent eliminative measures that the board
 2 may deem advisable. The Legislature hereby finds and declares
 3 Space Florida ~~the authority~~ eligible to receive state funds,
 4 supplies, services, and equipment available or that may in the
 5 future become available to mosquito or pest control districts,
 6 the provisions of s. 388.021 notwithstanding.

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

15 ~~(8)(16)~~ Own, acquire, construct, reconstruct, equip,
 16 maintain, operate, extend, and improve public safety
 17 facilities for the spaceport, including security stations,
 18 security vehicles, fire stations, water mains and plugs, and
 19 fire trucks and other vehicles and equipment; hire employees,
 20 security officers, and firefighters; and undertake such works
 21 and construct such facilities determined by the board to be
 22 necessary or desirable to promote and ensure public safety
 23 within the spaceport territory.

24 ~~(9)(17)~~ Hire, through its president ~~executive~~
 25 ~~director~~, a safety officer with substantial experience in
 26 public safety procedures and programs for space vehicle
 27 launching and related hazardous operations. The safety officer
 28 shall monitor and report on the safety and hazards of
 29 ground-based space operations to the president ~~executive~~
 30 ~~director~~.

31 ~~(18)~~ ~~Establish a personnel management system for~~

Bill No. SB 2580

Barcode 525510

1 ~~hiring employees and setting employee benefit packages. The~~
2 ~~personnel of the authority shall not be considered to be~~
3 ~~within the state employment system.~~

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

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

25 ~~(11)(21)~~ Issue revenue bonds, assessment bonds, or any
26 other bonds or obligations authorized by the provisions of
27 this act or any other law, or any combination of the
28 foregoing, and pay all or part of the cost of the acquisition,
29 construction, reconstruction, extension, repair, improvement,
30 or maintenance of any project or combination of projects,
31 including payloads and space flight hardware, and equipment

Bill No. SB 2580

Barcode 525510

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

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

17 ~~(13)(23)~~ In connection with any financing agreement,
 18 fix and collect fees, loan payments, rental payments, and
 19 other charges for the use of any project in such amount as to
 20 provide sufficient moneys to pay the principal of and interest
 21 on bonds as the same shall become due and payable, if so
 22 provided in the bond resolution or trust agreement, and to
 23 create reserves for such purposes. The fees, rents, payments,
 24 and charges and all other revenues and proceeds derived from
 25 the project in connection with which the bonds of any issue
 26 shall have been issued, except such part thereof as may be
 27 necessary for such reserves or any expenditures as may be
 28 provided in the resolution authorizing the issuance of the
 29 bonds or in the trust agreement securing the same, shall be
 30 set aside, at the time as may be specified in the resolution
 31 or trust agreement, in a sinking fund which may be pledged to

Bill No. SB 2580

Barcode 525510

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

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

25 Section 6. Section 331.3051, Florida Statutes, is
26 created to read:

27 331.3051 Duties of Space Florida.--Space Florida
28 shall:

29 (1) Create a business plan to foster the growth and
30 development of the aerospace industry. The business plan must
31 address business development; finance; spaceport operations;

Bill No. SB 2580

Barcode 525510

1 research and development; workforce development; and
 2 education. The business plan must be completed by March 1,
 3 2007, and be revised when determined as necessary by the
 4 board.

5 (2) Enter into agreement with the Department of
 6 Education, the Department of Transportation, Enterprise
 7 Florida, Inc., the Florida Commission on Tourism and its
 8 direct-support organization, and Workforce Florida, Inc., for
 9 the purpose of implementing this act.

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

15 (4) Create a marketing campaign to help attract,
 16 develop, and retain aerospace businesses, aerospace research
 17 and technology, and other related activities in this state.
 18 The campaign must be coordinated with any existing
 19 economic-development-promotion efforts in this state and may
 20 use private resources. Marketing strategies may include
 21 developing promotional materials, Internet and print
 22 advertising, public relations and media placement, trade show
 23 attendance, and other activities.

24 (5) Develop, in cooperation with Enterprise Florida,
 25 Inc., and the Florida Commission on Tourism and its
 26 direct-support organization, a public advertising program
 27 promoting aerospace-related activities, businesses, or any
 28 Space Florida projects.

29 (6) In cooperation with Enterprise Florida, Inc.,
 30 develop a plan to finance aerospace businesses. The plan may
 31 include the following activities:

Bill No. SB 2580

Barcode 525510

1 (a) Assembling, publishing, and disseminating
2 information concerning financing opportunities and techniques
3 for aerospace projects, programs, and activities; sources of
4 public and private aerospace financing assistance; and sources
5 of aerospace-related financing.

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

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

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

20 (e) Collecting funds for aerospace business
21 development projects, which funds shall include tax revenues
22 distributed by Space Florida under s. 212.20(6)(d). Funding
23 levels shall be determined by the board of directors.

24 (7) Carry out its responsibilities for spaceport
25 operations by:

26 (a) Seeking federal support and developing
27 partnerships to renew and upgrade the infrastructure and
28 technologies at the Cape Canaveral Air Force Station, the
29 Kennedy Space Center, and the Eastern Range that will enhance
30 space and military programs of the Federal Government, and
31 improve access for commercial launch activities.

Bill No. SB 2580

Barcode 525510

1 (b) Supporting federal efforts to clarify roles and
 2 responsibilities of federal agencies, and eliminate
 3 duplicative federal rules and policies, in an effort to
 4 streamline access for commercial launch users.

5 (c) Pursuing the development of additional commercial
 6 spaceports in the state through a competitive request for
 7 proposals in partnership with counties or municipalities, the
 8 Federal Government, or private entities.

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

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

21 (8) Carry out its responsibility for research and
 22 development by:

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

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

Bill No. SB 2580

Barcode 525510

1 (9) Carry out its responsibility for workforce
2 development, by coordinating with Workforce Florida, Inc.,
3 community colleges, colleges, universities, and other public
4 and private partners to develop a plan to retain, train, and
5 retrain workers, from entry-level skills training through to
6 technician-level, and 4-year degrees and higher, with the
7 skills most relevant to aerospace employers, and further
8 enhance the Florida Aviation/Aerospace Banner Center to ensure
9 that graduates from the institution meet the needs of the
10 aerospace industry.

11 (10) Carry out its responsibility for creating
12 innovative education programs, by funding programs developed
13 in conjunction with the Department of Education, targeting
14 grades K-20 in an effort to promote mathematics and science
15 education programs, which may include the Florida-NASA
16 Matching Grant Program, aerospace-focused education programs
17 for teachers, education-oriented microgravity flight programs
18 for teachers and students, and Internet-based aerospace
19 education. Funds collected pursuant to s. 212.20(6)(d) and any
20 in-kind or private-sector contribution shall be used for
21 carrying out innovative education programs. Funding levels
22 shall be determined by the board of directors. In its annual
23 report, Space Florida shall include, at a minimum, a
24 description of programs funded, the number of students served,
25 and private-sector support.

26 (11) Annually report on its performance with respect
27 to its business plan, to include finance, spaceport
28 operations, research and development, education, and workforce
29 development. The report shall be submitted to the Governor,
30 the President of the Senate, and the Speaker of the House of
31 Representatives no later than December 31.

Bill No. SB 2580

Barcode 525510

1 Section 7. Section 331.306, Florida Statutes, is
2 amended to read:

3 331.306 Federal airspace notification.--In accordance
4 with Federal Aviation Administration procedures ~~coordination~~
5 ~~with the Florida Department of Transportation, Space Florida~~
6 ~~the authority shall develop and file~~ appropriate the federal
7 ~~airspace notification to activate special-use airspace in~~
8 ~~support of their space launch operations~~ required for priority
9 ~~airspace use.~~

10 Section 8. Section 331.308, Florida Statutes, is
11 amended to read:

12 331.308 Board of directors ~~supervisors~~.--

13 (1) Space Florida shall be governed by a board of
14 directors. Designees of appointed members do not have voting
15 authority. The board of directors shall consist of the
16 following members:

17 (a) The Governor.

18 (b) The Secretary of Transportation or the secretary's
19 designee.

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

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

24 (e) The president of the Florida Commission on Tourism
25 direct-support organization or the president's designee.

26 (f) The Commissioner of Education or the
27 commissioner's designee.

28 (g) Seven members from the private sector appointed by
29 the Governor.

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

Bill No. SB 2580

Barcode 525510

1 the Senate, and one of whom shall be a member of the House of
2 Representatives, selected by the Speaker of the House of
3 Representatives.

4 (i) Six members from the private sector, three of whom
5 shall be appointed by the President of the Senate and three of
6 whom shall be appointed by the Speaker of the House of
7 Representatives.

8
9 In making his or her appointments, the Governor shall ensure
10 that the composition of the board reflects the diversity of
11 the aerospace industry community of this state and, to the
12 greatest degree possible, that the composition of the board
13 includes, but is not limited to, individuals representing the
14 industries of business, finance, marketing, space, aerospace,
15 aviation, defense, research and development, and education.
16 The Governor shall also consider whether the current members
17 of the board, together with potential appointees, reflect the
18 racial, ethnic, and gender diversity, as well as the
19 geographic distribution, of the population of the state.

20 (2)(a) Vacancies on the board shall be filled for the
21 unexpired term in the same manner as the original appointments
22 to the board.

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

26 1. The Governor shall appoint two members for a 1-year
27 term, two members for 2-year terms, and three members for
28 4-year terms.

29 2. The President of the Senate and the Speaker of the
30 House of Representatives shall each appoint one member for a
31 1-year term, one member for a 2-year term, and one member for

Bill No. SB 2580

Barcode 525510

1 a 4-year term.

2 (c) Any member is eligible for reappointment.

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

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

8 (5) The Governor shall serve as chair of the board of
9 directors. The board of directors shall biennially elect one
10 of its private-sector members as vice chair to serve in the
11 absence of the Governor and to perform such other duties as
12 may be designated. The president shall keep a record of the
13 proceedings of the board of directors and shall be the
14 custodian of all books, documents, and papers filed with the
15 board of directors, the minutes of the board of directors, and
16 the official seal of Space Florida.

17 (6) The board of directors shall meet at least four
18 times each year, upon the call of the chair, at the request of
19 the vice chair, or at the request of a majority of the
20 membership. A majority of the total number of current voting
21 directors shall constitute a quorum. The board of directors
22 may take official action by a majority vote of the members
23 present at any meeting at which a quorum is present.

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

29 (8) Each member of the board of directors of Space
30 Florida who is not otherwise required to file financial
31 disclosure pursuant to s. 8, Art. II of the State Constitution

Bill No. SB 2580

Barcode 525510

1 or s. 112.3144, shall file disclosure of financial interests
2 pursuant to s. 112.3145. ~~There is created within the Florida~~
3 ~~Space Authority a board of supervisors consisting of eight~~
4 ~~regular members, who shall be appointed by the Governor, and~~
5 ~~two ex officio nonvoting members, one of whom shall be a state~~
6 ~~senator selected by the President of the Senate and one of~~
7 ~~whom shall be a state representative selected by the Speaker~~
8 ~~of the House of Representatives. The Lieutenant Governor, who~~
9 ~~is the state's space policy leader, shall serve as chair of~~
10 ~~the board of supervisors, and shall cast the deciding vote if~~
11 ~~the votes of the eight regular members result in a tie. The~~
12 ~~board shall elect a vice chair to preside in the absence of~~
13 ~~the Lieutenant Governor and to perform such other duties as~~
14 ~~may be designated. All regular members shall be subject to~~
15 ~~confirmation by the Senate at the next regular session of the~~
16 ~~Legislature. Existing board members are not prohibited from~~
17 ~~reappointment. Each of the regular board members must be a~~
18 ~~resident of the state and must have experience in the~~
19 ~~aerospace or commercial space industry or in finance or have~~
20 ~~other significant relevant experience. A private sector legal~~
21 ~~entity may not have more than one person serving on the board~~
22 ~~at any one time. One regular member shall represent organized~~
23 ~~labor interests, one regular member shall represent minority~~
24 ~~interests, and four regular members must represent space~~
25 ~~industry, at least one of whom must also be from a small~~
26 ~~business, as defined in s. 288.703. For the purpose of this~~
27 ~~section, "space industry" includes private sector entities~~
28 ~~engaged in space flight business, as defined in s. 212.031,~~
29 ~~research and technology development of space-based products~~
30 ~~and services, space station commercialization, development of~~
31 ~~spaceport and range technology, remote sensing products and~~

