

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,
7 331.316, 331.317, 331.318, 331.319, 331.320,
8 331.321, 331.322, 331.323, 331.324, 331.325,
9 331.326 331.327, 331.328, 331.329, 331.331,
10 331.333, 331.334, 331.335, 331.336, 331.337,
11 331.338, 331.339, 331.340, 331.343, 331.345,
12 331.346, 331.347, 331.348, 331.349, 331.350,
13 331.351, 331.354, 331.355, 331.360, and
14 331.369, 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; creating s.
20 1004.86, F.S.; requiring the Department of
21 Education to establish the Florida Center for
22 Mathematics and Science Education Research at a
23 public state university; specifying
24 requirements for the center; repealing s.
25 331.314, F.S., relating to the exclusive
26 authority of the Florida Space Authority to
27 regulate spaceports; repealing s. 331.315,
28 F.S., relating to maintenance of projects
29 across rights-of-way; repealing s. 331.367,
30 F.S., relating to the Spaceport Management
31 Council; repealing s. 331.368, F.S., relating

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

29
30 Be It Enacted by the Legislature of the State of Florida:
31

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

3 331.301 Short title.--This act may be cited as the
4 "Space Florida ~~Space Authority~~ Act."

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

7 331.3011 Legislative findings and intent.--

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

23 (2) The Legislature finds that attaining this vision
24 requires a strong public and private commitment to a world
25 class aerospace industry. It is the intent of the Legislature
26 that Space Florida will encourage the public and private
27 sectors to work together to implement an aggressive strategy
28 that will enhance the state's workforce, education, and
29 research capabilities, with emphasis on mathematics, science,
30 engineering, and related fields; will focus on the state's
31 economic development efforts in order to capture a larger

1 share of activity in aerospace research, technology,
2 production, and commercial operations, while maintaining the
3 state's historical leadership in space launch activities; and
4 will preserve the unique national role served by the Cape
5 Canaveral Air Force Station and Kennedy Space Center by
6 reducing costs and improving the regulatory flexibility for
7 commercial sector launches while pursuing the development of
8 sites for commercial horizontal launches.

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

15 Section 3. Section 331.302, Florida Statutes, is
16 amended to read:

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

19 331.302 Space Florida; creation; purpose.--

20 (1) There is established, formed, and created Space
21 Florida, which is created and incorporated as a public
22 corporation, body politic, and subdivision of the state to
23 foster the growth and development of a sustainable and
24 world-leading aerospace industry in this state. Space Florida
25 shall promote aerospace business development by facilitating
26 business financing, spaceport operations, research and
27 development, workforce development, and innovative education
28 programs. Space Florida has all the powers, rights,
29 privileges, and authority provided under the laws of this
30 state.

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

7 (3) Space Florida may not endorse any candidate for
8 any elected public office or contribute money to the campaign
9 of any candidate for public office.

10 (4) Space Florida is not an agency as defined in ss.
11 216.011 and 287.012.

12 (5) Space Florida is not subject to the terms of
13 chapter 189.

14 Section 4. Section 331.303, Florida Statutes, is
15 amended to read:

16 331.303 Definitions.--

17 (1) "Aerospace" means the industry that designs and
18 manufactures aircraft, rockets, missiles, spacecraft,
19 satellites, space vehicles, space stations, space facilities
20 or components thereof, and equipment, systems, facilities,
21 simulators, programs, and related activities, including the
22 application of aerospace technologies in air-based,
23 land-based, and sea-based platforms for commercial, civil, and
24 defense purposes. ~~"Authority" means the Florida Space~~
25 ~~Authority created by this act.~~

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

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

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

28 ~~(18)(23)~~ "Spaceport territory" means the geographical
29 area designated in s. 331.304 and as amended or changed in
30 accordance with s. 331.329.

31

1 ~~(19)(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 ~~(20)(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 ~~(21)(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 may ~~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 ~~(1)(2)~~ Sue and be sued by its name in any court of law
31 or in equity.

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

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

7 (4) Acquire, enjoy, use, and dispose of patents,
8 copyrights, and trademarks and any licenses and other rights
9 or interests thereunder or therein.

10 (5) Purchase, take, receive, subscribe for, or
11 otherwise acquire, own, hold, vote, use, employ, sell,
12 mortgage, lend, pledge, or otherwise dispose of and otherwise
13 use and deal in and with, shares and other interests in, or
14 obligations of, other domestic or foreign corporations,
15 whether for profit or not for profit, associations,
16 partnerships, or individuals, or direct or indirect
17 obligations of the United States or of any other government,
18 state, territory, governmental district, municipality, or of
19 any instrumentality thereof.

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

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

26 ~~(4) Review and make recommendations with respect to a~~
27 ~~strategy to guide and facilitate the future of space related~~
28 ~~educational and commercial development. The authority shall in~~
29 ~~coordination with the Federal Government, private industry,~~
30 ~~and Florida universities develop a business plan which shall~~
31 ~~address the expansion of Spaceport Florida locations, space~~

1 ~~launch capacity, spaceport projects, and complementary~~
2 ~~activities, which shall include, but not be limited to, a~~
3 ~~detailed analysis of:~~
4 ~~(a) The authority and the commercial space industry.~~
5 ~~(b) Products, services description potential,~~
6 ~~technologies, skills.~~
7 ~~(c) Market research and evaluation customers,~~
8 ~~competition, economics.~~
9 ~~(d) Marketing plan and strategy.~~
10 ~~(e) Design and development plan tasks, difficulties,~~
11 ~~costs.~~
12 ~~(f) Manufacturing locations, facilities, and~~
13 ~~operations plan.~~
14 ~~(g) Management organization roles and~~
15 ~~responsibilities.~~
16 ~~(h) Overall schedule monthly.~~
17 ~~(i) Important risks, assumptions, and problems.~~
18 ~~(j) Community impact economic, human development,~~
19 ~~community development.~~
20 ~~(k) Financial plan (monthly for first year; quarterly~~
21 ~~for next 3 years).~~
22 ~~(l) Proposed authority offering financing,~~
23 ~~capitalization, use of funds.~~
24 ~~(8)(5)~~ Acquire property, real, personal, intangible,
25 tangible, or mixed, within or without its territorial limits,
26 in fee simple or any lesser interest or estate, by purchase,
27 gift, devise, or lease, on such terms and conditions as the
28 board may deem necessary or desirable, and sell or otherwise
29 dispose of the same and of any of the assets and properties of
30 Space Florida ~~the authority.~~
31

1 ~~(9)(6)~~ Make and execute any and all contracts and
2 other instruments necessary or convenient to the exercise of
3 its powers, including financing agreements with persons or
4 spaceport users to facilitate the financing, construction,
5 leasing, or sale of any project.

