



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

1 the center; repealing s. 331.314, F.S.,  
2 relating to the exclusive authority of the  
3 Florida Space Authority to regulate spaceports;  
4 repealing s. 331.367, F.S., relating to the  
5 Spaceport Management Council; repealing s.  
6 331.368, F.S., relating to the Florida Space  
7 Research Institute; repealing ss. 331.401,  
8 331.403, 331.405, 331.407, 331.409, 331.411,  
9 331.415, 331.417, and 331.419, F.S., relating  
10 to the Florida Aerospace Finance Corporation;  
11 providing that the Florida Space Authority, the  
12 Florida Space Research Institute, and the  
13 Florida Aerospace Finance Corporation are  
14 dissolved on a specified date; providing that  
15 Space Florida assumes the records, property,  
16 and unexpended balances of appropriations,  
17 allocations, and other funds from the dissolved  
18 entities; requiring the Governor, the President  
19 of the Senate, and the Speaker of the House of  
20 Representatives to appoint the board of  
21 directors of Space Florida by a specified date;  
22 requiring the board of directors of Space  
23 Florida to hold its first meeting by a  
24 specified date; amending ss. 228.1224,  
25 288.9015, 445.004, and 1001.10, F.S.; requiring  
26 the Florida Commission on Tourism, Enterprise  
27 Florida, Inc., Workforce Florida, Inc., and the  
28 Commissioner of Education to enter into  
29 memoranda of agreement with Space Florida;  
30 amending s. 334.044, F.S.; prescribing power of  
31 the Department of Transportation to enter into

1 agreement with Space Florida; providing an  
2 effective date.

3  
4 Be It Enacted by the Legislature of the State of Florida:

5  
6 Section 1. Section 331.301, Florida Statutes, is  
7 amended to read:

8 331.301 Short title.--This act may be cited as the  
9 "Space Florida ~~Space Authority~~ Act."

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

12 331.3011 Legislative findings and intent.--

13 (1) The Legislature finds and declares that the  
14 aerospace industry of this state is integral to the state's  
15 long-term success in diversifying its economy and building a  
16 knowledge-based economy that is able to support the creation  
17 of high value-added businesses and jobs. Further, under the  
18 direction and leadership of a single, private-public board,  
19 this state has the opportunity to strengthen its existing  
20 leadership in civil and military aerospace activity and emerge  
21 as a leader in the nation's new vision for space exploration  
22 and commercial aerospace opportunities, including the  
23 integration of space, aeronautics, and aviation technologies.  
24 As the leading location for talent, research, advanced  
25 technologies and systems development, launch, and other  
26 aerospace-based industry activities, this state can position  
27 itself for sustainable economic growth and prosperity.

28 (2) The Legislature finds that attaining this vision  
29 requires a strong public and private commitment to a world  
30 class aerospace industry. It is the intent of the Legislature  
31 that Space Florida will encourage the public and private

1 sectors to work together to implement an aggressive strategy  
2 that enhances the state's workforce, education, and research  
3 capabilities, with emphasis on mathematics, science,  
4 engineering, and related fields; will focus on the state's  
5 economic development efforts in order to capture a larger  
6 share of activity in aerospace research, technology,  
7 production, and commercial operations, while maintaining the  
8 state's historical leadership in space launch activities; and  
9 will preserve the unique national role served by the Cape  
10 Canaveral Air Force Station and Kennedy Space Center by  
11 reducing costs and improving the regulatory flexibility for  
12 commercial sector launches while pursuing the development of  
13 sites for commercial horizontal launches.

14 (3) It is the intent of the Legislature that aerospace  
15 activities be highly visible and coordinated within this  
16 state. To that end, it is the intent of the Legislature that  
17 Space Florida provide a single point of contact for state  
18 aerospace-related activities with federal agencies, the  
19 military, state agencies, businesses, and the private sector.

20 Section 3. Section 331.302, Florida Statutes, is  
21 amended to read:

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

24 331.302 Space Florida; creation; purpose.--

25 (1) There is established, formed, and created Space  
26 Florida, which is created and incorporated as a public  
27 corporation, body politic, and subdivision of the state to  
28 foster the growth and development of a sustainable and  
29 world-leading aerospace industry in this state. Space Florida  
30 shall promote aerospace business development by facilitating  
31 business financing, spaceport operations, research and

1 development, workforce development, and innovative education  
2 programs. Space Florida has all the powers, rights,  
3 privileges, and authority as provided under the laws of this  
4 state.

5 (2) In carrying out its duties and responsibilities,  
6 Space Florida shall advise, coordinate, cooperate, and, when  
7 necessary, enter into memoranda of agreement with  
8 municipalities, counties, regional authorities, state agencies  
9 and organizations, appropriate federal agencies and  
10 organizations, and other interested persons and groups.

11 (3) Space Florida may not endorse any candidate for  
12 any elected public office or contribute money to the campaign  
13 of any candidate for public office.

14 (4) Space Florida is not an agency as defined in ss.  
15 216.011 and 287.012.

16 Section 4. Section 331.303, Florida Statutes, is  
17 amended to read:

18 331.303 Definitions.--

19 (1) "Aerospace" means the industry that designs and  
20 manufactures aircraft, rockets, missiles, spacecraft,  
21 satellites, space vehicles, space stations, space facilities  
22 or components thereof, and equipment, systems, facilities,  
23 simulators, programs, and related activities. ~~"Authority"~~  
24 ~~means the Florida Space Authority created by this act.~~

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

27 (3) "Bonds" means revenue bonds, assessment bonds, or  
28 other bonds or obligations issued by Space Florida ~~the~~  
29 ~~authority~~ for the purpose of raising financing for its  
30 projects.  
31

1           (4) "Business client" means any person, other than a  
2 state official or state employee, who receives the services  
3 of, or is the subject of solicitation by, representatives of  
4 Space Florida ~~the authority~~ in connection with the performance  
5 of its statutory duties, including purchasers or prospective  
6 purchasers of Space Florida ~~authority~~ services, persons or  
7 representatives of firms considering or being solicited for  
8 investment in Space Florida ~~authority~~ projects, persons or  
9 representatives of firms considering or being solicited for  
10 location, relocation, or expansion of an aerospace-related a  
11 ~~space-related~~ business within the state, and business,  
12 financial, or other persons connected with the aerospace ~~space~~  
13 industry.

14           ~~(5) "Complementary activity" means any space business~~  
15 ~~incubator, space tourism activity, educational involvement in~~  
16 ~~an incubator, or space tourism and space related research and~~  
17 ~~development.~~

18           ~~(6) "Conduit bond" means any bond of the authority~~  
19 ~~which is a nonrecourse obligation of the authority payable~~  
20 ~~from the proceeds of such bonds and related financing~~  
21 ~~agreements.~~

22           ~~(5)(7)~~ "Cost" means all costs, fees, charges,  
23 expenses, and amounts associated with the development of  
24 projects by Space Florida ~~the authority~~.

25           ~~(6)(8)~~ "Entertainment expenses" means the actual,  
26 necessary, and reasonable costs of providing hospitality for  
27 business clients or guests, which costs are defined and  
28 prescribed by rules adopted by Space Florida ~~the authority~~,  
29 subject to approval by the Chief Financial Officer.

30  
31

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

4           ~~(7)~~~~(10)~~ "Financing agreement" means a lease,  
5 lease-purchase agreement, lease with option to purchase, sale  
6 or installment sale agreement, whether title passes in whole  
7 or in part at any time before ~~prior to~~, at, or after  
8 completion of the project, loan agreement, or other agreement  
9 forming the basis for the financing under this act, including  
10 any agreements, guarantees, or security instruments forming  
11 part of or related to providing assurance of payment of the  
12 obligations under the ~~such~~ financing agreement.

13           ~~(8)~~~~(11)~~ "Guest" means a person, other than a state  
14 official or state employee, authorized by the board or its  
15 designee to receive the hospitality of Space Florida ~~the~~  
16 ~~authority~~ in connection with the performance of its statutory  
17 duties.

18           ~~(9)~~~~(12)~~ "Landing area" means the geographical area  
19 designated by Space Florida ~~the authority~~ within the spaceport  
20 territory for or intended for the landing and surface  
21 maneuvering of any launch or other space vehicle.

22           ~~(10)~~~~(13)~~ "Launch pad" means any launch pad, runway,  
23 airstrip, or similar facility used ~~by the spaceport or~~  
24 ~~spaceport user~~ for launching ~~of~~ space vehicles.

25           ~~(11)~~~~(14)~~ "Payload" means any property or cargo to be  
26 transported aboard any vehicle launched by or from the  
27 spaceport.