Bill No. SB 2580

Barcode 525510

1 ~~services, space biotechnology, measurement and calibration of~~
 2 ~~space assets, space-related software and information~~
 3 ~~technology development, design and architecture of space-based~~
 4 ~~assets and facilities for manufacturing and other purposes,~~
 5 ~~space-related nanotechnology, space tourism, and other~~
 6 ~~commercial enterprises utilizing uniquely space-based~~
 7 ~~capabilities.~~

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

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

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

18 ~~(5) The board shall appoint an executive director.~~
 19 ~~Meetings shall be held quarterly or more frequently at the~~
 20 ~~call of the chair. A majority of the regular members of the~~
 21 ~~board shall constitute a quorum, and a majority vote of such~~
 22 ~~members present is necessary for any action taken by the~~
 23 ~~board.~~

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

31 Section 9. Section 331.309, Florida Statutes, is

Bill No. SB 2580

Barcode 525510

1 amended to read:

2 331.309 Treasurer; depositories; fiscal agent.--

3 (1) The board shall designate an individual who is a
4 resident of the state, or a qualified public depository as
5 defined in s. 280.02, as treasurer of Space Florida ~~the~~
6 ~~authority~~, who shall have charge of the funds of Space Florida
7 ~~the authority~~. Such funds shall be disbursed only upon the
8 order of or pursuant to the resolution of the board by
9 warrant, check, authorization, or direct deposit pursuant to
10 s. 215.85, signed or authorized by the treasurer or his or her
11 representative or by such other persons as may be authorized
12 by the board. The board may give the treasurer such other or
13 additional powers and duties as the board may deem appropriate
14 and shall establish the treasurer's compensation. The board
15 may require the treasurer to give a bond in such amount, on
16 such terms, and with such sureties as may be deemed
17 satisfactory to the board to secure the performance by the
18 treasurer of his or her powers and duties. The board shall
19 audit or have audited the books of the treasurer at least once
20 a year.

21 (2) The board is authorized to select as depositories
22 in which the funds of the board and of Space Florida ~~the~~
23 ~~authority~~ shall be deposited any qualified public depository
24 as defined in s. 280.02, upon such terms and conditions as to
25 the payment of interest by such depository upon the funds so
26 deposited as the board may deem just and reasonable. ~~Funds of~~
27 ~~the authority may also be deposited with the Florida~~
28 ~~Commercial Space Financing Corporation created by s. 331.407.~~
29 The funds of Space Florida ~~the authority~~ may be kept in or
30 removed from the State Treasury upon written notification from
31 the chair of the board to the Chief Financial Officer.

Bill No. SB 2580

Barcode 525510

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

5 Section 10. Section 331.310, Florida Statutes, is
 6 amended to read:

7 331.310 Powers and duties of the board of directors
 8 ~~supervisors. -- Except as otherwise provided in this act, all of~~
 9 ~~the powers and duties of the authority shall be exercised by~~
 10 ~~and through the board of supervisors, including the power and~~
 11 ~~duty to:~~

12 (1) The board has the power to: ~~Adopt bylaws, rules,~~
 13 ~~resolutions, and orders prescribing the powers, duties, and~~
 14 ~~functions of the officers of the authority, the conduct of the~~
 15 ~~business of the authority, the maintenance of records, and the~~
 16 ~~form of all documents and records of the authority. The board~~
 17 ~~may adopt administrative rules and regulations with respect to~~
 18 ~~any of the projects of the authority, with notice and public~~
 19 ~~hearing.~~

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

22 ~~(a)(3)~~ Enter, and authorize any agent or employee of
 23 Space Florida ~~the authority~~ to enter, upon any lands, waters,
 24 and premises, upon giving reasonable notice and due process to
 25 the land owner, for the purposes of making surveys, soundings,
 26 drillings, appraisals, and examinations necessary to perform
 27 its duties and functions. Any such entry shall not be deemed a
 28 trespass or an entry that would constitute a taking in an
 29 eminent domain proceeding. Space Florida ~~The authority~~ shall
 30 make reimbursement for any actual damages to such lands,
 31 waters, and premises as a result of such activity.

Bill No. SB 2580

Barcode 525510

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

7 ~~(c)(5)~~ Establish and create such departments,
 8 committees, or other entities ~~agencies~~ as from time to time
 9 the board may deem necessary or desirable in the performance
 10 of any acts or other things necessary to the exercise of the
 11 powers provided in this act, and delegate to such departments,
 12 boards, or other agencies such administrative duties and other
 13 powers as the board may deem necessary or desirable.

14 ~~(d)~~ Create, form, or acquire such entities as are
 15 necessary to provide financial services to support
 16 aerospace-related business development within the state.
 17 Financial services may include, but are not limited to, direct
 18 lending, loan guarantees, capitalizing, underwriting, or
 19 securing funding for aerospace-related infrastructure. If the
 20 board deems a financial services entity necessary, the board
 21 shall ensure that proper steps are taken to insure the
 22 independence of the entity with respect to financial
 23 decision-making. This may include creating an independent
 24 corporation, organized under chapter 617, with a board of
 25 directors appointed by a Space Florida appointment committee.

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

29 ~~(e)(7)~~ Examine, and authorize any officer or agent of
 30 Space Florida ~~the authority~~ to examine, the county tax rolls
 31 with respect to the assessed valuation of the real and

Bill No. SB 2580

Barcode 525510

1 personal property within any spaceport territory.

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

5 ~~(g)(9)~~ Execute intergovernmental agreements and
6 development agreements consistent with prevailing statutory
7 provisions, including, but not limited to, special benefits or
8 tax increment financing initiatives.

9 ~~(h)(10)~~ Establish reserve funds for future board
10 operations.

11 ~~(i)(11)~~ Adopt rules pursuant to chapter 120 to carry
12 out the purposes of this act.

13 (2) The board of directors shall:

14 (a) Adopt bylaws, rules, resolutions, and orders
15 prescribing the powers, duties, and functions of Space Florida
16 to conduct the business of Space Florida, the maintenance of
17 records, and the form of all documents and records of Space
18 Florida. The board may adopt rules with respect to any of the
19 projects of Space Florida with notice and a public hearing.

20 (b) Maintain a Space Florida office or offices in
21 locations that are strategically advantageous to creating or
22 expanding aerospace activities within the state.

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

26 ~~(d)(12)~~ Abide by all applicable federal labor laws in
27 the construction and day-to-day operations of Space Florida
28 ~~the authority~~ and any spaceport. Further, the board shall
29 establish, by rule and regulation, pursuant to chapter 120,
30 policies and procedures for the construction and operation of
31 Space Florida ~~the authority~~ and any spaceport. ~~The said~~

Bill No. SB 2580

Barcode 525510

1 policies and procedures shall be such that when Space Florida
 2 ~~the authority~~ expends federal funds for construction or
 3 operation of any spaceport project, Space Florida ~~the~~
 4 ~~authority~~ will be subject to the federal labor laws observed
 5 at the Kennedy Space Center and Cape Canaveral Air Force
 6 Station, Florida, applicable as a result of such federal
 7 expenditures.

8 ~~(e)(13)~~ Prepare an annual report of operations. The
 9 ~~said~~ report shall include, but not be limited to, a balance
 10 sheet, an income statement, a statement of changes in
 11 financial position, a reconciliation of changes in equity
 12 accounts, a summary of significant accounting principles, the
 13 auditor's report, a summary of the status of existing and
 14 proposed bonding projects, comments from management about the
 15 year's business, and prospects for the next year, which shall
 16 be submitted each year by December 31 ~~November 30~~ to the
 17 Governor, the President of the Senate, the Speaker of the
 18 House of Representatives, the minority leader of the Senate,
 19 and the minority leader of the House of Representatives.

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

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

23 Section 11. Section 331.3101, Florida Statutes, is
 24 amended to read:

25 331.3101 Space Florida ~~Space Authority~~; travel and
 26 entertainment expenses.--

27 (1) Notwithstanding the provisions of s. 112.061,
 28 Space Florida ~~the authority~~ shall adopt rules by which it may
 29 make expenditures by advancement or reimbursement, or a
 30 combination thereof, to Space Florida ~~authority~~ officers and
 31 employees; reimburse business clients, guests, and authorized

Bill No. SB 2580

Barcode 525510

1 persons as defined in s. 112.061(2)(e); and make direct
2 payments to third-party vendors:

3 (a) For travel expenses of such business clients,
4 guests, and authorized persons incurred by Space Florida ~~the~~
5 ~~authority~~ in connection with the performance of its statutory
6 duties, and for travel expenses incurred by state officials
7 and state employees while accompanying such business clients,
8 guests, or authorized persons or when authorized by the board
9 or its designee.

10 (b) For entertainment expenses of such guests,
11 business clients, and authorized persons incurred by Space
12 Florida ~~the authority~~ in connection with the performance of
13 its statutory duties, and for entertainment expenses incurred
14 for Space Florida ~~authority~~ officials and employees when such
15 expenses are incurred while in the physical presence of such
16 business clients, guests, or authorized persons.

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

31 (3) An annual report shall be made to the Legislature

Bill No. SB 2580

Barcode 525510

1 not later than December 31 ~~November 30~~ of each year for the
 2 previous fiscal year, which shall consist of a synopsis
 3 concisely summarizing all travel, entertainment, and
 4 incidental expenses incurred within the United States and,
 5 separately, all travel, entertainment, and incidental expenses
 6 incurred outside the United States.

7 (4) A ~~No~~ claim submitted under this section is not
 8 ~~shall be~~ required to be sworn to before a notary public or
 9 other officer authorized to administer oaths, but any claim
 10 authorized or required to be made under any provision of this
 11 section must ~~shall~~ contain a statement that the expenses were
 12 actually incurred as necessary travel or entertainment
 13 expenses in the performance of official duties of Space
 14 Florida ~~the authority~~ and shall be verified by written
 15 declaration that it is true and correct as to every material
 16 matter. Any person who willfully makes and subscribes to any
 17 such claim which the person does not believe to be true and
 18 correct as to every material matter or who willfully aids or
 19 assists in, or procures, counsels, or advises, the preparation
 20 or presentation of a claim pursuant to this section, which
 21 claim is fraudulent or false as to any material matter,
 22 whether or not such falsity or fraud is with the knowledge or
 23 consent of the person authorized or required to present such
 24 claim, commits a misdemeanor of the second degree, punishable
 25 as provided in s. 775.082 or s. 775.083. Whoever receives an
 26 advancement or reimbursement by means of a false claim is
 27 civilly liable, in the amount of the overpayment, for the
 28 reimbursement of the public fund from which the claim was
 29 paid.

30 Section 12. Section 331.311, Florida Statutes, is
 31 amended to read:

Bill No. SB 2580

Barcode 525510

1 331.311 Exercise by authority of its powers within
2 municipalities and other political subdivisions.--Space
3 Florida may ~~The authority shall have the power to~~ exercise any
4 of its rights, powers, privileges, and authority in any and
5 all portions of any spaceport territory lying within the
6 boundaries of any municipal corporation or other political
7 subdivision, heretofore or hereafter created or organized,
8 whose boundaries lie wholly or partly within the geographical
9 limits of the spaceport territory, to the same extent and in
10 the same manner as in areas of the spaceport territory not
11 incorporated as part of a municipality or other political
12 subdivision. With respect to any municipal corporation or
13 other political subdivision whose boundaries lie partly within
14 and partly without the geographical limits of the spaceport
15 territory, Space Florida may ~~the authority shall have the~~
16 ~~power to~~ exercise its rights, powers, privileges, and
17 authority only within the portion of the ~~such~~ municipal
18 corporation or other political subdivision lying within the
19 boundaries of the spaceport territory.

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

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

Bill No. SB 2580

Barcode 525510

1 geographical limits of the spaceport territory and for the use
2 of Space Florida ~~the authority~~ itself.

