

1                   A bill to be entitled  
2           An act relating to Space Florida; creating s. 288.1087,  
3           F.S.; providing legislative intent; creating the Space and  
4           Aerospace Development Infrastructure Enhancement Fund in  
5           the Office of Tourism, Trade, and Economic Development;  
6           providing for moneys from the funds to be distributed to  
7           successful applicants to upgrade space-related  
8           infrastructure, to enter into partnerships with applicable  
9           businesses on space-related projects, or to provide  
10          incentives for space-related ventures; requiring that  
11          certain information be included in the application for  
12          funding; requiring the Office of Tourism, Trade, and  
13          Economic Development to procure an economic impact  
14          assessment model that evaluates the costs, benefits,  
15          useful life, and other relevant factors related to space  
16          and aerospace infrastructure projects; describing the  
17          criteria by which the applicants will be judged as  
18          eligible to receive funding; requiring the executive board  
19          of Space Florida and the director of the Office of  
20          Tourism, Trade, and Economic Development to recommend  
21          approval or disapproval of proposed projects; providing  
22          for the Governor to decide which proposed projects receive  
23          Space and Aerospace Development Infrastructure Enhancement  
24          Funds; requiring the director of the Office of Tourism,  
25          Trade, and Economic Development and the successful  
26          applicant to enter into a contract that sets forth the  
27          conditions for receiving moneys from the fund; describing  
28          the content of the contract; requiring Enterprise Florida,

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29 Inc., to validate the performance of the contractor;  
30 requiring that the validation be complete within a  
31 specified time; providing an appropriation; providing a  
32 contingent effective date.

33  
34 Be It Enacted by the Legislature of the State of Florida:

35  
36 Section 1. Section 288.1087, Florida Statutes, is created  
37 to read:

38 288.1087 The Space and Aerospace Development  
39 Infrastructure Enhancement Fund.--

40 (1)(a) The Legislature finds that attracting, retaining,  
41 partnering with, and providing favorable conditions for space  
42 and aerospace infrastructure and businesses that provide  
43 widespread economic benefit to the public is in the state's best  
44 interest. State investment in the space and aerospace industry  
45 can help provide high-quality employment opportunities for  
46 residents of this state, increase the tax base, invigorate the  
47 entrepreneurial climate in the state through the resulting  
48 business and employment opportunities, and stimulate and enhance  
49 the state's universities and community colleges. In the global  
50 economy there exists international competition for space and  
51 aerospace infrastructure, facilities, and business  
52 opportunities, and in most instances, when all available  
53 resources for economic development have been used, the state  
54 encounters competitive disadvantages. This state must provide a  
55 competitive environment for aerospace and space business in the  
56 information age. This often requires an incentive to make it

57 feasible for private investors to provide infrastructure in  
58 those areas.

59 (b) The Legislature intends for this section to attract  
60 and benefit future partners attempting to launch in Florida that  
61 qualify for this fund.

62 (c) The Legislature, therefore, declares that sufficient  
63 resources must be made available to respond to extraordinary  
64 economic opportunities in the space and aerospace business, to  
65 address the need for space and aerospace business facilities and  
66 infrastructure, and to compete for key space and aerospace  
67 businesses interested in entering into partnerships with the  
68 state.

69 (2) There is created in the Office of Tourism, Trade, and  
70 Economic Development the Space and Aerospace Development  
71 Infrastructure Enhancement Fund to be available for use by Space  
72 Florida. The moneys from the fund, which will be distributed to  
73 successful applicants, shall be used to provide or upgrade  
74 space-related infrastructure, enter into partnerships with  
75 applicable businesses on space-related projects, or otherwise  
76 provide incentives for space-related ventures and may be used  
77 for collateral for bonds. These funds shall not be used for  
78 workforce or education initiatives.

79 (3) The Office of Tourism, Trade, and Economic Development  
80 shall procure an economic impact assessment model that evaluates  
81 the costs, benefits, useful life, and other relevant factors  
82 related to space and aerospace infrastructure projects. The  
83 economic impact assessment model must be available for use by

84 Space Florida and the Office of Tourism, Trade, and Economic  
 85 Development no later than December 31, 2008.

86 (4) Projects eligible to receive Space and Aerospace  
 87 Development Infrastructure Enhancement funds must:

88 (a) Assist Space Florida in carrying out its  
 89 responsibilities under part II of chapter 331;

90 (b) Create or retain high-quality, high-salary jobs in the  
 91 space or aerospace industry in this state;

92 (c) Be an inducement to the project's location or  
 93 expansion in the state;

94 (d) Be supported by the local community in which the  
 95 project is to be located;

96 (e) Be able to match the state investment; and

97 (f) Have undergone an economic analysis.

98 (5)(a) After receiving the economic impact assessment, the  
 99 Space Florida executive board and the director of the Office of  
 100 Tourism, Trade, and Economic Development shall meet to recommend  
 101 approval or disapproval of each proposed project. For projects  
 102 recommended to receive funds, the board and director shall rank  
 103 each proposal in the order of its meeting the established  
 104 criteria. When recommending a project, Space Florida and the  
 105 director of the Office of Tourism, Trade, and Economic  
 106 Development must include proposed performance conditions that  
 107 the project must meet in order to obtain money from the fund.

108 (b) The recommendations shall be sent to the Governor who  
 109 shall further evaluate the projects approved for funding. The  
 110 Governor shall consult with the President of the Senate and the

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111 Speaker of the House of Representatives before giving final  
112 approval for a project.

113 (c) The Executive Office of the Governor shall present the  
114 recommended projects and request that project funds be released  
115 pursuant to the legislative consultation and review requirements  
116 set forth in s. 216.177. The recommendations must include  
117 proposed performance conditions that each project is expected to  
118 meet in order to receive funds.

119 (d) After receiving the required approvals, the director  
120 of the Office of Tourism, Trade, and Economic Development and  
121 the recipient shall enter into a contract that sets forth the  
122 conditions for receiving moneys from the fund. The contract must  
123 include the total amount of funds awarded, the performance  
124 conditions that must be met in order to obtain the award, a  
125 baseline of current service and a measure of enhanced  
126 capability, the methodology for validating performance, the  
127 schedule of payments from the fund, and sanctions for failure to  
128 meet performance conditions. The contract must state that  
129 payment of moneys from the Space and Aerospace Development  
130 Infrastructure Enhancement Fund is contingent upon sufficient  
131 appropriation of funds by the Legislature and upon sufficient  
132 release of appropriated funds by the Legislative Budget  
133 Commission.

134 Section 2. This act shall take effect July 1, 2008, if  
135 House Bill 1357, or similar legislation, is adopted in the same  
136 legislative session or an extension thereof and becomes law.