6 ~~(10)(7)~~ Whenever deemed necessary by the board, lease
7 as lessor or lessee to or from any person, public or private,
8 any facilities or property for the use of the authority and
9 carry out any of the purposes of Space Florida ~~the authority~~.

10 ~~(8)~~ ~~Appoint, through its board of supervisors, an~~
11 ~~executive director.~~

12 ~~(11)(9)~~ Own, acquire, construct, develop, create,
13 reconstruct, equip, operate, maintain, extend, and improve
14 launch pads, landing areas, ranges, payload assembly
15 buildings, payload processing facilities, laboratories,
16 aerospace ~~space~~ business incubators, launch vehicles,
17 payloads, space flight hardware, facilities and equipment for
18 the construction of payloads, space flight hardware, rockets,
19 and other launch vehicles, and other spaceport facilities and
20 other aerospace-related ~~space-related~~ systems, including
21 educational, cultural, and parking facilities and
22 space-related initiatives.

23 ~~(10)~~ ~~Undertake a program of advertising to the public~~
24 ~~promoting space related businesses or any spaceport projects~~
25 ~~of the authority, and expend moneys and undertake such~~
26 ~~activities to carry out such advertising and promotional~~
27 ~~program as the board from time to time may determine.~~

28 ~~(12)(11)~~ Own, acquire, construct, reconstruct, equip,
29 operate, maintain, extend, or ~~and~~ improve transportation
30 facilities appropriate to meet the transportation requirements
31

1 of Space Florida ~~the authority~~ and activities conducted within
2 ~~the~~ spaceport territory.

3 ~~(13)~~~~(12)~~ Own, acquire, construct, reconstruct, equip,
4 operate, maintain, extend, or ~~and~~ improve electric power
5 plants, transmission lines and related facilities, gas mains
6 and facilities of any nature for the production or
7 distribution of natural gas, transmission lines and related
8 facilities and plants and facilities for the generation and
9 transmission of power through traditional and new and
10 experimental sources of power and energy; purchase electric
11 power, natural gas, and other sources of power for
12 distribution within any spaceport territory; develop and
13 operate water and sewer systems and waste collection and
14 disposal consistent with chapter 88-130, Laws of Florida; and
15 develop and operate such new and experimental public
16 utilities, including, but not limited to, centrally
17 distributed heating and air-conditioning facilities and
18 services, closed-circuit television systems, and computer
19 services and facilities, as the board may from time to time
20 determine. However, Space Florida may ~~the authority shall~~ not
21 construct any system, work, project, or utility authorized to
22 be constructed under this paragraph in the event that a
23 system, work, project, or utility of a similar character is
24 being actually operated by a municipality or private company
25 in the municipality or territory adjacent thereto, unless such
26 municipality or private company consents to such construction.

27 ~~(14)~~~~(13)~~ Designate, set aside, and maintain lands and
28 areas within or without the territorial limits of any
29 spaceport territory as conservation areas or bird and wildlife
30 sanctuaries; stock such areas with animal and plant life and
31 stock water areas with fish and other aquatic life; adopt

1 pursuant to ss. 120.536(1) and 120.54 ~~promulgate~~ and enforce
2 rules ~~and regulations~~ with respect thereto and protect and
3 preserve the natural beauty thereof; and do all acts necessary
4 or desirable in order to qualify such lands and areas as
5 conservation areas and sanctuaries under any of the laws of
6 the state or under federal law.

7 ~~(15)(14)~~ Establish a program for the control,
8 abatement, and elimination of mosquitoes and other noxious
9 insects, rodents, reptiles, and other pests throughout the
10 spaceport territory and undertake such works and construct
11 such facilities within or without the spaceport territory as
12 may be determined by the board to be needed to effectuate such
13 program; abate and suppress mosquitoes and other arthropods,
14 whether disease-bearing or pestiferous, within any spaceport
15 territory when in the judgment of the board such action is
16 necessary or desirable for the health and welfare of the
17 inhabitants of or visitors to any spaceport; and take any and
18 all temporary or permanent eliminative measures that the board
19 may deem advisable. The Legislature hereby finds and declares
20 Space Florida ~~the authority~~ eligible to receive state funds,
21 supplies, services, and equipment available or that may in the
22 future become available to mosquito or pest control districts,
23 the provisions of s. 388.021 notwithstanding.

24 ~~(16)(15)~~ Subject to the rules and regulations of the
25 appropriate water management district, own, acquire,
26 construct, reconstruct, equip, maintain, operate, extend, and
27 improve water and flood control facilities. The Legislature
28 hereby finds and declares Space Florida ~~the authority~~ eligible
29 to receive moneys, disbursements, and assistance from the
30 state available to flood control or water management districts
31 and navigation districts or agencies.

1 ~~(17)~~~~(16)~~ Own, acquire, construct, reconstruct, equip,
2 maintain, operate, extend, and improve public safety
3 facilities for the spaceport, including security stations,
4 security vehicles, fire stations, water mains and plugs, and
5 fire trucks and other vehicles and equipment; hire employees,
6 security officers, and firefighters; and undertake such works
7 and construct such facilities determined by the board to be
8 necessary or desirable to promote and ensure public safety
9 within the spaceport territory.

10 ~~(18)~~~~(17)~~ Hire, through its president executive
11 ~~director~~, a safety officer with substantial experience in
12 public safety procedures and programs for space vehicle
13 launching and related hazardous operations. The safety officer
14 shall monitor and report on the safety and hazards of
15 ground-based space operations to the president executive
16 ~~director~~.