3 Section 14. Section 331.313, Florida Statutes, is
4 amended to read:

5 331.313 Power of Space Florida ~~the authority~~ with
6 respect to roads.--Within the territorial limits of any
7 spaceport territory, Space Florida may ~~the authority has the~~
8 ~~right to~~ acquire, through purchase or interagency agreement,
9 or as otherwise provided in law, and to construct, control,
10 and maintain, roads deemed necessary by Space Florida ~~the~~
11 ~~authority~~ and connections thereto and extensions thereof now
12 or hereafter acquired, constructed, or maintained in
13 accordance with established highway safety standards; provided
14 that, in the event a road being addressed by Space Florida ~~the~~
15 ~~authority~~ is owned by another agency or jurisdiction, Space
16 Florida ~~the authority~~, before ~~prior to~~ proceeding with the
17 proposed project or work activity, shall have either
18 coordinated the desired work with the owning agency or
19 jurisdiction or shall have successfully executed an
20 interagency agreement with the owning agency or jurisdiction.

21 Section 15. Section 331.315, Florida Statutes, is
22 amended to read:

23 331.315 Maintenance of projects across
24 rights-of-way.--Space Florida may ~~The authority shall have the~~
25 ~~right to~~ construct and operate its projects in, along, or
26 under any streets, alleys, highways, or other public places or
27 ways, and across any drain, ditch, canal, floodway, holding
28 basin, excavation, railroad right-of-way, track, grade, fill,
29 or cut; ~~provided~~, however, Space Florida shall pay ~~that~~ just
30 compensation, including fees, ~~shall be paid by the authority~~
31 for any damages arising from ~~or private property taken by the~~

Bill No. SB 2580

Barcode 525510

1 exercise of such power.

2 Section 16. Section 331.316, Florida Statutes, is
3 amended to read:

4 331.316 Rates, fees, rentals, tolls, fares, and
5 charges; procedure for adoption and modification; minimum
6 revenue requirements.--

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

21 (2) The board may ~~shall have the power to~~ enter into
22 contracts for the use of the projects of Space Florida ~~the~~
23 ~~authority~~ and for the services and facilities furnished or to
24 be furnished by Space Florida ~~the authority~~, including, but
25 not limited to, launch services, payload assembly and
26 processing, and other aerospace-related ~~space-related~~
27 services, for such consideration and on such other terms and
28 conditions as the board may approve. Such contracts, and
29 revenues or service charges received or to be received by
30 Space Florida ~~the authority~~ thereunder, may be pledged as
31 security for any of the bonds of Space Florida ~~the authority~~.

Bill No. SB 2580

Barcode 525510

1 Section 17. Section 331.317, Florida Statutes, is
2 amended to read:

3 331.317 Recovery of delinquent charges.--In the event
4 that any of the rates, fees, rentals, tolls, fares, other
5 charges, or delinquent penalties shall not be paid as and when
6 due and shall be in default for 30 days or more, the unpaid
7 balance thereof and all interest accrued thereon, together
8 with attorney's fees and costs, may be recovered by Space
9 Florida ~~the authority~~ in a civil action.

10 Section 18. Section 331.318, Florida Statutes, is
11 amended to read:

12 331.318 Discontinuance of service.--In the event that
13 the rates, fees, rentals, tolls, fares, or other charges for
14 the services and facilities of any project are not paid when
15 due, the board may ~~shall have the power to~~ discontinue and
16 shut off the same until such rates, fees, rentals, tolls,
17 fares, or other charges, including interest, penalties, and
18 charges for the shutting off and discontinuance and the
19 restoration of such services and facilities, are fully paid.
20 Such delinquent rates, fees, rentals, tolls, fares, or other
21 charges, together with interest, penalties, and charges for
22 the shutting off and discontinuance and the restoration of
23 such services and facilities, and reasonable attorney's fees
24 and other expenses, may be recovered by Space Florida ~~the~~
25 ~~authority~~ by suit in any court of competent jurisdiction.
26 Space Florida ~~The authority~~ may also enforce payment of such
27 delinquent rates, fees, rentals, tolls, fares, or other
28 charges by any other lawful method of enforcement.

29 Section 19. Section 331.319, Florida Statutes, is
30 amended to read:

31 331.319 Comprehensive planning; building and safety

Bill No. SB 2580

Barcode 525510

1 codes.--The board of directors may ~~supervisors shall have the~~
2 ~~power to:~~

3 (1) Adopt, and from time to time review, amend,
4 supplement, or repeal, a comprehensive general plan for the
5 physical development of the area within the spaceport
6 territory in accordance with the objectives and purposes of
7 this act and consistent with the comprehensive plans of the
8 applicable county or counties and municipality or
9 municipalities adopted pursuant to the Local Government
10 Comprehensive Planning and Land Development Regulation Act,
11 part II of chapter 163.

12 (2) Prohibit within the spaceport territory the
13 construction, alteration, repair, removal, or demolition, or
14 the commencement of the construction, alteration, repair
15 (except emergency repairs), removal, or demolition, of any
16 building or structure, including, but not by way of
17 limitation, public utility poles, lines, pipes, and
18 facilities, without first obtaining a permit from the board or
19 such other officer or agency as the board may designate, and
20 to prescribe the procedure with respect to the obtaining of
21 such permit.

22 Section 20. Section 331.320, Florida Statutes, is
23 amended to read:

24 331.320 Additional powers of board.--The board of
25 directors may ~~shall have the power~~ within any spaceport
26 territory ~~to:~~

27 (1) Adopt regulations to prohibit or control the
28 pollution of air and water, and require certain location and
29 placement of electrical power, telephone, and other utility
30 lines, cables, pipes, and ducts.

31 (2) Divide the spaceport territory into zones or

Bill No. SB 2580

Barcode 525510

1 districts of such number, shape, and area as the board may
2 deem best suited to carry out the purposes of this act, and
3 within and for each such district make regulations and
4 restrictions as provided for in subsection (1).

5 Section 21. Section 331.321, Florida Statutes, is
6 amended to read:

7 331.321 Federal and other funds and aid.--Space
8 Florida may ~~The authority is authorized to~~ accept, receive,
9 and receipt for federal moneys, property, and other moneys or
10 properties, either public or private, for the acquisition,
11 planning, operation, construction, enlargement, improvement,
12 maintenance, equipment, or development of programs,
13 facilities, and sites therefor, and ~~to~~ comply with the
14 provisions of the laws of the United States and any rules and
15 regulations made thereunder for the expenditure of federal
16 moneys.

17 Section 22. Section 331.322, Florida Statutes, is
18 amended to read:

19 331.322 Agreements with municipalities within any
20 spaceport territory.--The board of directors and the governing
21 body or bodies of any one or more municipalities located
22 wholly or partly within any spaceport territory, whether now
23 in existence or hereafter created, may ~~are authorized to~~ enter
24 into and carry into effect contracts and agreements relating
25 to the common powers, duties, and functions of the board and
26 other officers, agents, and employees of Space Florida ~~the~~
27 ~~authority~~, and the respective governing body or bodies of one
28 or more such municipalities, and their respective officers,
29 agents, and employees, to the end that there may be effective
30 cooperation between and coordination of the efforts of such
31 municipality or municipalities and Space Florida ~~the authority~~

Bill No. SB 2580

Barcode 525510

1 in discharging their common functions, powers, and duties and
2 in rendering services to the respective residents and property
3 owners of such municipality or municipalities and Space
4 Florida ~~the authority~~. The board and the governing body or
5 bodies of one or more such municipalities are further
6 authorized to enter into and carry into effect contracts and
7 agreements for the performance of any of their common
8 functions, powers, and duties by a central agency or common
9 agent of the contracting parties.

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

12 331.323 Cooperative agreements with the state,
13 counties, and municipalities.--

14 (1) The state and the counties, municipalities, and
15 other political subdivisions, public bodies, and agencies
16 thereof, or any of them, whether now existing or hereafter
17 created, are authorized to aid and cooperate with Space
18 Florida ~~the authority~~ in carrying out any of the purposes and
19 projects of Space Florida ~~the authority~~, to enter into
20 cooperative agreements with Space Florida ~~the authority~~, to
21 provide in any such cooperative agreement for the making of
22 loans, gifts, grants, or contributions to Space Florida ~~the~~
23 ~~authority~~ and the granting and conveyance to Space Florida ~~the~~
24 ~~authority~~ of real or personal property of any kind or nature,
25 or any interest therein, for the carrying out of the purpose
26 and projects of Space Florida ~~the authority~~; to covenant in
27 any such cooperative agreement to pay all or any part of the
28 costs of acquisition, planning, development, construction,
29 reconstruction, extension, improvement, operation, and
30 maintenance of any projects of Space Florida ~~the authority~~;
31 and to pay all or any part of the principal and interest on

Bill No. SB 2580

Barcode 525510

1 any bonds of Space Florida ~~the authority~~.

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

26 (3) Without limitation of the foregoing, the board may
27 undertake and finance any of the projects of Space Florida ~~the~~
28 ~~authority~~, in whole or in part, jointly with any municipality
29 or municipalities, now existing or hereafter created, or in
30 any other manner combine the projects of Space Florida ~~the~~
31 ~~authority~~ with the projects of such municipality or

Bill No. SB 2580

Barcode 525510

1 municipalities.

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

5 Section 24. Section 331.324, Florida Statutes, is
6 amended to read:

7 331.324 Contracts, grants, and contributions.--Space
8 Florida may ~~The authority shall have the power to~~ make and
9 enter all contracts and agreements necessary or incidental to
10 the performance of the functions of Space Florida ~~the~~
11 ~~authority~~ and the execution of its powers, and to contract
12 with, and to accept and receive grants or loans of money,
13 material, or property from, any person, private or public, as
14 the board shall determine to be necessary or desirable to
15 carry out the purposes of this act, and in connection with any
16 such contract, grant, or loan to stipulate and agree to such
17 covenants, terms, and conditions as the board shall deem
18 appropriate.

19 Section 25. Section 331.325, Florida Statutes, is
20 amended to read:

21 331.325 Environmental permits.--Space Florida ~~The~~
22 ~~authority~~ shall obtain required environmental permits in
23 accordance with federal and state law and shall comply with
24 the provisions of chapter 380.

25 Section 26. Section 331.326, Florida Statutes, is
26 amended to read:

27 331.326 Information relating to trade secrets
28 confidential.--The records of Space Florida ~~the authority~~
29 regarding matters encompassed by this act are public records
30 subject to the provisions of chapter 119. Any information held
31 by Space Florida ~~the authority~~ which is a trade secret, as

Bill No. SB 2580

Barcode 525510

1 defined in s. 812.081, including trade secrets of Space
2 Florida ~~the authority~~, any spaceport user, or the space
3 industry business, is confidential and exempt from the
4 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
5 Constitution and may not be disclosed. If Space Florida ~~the~~
6 ~~authority~~ determines that any information requested by the
7 public will reveal a trade secret, it shall, in writing,
8 inform the person making the request of that determination.
9 The determination is a final order as defined in s. 120.52.
10 Any meeting or portion of a meeting of Space Florida's ~~the~~
11 ~~authority's~~ board ~~of supervisors~~ is exempt from the provisions
12 of s. 286.011 and s. 24(b), Art. I of the State Constitution
13 when the board is discussing trade secrets. Any public record
14 generated during the closed portions of the ~~such~~ meetings,
15 such as minutes, tape recordings, and notes, is confidential
16 and exempt from the provisions of s. 119.07(1) and s. 24(a),
17 Art. I of the State Constitution.

18 Section 27. Section 331.327, Florida Statutes, is
19 amended to read:

20 331.327 Foreign trade zone.--Space Florida ~~may~~ ~~The~~
21 ~~authority shall have the power to~~ apply to the Federal
22 Government for a grant allowing the designation of any
23 spaceport territory as a foreign trade zone pursuant to ss.
24 288.36 and 288.37. However, the designation of any spaceport
25 territory as a foreign trade zone does ~~shall not be deemed to~~
26 authorize an exemption from any tax imposed by the state or by
27 any political subdivision, agency, or instrumentality thereof.

28 Section 28. Section 331.328, Florida Statutes, is
29 amended to read:

30 331.328 Sovereign immunity.--Space Florida ~~The~~
31 ~~authority~~ shall be granted sovereign immunity in the same

Bill No. SB 2580

Barcode 525510

1 manner as the state under the laws and Constitution of the
2 State of Florida. The state, by this section, hereby waives
3 the sovereign immunity granted to the same extent as waived by
4 the state under state law.