28           ~~(12)~~~~(15)~~ "Person" means any individual, child,  
29 community college, college, university, firm, association,  
30 joint venture, partnership, estate, trust, business trust,  
31 syndicate, fiduciary, corporation, nation, government



1 (federal, state, or local), agency (government or other),  
2 subdivision of the state, municipality, county, business  
3 entity, or any other group or combination.

4 ~~(13)(16)~~ "Project" means any development, improvement,  
5 property, launch, utility, facility, system, works, road,  
6 sidewalk, enterprise, service, or convenience, which may  
7 include coordination with state partners or agencies  
8 ~~Enterprise Florida, Inc., the Board of Education, the Florida~~  
9 ~~Aerospace Finance Corporation, and the Florida Space Research~~  
10 ~~Institute~~; any rocket, capsule, module, launch facility,  
11 assembly facility, operations or control facility, tracking  
12 facility, administrative facility, or any other type of  
13 aerospace-related ~~space-related~~ transportation vehicle,  
14 station, or facility; any type of equipment or instrument to  
15 be used or useful in connection with any of the foregoing; any  
16 type of intellectual property and intellectual property  
17 protection in connection with any of the foregoing including,  
18 without limitation, any patent, copyright, trademark, and  
19 service mark for, among other things, computer software; any  
20 water, wastewater, gas, or electric utility system, plant, or  
21 distribution or collection system; any small business  
22 incubator initiative, including any startup aerospace company,  
23 and any aerospace business proposing to expand or locate its  
24 business in this state, research and development company,  
25 research and development facility, education and workforce  
26 training facility, storage facility, and consulting service;  
27 or any tourism initiative, including any space experience  
28 attraction, microgravity flight program, aerospace  
29 space-launch-related activity, and space museum sponsored or  
30 promoted by Space Florida ~~the authority~~.

1           ~~(14)(17)~~ "Range" means the geographical area  
2 designated by Space Florida ~~the authority~~ or other appropriate  
3 body as the area for the launching of rockets, missiles,  
4 launch vehicles, and other vehicles designed to reach high  
5 altitude.

6           ~~(15)(18)~~ "Recovery" means the recovery of space  
7 vehicles and payloads which have been launched from or by a  
8 ~~the~~ spaceport.

9           ~~(16)(19)~~ "Spaceport" means any area of land or water,  
10 or any manmade object or facility located therein, developed  
11 by Space Florida ~~the authority~~ under this act, which area is  
12 intended for public use or for the launching, takeoff, and  
13 landing of spacecraft and aircraft, and includes any  
14 appurtenant areas which are used or intended for public use,  
15 for spaceport buildings, or for other spaceport facilities,  
16 spaceport projects, or rights-of-way.

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

19           ~~(17)(21)~~ "Spaceport launch facilities" means ~~shall be~~  
20 ~~defined as~~ industrial facilities as described in accordance  
21 ~~with~~ s. 380.0651(3)(c) and include any launch pad, launch  
22 control center, and fixed launch-support equipment.

23           ~~(18)(22)~~ "Spaceport system" means the programs,  
24 organizations, and infrastructure developed by Space Florida  
25 ~~the authority~~ for the development of facilities or activities  
26 to enhance and provide commercial aerospace space-related  
27 development opportunities for business, education, workforce  
28 development, and government within the state.

29           ~~(19)(23)~~ "Spaceport territory" means the geographical  
30 area designated in s. 331.304 and as amended or changed in  
31 accordance with s. 331.329.

1           ~~(20)(24)~~ "Spaceport user" means any person who uses  
2 the facilities or services of any spaceport; and, for the  
3 purposes of any exemptions or rights granted under this act,  
4 ~~the said~~ spaceport user shall be deemed a spaceport user only  
5 during the time period in which ~~the such~~ person has in effect  
6 a contract, memorandum of understanding, or agreement with the  
7 spaceport, and such rights and exemptions shall be granted  
8 with respect to transactions relating only to spaceport  
9 projects.

10           ~~(21)(25)~~ "Travel expenses" means the actual,  
11 necessary, and reasonable costs of transportation, meals,  
12 lodging, and incidental expenses normally incurred by a  
13 traveler, which costs are defined and prescribed by rules  
14 adopted by Space Florida ~~the authority~~, subject to approval by  
15 the Chief Financial Officer.

16           ~~(22)(26)~~ "Spaceport discretionary capacity improvement  
17 projects" means capacity improvements that enhance space  
18 transportation capacity at spaceports that have had one or  
19 more orbital or suborbital flights during the previous  
20 calendar year or have an agreement in writing for installation  
21 of one or more regularly scheduled orbital or suborbital  
22 flights upon the commitment of funds for stipulated spaceport  
23 capital improvements.

24           Section 5. Section 331.305, Florida Statutes, is  
25 amended to read:

26           331.305 Powers of Space Florida ~~the authority~~.--Space  
27 Florida has ~~The authority shall have~~ the power to:

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

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

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

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

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

13           ~~(b) Products, services description potential,~~  
14 ~~technologies, skills.~~

15           ~~(c) Market research and evaluation customers,~~  
16 ~~competition, economics.~~

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

18           ~~(e) Design and development plan tasks, difficulties,~~  
19 ~~costs.~~

20           ~~(f) Manufacturing locations, facilities, and~~  
21 ~~operations plan.~~

22           ~~(g) Management organization roles and~~  
23 ~~responsibilities.~~

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

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

26           ~~(j) Community impact economic, human development,~~  
27 ~~community development.~~

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

30           ~~(l) Proposed authority offering financing,~~  
31 ~~capitalization, use of funds.~~

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

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

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

17           ~~(8) Appoint, through its board of supervisors, an~~  
18 ~~executive director.~~

19           ~~(2)(9)~~ Own, acquire, construct, develop, create,  
20 reconstruct, equip, operate, maintain, extend, and improve  
21 launch pads, landing areas, ranges, payload assembly  
22 buildings, payload processing facilities, laboratories,  
23 aerospace ~~space~~ business incubators, launch vehicles,  
24 payloads, space flight hardware, facilities and equipment for  
25 the construction of payloads, space flight hardware, rockets,  
26 and other launch vehicles, and other spaceport facilities and  
27 other aerospace-related ~~space-related~~ systems, including  
28 educational, cultural, and parking facilities and  
29 space-related initiatives.

30           ~~(10) Undertake a program of advertising to the public~~  
31 ~~promoting space related businesses or any spaceport projects~~

1 ~~of the authority, and expend moneys and undertake such~~  
2 ~~activities to carry out such advertising and promotional~~  
3 ~~program as the board from time to time may determine.~~

4       (3)(11) Own, acquire, construct, reconstruct, equip,  
5 operate, maintain, extend, or ~~and~~ improve transportation  
6 facilities appropriate to meet the transportation requirements  
7 of Space Florida ~~the authority~~ and activities conducted within  
8 ~~the~~ spaceport territory.

9       (4)(12) Own, acquire, construct, reconstruct, equip,  
10 operate, maintain, extend, or ~~and~~ improve electric power  
11 plants, transmission lines and related facilities, gas mains  
12 and facilities of any nature for the production or  
13 distribution of natural gas, transmission lines and related  
14 facilities and plants and facilities for the generation and  
15 transmission of power through traditional and new and  
16 experimental sources of power and energy; purchase electric  
17 power, natural gas, and other sources of power for  
18 distribution within any spaceport territory; develop and  
19 operate water and sewer systems and waste collection and  
20 disposal consistent with chapter 88-130, Laws of Florida; and  
21 develop and operate such new and experimental public  
22 utilities, including, but not limited to, centrally  
23 distributed heating and air-conditioning facilities and  
24 services, closed-circuit television systems, and computer  
25 services and facilities, as the board may from time to time  
26 determine. However, Space Florida may ~~the authority shall~~ not  
27 construct any system, work, project, or utility authorized to  
28 be constructed under this paragraph in the event that a  
29 system, work, project, or utility of a similar character is  
30 being actually operated by a municipality or private company

31

1 in the municipality or territory adjacent thereto, unless such  
2 municipality or private company consents to such construction.

3 ~~(5)(13)~~ Designate, set aside, and maintain lands and  
4 areas within or without the territorial limits of any  
5 spaceport territory as conservation areas or bird and wildlife  
6 sanctuaries; stock such areas with animal and plant life and  
7 stock water areas with fish and other aquatic life; adopt  
8 pursuant to ss. 120.536(1) and 120.54 ~~promulgate~~ and enforce  
9 rules ~~and regulations~~ with respect thereto and protect and  
10 preserve the natural beauty thereof; and do all acts necessary  
11 or desirable in order to qualify such lands and areas as  
12 conservation areas and sanctuaries under any of the laws of  
13 the state or under federal law.