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

21 ~~(19)~~ ~~Establish procedures, rules, and rates governing~~
22 ~~per diem and travel expenses of its employees, the members of~~
23 ~~the board of supervisors, and other persons authorized by the~~
24 ~~board to incur such expenses. Except as otherwise provided in~~
25 ~~s. 331.3101, such rules are subject to provisions of state law~~
26 ~~or rules pertaining to per diem and travel expenses of public~~
27 ~~officers, employees, or other persons authorized by an agency~~
28 ~~head to incur such expenses.~~

29 ~~(19)~~~~(20)~~ Examine, develop, and use ~~utilize~~ new
30 concepts, designs, and ideas; own, acquire, construct,
31 reconstruct, equip, operate, maintain, extend, and improve

1 | experimental spaceport facilities and services; and otherwise
2 | undertake, sponsor, finance, and maintain such research
3 | activities, experimentation, and development as the board may
4 | from time to time determine, in connection with any of the
5 | projects that Space Florida ~~the authority~~ is authorized to
6 | undertake pursuant to the powers and authority vested in it by
7 | this act, and in order to promote the development and
8 | utilization of new concepts, designs, and ideas in the fields
9 | of space exploration, commercialization of the space industry,
10 | and spaceport facilities.

11 | ~~(20)(21)~~ Issue revenue bonds, assessment bonds, or any
12 | other bonds or obligations authorized by the provisions of
13 | this act or any other law, or any combination of the
14 | foregoing, and pay all or part of the cost of the acquisition,
15 | construction, reconstruction, extension, repair, improvement,
16 | or maintenance of any project or combination of projects,
17 | including payloads and space flight hardware, and equipment
18 | for research, development, and educational activities, to
19 | provide for any facility, service, or other activity of Space
20 | Florida ~~the authority~~, and provide for the retirement or
21 | refunding of any bonds or obligations of Space Florida ~~the~~
22 | ~~authority~~, or for any combination of the foregoing purposes.
23 | Space Florida ~~The authority~~ must provide 14 days' notice to
24 | the presiding officers and appropriations chairs of both
25 | houses of the Legislature prior to presenting a bond proposal
26 | to the Governor and Cabinet. If either presiding officer or
27 | appropriations chair objects to the bonding proposal within
28 | the 14-day-notice period, the bond issuance may be approved
29 | only by a vote of three-fourths ~~two-thirds~~ of the members of
30 | the Governor and Cabinet.

31 |

1 ~~(21)(22)~~ Make expenditures for entertainment and
2 travel expenses and business clients, guests, and other
3 authorized persons as provided in this act.

4 ~~(22)(23)~~ In connection with any financing agreement,
5 fix and collect fees, loan payments, rental payments, and
6 other charges for the use of any project in such amount as to
7 provide sufficient moneys to pay the principal of and interest
8 on bonds as the same shall become due and payable, if so
9 provided in the bond resolution or trust agreement, and to
10 create reserves for such purposes. The fees, rents, payments,
11 and charges and all other revenues and proceeds derived from
12 the project in connection with which the bonds of any issue
13 shall have been issued, except such part thereof as may be
14 necessary for such reserves or any expenditures as may be
15 provided in the resolution authorizing the issuance of the
16 bonds or in the trust agreement securing the same, shall be
17 set aside, at the time as may be specified in the resolution
18 or trust agreement, in a sinking fund which may be pledged to
19 and charged with the payment of the principal of and the
20 interest on such bonds as the same shall become due and the
21 redemption price or the purchase price of bonds retired by
22 call or purchase as therein provided. Such pledge ~~is shall be~~
23 valid and binding from the time the pledge is made. The fees,
24 rents, charges, and other revenues and moneys so pledged and
25 thereafter received by or on behalf of Space Florida ~~the~~
26 ~~authority~~ shall immediately be subject to the lien of any such
27 pledge without any physical delivery thereof or further act,
28 and the lien of any such pledge ~~is shall be~~ valid and binding
29 as against all parties having claims of any kind in tort,
30 contract, or otherwise against Space Florida ~~the authority~~,
31 irrespective of whether such parties have notice thereof.

1 Neither the resolution nor any trust agreement by which a
2 pledge is created need be filed or recorded, except in the
3 records of Space Florida ~~the authority~~. The use and
4 disposition of money to the credit of the sinking fund shall
5 be subject to the provisions of the resolution authorizing the
6 issuance of such bonds or the provisions of such trust
7 agreement.

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

12 Section 6. Section 331.3051, Florida Statutes, is
13 created to read:

14 331.3051 Duties of Space Florida.--Space Florida
15 shall:

16 (1) Create a business plan to foster the growth and
17 development of the aerospace industry. The business plan must
18 address business development; finance; spaceport operations;
19 research and development; workforce development; and
20 education. The business plan must be completed by March 1,
21 2007, and be revised when determined necessary by the board.

22 (2) Enter into agreement with the Department of
23 Education, the Department of Transportation, Enterprise
24 Florida, Inc., and Workforce Florida, Inc., for the purpose of
25 implementing this act.

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

31

1 (4) Create a marketing campaign to help attract,
2 develop, and retain aerospace businesses, aerospace research
3 and technology, and other related activities in this state.
4 Space Florida shall attempt to coordinate the campaign with
5 existing economic-development-promotion efforts in this state
6 and may use private resources. Marketing strategies may
7 include developing promotional materials, Internet and print
8 advertising, public relations and media placement, trade show
9 attendance, and other activities.

10 (5) Consult with the Florida Commission on Tourism in
11 developing a space tourism marketing plan. Space Florida and
12 the Florida Commission on Tourism may enter into a mutually
13 beneficial agreement that provides funding to the commission
14 for its services to implement this subsection.

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

18 (a) Assembling, publishing, and disseminating
19 information concerning financing opportunities and techniques
20 for aerospace projects, programs, and activities; sources of
21 public and private aerospace financing assistance; and sources
22 of aerospace-related financing.

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

26 (c) Coordinating with programs and goals of the
27 Department of Defense, the National Aeronautics and Space
28 Administration, the Export-Import Bank of the United States,
29 the International Trade Administration of the United States
30 Department of Commerce, the Foreign Credit Insurance

31

1 Association, and other private and public programs and
2 organizations, domestic and foreign.

3 (d) Establishing a network of contacts among those
4 domestic and foreign public and private organizations that
5 provide information, technical assistance, and financial
6 support to the aerospace industry.

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

9 (a) Seeking federal support and developing
10 partnerships to renew and upgrade the infrastructure and
11 technologies at the Cape Canaveral Air Force Station, the
12 Kennedy Space Center, and the Eastern Range which will enhance
13 space and military programs of the Federal Government and
14 improve access for commercial launch activities.