5 Section 29. Section 331.329, Florida Statutes, is
6 amended to read:

7 331.329 Changing boundary lines; annexation and
8 exclusion of lands; creation of municipalities within the
9 geographical limits of any spaceport territory; limitations on
10 the furnishing of services within annexed areas.--

11 (1) The board of directors may at any time strike out
12 or correct the description of any land within or claimed to be
13 within the boundary lines of any spaceport territory upon the
14 written consent of the owners of all the land that would be
15 included or excluded from the boundary lines of any spaceport
16 territory or otherwise affected by the taking of such action,
17 and of the owners of not less than the majority in acreage of
18 all lands within any spaceport territory.

19 (a) The board may enlarge the geographical limits of
20 any spaceport territory to include any lands not then within
21 any spaceport territory:

22 1. Upon the written consent of the owners of all the
23 land to be included in any spaceport territory and of the
24 owners of not less than a majority in acreage of all the land
25 then within any spaceport territory; or

26 2. By resolution of the board approved at a special
27 election called for such purpose, by vote of a majority of
28 freeholders residing within the area to be annexed and a
29 majority of freeholders residing within any spaceport
30 territory.

31 (b) The board of directors may contract the

Bill No. SB 2580

Barcode 525510

1 geographical limits of any spaceport territory so as to
2 exclude from any spaceport territory any land then within any
3 spaceport territory:

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

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

13 (2) Land, including property situated thereon, added
14 to any spaceport territory in the manner provided in
15 subsection (1) shall from the time of its inclusion within
16 such spaceport territory be subject to all assessments
17 thereafter levied and assessed on all other land or property
18 of any spaceport territory similarly situated. Land, including
19 property situated thereon, excluded from any spaceport
20 territory in the manner provided in subsection (1) shall from
21 the date of such exclusion be exempt from assessments
22 thereafter imposed by Space Florida ~~the authority~~ but shall
23 not be exempt from assessments theretofore levied or due with
24 respect to such land or property, or from subsequent
25 installments of assessments theretofore levied or assessed
26 with respect thereto, and such assessments may be enforced and
27 collected by or on behalf of Space Florida ~~the authority~~ in
28 the same manner as if such land or property continued to be
29 within the geographical limits of any spaceport territory.

30 (3) In the event that the geographical limits of any
31 spaceport territory as set forth in s. 331.304 are revised so

Bill No. SB 2580

Barcode 525510

1 as to include within any spaceport territory any areas not
 2 presently contained within any spaceport territory, Space
 3 Florida may ~~the authority~~ shall not engage in the business of
 4 furnishing electric power for sale in such annexed area,
 5 unless Space Florida ~~the authority~~ shall offer to purchase
 6 from any person who is at the time engaged in the business of
 7 making, generating, or distributing electricity for sale
 8 within such annexed area, such portion of its electric plant
 9 and property suitable and used for such business in connection
 10 therewith as lies within the limits of such annexed area, in a
 11 manner consistent with law.

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

15 Section 30. Section 331.331, Florida Statutes, is
 16 amended to read:

17 331.331 Revenue bonds.--

18 (1) Revenue bonds issued by Space Florida ~~the~~
 19 ~~authority~~ shall not be deemed revenue bonds issued by the
 20 state or its agencies for purposes of s. 11, Art. VII of the
 21 State Constitution and ss. 215.57-215.83. Space Florida ~~The~~
 22 ~~authority~~ shall include in its annual report to the Governor
 23 and Legislature, as provided in s. 331.310, a summary of the
 24 status of existing and proposed bonding projects.

25 (2) The issuance of revenue bonds may be secured by or
 26 payable from the gross or net pledge of the revenues to be
 27 derived from any project or combination of projects, from the
 28 rates, fees, rentals, tolls, fares, or other charges to be
 29 collected from the users of any project or projects; from any
 30 revenue-producing undertaking or activity of Space Florida ~~the~~
 31 ~~authority~~; or from any source of pledged security. Such bonds

Bill No. SB 2580

Barcode 525510

1 shall not constitute an indebtedness of Space Florida ~~the~~
 2 ~~authority~~ unless such bonds are additionally secured by the
 3 full faith and credit of Space Florida ~~the authority~~. Bonds
 4 issued by Space Florida ~~the authority~~ are not secured by the
 5 full faith and credit of the State of Florida and do not
 6 constitute an obligation, either general or special, thereof.

7 (3) Any two or more projects may be combined and
 8 consolidated into a single project, and may thereafter be
 9 operated and maintained as a single project. The revenue bonds
 10 authorized herein may be issued to finance any one or more
 11 such projects separately, or to finance two or more such
 12 projects, regardless whether or not such projects have been
 13 combined and consolidated into a single project. If the board
 14 deems it advisable, the proceedings authorizing such revenue
 15 bonds may provide that Space Florida ~~the authority~~ may
 16 thereafter combine the projects then being financed or
 17 theretofore financed with other projects to be subsequently
 18 financed by Space Florida ~~the authority~~ shall be on a parity
 19 with the revenue bonds then being issued, all on such terms,
 20 conditions, and limitations as shall be provided, and may
 21 further provide that the revenues to be derived from the
 22 subsequent projects shall at the time of the issuance of such
 23 parity revenue bonds be also pledged to the holders of any
 24 revenue bonds theretofore issued to finance the revenue
 25 undertakings which are later combined with such subsequent
 26 projects. Space Florida ~~The authority~~ may pledge for the
 27 security of the revenue bonds a fixed amount, without regard
 28 to any fixed proportion of the gross revenues of any project.

29 Section 31. Section 331.333, Florida Statutes, is
 30 amended to read:

31 331.333 Refunding bonds.--Space Florida ~~The authority~~

Bill No. SB 2580

Barcode 525510

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

16 Section 32. Section 331.334, Florida Statutes, is
 17 amended to read:

18 331.334 Pledging assessments and other revenues and
 19 properties as additional security on bonds.--Space Florida ~~The~~
 20 ~~authority~~ may pledge as additional security for the payment of
 21 any of the bonds of Space Florida ~~the authority~~ its full faith
 22 and credit, and provide that such bonds shall be payable as to
 23 both principal and interest, and as to any reserve or other
 24 funds provided therefor, to the full extent that any revenues
 25 as defined in this act, assessments, or other funds, or any
 26 combination thereof, pledged therefor are insufficient for the
 27 full payment of the same, and provided further that no bonds
 28 shall be issued to the payment of which the full faith and
 29 credit of Space Florida ~~the authority~~ is pledged unless
 30 approved at an election in the manner provided by law. Space
 31 Florida ~~The authority~~ by resolution of the board may also

Bill No. SB 2580

Barcode 525510

1 pledge as additional security for said bonds the revenues from
 2 any project of Space Florida ~~the authority~~, utility service,
 3 assessments, and any other sources of revenue or funds, or any
 4 combination of the foregoing, and may pledge or mortgage any
 5 of the properties, rights, interest, or other assets of Space
 6 Florida ~~the authority~~. Bonds issued by Space Florida ~~the~~
 7 ~~authority~~ are not secured by the full faith and credit of the
 8 State of Florida and do not constitute an obligation, either
 9 general or special, thereof. The board may also provide with
 10 respect to any bonds of Space Florida ~~the authority~~ that such
 11 bonds shall be payable, in whole or in part, as to principal
 12 amount or interest, or both, out of rates, fees, rentals,
 13 tolls, fares, or other charges collected with respect to any
 14 of the projects of Space Florida ~~the authority~~.

15 Section 33. Section 331.335, Florida Statutes, is
 16 amended to read:

17 331.335 Lien of pledges.--All pledges of revenues and
 18 assessments made pursuant to the provisions of this act shall
 19 be valid and binding from the time when such pledges are made.
 20 All such revenues and assessments so pledged and thereafter
 21 collected shall immediately be subject to the lien of such
 22 pledges without any physical delivery thereof or further
 23 action, and the lien of such pledges shall be valid and
 24 binding as against all parties having claims of any kind in
 25 tort, contract, or otherwise against Space Florida ~~the~~
 26 ~~authority~~, irrespective of whether such parties have notice
 27 thereof.

28 Section 34. Section 331.336, Florida Statutes, is
 29 amended to read:

30 331.336 Issuance of bond anticipation notes.--In
 31 addition to the other powers provided for in this act and not

Bill No. SB 2580

Barcode 525510

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

22 Section 35. Section 331.337, Florida Statutes, is
23 amended to read:

24 331.337 Short-term borrowing.--~~Space Florida~~ ~~The~~
25 ~~authority~~ at any time may obtain loans, in such amount and on
26 such terms and conditions as the board may approve, for the
27 purpose of paying any of the expenses of Space Florida ~~the~~
28 ~~authority~~ or any costs incurred or that may be incurred in
29 connection with any of the projects of Space Florida ~~the~~
30 ~~authority~~, which loans shall have such term or terms, be
31 renewable for such term or terms, bear interest at such rate

Bill No. SB 2580

Barcode 525510

1 or rates, and be payable from and secured by a pledge of such
2 funds, revenues, and assessments as the board may determine.
3 For the purpose of defraying such costs and expenses, Space
4 Florida ~~the authority~~ may issue negotiable notes, warrants, or
5 other evidences of debt signed on behalf of Space Florida ~~the~~
6 ~~authority~~ by any one of the board, such notes or other
7 evidences of indebtedness to be payable at such time or times,
8 to bear interest at such rate or rates, and to be sold or
9 discounted at such price or prices and on such term or terms
10 as the board may deem advisable. The board may ~~shall have the~~
11 ~~right to~~ provide for the payment thereof by pledging the whole
12 or any part of the funds, revenues, and assessments of Space
13 Florida ~~the authority~~.

14 Section 36. Section 331.338, Florida Statutes, is
15 amended to read:

16 331.338 Trust agreements.--In the discretion of the
17 board, any issue of bonds may be secured by a trust agreement
18 by and between Space Florida ~~the authority~~ and a corporate
19 trustee which may be any trust company or bank having the
20 powers of a trust company within or without the state. The
21 resolution authorizing the issuance of the bonds or such trust
22 agreement may pledge the revenues to be received from any
23 projects of Space Florida ~~the authority~~ and any other
24 authorized moneys to be used for the repayment of bonds, and
25 may contain such provisions for protecting and enforcing the
26 rights and remedies of the bondholders as the board may
27 approve, including without limitation covenants setting forth
28 the duties of Space Florida ~~the authority~~ in relation to the
29 acquisition, planning, development, construction,
30 reconstruction, improvement, maintenance, repair, operation,
31 and insurance of any projects, the fixing and revision of the

Bill No. SB 2580

Barcode 525510

1 rates, fees, rentals, tolls, fares, and charges, and the
 2 custody, safeguarding, and application of all moneys, and for
 3 the employment of consulting engineers in connection with such
 4 acquisition, planning, development, construction,
 5 reconstruction, improvement, maintenance, repair, or
 6 operation. It shall be lawful for any bank or trust company
 7 incorporated under the laws of the state or the United States
 8 which may act as a depository of the proceeds of bonds or of
 9 revenues to furnish such indemnifying bonds or to pledge such
 10 securities as may be required by Space Florida ~~the authority~~.
 11 Such resolution or trust agreement may set forth the rights
 12 and remedies of the bondholders and of the trustee, if any,
 13 and may restrict the individual right of action by
 14 bondholders. The board may provide for the payment of the
 15 proceeds of the sale of the bonds and the revenues of any
 16 project to such officer, board, or depository as it may
 17 designate for the custody thereof, and for the method of
 18 disbursement thereof, with such safeguards and restrictions as
 19 it may determine. All expenses incurred in carrying out the
 20 provisions of such resolution or trust agreement may be
 21 treated as part of the cost of the project to which such trust
 22 agreement pertains.

23 Section 37. Section 331.339, Florida Statutes, is
 24 amended to read:

25 331.339 Sale of bonds.--Bonds may be sold in blocks or
 26 installments at different times, or an entire issue or series
 27 may be sold at one time. Bonds may only be sold at public sale
 28 after being advertised and publicly noticed, unless Space
 29 Florida ~~the authority~~ has previously complied with the
 30 provisions of s. 218.385. Bonds may be sold or exchanged for
 31 refunding bonds. Special assessment and revenue bonds may be

Bill No. SB 2580

Barcode 525510

1 delivered as payment by Space Florida ~~the authority~~ of the
 2 purchase price or lease of any project or part thereof, or a
 3 combination of projects or parts thereof, or as the purchase
 4 price of, or exchange for, any property, real, personal, or
 5 mixed, including franchises, or services rendered by any
 6 contractor, engineer, or other person, all at one time or in
 7 blocks from time to time, in such manner and upon such terms
 8 as the board in its discretion shall determine. The price or
 9 prices for any bonds sold, exchanged, or delivered may be:

- 10 (1) The money paid for the bonds.
- 11 (2) The principal amount, plus accrued interest to
 12 date of redemption or exchange, of outstanding obligations
 13 exchanged for refunding bonds.
- 14 (3) In the case of special assessment or revenue
 15 bonds, the amount of any indebtedness to contractors or other
 16 persons paid with such bonds, or the fair value of any
 17 properties exchanged for the bonds, as determined by the
 18 board.