14 ~~(6)(14)~~ Establish a program for the control,  
15 abatement, and elimination of mosquitoes and other noxious  
16 insects, rodents, reptiles, and other pests throughout the  
17 spaceport territory and undertake such works and construct  
18 such facilities within or without the spaceport territory as  
19 may be determined by the board to be needed to effectuate such  
20 program; abate and suppress mosquitoes and other arthropods,  
21 whether disease-bearing or pestiferous, within any spaceport  
22 territory when in the judgment of the board such action is  
23 necessary or desirable for the health and welfare of the  
24 inhabitants of or visitors to any spaceport; and take any and  
25 all temporary or permanent eliminative measures that the board  
26 may deem advisable. The Legislature hereby finds and declares  
27 Space Florida ~~the authority~~ eligible to receive state funds,  
28 supplies, services, and equipment available or that may in the  
29 future become available to mosquito or pest control districts,  
30 the provisions of s. 388.021 notwithstanding.

31

1           ~~(7)(15)~~ Subject to the rules and regulations of the  
2 appropriate water management district, own, acquire,  
3 construct, reconstruct, equip, maintain, operate, extend, and  
4 improve water and flood control facilities. The Legislature  
5 hereby finds and declares Space Florida ~~the authority~~ eligible  
6 to receive moneys, disbursements, and assistance from the  
7 state available to flood control or water management districts  
8 and navigation districts or agencies.

9           ~~(8)(16)~~ Own, acquire, construct, reconstruct, equip,  
10 maintain, operate, extend, and improve public safety  
11 facilities for the spaceport, including security stations,  
12 security vehicles, fire stations, water mains and plugs, and  
13 fire trucks and other vehicles and equipment; hire employees,  
14 security officers, and firefighters; and undertake such works  
15 and construct such facilities determined by the board to be  
16 necessary or desirable to promote and ensure public safety  
17 within the spaceport territory.

18           ~~(9)(17)~~ Hire, through its president executive  
19 ~~director~~, a safety officer with substantial experience in  
20 public safety procedures and programs for space vehicle  
21 launching and related hazardous operations. The safety officer  
22 shall monitor and report on the safety and hazards of  
23 ground-based space operations to the president executive  
24 ~~director~~.

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

29           ~~(19)~~ ~~Establish procedures, rules, and rates governing~~  
30 ~~per diem and travel expenses of its employees, the members of~~  
31 ~~the board of supervisors, and other persons authorized by the~~



1 ~~board to incur such expenses. Except as otherwise provided in~~  
2 ~~s. 331.3101, such rules are subject to provisions of state law~~  
3 ~~or rules pertaining to per diem and travel expenses of public~~  
4 ~~officers, employees, or other persons authorized by an agency~~  
5 ~~head to incur such expenses.~~

6       (10)(20) Examine, develop, and use ~~utilize~~ new  
7 concepts, designs, and ideas; own, acquire, construct,  
8 reconstruct, equip, operate, maintain, extend, and improve  
9 experimental spaceport facilities and services; and otherwise  
10 undertake, sponsor, finance, and maintain such research  
11 activities, experimentation, and development as the board may  
12 from time to time determine, in connection with any of the  
13 projects that Space Florida ~~the authority~~ is authorized to  
14 undertake pursuant to the powers and authority vested in it by  
15 this act, and in order to promote the development and  
16 utilization of new concepts, designs, and ideas in the fields  
17 of space exploration, commercialization of the space industry,  
18 and spaceport facilities.

19       (11)(21) Issue revenue bonds, assessment bonds, or any  
20 other bonds or obligations authorized by the provisions of  
21 this act or any other law, or any combination of the  
22 foregoing, and pay all or part of the cost of the acquisition,  
23 construction, reconstruction, extension, repair, improvement,  
24 or maintenance of any project or combination of projects,  
25 including payloads and space flight hardware, and equipment  
26 for research, development, and educational activities, to  
27 provide for any facility, service, or other activity of Space  
28 Florida ~~the authority~~, and provide for the retirement or  
29 refunding of any bonds or obligations of Space Florida ~~the~~  
30 ~~authority~~, or for any combination of the foregoing purposes.  
31 Space Florida ~~The authority~~ must provide 14 days' notice to

1 | the presiding officers and appropriations chairs of both  
2 | houses of the Legislature prior to presenting a bond proposal  
3 | to the Governor and Cabinet. If either presiding officer or  
4 | appropriations chair objects to the bonding proposal within  
5 | the 14-day-notice period, the bond issuance may be approved  
6 | only by a vote of three-fourths ~~two-thirds~~ of the members of  
7 | the Governor and Cabinet.

8 |       ~~(12)(22)~~ Make expenditures for entertainment and  
9 | travel expenses and business clients, guests, and other  
10 | authorized persons as provided in this act.

11 |       ~~(13)(23)~~ In connection with any financing agreement,  
12 | fix and collect fees, loan payments, rental payments, and  
13 | other charges for the use of any project in such amount as to  
14 | provide sufficient moneys to pay the principal of and interest  
15 | on bonds as the same shall become due and payable, if so  
16 | provided in the bond resolution or trust agreement, and to  
17 | create reserves for such purposes. The fees, rents, payments,  
18 | and charges and all other revenues and proceeds derived from  
19 | the project in connection with which the bonds of any issue  
20 | shall have been issued, except such part thereof as may be  
21 | necessary for such reserves or any expenditures as may be  
22 | provided in the resolution authorizing the issuance of the  
23 | bonds or in the trust agreement securing the same, shall be  
24 | set aside, at the time as may be specified in the resolution  
25 | or trust agreement, in a sinking fund which may be pledged to  
26 | and charged with the payment of the principal of and the  
27 | interest on such bonds as the same shall become due and the  
28 | redemption price or the purchase price of bonds retired by  
29 | call or purchase as therein provided. Such pledge is ~~shall be~~  
30 | valid and binding from the time the pledge is made. The fees,  
31 | rents, charges, and other revenues and moneys so pledged and

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

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

19 Section 6. Section 331.3051, Florida Statutes, is  
20 created to read:

21 331.3051 Duties of Space Florida.--Space Florida  
22 shall:

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

30 (2) Enter into agreement with the Department of  
31 Education, the Department of Transportation, Enterprise

1 Florida, Inc., the Florida Commission on Tourism and its  
2 direct-support organization, and Workforce Florida, Inc., for  
3 the purpose of implementing this act.

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

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

18 (5) Develop, in cooperation with Enterprise Florida,  
19 Inc., and the Florida Commission on Tourism and its  
20 direct-support organization, a public advertising program  
21 promoting aerospace-related activities, businesses, or any  
22 Space Florida projects.

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

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

31

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

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

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

15           **(e) Collecting funds for aerospace business**  
16 **development projects, which funds shall include tax revenues**  
17 **distributed by Space Florida under s. 212.20(6)(d). Funding**  
18 **levels shall be determined by the board of directors.**

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

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

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

31

1           (c) Pursuing the development of additional commercial  
2 spaceports in the state through a competitive request for  
3 proposals in partnership with counties or municipalities, the  
4 Federal Government, or private entities.

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

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

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

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

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

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

1 retrain workers, from entry-level skills training through to  
2 technician-level, and 4-year degrees and higher, with the  
3 skills most relevant to aerospace employers, and further  
4 enhance the Florida Aviation/Aerospace Banner Center to ensure  
5 that graduates from the institution meet the needs of the  
6 aerospace industry.

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

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

28 Section 7. Section 331.306, Florida Statutes, is  
29 amended to read:

30 331.306 Federal airspace notification.--In accordance  
31 with Federal Aviation Administration procedures ~~coordination~~

1 ~~with the Florida Department of Transportation, Space Florida~~  
2 ~~the authority shall develop and file appropriate the federal~~  
3 ~~airspace notification to activate special-use airspace in~~  
4 ~~support of their space launch operations required for priority~~  
5 ~~airspace use.~~

6 Section 8. Section 331.308, Florida Statutes, is  
7 amended to read:

8 331.308 Board of directors ~~supervisors~~.--

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

13 (a) The Governor.

14 (b) The Secretary of Transportation or the secretary's  
15 designee.

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

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

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

22 (f) The Commissioner of Education or the  
23 commissioner's designee.

24 (g) Eight members from the private sector appointed by  
25 the Governor, of which one must be a representative of  
26 organized labor.