15 (b) Supporting federal efforts to clarify roles and
16 responsibilities of federal agencies and to eliminate
17 duplicative federal rules and policies, in an effort to
18 streamline access for commercial launch users.

19 (c) Pursuing the development of commercial spaceports
20 in the state, in addition to those defined in s. 331.304,
21 through a competitive request for proposals in partnership
22 with counties or municipalities, the Federal Government, or
23 private entities.

24 (d) Promoting and facilitating launch activity within
25 the state by supporting and assisting commercial launch
26 operators in completing and submitting required documentation
27 and gaining approvals and authorization from the required
28 federal agencies for launching from Florida.

29 (e) Consulting, as necessary, with the appropriate
30 federal, state, and local authorities, including the National
31 Aeronautics and Space Administration, the Federal Aviation

1 Administration, the Department of Defense, the Department of
2 Transportation, the Florida National Guard, and industry on
3 all aspects of establishing and operating spaceport
4 infrastructure and related facilities within the state.

5 (8) Carry out its responsibility for research and
6 development by:

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

9 (b) Working in collaboration with one or more public
10 or private universities and other public or private entities
11 to develop a proposal for a Center of Excellence for Aerospace
12 which will foster and promote the research necessary to
13 develop commercially promising, advanced, and innovative
14 science, engineering, and technology and will transfer those
15 discoveries to the commercial sector.

16 (9) Carry out its responsibility for workforce
17 development by coordinating with Workforce Florida, Inc.,
18 community colleges, colleges, universities, and other public
19 and private partners to develop a plan to retain, train, and
20 retrain workers, with skills training from entry-level through
21 technician-level and 4-year degrees and higher, with the
22 skills most relevant to aerospace employers.

23 (10) Carry out its responsibility for creating
24 innovative education programs, by funding programs developed
25 in conjunction with the Department of Education, targeting
26 grades K-20 in an effort to promote mathematics and science
27 education programs, which may include the Florida-NASA
28 Matching Grant Program, aerospace-focused education programs
29 for teachers, education-oriented microgravity flight programs
30 for teachers and students, and Internet-based aerospace
31 education. Any in-kind or private-sector contribution shall be

1 used for carrying out innovative education programs. Funding
2 levels shall be determined by the board of directors. In its
3 annual report, Space Florida shall include, at a minimum, a
4 description of programs funded, the number of students served,
5 and private-sector support.

6 (11) Annually report on its performance with respect
7 to its business plan, to include finance, spaceport
8 operations, research and development, education, and workforce
9 development. The report shall be submitted to the Governor,
10 the President of the Senate, and the Speaker of the House of
11 Representatives no later than September 1.

12 Section 7. Section 331.306, Florida Statutes, is
13 amended to read:

14 331.306 Federal airspace notification.--In accordance
15 with Federal Aviation Administration procedures coordination
16 with the Florida Department of Transportation, Space Florida
17 the authority shall develop and file appropriate the federal
18 airspace notification to activate special-use airspace in
19 support of their space launch operations required for priority
20 airspace use.

21 Section 8. Section 331.308, Florida Statutes, is
22 amended to read:

23 331.308 Board of directors ~~supervisors~~.--

24 (1) Space Florida shall be governed by a board of
25 directors. Designees of appointed members do not have voting
26 authority. The board of directors shall consist of the
27 following members:

28 (a) The Governor.

29 (b) The Secretary of Transportation or the secretary's
30 designee.

31

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

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

5 (e) The Commissioner of Education or the
6 commissioner's designee.

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

22 (g) Two ex officio, nonvoting members, one of whom
23 shall be a member of the Senate, selected by the President of
24 the Senate, and one of whom shall be a member of the House of
25 Representatives, selected by the Speaker of the House of
26 Representatives.

27 (2)(a) Vacancies on the board shall be filled for the
28 unexpired term in the same manner as the original appointments
29 to the board.

30
31

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

4 1. The Governor shall appoint two members for a 1-year
5 term, four members for 2-year terms, and six members for
6 4-year terms.

7 2. The members appointed by the President of the
8 Senate and the Speaker of the House of Representatives shall
9 be appointed to 2-year terms.

10 (c) Any member is eligible for reappointment.

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

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

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

25 (6) The board of directors shall meet at least four
26 times each year, upon the call of the chair, at the request of
27 the vice chair, or at the request of a majority of the
28 membership. A majority of the total number of current voting
29 directors shall constitute a quorum. The board of directors
30 may take official action by a majority vote of the members
31 present at any meeting at which a quorum is present.

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

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

1 ~~interests, and four regular members must represent space~~
2 ~~industry, at least one of whom must also be from a small~~
3 ~~business, as defined in s. 288.703. For the purpose of this~~
4 ~~section, "space industry" includes private sector entities~~
5 ~~engaged in space flight business, as defined in s. 212.031,~~
6 ~~research and technology development of space based products~~
7 ~~and services, space station commercialization, development of~~
8 ~~spaceport and range technology, remote sensing products and~~
9 ~~services, space biotechnology, measurement and calibration of~~
10 ~~space assets, space related software and information~~
11 ~~technology development, design and architecture of space based~~
12 ~~assets and facilities for manufacturing and other purposes,~~
13 ~~space related nanotechnology, space tourism, and other~~
14 ~~commercial enterprises utilizing uniquely space based~~
15 ~~capabilities.~~

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

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

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

26 ~~(5) The board shall appoint an executive director.~~
27 ~~Meetings shall be held quarterly or more frequently at the~~
28 ~~call of the chair. A majority of the regular members of the~~
29 ~~board shall constitute a quorum, and a majority vote of such~~
30 ~~members present is necessary for any action taken by the~~
31 ~~board.~~

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

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

10 331.309 Treasurer; depositories; fiscal agent.--

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

29 (2) The board is authorized to select as depositories
30 in which the funds of the board and of Space Florida ~~the~~
31 ~~authority~~ shall be deposited any qualified public depository

1 as defined in s. 280.02, upon such terms and conditions as to
2 the payment of interest by such depository upon the funds so
3 deposited as the board may deem just and reasonable. ~~Funds of~~
4 ~~the authority may also be deposited with the Florida~~
5 ~~Commercial Space Financing Corporation created by s. 331.407.~~
6 The funds of Space Florida ~~the authority~~ may be kept in or
7 removed from the State Treasury upon written notification from
8 the chair of the board to the Chief Financial Officer.