19 Section 38. Section 331.340, Florida Statutes, is
 20 amended to read:

21 331.340 Authorization and form of bonds.--Bonds may be
 22 authorized by resolution or resolutions of the board which
 23 shall be adopted by a majority of all of the members thereof
 24 then in office and present at the meeting at which the
 25 resolution or resolutions are adopted and shall be approved as
 26 provided in s. 331.305. The resolution or resolutions of the
 27 board may be adopted at the same meeting at which they are
 28 introduced, and shall be published and noticed. The board may
 29 by resolution authorize the issuance of bonds, fix the
 30 aggregate amount of bonds to be issued, the purpose or
 31 purposes for which the moneys derived therefrom shall be

Bill No. SB 2580

Barcode 525510

1 expanded, the rate or rates of interest, the denomination of
 2 the bonds, whether or not the bonds are to be issued in one or
 3 more series, the date or dates thereof, the date or dates of
 4 maturity, which shall not exceed 40 years from their
 5 respective dates of issuance, the medium of payment, the place
 6 or places within or without the state where payment shall be
 7 made, registration privileges, redemption terms and privileges
 8 (whether with or without premium), the manner of execution,
 9 the form of the bonds including any interest coupons to be
 10 attached thereto, the manner of execution of bonds and
 11 coupons, and any and all other terms, covenants, and
 12 conditions thereof, and the establishment of reserve or other
 13 funds. Such authorizing resolution may further provide that
 14 such bonds may be executed manually or by engraved,
 15 lithographed, or facsimile signature, provided that where
 16 signatures are engraved, lithographed, or facsimile no bond
 17 shall be valid unless countersigned by a registrar or other
 18 officer designated by appropriate resolution of the board. The
 19 seal of Space Florida ~~the authority~~ may be affixed,
 20 lithographed, engraved, or otherwise reproduced in facsimile
 21 on such bonds. In case any officer whose signature or a
 22 facsimile of whose signature shall appear on any bonds or
 23 coupons shall cease to be such officer before the delivery of
 24 such bonds, such signature or facsimile shall nevertheless be
 25 valid and sufficient for all purposes the same as if the
 26 officer had remained in office until such delivery.

27 Section 39. Section 331.343, Florida Statutes, is
 28 amended to read:

29 331.343 Defeasance.--The board may make such provision
 30 with respect to the defeasance of the right, title, and
 31 interest of the holders of any of the bonds and obligations of

Bill No. SB 2580

Barcode 525510

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

24 Section 40. Section 331.345, Florida Statutes, is
25 amended to read:

26 331.345 Covenants.--Any resolution authorizing the
27 issuance of bonds may contain such covenants as the board may
28 deem advisable and all such covenants shall constitute valid
29 and legally binding and enforceable contracts between Space
30 Florida ~~the authority~~ and the bondholders, regardless of the
31 time of issuance thereof. Such covenants may include, without

Bill No. SB 2580

Barcode 525510

1 limitation, covenants concerning the disposition of the bond
 2 proceeds, the use and disposition of project revenues, the
 3 pledging of revenues, and assessments, the obligations of
 4 Space Florida ~~the authority~~ with respect to the operation of
 5 the project and the maintenance of adequate project revenues,
 6 the issuance of additional bonds, the appointment, powers, and
 7 duties of trustees and receivers, the acquisition of
 8 outstanding bonds and obligations, restrictions on the
 9 establishing of competing projects or facilities, restrictions
 10 on the sale or disposal of the assets and property of Space
 11 Florida ~~the authority~~, the priority of assessment liens, the
 12 priority of claims by bondholders on the taxing power of Space
 13 Florida ~~the authority~~, the maintenance of deposits to assure
 14 the payment of revenues by users of spaceport facilities and
 15 services, the discontinuance of Space Florida ~~authority~~
 16 services by reason of delinquent payments, acceleration upon
 17 default, the execution of necessary instruments, the procedure
 18 for amending or abrogating covenants with the bondholders, and
 19 such other covenants as may be deemed necessary or desirable
 20 for the security of the bondholders.

21 Section 41. Section 331.346, Florida Statutes, is
 22 amended to read:

23 331.346 Validity of bonds; validation
 24 proceedings.--Any bonds issued by Space Florida ~~the authority~~
 25 shall be incontestable in the hands of bona fide purchasers or
 26 holders for value and shall not be invalid because of any
 27 irregularity or defect in the proceedings for the issue and
 28 sale thereof. Prior to the issuance of any bonds, Space
 29 Florida ~~the authority~~ shall publish a notice at least once in
 30 a newspaper or newspapers published or of general circulation
 31 in the appropriate counties in the state, stating the date of

Bill No. SB 2580

Barcode 525510

1 adoption of the resolution authorizing such obligations, the
 2 amount, maximum rate of interest, and maturity of such
 3 obligations, and the purpose in general terms for which such
 4 obligations are to be issued, and further stating that no
 5 action or proceeding questioning the validity of such
 6 obligations or of the proceedings authorizing the issuance
 7 thereof, or of any covenants made therein, must be instituted
 8 within 20 days after the first publication of such notice, or
 9 the validity of such obligations, proceedings, and covenants
 10 shall not be thereafter questioned in any court whatsoever. If
 11 no such action or proceeding is so instituted within such
 12 20-day period, then the validity of such obligations,
 13 proceedings, and covenants shall be conclusive, and all
 14 persons or parties whatsoever shall be forever barred from
 15 questioning the validity of such obligations, proceedings, or
 16 covenants in any court whatsoever.

17 Section 42. Section 331.347, Florida Statutes, is
 18 amended to read:

19 331.347 Act furnishes full authority for issuance of
 20 bonds.--This act constitutes full and complete authority for
 21 the issuance of bonds and the exercise of the powers of Space
 22 Florida ~~the authority~~ provided herein. Any and all bonds
 23 issued by Space Florida ~~the authority~~ shall not be secured by
 24 the full faith and credit of the State of Florida and do not
 25 constitute an obligation, either general or special, thereof.

26 Section 43. Section 331.348, Florida Statutes, is
 27 amended to read:

28 331.348 Investment of funds.--The board may in its
 29 discretion invest funds of Space Florida ~~the authority~~ through
 30 the Chief Financial Officer or in:

31 (1) Direct obligations of or obligations guaranteed by

Bill No. SB 2580

Barcode 525510

1 the United States or for the payment of the principal and
2 interest of which the faith and credit of the United States is
3 pledged;

4 (2) Bonds or notes issued by any of the following
5 federal agencies: Bank for Cooperatives; federal intermediate
6 credit banks; federal home loan bank system; federal land
7 banks; or the Federal National Mortgage Association (including
8 debentures or participating certificates issued by such
9 association);

10 (3) Public housing bonds issued by public housing
11 authorities and secured by a pledge or annual contributions
12 under an annual contribution contract or contracts with the
13 United States;

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

18 (5) Any investment authorized for insurers by ss.
19 625.306-625.316 and amendments thereto; or

20 (6) Any investment authorized under s. 17.57 and
21 amendments thereto.

22 Section 44. Section 331.349, Florida Statutes, is
23 amended to read:

24 331.349 Fiscal year of Space Florida ~~the~~
25 ~~authority.~~--The board may ~~has the power to~~ establish and from
26 time to time redetermine the fiscal year of Space Florida ~~the~~
27 ~~authority~~. Unless the board otherwise provides, Space
28 Florida's ~~the authority's~~ fiscal year shall be July 1 through
29 June 30.

30 Section 45. Section 331.350, Florida Statutes, is
31 amended to read:

Bill No. SB 2580

Barcode 525510

1 331.350 Insurance coverage of Space Florida ~~the~~
2 ~~authority~~; safety program.--

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

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

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

13 (a) The development and implementation of a loss
14 prevention program which shall consist of a comprehensive
15 authority wide safety program, including a statement,
16 established by the board of directors ~~supervisors~~, of safety
17 policy and responsibility.

18 (b) Provision for regular and periodic facility and
19 equipment inspections.

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

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

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

30 (b) Space Florida ~~The authority~~ shall, if available,
31 and if cost-effective, secure insurance coverage on its

Bill No. SB 2580

Barcode 525510

1 buildings, facilities, and property at reasonable levels.

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

5 Section 46. Section 331.351, Florida Statutes, is
6 amended to read:

7 331.351 Participation by women, minorities, and
8 socially and economically disadvantaged business enterprises
9 encouraged.--It is the intent of the Legislature and the
10 public policy of this state that women, minorities, and
11 socially and economically disadvantaged business enterprises
12 be encouraged to participate fully in all phases of economic
13 and community development. Accordingly, to achieve such
14 purpose, Space Florida ~~the authority~~ shall, in accordance with
15 applicable state and federal law, involve and utilize women,
16 minorities, and socially and economically disadvantaged
17 business enterprises in all phases of the design, development,
18 construction, maintenance, and operation of spaceports
19 developed under this act.

20 Section 47. Section 331.354, Florida Statutes, is
21 amended to read:

22 331.354 Tax exemption.--The exercise of the powers
23 granted by this act in all respects shall be for the benefit
24 of the people of the state, for the increase of their industry
25 and prosperity, for the improvement of their health and living
26 conditions, and for the provision of gainful employment and
27 shall constitute the performance of essential public
28 functions. Space Florida ~~is The authority shall not be~~
29 required to pay any taxes on any project or any other property
30 owned by Space Florida ~~the authority~~ under ~~the provisions of~~
31 this act or upon the income therefrom. The bonds issued under

Bill No. SB 2580

Barcode 525510

1 ~~the provisions of~~ this act or upon the income therefrom
2 (including any profit made on the sale thereof), and all
3 notes, mortgages, security agreements, letters of credit, or
4 other instruments which arise out of or are given to secure
5 the repayment of bonds issued in connection with a project
6 financed under this act, shall at all times be free from
7 taxation by the state or any local unit, political
8 subdivision, or other instrumentality of the state. ~~Nothing in~~
9 This section, however, does not exempt ~~shall be construed as~~
10 ~~exempting~~ from taxation or assessments the leasehold interest
11 of a lessee in any project or any other property or interest
12 owned by the lessee. The exemption granted by this section is
13 ~~shall not be~~ applicable to any tax imposed by chapter 220 on
14 interest, income, or profits on debt obligations owned by
15 corporations.

16 Section 48. Section 331.355, Florida Statutes, is
17 amended to read:

18 331.355 Use of name; ownership rights to intellectual
19 property.--

20 (1)(a) The corporate name of a corporation
21 incorporated or authorized to transact business in this state,
22 or the name of any person or business entity transacting
23 business in this state, may not use the words "Florida Space
24 Authority," "Florida Aerospace Finance Corporation," "Florida
25 Space Research Institute," "spaceport Florida," or "Florida
26 spaceport" in its name unless Space Florida ~~the authority~~
27 gives written approval for such use.

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

30 (2) Notwithstanding any provision of chapter 286, the
31 legal title and every right, interest, claim, or demand of any

Bill No. SB 2580

Barcode 525510

1 kind in and to any patent, trademark, copyright, certification
2 mark, or other right acquired under the patent and trademark
3 laws of the United States or this state or any foreign
4 country, or the application for the same, as is owned or held,
5 acquired, or developed by Space Florida ~~the authority~~, under
6 the authority and directions given it by this part, is vested
7 in Space Florida ~~the authority~~ for the use, benefit, and
8 purposes provided in this part. Space Florida ~~The authority~~ is
9 vested with and is authorized to exercise any and all of the
10 normal incidents of such ownership, including the receipt and
11 disposition of royalties. Any sums received as royalties from
12 any such rights are hereby appropriated to Space Florida ~~the~~
13 ~~authority~~ for any and all of the purposes and uses provided in
14 this part.