27 (h) Two ex officio, nonvoting members, one of whom  
28 shall be a member of the Senate, selected by the President of  
29 the Senate, and one of whom shall be a member of the House of  
30 Representatives, selected by the Speaker of the House of  
31 Representatives.



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

5  
6 In making his or her appointments, the Governor shall ensure  
7 that the composition of the board reflects the diversity of  
8 the aerospace industry community of this state and, to the  
9 greatest degree possible, that the composition of the board  
10 includes, but is not limited to, individuals representing the  
11 industries of business, finance, marketing, space, aerospace,  
12 aviation, defense, research and development, and education.  
13 The Governor shall also consider whether the current members  
14 of the board, together with potential appointees, reflect the  
15 racial, ethnic, and gender diversity, as well as the  
16 geographic distribution, of the population of the state.

17           (2)(a) Vacancies on the board shall be filled for the  
18 unexpired term in the same manner as the original appointments  
19 to the board.

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

23           1. The Governor shall appoint two members for a 1-year  
24 term, two members for 2-year terms, and three members for  
25 4-year terms.

26           2. The President of the Senate and the Speaker of the  
27 House of Representatives shall each appoint one member for a  
28 1-year term, one member for a 2-year term, and one member for  
29 a 4-year term.

30           (c) Any member is eligible for reappointment.  
31

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

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

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

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

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

27           (8) Each member of the board of directors of Space  
28 Florida who is not otherwise required to file financial  
29 disclosure pursuant to s. 8, Art. II of the State Constitution  
30 or s. 112.3144, shall file disclosure of financial interests  
31 pursuant to s. 112.3145. There is created within the Florida

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

1 ~~technology development, design and architecture of space based~~  
2 ~~assets and facilities for manufacturing and other purposes,~~  
3 ~~space related nanotechnology, space tourism, and other~~  
4 ~~commercial enterprises utilizing uniquely space based~~  
5 ~~capabilities.~~

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

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

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

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

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

29 Section 9. Section 331.309, Florida Statutes, is  
30 amended to read:

31 331.309 Treasurer; depositories; fiscal agent.--

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

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

30           (3) The board may employ a fiscal agent, who shall be  
31 either a resident of the state or a corporation organized

1 under the laws of this or any other state and authorized by  
2 such laws to act as such fiscal agent in the state.

3 Section 10. Section 331.310, Florida Statutes, is  
4 amended to read:

5 331.310 Powers and duties of the board of directors  
6 ~~supervisors.~~ --~~Except as otherwise provided in this act, all of~~  
7 ~~the powers and duties of the authority shall be exercised by~~  
8 ~~and through the board of supervisors, including the power and~~  
9 ~~duty to:~~

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

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

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

30 (b)(4) Execute all contracts and other documents,  
31 adopt all proceedings, and perform all acts determined by the

1 board to be necessary or desirable to carry out the purposes  
2 of this act. The board may authorize one or more members of  
3 the board to execute contracts and other documents on behalf  
4 of the board or Space Florida ~~the authority~~.

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

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

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

27 ~~(e)(7)~~ Examine, and authorize any officer or agent of  
28 Space Florida ~~the authority~~ to examine, the county tax rolls  
29 with respect to the assessed valuation of the real and  
30 personal property within any spaceport territory.  
31

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

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

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

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

12           (2) The board of directors shall:

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

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

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

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



1 operation of any spaceport project, Space Florida ~~the~~  
2 ~~authority~~ will be subject to the federal labor laws observed  
3 at the Kennedy Space Center and Cape Canaveral Air Force  
4 Station, Florida, applicable as a result of such federal  
5 expenditures.

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

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

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

21 Section 11. Section 331.3101, Florida Statutes, is  
22 amended to read:

23 331.3101 Space Florida ~~Space Authority~~; travel and  
24 entertainment expenses.--

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

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

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

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

29 (3) An annual report shall be made to the Legislature  
30 not later than December 31 ~~November 30~~ of each year for the  
31 previous fiscal year, which shall consist of a synopsis

1 | concisely summarizing all travel, entertainment, and  
2 | incidental expenses incurred within the United States and,  
3 | separately, all travel, entertainment, and incidental expenses  
4 | incurred outside the United States.

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

28 |           Section 12. Section 331.311, Florida Statutes, is  
29 | amended to read:

30 |           331.311 Exercise by authority of its powers within  
31 | municipalities and other political subdivisions.--Space

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

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

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

1           Section 14. Section 331.313, Florida Statutes, is  
2 amended to read:

3           331.313 Power of Space Florida ~~the authority~~ with  
4 respect to roads.--Within the territorial limits of any  
5 spaceport territory, Space Florida may ~~the authority has the~~  
6 ~~right to~~ acquire, through purchase or interagency agreement,  
7 or as otherwise provided in law, and to construct, control,  
8 and maintain, roads deemed necessary by Space Florida ~~the~~  
9 ~~authority~~ and connections thereto and extensions thereof now  
10 or hereafter acquired, constructed, or maintained in  
11 accordance with established highway safety standards; provided  
12 that, in the event a road being addressed by Space Florida ~~the~~  
13 ~~authority~~ is owned by another agency or jurisdiction, Space  
14 Florida ~~the authority~~, before ~~prior to~~ proceeding with the  
15 proposed project or work activity, shall have either  
16 coordinated the desired work with the owning agency or  
17 jurisdiction or shall have successfully executed an  
18 interagency agreement with the owning agency or jurisdiction.

19           Section 15. Section 331.315, Florida Statutes, is  
20 amended to read:

21           331.315 Maintenance of projects across  
22 rights-of-way.--Space Florida may ~~The authority shall have the~~  
23 ~~right to~~ construct and operate its projects in, along, or  
24 under any streets, alleys, highways, or other public places or  
25 ways, and across any drain, ditch, canal, floodway, holding  
26 basin, excavation, railroad right-of-way, track, grade, fill,  
27 or cut; ~~provided~~, however, Space Florida shall pay ~~that~~ just  
28 compensation, including fees, ~~shall be paid by the authority~~  
29 for any damages arising from ~~or private property taken by~~ the  
30 exercise of such power.

31

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

3           331.316 Rates, fees, rentals, tolls, fares, and  
4 charges; procedure for adoption and modification; minimum  
5 revenue requirements.--

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

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

31

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

1           331.319 Comprehensive planning; building and safety  
2 codes.--The board of directors may ~~supervisors shall have the~~  
3 ~~power to~~:

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

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

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

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

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



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

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

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

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

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

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

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

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

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

1 and to pay all or any part of the principal and interest on  
2 any bonds of Space Florida ~~the authority~~.

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

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

1 ~~authority~~ with the projects of such municipality or  
2 municipalities.

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

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

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

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

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

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

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

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

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

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

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

31 |

1           331.328 Sovereign immunity.--~~Space Florida~~ The  
2 ~~authority~~ shall be granted sovereign immunity in the same  
3 manner as the state under the laws and Constitution of the  
4 State of Florida. The state, by this section, hereby waives  
5 the sovereign immunity granted to the same extent as waived by  
6 the state under state law.

7           Section 29. Section 331.329, Florida Statutes, is  
8 amended to read:

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

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

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

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

28           2. By resolution of the board approved at a special  
29 election called for such purpose, by vote of a majority of  
30 freeholders residing within the area to be annexed and a  
31

1 majority of freeholders residing within any spaceport  
2 territory.

3 (b) The board of directors may contract the  
4 geographical limits of any spaceport territory so as to  
5 exclude from any spaceport territory any land then within any  
6 spaceport territory:

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

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

16 (2) Land, including property situated thereon, added  
17 to any spaceport territory in the manner provided in  
18 subsection (1) shall from the time of its inclusion within  
19 such spaceport territory be subject to all assessments  
20 thereafter levied and assessed on all other land or property  
21 of any spaceport territory similarly situated. Land, including  
22 property situated thereon, excluded from any spaceport  
23 territory in the manner provided in subsection (1) shall from  
24 the date of such exclusion be exempt from assessments  
25 thereafter imposed by Space Florida ~~the authority~~ but shall  
26 not be exempt from assessments theretofore levied or due with  
27 respect to such land or property, or from subsequent  
28 installments of assessments theretofore levied or assessed  
29 with respect thereto, and such assessments may be enforced and  
30 collected by or on behalf of Space Florida ~~the authority~~ in  
31

1 | the same manner as if such land or property continued to be  
2 | within the geographical limits of any spaceport territory.

