

By Senator Altman

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1 A bill to be entitled
2 An act relating to the Space and Aerospace Catalyst
3 and Enhancement Program; creating s. 288.1087, F.S.;
4 providing legislative intent; creating the Space and
5 Aerospace Catalyst and Enhancement Program in the
6 Office of Tourism, Trade, and Economic Development;
7 providing that funds be used to upgrade space-related
8 infrastructure or business facilities or to enter into
9 partnerships with applicable businesses on space or
10 aerospace-related projects; requiring that Space
11 Florida and its partners provide certain information
12 in their application to the Office of Tourism, Trade,
13 and Economic Development; requiring that Space Florida
14 contract with a nationally recognized consultant to
15 develop an economic impact assessment model that
16 evaluates the costs, benefits, useful life, and other
17 relevant factors related to space and aerospace
18 projects; requiring that the model be available to
19 Space Florida by a specified date; providing for the
20 criteria that a project must meet to receive funding;
21 providing for the waiver of such criteria; requiring
22 that the director of the Office of Tourism, Trade, and
23 Economic Development recommend approval or disapproval
24 of a proposed project; requiring that the
25 recommendation be sent to the Governor; providing that
26 the Governor consult with the President of the Senate
27 and the Speaker of the House of Representatives before
28 giving final approval; providing that the Legislative
29 Budget Commission review a project that has received

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30 final approval before releasing the funds; requiring
31 that the director of the Office of Tourism, Trade, and
32 Economic Development and the recipient of the funds
33 enter into a contract containing certain conditions;
34 requiring that Space Florida compile and include
35 information relating to each project in its annual
36 report; providing an effective date.

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38 Be It Enacted by the Legislature of the State of Florida:

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40 Section 1. Section 288.1087, Florida Statutes, is created to
41 read:

42 288.1087 Space and Aerospace Catalyst and Enhancement
43 Program.—

44 (1) (a) The Legislature finds that attracting, retaining,
45 entering into partnerships with, and providing favorable
46 conditions for space and aerospace entrepreneurial endeavors is
47 necessary to provide widespread economic benefits to the state.
48 The Legislature also finds that public investment in the space
49 and aerospace industries will provide high-quality employment
50 opportunities for the residents of the state, increase the
51 overall tax base, invigorate the state's entrepreneurial climate
52 through the resulting business and employment opportunities, and
53 stimulate and enhance the state's universities and community
54 colleges. Further, the Legislature finds that international
55 competition exists for space and aerospace infrastructure,
56 facilities, and business opportunities, and in most instances,
57 when all available resources for economic development have been
58 used, the state encounters competitive disadvantages. The

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59 Legislature finds that business incentives create a competitive
60 environment for space and aerospace businesses to make it
61 feasible for private investors to provide infrastructure in
62 those areas.

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

70 (2) There is created in the Office of Tourism, Trade, and
71 Economic Development the Space and Aerospace Catalyst and
72 Enhancement Program that shall be available to Space Florida.
73 The moneys appropriated for the program shall be used to provide
74 or upgrade space-related infrastructure or business facilities
75 and to compete for key space and aerospace-associated businesses
76 interested in entering into partnerships with the state. The
77 moneys shall be distributed to Space Florida once the conditions
78 specified in subsection (5) are met.

79 (3) Space Florida and its partners shall submit to the
80 Office of Tourism, Trade, and Economic Development a joint
81 application detailing their proposed project. The application
82 shall include the following information:

83 (a) A description of the type of space and aerospace
84 infrastructure project, its operations, and the product or
85 services associated with the facility.

86 (b) The number of full-time equivalent jobs that will be
87 created by the space and aerospace infrastructure project, the

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88 total estimated average annual wages of those jobs, and the
89 types of business activities and jobs stimulated by the
90 investment.

91 (c) The cumulative amount of investment of public and, if
92 applicable, private funds that will be dedicated to the project
93 within a specified period.

94 (d) A description of the stimulating effect that the
95 project is expected to have on a particular business sector in
96 the state or regional economy or on the state's universities and
97 community colleges.

98 (e) A statement of how the public investment is expected to
99 affect the applicant's decision to locate or expand its business
100 in the state.

101 (f) If Space Florida is entering into a public-private
102 partnership with a space-related business entity, a financial
103 analysis of the entity, including an evaluation of the entity's
104 short-term liquidity ratio as measured by its assets to
105 liability, the entity's profitability ratio, the entity's long-
106 term solvency as measured by its debt-to-equity ratio, and the
107 entity's most recent financial audit statement and the related
108 auditor's management letter.

109 (4) Space Florida shall enter into a contract with a
110 nationally recognized economic consultant to develop an economic
111 impact assessment model that evaluates the costs, benefits,
112 useful life, and other relevant factors related to space and
113 aerospace projects. The model must be available for use by Space
114 Florida no later than December 31, 2009.

115 (5) In order to receive funds through the Space and
116 Aerospace Catalyst and Enhancement Program, a project must:

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- 117 (a) Assist Space Florida in carrying out its
118 responsibilities under part II of chapter 331;
- 119 (b) Create the potential for or retain existing high-
120 quality, high-salary jobs in the space and aerospace industries
121 in the state;
- 122 (c) Have a potential positive payback ratio of at least 5
123 to 1;
- 124 (d) Be an inducement to the project's location or expansion
125 in the state;
- 126 (e) Be supported by the local community in which the
127 project is located;
- 128 (f) If a public-private partnership, include a match to the
129 state investment; and
- 130 (g) Have undergone the economic analysis in subsection (4).
- 131 (6) The Office of Tourism, Trade, and Economic Development
132 may waive the criteria specified in subsection (5) based on
133 extraordinary circumstances and if the project would
134 significantly benefit the local or regional economy.
- 135 (7) (a) After receiving the application and the economic
136 impact assessment, the director of the Office of Tourism, Trade,
137 and Economic Development, in consultation with Space Florida,
138 shall recommend the approval or disapproval of each proposed
139 project. The recommendation must include performance conditions
140 that the project must meet in order to obtain funding.
- 141 (b) The director's recommendation approving a project shall
142 be sent to the Governor, who shall further evaluate the project.
143 The Governor shall consult with the President of the Senate and
144 the Speaker of the House of Representatives before giving a
145 project final approval.

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146 (c) The Executive Office of the Governor shall present an
147 approved project and the funding request for the project to the
148 Legislative Budget Commission, which shall conduct its review
149 and release the funds pursuant to the legislative consultation
150 and review requirements set forth in s. 216.177.

151 (d) After receiving final approval for a project, the
152 director of the Office of Tourism, Trade, and Economic
153 Development and the recipient shall enter into a contract that
154 sets forth the conditions for receiving moneys for the project.
155 The contract must include the total amount of funds awarded, the
156 performance conditions that must be met in order to obtain the
157 award, a baseline of current service and a measure of enhanced
158 capability, the methodology for validating performance, the
159 schedule of payments, and sanctions for failure to meet
160 performance conditions. The contract must state that payment is
161 contingent upon sufficient appropriation of funds by the
162 Legislature and upon sufficient release of appropriated funds by
163 the Legislative Budget Commission.

164 (8) Space Florida shall compile information about each
165 project that is funded through the Space and Aerospace Catalyst
166 and Enhancement Program and include the information in its
167 annual report.

168 Section 2. This act shall take effect July 1, 2009.