15 Section 49. Section 331.360, Florida Statutes, is
16 amended to read:

17 331.360 Joint project agreement or assistance;
18 spaceport master plan.--

19 (1) It shall be the duty, function, and responsibility
20 of the Department of Transportation to promote the further
21 development and improvement of aerospace transportation
22 facilities; to address intermodal requirements and impacts of
23 the launch ranges, spaceports, and other space transportation
24 facilities; to assist in the development of joint-use
25 facilities and technology that support aviation and aerospace
26 operations; and to facilitate and promote cooperative efforts
27 between federal and state government entities to improve space
28 transportation capacity and efficiency. In carrying out this
29 duty and responsibility, the department may assist and advise,
30 cooperate with, and coordinate with federal, state, local, or
31 private organizations and individuals. The department may

Bill No. SB 2580

Barcode 525510

1 administratively house its space transportation
 2 responsibilities within an existing division or office.

3 (2) Notwithstanding any other provision of law, the
 4 Department of Transportation may enter into a joint project
 5 agreement with, or otherwise assist, ~~the Florida~~ Space Florida
 6 ~~Authority~~ as necessary to effectuate the provisions of this
 7 chapter and may allocate funds for such purposes in its 5-year
 8 work program. However, the department may not fund the
 9 administrative or operational costs of Space Florida ~~the~~
 10 ~~authority~~.

11 (3) Space Florida ~~The authority~~ shall develop a
 12 spaceport master plan for expansion and modernization of space
 13 transportation facilities within spaceport territories as
 14 defined in s. 331.303(19) ~~s. 331.303(23)~~. The plan shall
 15 contain recommended projects to meet current and future
 16 commercial, national, and state space transportation
 17 requirements. Space Florida ~~The authority~~ shall submit the
 18 plan to any appropriate metropolitan planning organization
 19 ~~M.P.O.~~ for review of intermodal impacts. Space Florida ~~The~~
 20 ~~authority~~ shall submit the spaceport master plan to the
 21 Department of Transportation, and such plan may be included
 22 within the department's 5-year work program of qualifying
 23 aerospace discretionary capacity improvement under subsection
 24 (4). The plan shall identify appropriate funding levels and
 25 include recommendations on appropriate sources of revenue that
 26 may be developed to contribute to the State Transportation
 27 Trust Fund.

28 (4) Subject to the availability of appropriated funds,
 29 the department may participate in the capital cost of eligible
 30 spaceport discretionary capacity improvement projects. The
 31 annual legislative budget request shall be based on the

Bill No. SB 2580

Barcode 525510

1 proposed funding requested for approved spaceport
2 discretionary capacity improvement projects.

3 Section 50. Section 331.369, Florida Statutes, is
4 amended to read:

5 331.369 Space Industry Workforce Initiative.--

6 (1) The Legislature finds that the aerospace ~~space~~
7 industry is critical to the economic future of the state and
8 that the competitiveness of the industry in the state depends
9 upon the development and maintenance of a qualified workforce.

10 The Legislature further finds that the aerospace ~~space~~
11 industry in this state has diverse and complex workforce
12 needs, including, but not limited to, the need for qualified
13 entry-level workers, the need to upgrade the skills of
14 technician-level incumbent workers, and the need to ensure
15 continuing education opportunities for workers with advanced
16 educational degrees. It is the intent of the Legislature to
17 support programs designed to address the workforce development
18 needs of the aerospace ~~space~~ industry in this state.

19 (2) The Workforce Development Board of Enterprise
20 Florida, Inc., or its successor entity, shall coordinate
21 development of a Space Industry Workforce Initiative in
22 partnership with Space Florida, ~~the Florida Space Research~~
23 ~~Institute, the institute's consortium~~ of public and private
24 universities, community colleges, and other training providers
25 approved by the board. The purpose of the initiative is to use
26 or revise existing programs and to develop innovative new
27 programs to address the workforce needs of the aerospace ~~space~~
28 industry.

29 (3) The initiative shall emphasize:

30 (a) Curricula content and timeframes developed with
31 industry participation and endorsed by the industry;

Bill No. SB 2580

Barcode 525510

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

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

5 (d) Industry solicitation of public and private
6 universities to develop continuing education programs at the
7 master's and doctoral levels;

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

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

12 (4) The Workforce Development Board of Enterprise
13 Florida, Inc., or its successor entity, with the assistance of
14 Space Florida ~~the Florida Space Research Institute~~, shall
15 convene representatives from the aerospace ~~space~~ industry to
16 identify the priority training and education needs of the
17 industry and to appoint a team to design programs to meet the
18 ~~such~~ priority needs.

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

24 Section 51. Paragraph (g) of subsection (2) of section
25 14.2015, Florida Statutes, is amended to read:

26 14.2015 Office of Tourism, Trade, and Economic
27 Development; creation; powers and duties.--

28 (2) The purpose of the Office of Tourism, Trade, and
29 Economic Development is to assist the Governor in working with
30 the Legislature, state agencies, business leaders, and
31 economic development professionals to formulate and implement

Bill No. SB 2580

Barcode 525510

1 coherent and consistent policies and strategies designed to
2 provide economic opportunities for all Floridians. To
3 accomplish such purposes, the Office of Tourism, Trade, and
4 Economic Development shall:

5 (g) Serve as contract administrator for the state with
6 respect to contracts with Enterprise Florida, Inc., the
7 Florida Commission on Tourism, Space Florida, and all
8 direct-support organizations under this act, excluding those
9 relating to tourism. To accomplish the provisions of this act
10 and applicable provisions of chapter 288, and notwithstanding
11 the provisions of part I of chapter 287, the office shall
12 enter into specific contracts with Enterprise Florida, Inc.,
13 the Florida Commission on Tourism, and other appropriate
14 direct-support organizations. Such contracts may be multiyear
15 and shall include specific performance measures for each year.

16 Section 52. Section 74.011, Florida Statutes, is
17 amended to read:

18 74.011 Scope.--In any eminent domain action, properly
19 instituted by and in the name of the state; the Department of
20 Transportation; any county, school board, municipality,
21 expressway authority, regional water supply authority,
22 transportation authority, flood control district, or drainage
23 or subdrainage district; the ship canal authority; any
24 lawfully constituted housing, port, or aviation authority; ~~the~~
25 ~~Florida Space Authority~~; or any rural electric cooperative,
26 telephone cooperative corporation, or public utility
27 corporation, the petitioner may avail itself of the provisions
28 of this chapter to take possession and title in advance of the
29 entry of final judgment.

30 Section 53. Subsection (6) of section 196.012, Florida
31 Statutes, is amended to read:

Bill No. SB 2580

Barcode 525510

1 196.012 Definitions.--For the purpose of this chapter,
2 the following terms are defined as follows, except where the
3 context clearly indicates otherwise:

4 (6) Governmental, municipal, or public purpose or
5 function shall be deemed to be served or performed when the
6 lessee under any leasehold interest created in property of the
7 United States, the state or any of its political subdivisions,
8 or any municipality, agency, special district, authority, or
9 other public body corporate of the state is demonstrated to
10 perform a function or serve a governmental purpose which could
11 properly be performed or served by an appropriate governmental
12 unit or which is demonstrated to perform a function or serve a
13 purpose which would otherwise be a valid subject for the
14 allocation of public funds. For purposes of the preceding
15 sentence, an activity undertaken by a lessee which is
16 permitted under the terms of its lease of real property
17 designated as an aviation area on an airport layout plan which
18 has been approved by the Federal Aviation Administration and
19 which real property is used for the administration, operation,
20 business offices and activities related specifically thereto
21 in connection with the conduct of an aircraft full service
22 fixed base operation which provides goods and services to the
23 general aviation public in the promotion of air commerce shall
24 be deemed an activity which serves a governmental, municipal,
25 or public purpose or function. Any activity undertaken by a
26 lessee which is permitted under the terms of its lease of real
27 property designated as a public airport as defined in s.
28 332.004(14) by municipalities, agencies, special districts,
29 authorities, or other public bodies corporate and public
30 bodies politic of the state, a spaceport as defined in s.
31 331.303(16) ~~s. 331.303(19)~~, or which is located in a deepwater

Bill No. SB 2580

Barcode 525510

1 port identified in s. 403.021(9)(b) and owned by one of the
2 foregoing governmental units, subject to a leasehold or other
3 possessory interest of a nongovernmental lessee that is deemed
4 to perform an aviation, airport, aerospace, maritime, or port
5 purpose or operation shall be deemed an activity that serves a
6 governmental, municipal, or public purpose. The use by a
7 lessee, licensee, or management company of real property or a
8 portion thereof as a convention center, visitor center, sports
9 facility with permanent seating, concert hall, arena, stadium,
10 park, or beach is deemed a use that serves a governmental,
11 municipal, or public purpose or function when access to the
12 property is open to the general public with or without a
13 charge for admission. If property deeded to a municipality by
14 the United States is subject to a requirement that the Federal
15 Government, through a schedule established by the Secretary of
16 the Interior, determine that the property is being maintained
17 for public historic preservation, park, or recreational
18 purposes and if those conditions are not met the property will
19 revert back to the Federal Government, then such property
20 shall be deemed to serve a municipal or public purpose. The
21 term "governmental purpose" also includes a direct use of
22 property on federal lands in connection with the Federal
23 Government's Space Exploration Program or spaceport activities
24 as defined in s. 212.02(22). Real property and tangible
25 personal property owned by the Federal Government or Space
26 Florida ~~the Florida Space Authority~~ and used for defense and
27 space exploration purposes or which is put to a use in support
28 thereof shall be deemed to perform an essential national
29 governmental purpose and shall be exempt. "Owned by the
30 lessee" as used in this chapter does not include personal
31 property, buildings, or other real property improvements used

Bill No. SB 2580

Barcode 525510

1 for the administration, operation, business offices and
2 activities related specifically thereto in connection with the
3 conduct of an aircraft full service fixed based operation
4 which provides goods and services to the general aviation
5 public in the promotion of air commerce provided that the real
6 property is designated as an aviation area on an airport
7 layout plan approved by the Federal Aviation Administration.
8 For purposes of determination of "ownership," buildings and
9 other real property improvements which will revert to the
10 airport authority or other governmental unit upon expiration
11 of the term of the lease shall be deemed "owned" by the
12 governmental unit and not the lessee. Providing two-way
13 telecommunications services to the public for hire by the use
14 of a telecommunications facility, as defined in s. 364.02(15),
15 and for which a certificate is required under chapter 364 does
16 not constitute an exempt use for purposes of s. 196.199,
17 unless the telecommunications services are provided by the
18 operator of a public-use airport, as defined in s. 332.004,
19 for the operator's provision of telecommunications services
20 for the airport or its tenants, concessionaires, or licensees,
21 or unless the telecommunications services are provided by a
22 public hospital. However, property that is being used to
23 provide such telecommunications services on or before October
24 1, 1997, shall remain exempt, but such exemption expires
25 October 1, 2004.

26 Section 54. Subsection (22) of section 212.02, Florida
27 Statutes, is amended to read:

28 212.02 Definitions.--The following terms and phrases
29 when used in this chapter have the meanings ascribed to them
30 in this section, except where the context clearly indicates a
31 different meaning:

Bill No. SB 2580

Barcode 525510

1 (22) "Spaceport activities" means activities directed
 2 or sponsored by Space Florida ~~the Florida Space Authority~~ on
 3 spaceport territory pursuant to its powers and
 4 responsibilities under the Space Florida Act ~~Florida Space~~
 5 ~~Authority Act~~.

6 Section 55. Subsection (7) of section 288.063, Florida
 7 Statutes, is amended to read:

8 288.063 Contracts for transportation projects.--

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

13 Section 56. Subsection (1) of section 288.075, Florida
 14 Statutes, is amended to read:

15 288.075 Confidentiality of records.--

16 (1) As used in this section, the term "economic
 17 development agency" means the Office of Tourism, Trade, and
 18 Economic Development, any industrial development authority
 19 created in accordance with part III of chapter 159 or by
 20 special law, Space Florida ~~the Florida Space Authority~~ created
 21 in part II of chapter 331, ~~the Florida Aerospace Finance~~
 22 ~~Corporation created in part III of chapter 331~~, the public
 23 economic development agency of a county or municipality, or
 24 any research and development authority created in accordance
 25 with part V of chapter 159. The term also includes any private
 26 agency, person, partnership, corporation, or business entity
 27 when authorized by the state, a municipality, or a county to
 28 promote the general business interests or industrial interests
 29 of the state or that municipality or county.