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

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

19 |         Section 30. Section 331.331, Florida Statutes, is  
20 | amended to read:

21 |         331.331 Revenue bonds.--

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

29 |         (2) The issuance of revenue bonds may be secured by or  
30 | payable from the gross or net pledge of the revenues to be  
31 | derived from any project or combination of projects, from the



1 rates, fees, rentals, tolls, fares, or other charges to be  
2 collected from the users of any project or projects; from any  
3 revenue-producing undertaking or activity of Space Florida ~~the~~  
4 ~~authority~~; or from any source of pledged security. Such bonds  
5 shall not constitute an indebtedness of Space Florida ~~the~~  
6 ~~authority~~ unless such bonds are additionally secured by the  
7 full faith and credit of Space Florida ~~the authority~~. Bonds  
8 issued by Space Florida ~~the authority~~ are not secured by the  
9 full faith and credit of the State of Florida and do not  
10 constitute an obligation, either general or special, thereof.

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

1 security of the revenue bonds a fixed amount, without regard  
2 to any fixed proportion of the gross revenues of any project.

3 Section 31. Section 331.333, Florida Statutes, is  
4 amended to read:

5 331.333 Refunding bonds.--Space Florida ~~The authority~~  
6 through its board may ~~shall have the power to~~ issue bonds to  
7 provide for the retirement or refunding of any bonds or  
8 obligations of Space Florida ~~the authority~~ that at the time of  
9 such issuance are or subsequently thereto become due and  
10 payable, or that at the time of issuance have been called or  
11 are or will be subject to call for redemption within 10 years  
12 thereafter, or the surrender of which can be procured from the  
13 holders thereof at prices satisfactory to the board. Refunding  
14 bonds may be issued at any time when in the judgment of the  
15 board such issuance will be advantageous to Space Florida ~~the~~  
16 ~~authority~~. The provisions of this act pertaining to bonds of  
17 Space Florida ~~the authority~~ shall, unless the context  
18 otherwise requires, govern the issuance of refunding bonds,  
19 the form and other details thereof, the rights of the holders  
20 thereof, and the duties of the board with respect to the same.

21 Section 32. Section 331.334, Florida Statutes, is  
22 amended to read:

23 331.334 Pledging assessments and other revenues and  
24 properties as additional security on bonds.--Space Florida ~~The~~  
25 ~~authority~~ may pledge as additional security for the payment of  
26 any of the bonds of Space Florida ~~the authority~~ its full faith  
27 and credit, and provide that such bonds shall be payable as to  
28 both principal and interest, and as to any reserve or other  
29 funds provided therefor, to the full extent that any revenues  
30 as defined in this act, assessments, or other funds, or any  
31 combination thereof, pledged therefor are insufficient for the

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

20 Section 33. Section 331.335, Florida Statutes, is  
21 amended to read:

22 331.335 Lien of pledges.--All pledges of revenues and  
23 assessments made pursuant to the provisions of this act shall  
24 be valid and binding from the time when such pledges are made.  
25 All such revenues and assessments so pledged and thereafter  
26 collected shall immediately be subject to the lien of such  
27 pledges without any physical delivery thereof or further  
28 action, and the lien of such pledges shall be valid and  
29 binding as against all parties having claims of any kind in  
30 tort, contract, or otherwise against Space Florida ~~the~~  
31

1 ~~authority~~, irrespective of whether such parties have notice  
2 thereof.

3           Section 34. Section 331.336, Florida Statutes, is  
4 amended to read:

5           331.336 Issuance of bond anticipation notes.--In  
6 addition to the other powers provided for in this act and not  
7 in limitation thereof, Space Florida ~~may the authority shall~~  
8 ~~have the power~~, at any time from time to time after the  
9 issuance of any bonds of Space Florida ~~the authority shall~~  
10 have been authorized, ~~to~~ borrow money for the purposes for  
11 which such bonds are to be issued in anticipation of the  
12 receipt of the proceeds of the sale of such bonds and ~~to~~ issue  
13 bond anticipation notes in a principal amount not in excess of  
14 the authorized maximum amount of such bond issue. Such notes  
15 shall be in such denomination or denominations, bear interest  
16 at such rate or rates, mature at such time or times, be  
17 renewable for such additional term or terms, and be in such  
18 form and executed in such manner as the board shall prescribe.  
19 Such notes may be sold at public sale, or if such notes shall  
20 be renewable notes, may be exchanged for notes then  
21 outstanding on such terms as the board shall determine. Such  
22 notes shall be paid from the proceeds of such bonds when  
23 issued. The board may in its discretion, in lieu of retiring  
24 the notes by means of bonds, retire them by means of current  
25 revenues or from any assessments levied for the payment of  
26 such bonds, but in such event a like amount of the bonds  
27 authorized shall not be issued.

28           Section 35. Section 331.337, Florida Statutes, is  
29 amended to read:

30           331.337 Short-term borrowing.--Space Florida ~~The~~  
31 ~~authority~~ at any time may obtain loans, in such amount and on

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

20 Section 36. Section 331.338, Florida Statutes, is  
21 amended to read:

22 331.338 Trust agreements.--In the discretion of the  
23 board, any issue of bonds may be secured by a trust agreement  
24 by and between Space Florida ~~the authority~~ and a corporate  
25 trustee which may be any trust company or bank having the  
26 powers of a trust company within or without the state. The  
27 resolution authorizing the issuance of the bonds or such trust  
28 agreement may pledge the revenues to be received from any  
29 projects of Space Florida ~~the authority~~ and any other  
30 authorized moneys to be used for the repayment of bonds, and  
31 may contain such provisions for protecting and enforcing the

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

29 |       Section 37. Section 331.339, Florida Statutes, is  
30 | amended to read:

31 |

1           331.339 Sale of bonds.--Bonds may be sold in blocks or  
2 installments at different times, or an entire issue or series  
3 may be sold at one time. Bonds may only be sold at public sale  
4 after being advertised and publicly noticed, unless Space  
5 Florida ~~the authority~~ has previously complied with the  
6 provisions of s. 218.385. Bonds may be sold or exchanged for  
7 refunding bonds. Special assessment and revenue bonds may be  
8 delivered as payment by Space Florida ~~the authority~~ of the  
9 purchase price or lease of any project or part thereof, or a  
10 combination of projects or parts thereof, or as the purchase  
11 price of, or exchange for, any property, real, personal, or  
12 mixed, including franchises, or services rendered by any  
13 contractor, engineer, or other person, all at one time or in  
14 blocks from time to time, in such manner and upon such terms  
15 as the board in its discretion shall determine. The price or  
16 prices for any bonds sold, exchanged, or delivered may be:

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

26           Section 38. Section 331.340, Florida Statutes, is  
27 amended to read:

28           331.340 Authorization and form of bonds.--Bonds may be  
29 authorized by resolution or resolutions of the board which  
30 shall be adopted by a majority of all of the members thereof  
31 then in office and present at the meeting at which the

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



1 valid and sufficient for all purposes the same as if the  
2 officer had remained in office until such delivery.

3 Section 39. Section 331.343, Florida Statutes, is  
4 amended to read:

5 331.343 Defeasance.--The board may make such provision  
6 with respect to the defeasance of the right, title, and  
7 interest of the holders of any of the bonds and obligations of  
8 Space Florida ~~the authority~~ in any revenues, funds, or other  
9 properties by which such bonds are secured as the board deems  
10 appropriate and, without limitation on the foregoing, may  
11 provide that when such bonds or obligations become due and  
12 payable or shall have been called for redemption, and the  
13 whole amount of the principal and the interest and premium, if  
14 any, due and payable upon the bonds or obligations when  
15 outstanding shall be paid, or sufficient moneys or direct  
16 obligations of the United States Government the principal of  
17 and the interest on which when due will provide sufficient  
18 moneys, shall be held or deposited in trust for such purpose,  
19 and provision shall also be made for paying all other sums  
20 payable in connection with such bonds or other obligations,  
21 then and in such event the right, title, and interest of the  
22 holders of the bonds in any revenues, funds, or other  
23 properties by which such bonds are secured shall thereupon  
24 cease, terminate, and become void; and the board may apply any  
25 surplus in any sinking fund established in connection with  
26 such bonds or obligations and all balances remaining in all  
27 other funds or accounts other than money held for the  
28 redemption or payment of the bonds or other obligations to any  
29 lawful purpose of Space Florida ~~the authority~~ as the board  
30 shall determine.  
31

1           Section 40. Section 331.345, Florida Statutes, is  
2 amended to read:

3           331.345 Covenants.--Any resolution authorizing the  
4 issuance of bonds may contain such covenants as the board may  
5 deem advisable and all such covenants shall constitute valid  
6 and legally binding and enforceable contracts between Space  
7 Florida ~~the authority~~ and the bondholders, regardless of the  
8 time of issuance thereof. Such covenants may include, without  
9 limitation, covenants concerning the disposition of the bond  
10 proceeds, the use and disposition of project revenues, the  
11 pledging of revenues, and assessments, the obligations of  
12 Space Florida ~~the authority~~ with respect to the operation of  
13 the project and the maintenance of adequate project revenues,  
14 the issuance of additional bonds, the appointment, powers, and  
15 duties of trustees and receivers, the acquisition of  
16 outstanding bonds and obligations, restrictions on the  
17 establishing of competing projects or facilities, restrictions  
18 on the sale or disposal of the assets and property of Space  
19 Florida ~~the authority~~, the priority of assessment liens, the  
20 priority of claims by bondholders on the taxing power of Space  
21 Florida ~~the authority~~, the maintenance of deposits to assure  
22 the payment of revenues by users of spaceport facilities and  
23 services, the discontinuance of Space Florida ~~authority~~  
24 services by reason of delinquent payments, acceleration upon  
25 default, the execution of necessary instruments, the procedure  
26 for amending or abrogating covenants with the bondholders, and  
27 such other covenants as may be deemed necessary or desirable  
28 for the security of the bondholders.