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

13 Section 10. Section 331.310, Florida Statutes, is
14 amended to read:

15 331.310 Powers and duties of the board of directors
16 ~~supervisors.~~ ~~Except as otherwise provided in this act, all of~~
17 ~~the powers and duties of the authority shall be exercised by~~
18 ~~and through the board of supervisors, including the power and~~
19 ~~duty to:~~

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

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

30 (a)(3) Enter, and authorize any agent or employee of
31 Space Florida ~~the authority~~ to enter, upon any lands, waters,

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

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

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

22 (d) Provide financial services to support
23 aerospace-related business development within the state.
24 Financial services may include, but are not limited to,
25 insuring, coinsuring, or originating for sale direct
26 aerospace-related loans, direct lending, providing loan
27 guarantees and collateralized loans, creating accounts,
28 capitalizing, underwriting, leasing, selling, or securing
29 funding for aerospace-related infrastructure, investing in
30 permissible securities, organizing financial institutions and
31 international bank syndicates, and acquiring, accepting, or

1 administering grants, contracts, and fees from other
2 organizations to perform activities that are consistent with
3 the purposes of Space Florida's business plan. If the board
4 deems a financial services entity is necessary, the board may
5 create, form, acquire, or contract with such entities. This
6 may include creating an independent corporation, organized
7 under chapter 617, having a board of directors appointed by an
8 appointment committee of Space Florida.

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

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

16 (f) Provide strategic direction for the
17 aerospace-related research priorities of the state and its
18 aerospace-related businesses.

19 ~~(g)(8)~~ Engage in the planning and implementation of
20 space-related economic and educational development within the
21 state.

22 ~~(h)(9)~~ Execute intergovernmental agreements and
23 development agreements consistent with prevailing statutory
24 provisions, including, but not limited to, special benefits or
25 tax increment financing initiatives.

26 ~~(i)(10)~~ Establish reserve funds for future board
27 operations.

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

30 (2) The board of directors shall:
31

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

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

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

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

25 (e)(13) Prepare an annual report of operations. ~~The~~
26 ~~Said~~ report shall include, but not be limited to, a balance
27 sheet, an income statement, a statement of changes in
28 financial position, a reconciliation of changes in equity
29 accounts, a summary of significant accounting principles, the
30 auditor's report, a summary of the status of existing and
31 proposed bonding projects, comments from management about the

1 year's business, and prospects for the next year, which shall
2 be submitted each year by November 30 to the Governor, the
3 President of the Senate, the Speaker of the House of
4 Representatives, the minority leader of the Senate, and the
5 minority leader of the House of Representatives.

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

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

9 Section 11. Section 331.3101, Florida Statutes, is
10 amended to read:

11 331.3101 Space Florida ~~Space Authority~~; travel and
12 entertainment expenses.--

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

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

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

1 expenses are incurred while in the physical presence of such
2 business clients, guests, or authorized persons.

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

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

24 (4) ~~A No~~ claim submitted under this section is not
25 ~~shall be~~ required to be sworn to before a notary public or
26 other officer authorized to administer oaths, but any claim
27 authorized or required to be made under any provision of this
28 section must ~~shall~~ contain a statement that the expenses were
29 actually incurred as necessary travel or entertainment
30 expenses in the performance of official duties of Space
31 Florida ~~the authority~~ and shall be verified by written

1 | declaration that it is true and correct as to every material
2 | matter. Any person who willfully makes and subscribes to any
3 | such claim which the person does not believe to be true and
4 | correct as to every material matter or who willfully aids or
5 | assists in, or procures, counsels, or advises, the preparation
6 | or presentation of a claim pursuant to this section, which
7 | claim is fraudulent or false as to any material matter,
8 | whether or not such falsity or fraud is with the knowledge or
9 | consent of the person authorized or required to present such
10 | claim, commits a misdemeanor of the second degree, punishable
11 | as provided in s. 775.082 or s. 775.083. Whoever receives an
12 | advancement or reimbursement by means of a false claim is
13 | civilly liable, in the amount of the overpayment, for the
14 | reimbursement of the public fund from which the claim was
15 | paid.

16 | Section 12. Section 331.311, Florida Statutes, is
17 | amended to read:

18 | 331.311 Exercise by authority of its powers within
19 | municipalities and other political subdivisions.--Space
20 | Florida may ~~The authority shall have the power to~~ exercise any
21 | of its rights, powers, privileges, and authority in any and
22 | all portions of any spaceport territory lying within the
23 | boundaries of any municipal corporation or other political
24 | subdivision, heretofore or hereafter created or organized,
25 | whose boundaries lie wholly or partly within the geographical
26 | limits of the spaceport territory, to the same extent and in
27 | the same manner as in areas of the spaceport territory not
28 | incorporated as part of a municipality or other political
29 | subdivision. With respect to any municipal corporation or
30 | other political subdivision whose boundaries lie partly within
31 | and partly without the geographical limits of the spaceport

1 | territory, Space Florida may ~~the authority shall have the~~
2 | ~~power to~~ exercise its rights, powers, privileges, and
3 | authority only within the portion of the ~~such~~ municipal
4 | corporation or other political subdivision lying within the
5 | boundaries of the spaceport territory.

6 | Section 13. Section 331.312, Florida Statutes, is
7 | amended to read:

8 | 331.312 Furnishing facilities and services within the
9 | spaceport territory.--Space Florida may ~~The authority shall~~
10 | ~~have the power to~~ construct, develop, create, maintain, and
11 | operate its projects within the geographical limits of the
12 | spaceport territory, including any portions of the spaceport
13 | territory located inside the boundaries of any incorporated
14 | municipality or other political subdivision, and to offer,
15 | supply, and furnish the facilities and services provided for
16 | in this act to, and to establish and collect fees, rentals,
17 | and other charges from, persons, public or private, within the
18 | geographical limits of the spaceport territory and for the use
19 | of Space Florida ~~the authority~~ itself.