30 Section 57. Subsection (2) of section 288.35, Florida
 31 Statutes, is amended to read:

Bill No. SB 2580

Barcode 525510

1 288.35 Definitions.--The following terms, wherever
2 used or referred to in this part, shall have the following
3 meanings:

4 (2) "Government agency" means the state or any county
5 or political subdivision thereof; any state agency; any
6 consolidated government of a county, and some or all of the
7 municipalities located within the ~~said~~ county; any chartered
8 municipality in the state; and any of the institutions of such
9 consolidated governments, counties, or municipalities.
10 Specifically included are airports, port authorities,
11 industrial authorities, and Space Florida ~~the Florida Space~~
12 ~~Authority~~.

13 Section 58. Subsection (2) of section 288.9415,
14 Florida Statutes, is amended to read:

15 288.9415 International Trade Grants.--

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

21 Section 59. Paragraph (j) of subsection (5) of section
22 212.08, Florida Statutes, is amended to read:

23 212.08 Sales, rental, use, consumption, distribution,
24 and storage tax; specified exemptions.--The sale at retail,
25 the rental, the use, the consumption, the distribution, and
26 the storage to be used or consumed in this state of the
27 following are hereby specifically exempt from the tax imposed
28 by this chapter.

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

30 (j) Machinery and equipment used in semiconductor,
31 defense, or space technology production and research and

Bill No. SB 2580

Barcode 525510

1 development.--

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

7 For purposes of this paragraph, industrial machinery and
8 equipment includes molds, dies, machine tooling, other
9 appurtenances or accessories to machinery and equipment,
10 testing equipment, test beds, computers, and software, whether
11 purchased or self-fabricated, and, if self-fabricated,
12 includes materials and labor for design, fabrication, and
13 assembly.

14 b. Industrial machinery and equipment used in defense
15 or space technology facilities certified under subparagraph 6.
16 to design, manufacture, assemble, process, compound, or
17 produce defense technology products or space technology
18 products for sale or for use by these facilities are exempt
19 from ~~25 percent~~ of the tax imposed by this chapter.

20 2.a. Machinery and equipment are exempt from the tax
21 imposed by this chapter if used predominately in semiconductor
22 wafer research and development activities in a semiconductor
23 technology research and development facility certified under
24 subparagraph 6. For purposes of this paragraph, machinery and
25 equipment includes molds, dies, machine tooling, other
26 appurtenances or accessories to machinery and equipment,
27 testing equipment, test beds, computers, and software, whether
28 purchased or self-fabricated, and, if self-fabricated,
29 includes materials and labor for design, fabrication, and
30 assembly.

31 b. Machinery and equipment are exempt from ~~25 percent~~

Bill No. SB 2580

Barcode 525510

1 of the tax imposed by this chapter if used predominately in
 2 defense or space research and development activities in a
 3 defense or space technology research and development facility
 4 certified under subparagraph 6.

5 3. Building materials purchased for use in
 6 manufacturing or expanding clean rooms in
 7 semiconductor-manufacturing facilities are exempt from the tax
 8 imposed by this chapter.

9 4. In addition to meeting the criteria mandated by
 10 subparagraph 1., subparagraph 2., or subparagraph 3., a
 11 business must be certified by the Office of Tourism, Trade,
 12 and Economic Development as authorized in this paragraph in
 13 order to qualify for exemption under this paragraph.

14 5. For items purchased tax exempt pursuant to this
 15 paragraph, possession of a written certification from the
 16 purchaser, certifying the purchaser's entitlement to exemption
 17 pursuant to this paragraph, relieves the seller of the
 18 responsibility of collecting the tax on the sale of such
 19 items, and the department shall look solely to the purchaser
 20 for recovery of tax if it determines that the purchaser was
 21 not entitled to the exemption.

22 6.a. To be eligible to receive the exemption provided
 23 by subparagraph 1., subparagraph 2., or subparagraph 3., a
 24 qualifying business entity shall apply to Enterprise Florida,
 25 Inc. The application shall be developed by the Office of
 26 Tourism, Trade, and Economic Development in consultation with
 27 Enterprise Florida, Inc.

28 b. Enterprise Florida, Inc., shall review each
 29 submitted application and information and determine whether or
 30 not the application is complete within 5 working days. Once an
 31 application is complete, Enterprise Florida, Inc., shall,

Bill No. SB 2580

Barcode 525510

1 within 10 working days, evaluate the application and recommend
2 approval or disapproval of the application to the Office of
3 Tourism, Trade, and Economic Development.

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

17 7.a. A business may apply once each year for the
18 exemption.

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

30 c. The Office of Tourism, Trade, and Economic
31 Development may use the information reported on the

Bill No. SB 2580

Barcode 525510

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

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

19 9. As used in this paragraph, the term:

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

22 b. "Research and development" means basic and applied
 23 research in the science or engineering, as well as the design,
 24 development, and testing, of prototypes or processes of new or
 25 improved products, including the design, development, and
 26 testing of space launch vehicles, space flight vehicles,
 27 missiles, satellites, or research payloads, avionics, and
 28 associated control systems and processing systems, and
 29 components of any of the foregoing. Research and development

30 does not include market research, routine consumer product
 31 testing, sales research, research in the social sciences or

Bill No. SB 2580

Barcode 525510

1 psychology, or similar nontechnological activities, or
2 ~~technical~~ services.

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

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

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

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

Bill No. SB 2580

Barcode 525510

1 The term does not include products that are designed or
 2 manufactured for general commercial aviation or other uses
 3 even though those products may also serve an incidental use in
 4 space applications.

5 Section 60. Paragraph (d) of subsection (6) of section
 6 212.20, Florida Statutes, is amended to read:

7 212.20 Funds collected, disposition; additional powers
 8 of department; operational expense; refund of taxes
 9 adjudicated unconstitutionally collected.--

10 (6) Distribution of all proceeds under this chapter
 11 and s. 202.18(1)(b) and (2)(b) shall be as follows:

12 (d) The proceeds of all other taxes and fees imposed
 13 pursuant to this chapter or remitted pursuant to s.
 14 202.18(1)(b) and (2)(b) shall be distributed as follows:

15 1. In any fiscal year, the greater of \$500 million,
 16 minus an amount equal to 4.6 percent of the proceeds of the
 17 taxes collected pursuant to chapter 201, or 5 percent of all
 18 other taxes and fees imposed pursuant to this chapter or
 19 remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be
 20 deposited in monthly installments into the General Revenue
 21 Fund.

22 2. Two-tenths of one percent shall be transferred to
 23 the Ecosystem Management and Restoration Trust Fund to be used
 24 for water quality improvement and water restoration projects.

25 3. After the distribution under subparagraphs 1. and
 26 2., 8.814 percent of the amount remitted by a sales tax dealer
 27 located within a participating county pursuant to s. 218.61
 28 shall be transferred into the Local Government Half-cent Sales
 29 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to
 30 be transferred pursuant to this subparagraph to the Local
 31 Government Half-cent Sales Tax Clearing Trust Fund shall be

Bill No. SB 2580

Barcode 525510

1 reduced by 0.1 percent, and the department shall distribute
 2 this amount to the Public Employees Relations Commission Trust
 3 Fund less \$5,000 each month, which shall be added to the
 4 amount calculated in subparagraph 4. and distributed
 5 accordingly.

6 4. After the distribution under subparagraphs 1., 2.,
 7 and 3., 0.095 percent shall be transferred to the Local
 8 Government Half-cent Sales Tax Clearing Trust Fund and
 9 distributed pursuant to s. 218.65.

10 5. After the distributions under subparagraphs 1., 2.,
 11 3., and 4., 2.0440 percent of the available proceeds pursuant
 12 to this paragraph shall be transferred monthly to the Revenue
 13 Sharing Trust Fund for Counties pursuant to s. 218.215.

14 6. After the distributions under subparagraphs 1., 2.,
 15 3., and 4., 1.3409 percent of the available proceeds pursuant
 16 to this paragraph shall be transferred monthly to the Revenue
 17 Sharing Trust Fund for Municipalities pursuant to s. 218.215.
 18 If the total revenue to be distributed pursuant to this
 19 subparagraph is at least as great as the amount due from the
 20 Revenue Sharing Trust Fund for Municipalities and the former
 21 Municipal Financial Assistance Trust Fund in state fiscal year
 22 1999-2000, no municipality shall receive less than the amount
 23 due from the Revenue Sharing Trust Fund for Municipalities and
 24 the former Municipal Financial Assistance Trust Fund in state
 25 fiscal year 1999-2000. If the total proceeds to be distributed
 26 are less than the amount received in combination from the
 27 Revenue Sharing Trust Fund for Municipalities and the former
 28 Municipal Financial Assistance Trust Fund in state fiscal year
 29 1999-2000, each municipality shall receive an amount
 30 proportionate to the amount it was due in state fiscal year
 31 1999-2000.

Bill No. SB 2580

Barcode 525510

1 7. Of the remaining proceeds:

2 a. In each fiscal year, the sum of \$29,915,500 shall
3 be divided into as many equal parts as there are counties in
4 the state, and one part shall be distributed to each county.
5 The distribution among the several counties shall begin each
6 fiscal year on or before January 5th and shall continue
7 monthly for a total of 4 months. If a local or special law
8 required that any moneys accruing to a county in fiscal year
9 1999-2000 under the then-existing provisions of s. 550.135 be
10 paid directly to the district school board, special district,
11 or a municipal government, such payment shall continue until
12 such time that the local or special law is amended or
13 repealed. The state covenants with holders of bonds or other
14 instruments of indebtedness issued by local governments,
15 special districts, or district school boards prior to July 1,
16 2000, that it is not the intent of this subparagraph to
17 adversely affect the rights of those holders or relieve local
18 governments, special districts, or district school boards of
19 the duty to meet their obligations as a result of previous
20 pledges or assignments or trusts entered into which obligated
21 funds received from the distribution to county governments
22 under then-existing s. 550.135. This distribution specifically
23 is in lieu of funds distributed under s. 550.135 prior to July
24 1, 2000.

25 b. The department shall distribute \$166,667 monthly
26 pursuant to s. 288.1162 to each applicant that has been
27 certified as a "facility for a new professional sports
28 franchise" or a "facility for a retained professional sports
29 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be
30 distributed monthly by the department to each applicant that
31 has been certified as a "facility for a retained spring

Bill No. SB 2580

Barcode 525510

1 training franchise" pursuant to s. 288.1162; however, not more
 2 than \$208,335 may be distributed monthly in the aggregate to
 3 all certified facilities for a retained spring training
 4 franchise. Distributions shall begin 60 days following such
 5 certification and shall continue for not more than 30 years.
 6 Nothing contained in this paragraph shall be construed to
 7 allow an applicant certified pursuant to s. 288.1162 to
 8 receive more in distributions than actually expended by the
 9 applicant for the public purposes provided for in s.
 10 288.1162(6). However, a certified applicant is entitled to
 11 receive distributions up to the maximum amount allowable and
 12 undistributed under this section for additional renovations
 13 and improvements to the facility for the franchise without
 14 additional certification.

15 c. Beginning 30 days after notice by the Office of
 16 Tourism, Trade, and Economic Development to the Department of
 17 Revenue that an applicant has been certified as the
 18 professional golf hall of fame pursuant to s. 288.1168 and is
 19 open to the public, \$166,667 shall be distributed monthly, for
 20 up to 300 months, to the applicant.

21 d. Beginning 30 days after notice by the Office of
 22 Tourism, Trade, and Economic Development to the Department of
 23 Revenue that the applicant has been certified as the
 24 International Game Fish Association World Center facility
 25 pursuant to s. 288.1169, and the facility is open to the
 26 public, \$83,333 shall be distributed monthly, for up to 168
 27 months, to the applicant. This distribution is subject to
 28 reduction pursuant to s. 288.1169. A lump sum payment of
 29 \$999,996 shall be made, after certification and before July 1,
 30 2000.