29           Section 41. Section 331.346, Florida Statutes, is  
30 amended to read:  
31

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

26           Section 42. Section 331.347, Florida Statutes, is  
27 amended to read:

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

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

4 Section 43. Section 331.348, Florida Statutes, is  
5 amended to read:

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

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

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

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

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

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

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

31

1           Section 44. Section 331.349, Florida Statutes, is  
2 amended to read:

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

9           Section 45. Section 331.350, Florida Statutes, is  
10 amended to read:

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

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

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

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

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

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

30  
31

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

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

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

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

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

17 Section 46. Section 331.351, Florida Statutes, is  
18 amended to read:

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

1           Section 47. Section 331.354, Florida Statutes, is  
2 amended to read:

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

28           Section 48. Section 331.355, Florida Statutes, is  
29 amended to read:

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

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

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

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

27           Section 49. Section 331.360, Florida Statutes, is  
28 amended to read:

29           331.360 Joint project agreement or assistance;  
30 spaceport master plan.--  
31



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

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

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

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

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

16 Section 50. Section 331.369, Florida Statutes, is  
17 amended to read:

18 331.369 Space Industry Workforce Initiative.--

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

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

11           (3) The initiative shall emphasize:

12           (a) Curricula content and timeframes developed with  
13 industry participation and endorsed by the industry;

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

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

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

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

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

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

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

6           Section 51. Paragraph (g) of subsection (2) of section  
7 14.2015, Florida Statutes, is amended to read:

8           14.2015 Office of Tourism, Trade, and Economic  
9 Development; creation; powers and duties.--

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

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

29           Section 52. Section 74.011, Florida Statutes, is  
30 amended to read:

31

1           74.011 Scope.--In any eminent domain action, properly  
2 instituted by and in the name of the state; the Department of  
3 Transportation; any county, school board, municipality,  
4 expressway authority, regional water supply authority,  
5 transportation authority, flood control district, or drainage  
6 or subdrainage district; the ship canal authority; any  
7 lawfully constituted housing, port, or aviation authority; ~~the~~  
8 ~~Florida Space Authority~~; or any rural electric cooperative,  
9 telephone cooperative corporation, or public utility  
10 corporation, the petitioner may avail itself of the provisions  
11 of this chapter to take possession and title in advance of the  
12 entry of final judgment.

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

15           196.012 Definitions.--For the purpose of this chapter,  
16 the following terms are defined as follows, except where the  
17 context clearly indicates otherwise:

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

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

1 | purposes and if those conditions are not met the property will  
2 | revert back to the Federal Government, then such property  
3 | shall be deemed to serve a municipal or public purpose. The  
4 | term "governmental purpose" also includes a direct use of  
5 | property on federal lands in connection with the Federal  
6 | Government's Space Exploration Program or spaceport activities  
7 | as defined in s. 212.02(22). Real property and tangible  
8 | personal property owned by the Federal Government or Space  
9 | Florida ~~the Florida Space Authority~~ and used for defense and  
10 | space exploration purposes or which is put to a use in support  
11 | thereof shall be deemed to perform an essential national  
12 | governmental purpose and shall be exempt. "Owned by the  
13 | lessee" as used in this chapter does not include personal  
14 | property, buildings, or other real property improvements used  
15 | for the administration, operation, business offices and  
16 | activities related specifically thereto in connection with the  
17 | conduct of an aircraft full service fixed based operation  
18 | which provides goods and services to the general aviation  
19 | public in the promotion of air commerce provided that the real  
20 | property is designated as an aviation area on an airport  
21 | layout plan approved by the Federal Aviation Administration.  
22 | For purposes of determination of "ownership," buildings and  
23 | other real property improvements which will revert to the  
24 | airport authority or other governmental unit upon expiration  
25 | of the term of the lease shall be deemed "owned" by the  
26 | governmental unit and not the lessee. Providing two-way  
27 | telecommunications services to the public for hire by the use  
28 | of a telecommunications facility, as defined in s. 364.02(15),  
29 | and for which a certificate is required under chapter 364 does  
30 | not constitute an exempt use for purposes of s. 196.199,  
31 | unless the telecommunications services are provided by the

1 operator of a public-use airport, as defined in s. 332.004,  
2 for the operator's provision of telecommunications services  
3 for the airport or its tenants, concessionaires, or licensees,  
4 or unless the telecommunications services are provided by a  
5 public hospital. However, property that is being used to  
6 provide such telecommunications services on or before October  
7 1, 1997, shall remain exempt, but such exemption expires  
8 October 1, 2004.

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

11 212.02 Definitions.--The following terms and phrases  
12 when used in this chapter have the meanings ascribed to them  
13 in this section, except where the context clearly indicates a  
14 different meaning:

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

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

22 288.063 Contracts for transportation projects.--

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

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

29 288.075 Confidentiality of records.--

30 (1) As used in this section, the term "economic  
31 development agency" means the Office of Tourism, Trade, and



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

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

15 288.35 Definitions.--The following terms, wherever  
16 used or referred to in this part, shall have the following  
17 meanings:

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

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

29 288.9415 International Trade Grants.--

30 (2) A county, municipality, economic development  
31 council, Space Florida ~~the Florida Space Authority~~, or a

1 not-for-profit association of businesses organized to assist  
2 in the promotion of international trade may apply for a grant  
3 of state funds for the promotion of international trade.

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

6 212.08 Sales, rental, use, consumption, distribution,  
7 and storage tax; specified exemptions.--The sale at retail,  
8 the rental, the use, the consumption, the distribution, and  
9 the storage to be used or consumed in this state of the  
10 following are hereby specifically exempt from the tax imposed  
11 by this chapter.

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

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

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

28 b. Industrial machinery and equipment used in defense  
29 or space technology facilities certified under subparagraph 6.  
30 to design, manufacture, assemble, process, compound, or  
31 produce defense technology products or space technology

1 products for sale or for use by these facilities are exempt  
2 from ~~25 percent~~ of the tax imposed by this chapter.

3       2.a. Machinery and equipment are exempt from the tax  
4 imposed by this chapter if used predominately in semiconductor  
5 wafer research and development activities in a semiconductor  
6 technology research and development facility certified under  
7 subparagraph 6. For purposes of this paragraph, 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. Machinery and equipment are exempt from ~~25 percent~~  
15 ~~of~~ the tax imposed by this chapter if used predominately in  
16 defense or space research and development activities in a  
17 defense or space technology research and development facility  
18 certified under subparagraph 6.

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

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

28       5. For items purchased tax exempt pursuant to this  
29 paragraph, possession of a written certification from the  
30 purchaser, certifying the purchaser's entitlement to exemption  
31 pursuant to this paragraph, relieves the seller of the

1 responsibility of collecting the tax on the sale of such  
2 items, and the department shall look solely to the purchaser  
3 for recovery of tax if it determines that the purchaser was  
4 not entitled to the exemption.

5         6.a. To be eligible to receive the exemption provided  
6 by subparagraph 1., subparagraph 2., or subparagraph 3., a  
7 qualifying business entity shall apply to Enterprise Florida,  
8 Inc. The application shall be developed by the Office of  
9 Tourism, Trade, and Economic Development in consultation with  
10 Enterprise Florida, Inc.