20 | Section 14. Section 331.313, Florida Statutes, is
21 | amended to read:

22 | 331.313 Power of Space Florida ~~the authority~~ with
23 | respect to roads.--Within the territorial limits of any
24 | spaceport territory, Space Florida may ~~the authority has the~~
25 | ~~right to~~ acquire, through purchase or interagency agreement,
26 | or as otherwise provided in law, and to construct, control,
27 | and maintain, roads deemed necessary by Space Florida ~~the~~
28 | ~~authority~~ and connections thereto and extensions thereof now
29 | or hereafter acquired, constructed, or maintained in
30 | accordance with established highway safety standards; provided
31 | that, in the event a road being addressed by Space Florida ~~the~~

1 ~~authority~~ is owned by another agency or jurisdiction, Space
2 Florida ~~the authority~~, ~~before~~ ~~prior to~~ proceeding with the
3 proposed project or work activity, shall have either
4 coordinated the desired work with the owning agency or
5 jurisdiction or shall have successfully executed an
6 interagency agreement with the owning agency or jurisdiction.

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

9 331.316 Rates, fees, rentals, tolls, fares, and
10 charges; procedure for adoption and modification; minimum
11 revenue requirements.--

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

26 (2) The board ~~may shall have the power to~~ enter into
27 contracts for the use of the projects of Space Florida ~~the~~
28 ~~authority~~ and for the services and facilities furnished or to
29 be furnished by Space Florida ~~the authority~~, including, but
30 not limited to, launch services, payload assembly and
31 processing, and other aerospace-related ~~space-related~~

1 services, for such consideration and on such other terms and
2 conditions as the board may approve. Such contracts, and
3 revenues or service charges received or to be received by
4 Space Florida ~~the authority~~ thereunder, may be pledged as
5 security for any of the bonds of Space Florida ~~the authority~~.

6 Section 16. Section 331.317, Florida Statutes, is
7 amended to read:

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

15 Section 17. Section 331.318, Florida Statutes, is
16 amended to read:

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

1 delinquent rates, fees, rentals, tolls, fares, or other
2 charges by any other lawful method of enforcement.

3 Section 18. Section 331.319, Florida Statutes, is
4 amended to read:

5 331.319 Comprehensive planning; building and safety
6 codes.--The board of directors may ~~supervisors shall have the~~
7 ~~power to~~:

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

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

27 Section 19. Section 331.320, Florida Statutes, is
28 amended to read:

29 331.320 Additional powers of board.--The board of of
30 directors may ~~shall have the power~~ within any spaceport
31 territory ~~to~~:

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

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

10 Section 20. Section 331.321, Florida Statutes, is
11 amended to read:

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

22 Section 21. Section 331.322, Florida Statutes, is
23 amended to read:

24 331.322 Agreements with municipalities within any
25 spaceport territory.--The board of directors and the governing
26 body or bodies of any one or more municipalities located
27 wholly or partly within any spaceport territory, whether now
28 in existence or hereafter created, may ~~are authorized to~~ enter
29 into and carry into effect contracts and agreements relating
30 to the common powers, duties, and functions of the board and
31 other officers, agents, and employees of Space Florida ~~the~~

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

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

17 331.323 Cooperative agreements with the state,
18 counties, and municipalities.--

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

1 any such cooperative agreement to pay all or any part of the
2 costs of acquisition, planning, development, construction,
3 reconstruction, extension, improvement, operation, and
4 maintenance of any projects of Space Florida ~~the authority~~;
5 and to pay all or any part of the principal and interest on
6 any bonds of Space Florida ~~the authority~~.

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

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

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

11 Section 23. Section 331.324, Florida Statutes, is
12 amended to read:

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

25 Section 24. Section 331.325, Florida Statutes, is
26 amended to read:

27 331.325 Environmental permits.--Space Florida ~~The~~
28 ~~authority~~ shall obtain required environmental permits in
29 accordance with federal and state law and shall comply with
30 the provisions of chapter 380.

31

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

3 331.326 Information relating to trade secrets
4 confidential.--The records of Space Florida ~~the authority~~
5 regarding matters encompassed by this act are public records
6 subject to the provisions of chapter 119. Any information held
7 by Space Florida ~~the authority~~ which is a trade secret, as
8 defined in s. 812.081, including trade secrets of Space
9 Florida ~~the authority~~, any spaceport user, or the space
10 industry business, is confidential and exempt from the
11 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
12 Constitution and may not be disclosed. If Space Florida ~~the~~
13 ~~authority~~ determines that any information requested by the
14 public will reveal a trade secret, it shall, in writing,
15 inform the person making the request of that determination.
16 The determination is a final order as defined in s. 120.52.
17 Any meeting or portion of a meeting of Space Florida's ~~the~~
18 ~~authority's~~ board of ~~supervisors~~ is exempt from the provisions
19 of s. 286.011 and s. 24(b), Art. I of the State Constitution
20 when the board is discussing trade secrets. Any public record
21 generated during the closed portions of the ~~such~~ meetings,
22 such as minutes, tape recordings, and notes, is confidential
23 and exempt from the provisions of s. 119.07(1) and s. 24(a),
24 Art. I of the State Constitution.

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

27 331.327 Foreign trade zone.--Space Florida ~~may~~ ~~The~~
28 ~~authority shall have the power to~~ apply to the Federal
29 Government for a grant allowing the designation of any
30 spaceport territory as a foreign trade zone pursuant to ss.
31 288.36 and 288.37. However, the designation of any spaceport

1 | territory as a foreign trade zone does ~~shall not be deemed to~~
2 | authorize an exemption from any tax imposed by the state or by
3 | any political subdivision, agency, or instrumentality thereof.

4 | Section 27. Section 331.328, Florida Statutes, is
5 | amended to read:

6 | 331.328 Sovereign immunity.--Space Florida ~~The~~
7 | ~~authority~~ shall be granted sovereign immunity in the same
8 | manner as the state under the laws and Constitution of the
9 | State of Florida. The state, by this section, hereby waives
10 | the sovereign immunity granted to the same extent as waived by
11 | the state under state law.

12 | Section 28. Section 331.329, Florida Statutes, is
13 | amended to read:

14 | 331.329 Changing boundary lines; annexation and
15 | exclusion of lands; creation of municipalities within the
16 | geographical limits of any spaceport territory; limitations on
17 | the furnishing of services within annexed areas.--

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

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

29 | 1. Upon the written consent of the owners of all the
30 | land to be included in any spaceport territory and of the
31 |

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

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

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

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

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

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

1 | respect to such land or property, or from subsequent
2 | installments of assessments theretofore levied or assessed
3 | with respect thereto, and such assessments may be enforced and
4 | collected by or on behalf of Space Florida ~~the authority~~ in
5 | the same manner as if such land or property continued to be
6 | within the geographical limits of any spaceport territory.