31 e. Every dealer conducting business at a fixed

Bill No. SB 2580

Barcode 525510

1 location at the Kennedy Space Center or Cape Canaveral Air
2 Force Station and selling admissions to the Kennedy Space
3 Center or Cape Canaveral Air Force Station, or any part of
4 either location, under a contract with the National
5 Aeronautics and Space Administration or under a subcontract to
6 such contract, shall file returns each month in accordance
7 with this sub-subparagraph. Each dealer must file a separate
8 return each month which reports, separately from any other
9 sales and use taxes due under this chapter, the sale of
10 admissions to the Kennedy Space Center or Cape Canaveral Air
11 Force Station or any part of the facilities or to any event
12 held at either location, together with sales at retail of
13 tangible personal property from such fixed place of business,
14 and leases and licenses by the dealer at the Kennedy Space
15 Center or Cape Canaveral Air Force Station taxable under s.
16 212.031, and the taxes collected by the dealer with respect to
17 such admissions, leases, licenses, and sales. All amounts due
18 under this chapter with respect to these transactions shall be
19 timely remitted to the department. The dealer shall
20 simultaneously file a copy of the return with Space Florida
21 and a copy with the director of the Office of Tourism, Trade,
22 and Economic Development, all of which return copies and
23 information contained in such copies are subject to the same
24 confidentiality provisions as are applicable to returns and
25 information filed with the department under s. 213.053. Each
26 month the department shall distribute to Space Florida all
27 such proceeds collected and remitted to the department as
28 shown on the returns required by this sub-subparagraph.
29 However, the monthly distributions may not include proceeds of
30 discretionary surtaxes due under this chapter. The proceeds of
31 the monthly distributions shall be expended for aerospace

Bill No. SB 2580

Barcode 525510

1 education projects and aerospace business development projects
 2 authorized in s. 331.3051. If the department collects any
 3 additional amounts under this chapter with respect to any
 4 transactions for which a separate return is required by this
 5 sub-subparagraph, no later than 30 days after the collection,
 6 the proceeds shall be distributed by the department to Space
 7 Florida for the uses specified in this sub-subparagraph. This
 8 sub-subparagraph does not affect any dealer's liability for
 9 other taxes imposed by and due under this chapter.

10 8. All other proceeds shall remain with the General
 11 Revenue Fund.

12 Section 61. Section 1004.86, Florida Statutes, is
 13 created to read:

14 1004.86 Florida Center for Mathematics and Science
 15 Education Research.--

16 (1) The Department of Education shall establish at a
 17 public state university the Florida Center for Mathematics and
 18 Science Education Research to increase student achievement in
 19 science and mathematics. The center shall:

20 (a) Provide technical assistance and support to school
 21 districts and schools in the development and implementation of
 22 mathematics and science instruction.

23 (b) Conduct applied research on policy and practices
 24 related to mathematics and science instruction and assessment
 25 in the state.

26 (c) Conduct or compile basic research regarding
 27 student acquisition of mathematics and science knowledge and
 28 skills.

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

Bill No. SB 2580

Barcode 525510

1 (e) Disseminate information regarding research-based
2 teaching practices in mathematics and science to teachers and
3 teacher educators in the state.

4 (f) Collect, manage, and report on assessment
5 information regarding student achievement in mathematics and
6 science.

7 (g) Establish partnerships with state universities,
8 community colleges, and school districts.

9 (h) Collaborate with the Florida Center for Reading
10 Research in order to provide research-based practices that
11 integrate the teaching of reading within mathematics and
12 sciences courses.

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

15 Section 62. Sections 331.314, 331.367, 331.368,
16 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415,
17 331.417, and 331.419, Florida Statutes, are repealed.

18 Section 63. The Florida Space Authority, the Florida
19 Space Research Institute, and the Florida Aerospace Finance
20 Corporation are dissolved effective September 1, 2006. Space
21 Florida, as created by this act, is the successor organization
22 to, and as such shall assume the records, property,
23 obligations, and unexpended balances of appropriations,
24 allocations, or other funds of, the Florida Space Authority,
25 the Florida Space Research Institute, and the Florida
26 Aerospace Finance Corporation.

27 Section 64. The Governor, the President of the Senate,
28 and the Speaker of the House of Representatives shall appoint
29 the board of directors of Space Florida no later than July 1,
30 2006. The board of directors of Space Florida shall hold its
31 first meeting no later than August 1, 2006. The board of

Bill No. SB 2580

Barcode 525510

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

5 Section 65. Subsection (12) is added to section
 6 288.1224, Florida Statutes, to read:

7 288.1224 Powers and duties.--The commission:

8 (12) Shall enter into agreement with Space Florida and
 9 Enterprise Florida, Inc., to develop a public advertising
 10 program promoting aerospace-related activities, businesses, or
 11 any Space Florida project.

12 Section 66. Subsections (7) and (8) are added to
 13 section 288.9015, Florida Statutes, to read:

14 288.9015 Enterprise Florida, Inc.; purpose; duties.--

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

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

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

23 (8) Enterprise Florida, Inc., shall enter into
 24 agreement with Space Florida and the Florida Commission on
 25 Tourism and its direct-support organization to develop a
 26 public advertising program promoting aerospace-related
 27 activities, businesses, and any Space Florida project.

28 Section 67. Subsection (12) is added to section
 29 445.004, Florida Statutes, to read:

30 445.004 Workforce Florida, Inc.; creation; purpose;
 31 membership; duties and powers.--

Bill No. SB 2580

Barcode 525510

1 (12) Workforce Florida, Inc., shall enter into
2 agreement with Space Florida, and collaborate with Florida
3 vocational institutes, community colleges, colleges, and
4 universities, to develop a workforce development strategy to
5 implement s. 331.3051.

6 Section 68. Section 1001.10, Florida Statutes, is
7 amended to read:

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

Bill No. SB 2580

Barcode 525510

1 commissioner has the following general powers and duties:

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

4 (2) To advise and counsel with the State Board of
5 Education on all matters pertaining to education; to recommend
6 to the State Board of Education actions and policies as, in
7 the commissioner's opinion, should be acted upon or adopted;
8 and to execute or provide for the execution of all acts and
9 policies as are approved.

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

13 (4) To have a seal for his or her office with which,
14 in connection with his or her own signature, the commissioner
15 shall authenticate true copies of decisions, acts, or
16 documents.

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

23 (6) To take action on the release of mineral rights
24 based upon the recommendations of the Board of Trustees of the
25 Internal Improvement Trust Fund.

26 (7) To submit to the State Board of Education, on or
27 before August 1 of each year, recommendations for a
28 coordinated K-20 education budget that estimates the
29 expenditures for the State Board of Education, including the
30 Department of Education, the Commissioner of Education, and
31 all of the boards, institutions, agencies, and services under

Bill No. SB 2580

Barcode 525510

1 the general supervision of the State Board of Education for
 2 the ensuing fiscal year. Any program recommended to the State
 3 Board of Education that will require increases in state
 4 funding for more than 1 year must be presented in a multiyear
 5 budget plan.

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

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

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

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

31 (a) The State Board of Education is the body corporate

Bill No. SB 2580

Barcode 525510

1 responsible for the supervision of the system of public
2 education.

3 (b) The district school board is responsible for
4 school and student performance.

5 (c) The individual school is the unit for education
6 accountability.

7 (d) The community college board of trustees is
8 responsible for community college performance and student
9 performance.

10 (e) The university board of trustees is responsible
11 for university performance and student performance.

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

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

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

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

30 (16) To prescribe procedures for evaluating
31 instructional materials submitted by publishers and

Bill No. SB 2580

Barcode 525510

1 manufacturers in each adoption.

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

5
6 The commissioner's office shall operate all statewide
7 functions necessary to support the State Board of Education
8 and the K-20 education system, including strategic planning
9 and budget development, general administration, and assessment
10 and accountability.

11 Section 69. Subsection (33) is added to section
12 334.044, Florida Statutes, to read:

13 334.044 Department; powers and duties.--The department
14 shall have the following general powers and duties:

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

22 Section 70. This act shall take effect upon becoming a
23 law.

24
25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 Delete everything before the enacting clause

29
30 and insert:

31 A bill to be entitled

Bill No. SB 2580

Barcode 525510

1 An act relating to the state's aerospace
2 industry; redesignating the "Florida Space
3 Authority" as "Space Florida"; providing
4 legislative intent; providing, revising, and
5 repealing definitions; revising and
6 consolidating the roles, purposes,
7 responsibilities, assets, and duties of the
8 Florida Space Authority as those of Space
9 Florida; deleting authority to establish
10 facilities and complementary activities;
11 providing additional powers and duties of Space
12 Florida; prohibiting Space Florida from
13 endorsing political candidates or making
14 campaign contributions; characterizing certain
15 property as Space Florida territory; providing
16 additional powers and responsibilities of Space
17 Florida relating to the state's aerospace
18 industry; deleting authority to exercise
19 eminent domain powers; requiring Space Florida
20 to create a business plan and a marketing
21 campaign; requiring Space Florida to coordinate
22 its activities with federal and state agencies;
23 replacing provisions providing for a board of
24 supervisors with provisions providing for a
25 board of directors of Space Florida; providing
26 for designation and appointment of members;
27 providing for terms, removal of members, and
28 filling of vacancies; providing for board
29 meetings; specifying service without
30 compensation; providing for reimbursement of
31 certain expenses; providing financial

Bill No. SB 2580

Barcode 525510

1 disclosure requirements; revising powers and
2 duties of the board; creating ss. 331.3011 and
3 331.3051, F.S.; amending ss. 331.301, 331.302,
4 331.303, 331.305, 331.306, 331.308, 331.309,
5 331.310, 331.3101, 331.311, 331.312, 331.313,
6 331.315, 331.316, 331.317, 331.318, 331.319,
7 331.320, 331.321, 331.322, 331.323, 331.324,
8 331.325, 331.326 331.327, 331.328, 331.329,
9 331.331, 331.333, 331.334, 331.335, 331.336,
10 331.337, 331.338, 331.339, 331.340, 331.343,
11 331.345, 331.346, 331.347, 331.348, 331.349,
12 331.350, 331.351, 331.354, 331.355, 331.360,
13 and 331.369, F.S., to conform; amending ss.
14 14.2015, 74.011, 196.012, 212.02, 288.063,
15 288.075, 288.35, and 288.9415, F.S., to
16 conform; amending s. 212.08, F.S.; expanding
17 the exemption from the sales and use tax on
18 certain machinery and equipment; amending s.
19 212.20, F.S.; requiring dealers at certain
20 business locations to file returns with the
21 Department of Revenue disclosing certain sales
22 tax information; specifying return
23 requirements; requiring the department to
24 distribute certain proceeds to Space Florida;
25 requiring expenditure of such proceeds for
26 certain purposes; creating s. 1004.86, F.S.;
27 requiring the Department of Education to
28 establish the Florida Center for Mathematics
29 and Science Education Research at a public
30 state university; specifying requirements for
31 the center; repealing s. 331.314, F.S.,

Bill No. SB 2580

Barcode 525510

1 relating to the exclusive authority of the
2 Florida Space Authority to regulate spaceports;
3 repealing s. 331.367, F.S., relating to the
4 Spaceport Management Council; repealing s.
5 331.368, F.S., relating to the Florida Space
6 Research Institute; repealing ss. 331.401,
7 331.403, 331.405, 331.407, 331.409, 331.411,
8 331.415, 331.417, and 331.419, F.S., relating
9 to the Florida Aerospace Finance Corporation;
10 providing that the Florida Space Authority, the
11 Florida Space Research Institute, and the
12 Florida Aerospace Finance Corporation are
13 dissolved on a specified date; providing that
14 Space Florida assumes the records, property,
15 and unexpended balances of appropriations,
16 allocations, and other funds from the dissolved
17 entities; requiring the Governor, the President
18 of the Senate, and the Speaker of the House of
19 Representatives to appoint the board of
20 directors of Space Florida by a specified date;
21 requiring the board of directors of Space
22 Florida to hold its first meeting by a
23 specified date; amending ss. 228.1224,
24 288.9015, 445.004, and 1001.10, F.S.; requiring
25 the Florida Commission on Tourism, Enterprise
26 Florida, Inc., Workforce Florida, Inc., and the
27 Commissioner of Education to enter into
28 memoranda of agreement with Space Florida;
29 amending s. 334.044, F.S.; prescribing power of
30 the Department of Transportation to enter into
31 agreement with Space Florida; providing an

Bill No. SB 2580

Barcode 525510

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