11         b. Enterprise Florida, Inc., shall review each  
12 submitted application and information and determine whether or  
13 not the application is complete within 5 working days. Once an  
14 application is complete, Enterprise Florida, Inc., shall,  
15 within 10 working days, evaluate the application and recommend  
16 approval or disapproval of the application to the Office of  
17 Tourism, Trade, and Economic Development.

18         c. Upon receipt of the application and recommendation  
19 from Enterprise Florida, Inc., the Office of Tourism, Trade,  
20 and Economic Development shall certify within 5 working days  
21 those applicants who are found to meet the requirements of  
22 this section and notify the applicant, Enterprise Florida,  
23 Inc., and the department of the certification. If the Office  
24 of Tourism, Trade, and Economic Development finds that the  
25 applicant does not meet the requirements of this section, it  
26 shall notify the applicant and Enterprise Florida, Inc.,  
27 within 10 working days that the application for certification  
28 has been denied and the reasons for denial. The Office of  
29 Tourism, Trade, and Economic Development has final approval  
30 authority for certification under this section.  
31

1           7.a. A business may apply once each year for the  
2 exemption.

3           b. The application must indicate, for program  
4 evaluation purposes only, the average number of full-time  
5 equivalent employees at the facility over the preceding  
6 calendar year, the average wage and benefits paid to those  
7 employees over the preceding calendar year, the total  
8 investment made in real and tangible personal property over  
9 the preceding calendar year, and the total value of tax-exempt  
10 purchases and taxes exempted during the previous year. The  
11 department shall assist the Office of Tourism, Trade, and  
12 Economic Development in evaluating and verifying information  
13 provided in the application for exemption.

14           c. The Office of Tourism, Trade, and Economic  
15 Development may use the information reported on the  
16 application for evaluation purposes only and shall prepare an  
17 annual report on the exemption program and its cost and  
18 impact. The annual report for the preceding fiscal year shall  
19 be submitted to the Governor, the President of the Senate, and  
20 the Speaker of the House of Representatives by September 30 of  
21 each fiscal year.

22           8. A business certified to receive this exemption may  
23 elect to designate one or more state universities or community  
24 colleges as recipients of up to 100 percent of the amount of  
25 the exemption for which they may qualify. To receive these  
26 funds, the institution must agree to match the funds so earned  
27 with equivalent cash, programs, services, or other in-kind  
28 support on a one-to-one basis in the pursuit of research and  
29 development projects as requested by the certified business.  
30 The rights to any patents, royalties, or real or intellectual  
31 property must be vested in the business unless otherwise

1 | agreed to by the business and the university or community  
2 | college.

3 |         9. As used in this paragraph, the term:

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

6 |             b. "Research and development" means basic and applied  
7 | research in the science or engineering, as well as the design,  
8 | development, and testing, of prototypes or processes of new or  
9 | improved products, including the design, development, and  
10 | testing of space launch vehicles, space flight vehicles,  
11 | missiles, satellites, or research payloads, avionics, and  
12 | associated control systems and processing systems, and  
13 | components of any of the foregoing. Research and development  
14 | does not include market research, routine consumer product  
15 | testing, sales research, research in the social sciences or  
16 | psychology, or similar nontechnological activities, ~~or~~  
17 | ~~technical~~ services.

18 |             c. "Semiconductor technology products" means raw  
19 | semiconductor wafers or semiconductor thin films that are  
20 | transformed into semiconductor memory or logic wafers,  
21 | including wafers containing mixed memory and logic circuits;  
22 | related assembly and test operations; active-matrix flat panel  
23 | displays; semiconductor chips; semiconductor lasers;  
24 | optoelectronic elements; and related semiconductor technology  
25 | products as determined by the Office of Tourism, Trade, and  
26 | Economic Development.

27 |             d. "Clean rooms" means manufacturing facilities  
28 | enclosed in a manner that meets the clean manufacturing  
29 | requirements necessary for high-technology  
30 | semiconductor-manufacturing environments.  
31 |

1 e. "Defense technology products" means products that  
2 have a military application, including, but not limited to,  
3 weapons, weapons systems, guidance systems, surveillance  
4 systems, communications or information systems, munitions,  
5 aircraft, vessels, or boats, or components thereof, which are  
6 intended for military use and manufactured in performance of a  
7 contract with the United States Department of Defense or the  
8 military branch of a recognized foreign government or a  
9 subcontract thereunder which relates to matters of national  
10 defense.

11 f. "Space technology products" means products that are  
12 specifically designed or manufactured for application in space  
13 activities, including, but not limited to, space launch  
14 vehicles, space flight vehicles, missiles, satellites or  
15 research payloads, avionics, and associated control systems  
16 and processing systems and components of any of the foregoing.  
17 The term does not include products that are designed or  
18 manufactured for general commercial aviation or other uses  
19 even though those products may also serve an incidental use in  
20 space applications.

21 Section 60. Paragraph (d) of subsection (6) of section  
22 212.20, Florida Statutes, is amended to read:

23 212.20 Funds collected, disposition; additional powers  
24 of department; operational expense; refund of taxes  
25 adjudicated unconstitutionally collected.--

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

28 (d) The proceeds of all other taxes and fees imposed  
29 pursuant to this chapter or remitted pursuant to s.  
30 202.18(1)(b) and (2)(b) shall be distributed as follows:  
31

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

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

11           3. After the distribution under subparagraphs 1. and  
12 2., 8.814 percent of the amount remitted by a sales tax dealer  
13 located within a participating county pursuant to s. 218.61  
14 shall be transferred into the Local Government Half-cent Sales  
15 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to  
16 be transferred pursuant to this subparagraph to the Local  
17 Government Half-cent Sales Tax Clearing Trust Fund shall be  
18 reduced by 0.1 percent, and the department shall distribute  
19 this amount to the Public Employees Relations Commission Trust  
20 Fund less \$5,000 each month, which shall be added to the  
21 amount calculated in subparagraph 4. and distributed  
22 accordingly.

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

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

31



1           6. After the distributions under subparagraphs 1., 2.,  
2 3., and 4., 1.3409 percent of the available proceeds pursuant  
3 to this paragraph shall be transferred monthly to the Revenue  
4 Sharing Trust Fund for Municipalities pursuant to s. 218.215.  
5 If the total revenue to be distributed pursuant to this  
6 subparagraph is at least as great as the amount due from the  
7 Revenue Sharing Trust Fund for Municipalities and the former  
8 Municipal Financial Assistance Trust Fund in state fiscal year  
9 1999-2000, no municipality shall receive less than the amount  
10 due from the Revenue Sharing Trust Fund for Municipalities and  
11 the former Municipal Financial Assistance Trust Fund in state  
12 fiscal year 1999-2000. If the total proceeds to be distributed  
13 are less than the amount received in combination from the  
14 Revenue Sharing Trust Fund for Municipalities and the former  
15 Municipal Financial Assistance Trust Fund in state fiscal year  
16 1999-2000, each municipality shall receive an amount  
17 proportionate to the amount it was due in state fiscal year  
18 1999-2000.

19           7. Of the remaining proceeds:

20           a. In each fiscal year, the sum of \$29,915,500 shall  
21 be divided into as many equal parts as there are counties in  
22 the state, and one part shall be distributed to each county.  
23 The distribution among the several counties shall begin each  
24 fiscal year on or before January 5th and shall continue  
25 monthly for a total of 4 months. If a local or special law  
26 required that any moneys accruing to a county in fiscal year  
27 1999-2000 under the then-existing provisions of s. 550.135 be  
28 paid directly to the district school board, special district,  
29 or a municipal government, such payment shall continue until  
30 such time that the local or special law is amended or  
31 repealed. The state covenants with holders of bonds or other

1 | instruments of indebtedness issued by local governments,  
2 | special districts, or district school boards prior to July 1,  
3 | 2000, that it is not the intent of this subparagraph to  
4 | adversely affect the rights of those holders or relieve local  
5 | governments, special districts, or district school boards of  
6 | the duty to meet their obligations as a result of previous  
7 | pledges or assignments or trusts entered into which obligated  
8 | funds received from the distribution to county governments  
9 | under then-existing s. 550.135. This distribution specifically  
10 | is in lieu of funds distributed under s. 550.135 prior to July  
11 | 1, 2000.