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

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

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

25 | 331.331 Revenue bonds.--

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 |

1 Section 34. Section 331.337, Florida Statutes, is
2 amended to read:

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

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

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

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

1 treated as part of the cost of the project to which such trust
2 agreement pertains.

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

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

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

30 Section 37. Section 331.340, Florida Statutes, is
31 amended to read:

1 331.340 Authorization and form of bonds.--Bonds may be
2 authorized by resolution or resolutions of the board which
3 shall be adopted by a majority of all of the members thereof
4 then in office and present at the meeting at which the
5 resolution or resolutions are adopted and shall be approved as
6 provided in s. 331.305. The resolution or resolutions of the
7 board may be adopted at the same meeting at which they are
8 introduced, and shall be published and noticed. The board may
9 by resolution authorize the issuance of bonds, fix the
10 aggregate amount of bonds to be issued, the purpose or
11 purposes for which the moneys derived therefrom shall be
12 expanded, the rate or rates of interest, the denomination of
13 the bonds, whether or not the bonds are to be issued in one or
14 more series, the date or dates thereof, the date or dates of
15 maturity, which shall not exceed 40 years from their
16 respective dates of issuance, the medium of payment, the place
17 or places within or without the state where payment shall be
18 made, registration privileges, redemption terms and privileges
19 (whether with or without premium), the manner of execution,
20 the form of the bonds including any interest coupons to be
21 attached thereto, the manner of execution of bonds and
22 coupons, and any and all other terms, covenants, and
23 conditions thereof, and the establishment of reserve or other
24 funds. Such authorizing resolution may further provide that
25 such bonds may be executed manually or by engraved,
26 lithographed, or facsimile signature, provided that where
27 signatures are engraved, lithographed, or facsimile no bond
28 shall be valid unless countersigned by a registrar or other
29 officer designated by appropriate resolution of the board. The
30 seal of Space Florida ~~the authority~~ may be affixed,
31 lithographed, engraved, or otherwise reproduced in facsimile

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

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

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

1 redemption or payment of the bonds or other obligations to any
2 lawful purpose of Space Florida ~~the authority~~ as the board
3 shall determine.

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

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

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

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

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

30 331.347 Act furnishes full authority for issuance of
31 bonds.--This act constitutes full and complete authority for

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

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

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

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

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

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

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

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

31

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (3) Space Florida ~~The authority~~ shall develop a
30 spaceport master plan for expansion and modernization of space
31 transportation facilities within spaceport territories as

1 defined in s. 331.303(19) ~~s. 331.303(23)~~. The plan shall
2 contain recommended projects to meet current and future
3 commercial, national, and state space transportation
4 requirements. Space Florida ~~The authority~~ shall submit the
5 plan to any appropriate metropolitan planning organization
6 ~~M.P.O.~~ for review of intermodal impacts. Space Florida ~~The~~
7 ~~authority~~ shall submit the spaceport master plan to the
8 Department of Transportation, and such plan may be included
9 within the department's 5-year work program of qualifying
10 aerospace discretionary capacity improvement under subsection
11 (4). The plan shall identify appropriate funding levels and
12 include recommendations on appropriate sources of revenue that
13 may be developed to contribute to the State Transportation
14 Trust Fund.

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

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

23 331.369 Space Industry Workforce Initiative.--

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

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

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

16 (3) The initiative shall emphasize:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 | 288.063 Contracts for transportation projects.--

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

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

3 288.075 Confidentiality of records.--

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

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

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

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

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

3 288.9415 International Trade Grants.--

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

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

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

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

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

21 1.a. Industrial machinery and equipment used in
22 semiconductor technology facilities certified under
23 subparagraph 6. to manufacture, process, compound, or produce
24 semiconductor technology products for sale or for use by these
25 facilities are exempt from the tax imposed by this chapter.
26 For purposes of this paragraph, industrial machinery and
27 equipment includes molds, dies, machine tooling, other
28 appurtenances or accessories to machinery and equipment,
29 testing equipment, test beds, computers, and software, whether
30 purchased or self-fabricated, and, if self-fabricated,
31

1 includes materials and labor for design, fabrication, and
2 assembly.

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

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

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

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

29 4. In addition to meeting the criteria mandated by
30 subparagraph 1., subparagraph 2., or subparagraph 3., a
31 business must be certified by the Office of Tourism, Trade,

1 and Economic Development as authorized in this paragraph in
2 order to qualify for exemption under this paragraph.

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

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

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

31

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

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

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

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

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

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

19 ~~8.9.~~ As used in this paragraph, the term:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1 (f) Collect, manage, and report on assessment
2 information regarding student achievement in mathematics and
3 science.

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

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

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

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

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

1 Florida Space Authority, the Florida Space Research Institute,
2 and the Florida Aerospace Finance Corporation in a manner
3 consistent with the purpose for which the originating entity
4 received them.

5 Section 62. The Governor, the President of the Senate,
6 and the Speaker of the House of Representatives shall appoint
7 the board of directors of Space Florida no later than July 1,
8 2006. The board of directors of Space Florida shall hold its
9 first meeting no later than August 1, 2006. The board of
10 directors of Space Florida shall appoint a president no later
11 than September 1, 2006. The Executive Office of the Governor
12 shall provide staffing, and transitional support to Space
13 Florida until December 31, 2006.

14 Section 63. Subsection (12) is added to section
15 288.1224, Florida Statutes, to read:

16 288.1224 Powers and duties.--The commission:

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

20 Section 64. Subsection (7) is added to section
21 288.9015, Florida Statutes, to read:

22 288.9015 Enterprise Florida, Inc.; purpose; duties.--

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

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

29 (b) Develop a plan to assist in the financing of
30 aerospace businesses.

31

1 Section 65. Subsection (12) is added to section
2 445.004, Florida Statutes, to read:

3 445.004 Workforce Florida, Inc.; creation; purpose;
4 membership; duties and powers.--

5 (12) Workforce Florida, Inc., shall enter into
6 agreement with Space Florida, and collaborate with Florida
7 vocational institutes, community colleges, colleges, and
8 universities, to develop a workforce development strategy to
9 implement s. 331.3051.

10 Section 66. Section 1001.10, Florida Statutes, is
11 amended to read:

12 1001.10 Commissioner of Education; general powers and
13 duties.--The Commissioner of Education is the chief
14 educational officer of the state, and is responsible for
15 giving full assistance to the State Board of Education in
16 enforcing compliance with the mission and goals of the
17 seamless K-20 education system. To facilitate innovative
18 practices and to allow local selection of educational methods,
19 the State Board of Education may authorize the commissioner to
20 waive, upon the request of a district school board, State
21 Board of Education rules that relate to district school
22 instruction and school operations, except those rules
23 pertaining to civil rights, and student health, safety, and
24 welfare. The Commissioner of Education is not authorized to
25 grant waivers for any provisions in rule pertaining to the
26 allocation and appropriation of state and local funds for
27 public education; the election, compensation, and organization
28 of school board members and superintendents; graduation and
29 state accountability standards; financial reporting
30 requirements; reporting of out-of-field teaching assignments
31 under s. 1012.42; public meetings; public records; or due

1 process hearings governed by chapter 120. No later than
2 January 1 of each year, the commissioner shall report to the
3 Legislature and the State Board of Education all approved
4 waiver requests in the preceding year. Additionally, the
5 commissioner has the following general powers and duties:

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

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

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

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

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

27 (6) To take action on the release of mineral rights
28 based upon the recommendations of the Board of Trustees of the
29 Internal Improvement Trust Fund.

30 (7) To submit to the State Board of Education, on or
31 before August 1 of each year, recommendations for a

1 | coordinated K-20 education budget that estimates the
2 | expenditures for the State Board of Education, including the
3 | Department of Education, the Commissioner of Education, and
4 | all of the boards, institutions, agencies, and services under
5 | the general supervision of the State Board of Education for
6 | the ensuing fiscal year. Any program recommended to the State
7 | Board of Education that will require increases in state
8 | funding for more than 1 year must be presented in a multiyear
9 | budget plan.

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

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

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

29 | (11) To implement a program of school improvement and
30 | education accountability designed to provide all students the
31 | opportunity to make adequate learning gains in each year of

1 school as provided by statute and State Board of Education
2 rule based upon the achievement of the state education goals,
3 recognizing the following:

4 (a) The State Board of Education is the body corporate
5 responsible for the supervision of the system of public
6 education.

7 (b) The district school board is responsible for
8 school and student performance.

9 (c) The individual school is the unit for education
10 accountability.

11 (d) The community college board of trustees is
12 responsible for community college performance and student
13 performance.

14 (e) The university board of trustees is responsible
15 for university performance and student performance.

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

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

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

26 (15) To develop criteria for use by state
27 instructional materials committees in evaluating materials
28 submitted for adoption consideration. The criteria shall, as
29 appropriate, be based on instructional expectations reflected
30 in curriculum frameworks and student performance standards.
31 The criteria for each subject or course shall be made

1 available to publishers of instructional materials pursuant to
2 the requirements of chapter 1006.

3 (16) To prescribe procedures for evaluating
4 instructional materials submitted by publishers and
5 manufacturers in each adoption.

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

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

15 Section 67. Subsection (33) is added to section
16 334.044, Florida Statutes, to read:

17 334.044 Department; powers and duties.--The department
18 shall have the following general powers and duties:

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

26 Section 68. There is appropriated for the 2006-2007
27 state fiscal year to the Office of Tourism, Trade, and
28 Economic Development within the Office of the Governor \$35
29 million of nonrecurring funds from the General Revenue Fund to
30 be used for infrastructure needs related to the development of
31 the National Aeronautics and Space Administration's Crew

1 Exploration Vehicle; \$3 million of nonrecurring funds from the
2 General Revenue Fund for operational needs of Space Florida,
3 including operational funding through September 1, 2006, for
4 the Florida Space Authority, the Florida Aerospace Finance
5 Corporation, and the Florida Space Research Institute; and \$4
6 million of nonrecurring funds from the General Revenue Fund
7 for implementation of innovative education programs and
8 financing assistance for aerospace business-development
9 projects.

10 Section 69. This act shall take effect upon becoming a
11 law.

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

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

- 6 -- Appropriates \$35 million to be used for activities
7 related to the Crew Exploration Vehicle, \$3 million for
8 Space Florida's operations, and \$4 million to be used for
9 innovate aerospace education projects. It also provides
10 that Space Florida operational funds may be used until
11 September 1, 2006 for transition costs of the three
12 existing entities: the Florida Space Authority, the
13 Florida Aerospace Finance Corporation, and the Florida
14 Space Research Institute.
- 15 -- Deletes provisions authorizing state sales tax revenues
16 collected by businesses at Kennedy Space Center and Cape
17 Canaveral Air Force Station to be expended for aerospace
18 education projects and aerospace business development
19 projects;
- 20 -- Repeals s. 331.315, F.S., relating to maintenance of
21 projects across rights-of-way, to conform to the repeal
22 of s. 331.305, F.S., relating to the Florida Space
23 Authority's power of eminent domain;
- 24 -- Removes the president of Visit Florida from the board of
25 directors of Space Florida, and requires that Space
26 Florida consult with, rather than enter into agreement
27 with, the Florida Commission on Tourism to develop a
28 space tourism marketing plan;
- 29 -- Provides that a business eligible for sales tax
30 exemptions for certain machinery and equipment pursuant
31 to s. 212.08(5)(j), F.S., may be certified as eligible
for such exemptions for a period of two years, rather
than one year, and that a business' certification may be
renewed at the end of the two-year period;
- Clarifies that Space Florida is not subject to the terms
of ch. 189, F.S., relating to special districts;
- Deletes a reference to corporate powers granted in ch.
607, F.S., and eliminates from the bill the deletion of
certain powers of Space Florida contained in current law
in s. 331.305, F.S.;
- Requires the Florida Space Authority (FSA), the Florida
Space Research Institute (FSRI), and the Florida
Aerospace Finance Corporation (FAFC) to submit articles
of dissolution to the Department of State by September 1,
2006, and provides that any assets or funds transferred
from FSA, FSRI, and FAFC to Space Florida, must be used
in a manner consistent with the purpose for which the
originating entity received such assets or funds;
- Authorizes the Governor to appoint 12, rather than 8,
members from the private sector to the board of directors

1 | of Space Florida; and

2 | -- Deletes provisions requiring the President of the Senate

3 | and the Speaker of the House of Representatives to each

4 | appoint three members from the private sector to the

5 | board of directors of Space Florida.

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