12 |         b. The department shall distribute \$166,667 monthly  
13 | pursuant to s. 288.1162 to each applicant that has been  
14 | certified as a "facility for a new professional sports  
15 | franchise" or a "facility for a retained professional sports  
16 | franchise" pursuant to s. 288.1162. Up to \$41,667 shall be  
17 | distributed monthly by the department to each applicant that  
18 | has been certified as a "facility for a retained spring  
19 | training franchise" pursuant to s. 288.1162; however, not more  
20 | than \$208,335 may be distributed monthly in the aggregate to  
21 | all certified facilities for a retained spring training  
22 | franchise. Distributions shall begin 60 days following such  
23 | certification and shall continue for not more than 30 years.  
24 | Nothing contained in this paragraph shall be construed to  
25 | allow an applicant certified pursuant to s. 288.1162 to  
26 | receive more in distributions than actually expended by the  
27 | applicant for the public purposes provided for in s.  
28 | 288.1162(6). However, a certified applicant is entitled to  
29 | receive distributions up to the maximum amount allowable and  
30 | undistributed under this section for additional renovations  
31 |

1 and improvements to the facility for the franchise without  
2 additional certification.

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

9 d. Beginning 30 days after notice by the Office of  
10 Tourism, Trade, and Economic Development to the Department of  
11 Revenue that the applicant has been certified as the  
12 International Game Fish Association World Center facility  
13 pursuant to s. 288.1169, and the facility is open to the  
14 public, \$83,333 shall be distributed monthly, for up to 168  
15 months, to the applicant. This distribution is subject to  
16 reduction pursuant to s. 288.1169. A lump sum payment of  
17 \$999,996 shall be made, after certification and before July 1,  
18 2000.

19 e. Every dealer conducting business at a fixed  
20 location at the Kennedy Space Center or Cape Canaveral Air  
21 Force Station and selling admissions to the Kennedy Space  
22 Center or Cape Canaveral Air Force Station, or any part of  
23 either location, under a contract with the National  
24 Aeronautics and Space Administration or under a subcontract to  
25 such contract, shall file returns each month in accordance  
26 with this sub-subparagraph. Each dealer must file a separate  
27 return each month which reports, separately from any other  
28 sales and use taxes due under this chapter, the sale of  
29 admissions to the Kennedy Space Center or Cape Canaveral Air  
30 Force Station or any part of the facilities or to any event  
31 held at either location, together with sales at retail of

1 tangible personal property from such fixed place of business,  
2 and leases and licenses by the dealer at the Kennedy Space  
3 Center or Cape Canaveral Air Force Station taxable under s.  
4 212.031, and the taxes collected by the dealer with respect to  
5 such admissions, leases, licenses, and sales. All amounts due  
6 under this chapter with respect to these transactions shall be  
7 timely remitted to the department. The dealer shall  
8 simultaneously file a copy of the return with Space Florida  
9 and a copy with the director of the Office of Tourism, Trade,  
10 and Economic Development, all of which return copies and  
11 information contained in such copies are subject to the same  
12 confidentiality provisions as are applicable to returns and  
13 information filed with the department under s. 213.053. Each  
14 month the department shall distribute to Space Florida all  
15 such proceeds collected and remitted to the department as  
16 shown on the returns required by this sub-subparagraph.  
17 However, the monthly distributions may not include proceeds of  
18 discretionary surtaxes due under this chapter. The proceeds of  
19 the monthly distributions shall be expended for aerospace  
20 education projects and aerospace business development projects  
21 authorized in s. 331.3051. If the department collects any  
22 additional amounts under this chapter with respect to any  
23 transactions for which a separate return is required by this  
24 sub-subparagraph, no later than 30 days after the collection,  
25 the proceeds shall be distributed by the department to Space  
26 Florida for the uses specified in this sub-subparagraph. This  
27 sub-subparagraph does not affect any dealer's liability for  
28 other taxes imposed by and due under this chapter.

29           8. All other proceeds shall remain with the General  
30 Revenue Fund.  
31

1           Section 61. Section 1004.86, Florida Statutes, is  
2 created to read:

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

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

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

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

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

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

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

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

27           (g) Establish partnerships with state universities,  
28 community colleges, and school districts.

29           (h) Collaborate with the Florida Center for Reading  
30 Research in order to provide research-based practices that  
31

1 integrate the teaching of reading within mathematics and  
2 sciences courses.

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

5 Section 62. Sections 331.314, 331.367, 331.368,  
6 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415,  
7 331.417, and 331.419, Florida Statutes, are repealed.

8 Section 63. The Florida Space Authority, the Florida  
9 Space Research Institute, and the Florida Aerospace Finance  
10 Corporation are dissolved effective September 1, 2006. Space  
11 Florida, as created by this act, is the successor organization  
12 to, and as such shall assume the records, property,  
13 obligations, and unexpended balances of appropriations,  
14 allocations, or other funds of, the Florida Space Authority,  
15 the Florida Space Research Institute, and the Florida  
16 Aerospace Finance Corporation.

17 Section 64. The Governor, the President of the Senate,  
18 and the Speaker of the House of Representatives shall appoint  
19 the board of directors of Space Florida no later than July 1,  
20 2006. The board of directors of Space Florida shall hold its  
21 first meeting no later than August 1, 2006. The board of  
22 directors of Space Florida shall appoint a president no later  
23 than September 1, 2006. The Executive Office of the Governor  
24 shall provide staffing, and transitional support to Space  
25 Florida until December 31, 2006.

26 Section 65. Subsection (12) is added to section  
27 288.1224, Florida Statutes, to read:

28 288.1224 Powers and duties.--The commission:

29 (12) Shall enter into agreement with Space Florida and  
30 Enterprise Florida, Inc., to develop a public advertising  
31

1 program promoting aerospace-related activities, businesses, or  
2 any Space Florida project.

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

5 288.9015 Enterprise Florida, Inc.; purpose; duties.--

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

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

12 (b) Develop a plan to assist in the financing of  
13 aerospace businesses.

14 (8) Enterprise Florida, Inc., shall enter into  
15 agreement with Space Florida and the Florida Commission on  
16 Tourism and its direct-support organization to develop a  
17 public advertising program promoting aerospace-related  
18 activities, businesses, and any Space Florida project.

19 Section 67. Subsection (12) is added to section  
20 445.004, Florida Statutes, to read:

21 445.004 Workforce Florida, Inc.; creation; purpose;  
22 membership; duties and powers.--

23 (12) Workforce Florida, Inc., shall enter into  
24 agreement with Space Florida, and collaborate with Florida  
25 vocational institutes, community colleges, colleges, and  
26 universities, to develop a workforce development strategy to  
27 implement s. 331.3051.

28 Section 68. Section 1001.10, Florida Statutes, is  
29 amended to read:

30 1001.10 Commissioner of Education; general powers and  
31 duties.--The Commissioner of Education is the chief

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



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

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

8           (5) To recommend to the State Board of Education  
9 policies and steps designed to protect and preserve the  
10 principal of the State School Fund; to provide an assured and  
11 stable income from the fund; to execute such policies and  
12 actions as are approved; and to administer the State School  
13 Fund.

14           (6) To take action on the release of mineral rights  
15 based upon the recommendations of the Board of Trustees of the  
16 Internal Improvement Trust Fund.

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

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

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

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

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

23 (a) The State Board of Education is the body corporate  
24 responsible for the supervision of the system of public  
25 education.

26 (b) The district school board is responsible for  
27 school and student performance.

28 (c) The individual school is the unit for education  
29 accountability.

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

4 (e) The university board of trustees is responsible  
5 for university performance and student performance.

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

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

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

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

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

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

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

6 Section 69. Subsection (33) is added to section  
7 334.044, Florida Statutes, to read:

8 334.044 Department; powers and duties.--The department  
9 shall have the following general powers and duties:

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

17 Section 70. This act shall take effect upon becoming a  
18 law.

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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                   COMMITTEE SUBSTITUTE FOR  
3                   Senate Bill 2580

4 The committee substitute differs from the bill in the  
5 following ways:

- 6 - Requires Space Florida to enter into agreements, rather  
7 than Memoranda of Agreements, with Enterprise Florida,  
8 Inc., the Department of Education, the Department of  
9 Transportation, the Florida Commission on Tourism, and  
10 Workforce Florida, Inc., for purposes of carrying out the  
11 provisions of the act;
- 12 - Requires Space Florida to submit a performance report to  
13 the Governor and Legislature by December 31 of each year;
- 14 - Requires Space Florida to maintain its offices in close  
15 proximity to Kennedy Space Center;
- 16 - Requires the board of directors to have eight, rather  
17 than seven, members from the private sector, one of which  
18 must represent organized labor; and
- 19 - Authorizes Space Florida to create, form, or acquire  
20 entities to provide financial services to support  
21 aerospace-related business development in Florida.
- 22 - Provides that sales tax revenue collected by businesses  
23 at Kennedy Space Center may be expended for aerospace  
24 business development projects.