

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

BILL: SB 110

INTRODUCER: Senator Wise

SUBJECT: Spaceport Territory

DATE: September 20, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fleming	Carter	MS	Favorable
2.	_____	_____	CM	_____
3.	_____	_____	CA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

In January 2010, the Federal Aviation Administration (FAA) issued Jacksonville Aviation Authority a Space Launch Cite Operator’s License which authorizes the use of Cecil Field Spaceport for horizontal take off and landings of suborbital launch vehicles. This bill amends s. 331.304, F.S., to update the inventory of existing spaceport territories in the state by designating the property Cecil Field Spaceport in Jacksonville as a spaceport territory. This bill also permits the board of directors of Space Florida to designate real property within the state as a spaceport territory if the property has been licensed by the FAA as a spaceport or if the property serves as space-related infrastructure.

This bill substantially amends section 331.304 of the Florida Statutes.

II. Present Situation:

Background on the Commercial Space Launch Industry

The United States’ space program constitutes three sectors – civil, military and commercial. The commercial space sector will play an increasingly important role in the U.S. space program with the retirement of the Space Shuttle Program in July 2011. President Obama’s National Space Policy (policy),¹ issued on June 28, 2010, emphasizes the need to utilize the commercial space industry to meet the current and future U.S. space transportation needs. Specifically, the policy states, “The United States is committed to encouraging and facilitating the growth of a U.S.

¹National Space Policy of the United States of America. June 28, 2010. Available at: http://www.whitehouse.gov/sites/default/files/national_space_policy_6-28-10.pdf

commercial space sector that supports U.S. needs, is globally competitive, and advances U.S. leadership in the generation of new markets and innovation-driven entrepreneurship.”²

Space transportation is the movement of, or means of moving, objects such as communications and observation satellites, to, from, or in space. Commercial space transportation is carried out by vehicles owned and operated by private companies or organizations. The majority of such launches carry satellites and other payloads owned by private companies and procured through a competitive bidding process, although government payloads are occasionally launched commercially.³

In 2010, commercial launches comprised approximately 31 percent of all launches conducted worldwide.⁴ The chart below illustrates the worldwide participation in commercial and non-commercial orbital launch activity in 2010.

2010 WORLDWIDE ORBITAL LAUNCH ACTIVITY⁵			
	Commercial Launches	Non-Commercial Launches	Total Launches
United States ⁶	4	11	15
Russia	13	18	31
Europe	6	0	6
China	0	15	15
Japan	0	2	2
India	0	3	3
Israel	0	1	1
South Korea	0	1	1
Total	23	51	74

The Office of Commercial Space Transportation within the Federal Aviation Administration (FAA) is the U.S. government organization responsible for regulating and facilitating the safe operations and international competitiveness of the U.S. commercial space transportation industry. The FAA's launch regulations and licensing procedures apply to all commercial launches taking place within U.S. territory, and for launches being conducted abroad by U.S. companies. In general, the FAA does not license launches by U.S. government organizations and certain classes of small rockets. Since the office was created in 1984, the FAA has issued licenses for more than 200 launches, licensed the operation of eight FAA-approved launch sites known as spaceports, and has helped ensure that no loss of life or serious injury has been associated with these efforts.⁷

² National Space Policy. p. 3. Available at: http://www.whitehouse.gov/sites/default/files/national_space_policy_6-28-10.pdf

³ Information in this paragraph summarized from information posted at website of FAA’s Office of Commercial Space Transportation. See: http://ast.faa.gov/about/office_org/headquarters_offices/ast/industry.

⁴ FAA report: *Commercial Space Transportation: 2010 Year in Review*. January 2011. Available at: http://www.faa.gov/about/office_org/headquarters_offices/ast/media/2010%20Year%20in%20Review.pdf

⁵ Id.

⁶ Eleven of the 15 total U.S. orbital launches in 2010 took place in Florida, in which 3 were commercial launches and 8 were non-commercial.

⁷ Information in this paragraph summarized from information posted at website of FAA’s Office of Commercial Space Transportation. See: http://ast.faa.gov/about/office_org/headquarters_offices/ast/industry.

FAA Licensed Commercial Spaceports

Spaceports are sites designated to launching orbital or suborbital vehicles into space. These sites often also provide the capability to integrate launch vehicle components, to integrate vehicles with payloads, to fuel and maintain vehicles, and to launch vehicles.⁸ As stated above, the FAA licenses the operation of commercial spaceports in the United States and thus far has issued eight licenses. The chart below lists the eight FAA licensed commercial spaceports.

FAA LICENSED COMMERCIAL SPACEPORTS ⁹				
Spaceport	Operator	State	License First Issued	Expires
California Spaceport	Spaceport Systems International	CA	1996	9/18/2011
Cape Canaveral Spaceport	Space Florida	FL	1999	6/ 30/ 2015
Cecil Field Spaceport	Jacksonville Aviation Authority	FL	2010	1/10/ 2015
Kodiak Launch Complex	Alaska Aerospace Development Corp.	AK	1998	9/24/2013
Mid-Atlantic Regional Spaceport	Virginia Commercial Space Flight Authority	VA	1997	12/18/2012
Mojave Air and Space Port	East Kern Airport District	CA	2004	6/16/2014
Oklahoma Spaceport	Oklahoma Spaceport Industry Development Authority	OK	2006	6/11/ 2011
Spaceport America	New Mexico Spaceport Authority	NM	2008	12/15/ 2013

Florida’s Existing Spaceports

Currently, there are four spaceport locations in Florida, which include two federally-owned spaceports and two FAA licensed commercial spaceports. The Cape Canaveral Air Force Station (CCAFS) and the National Aeronautics and Space Administration’s Kennedy Space Center constitute the federal spaceports in Florida. The two FAA licensed commercial spaceports in Florida include the Cape Canaveral Spaceport, operated by Space Florida, and Cecil Field Spaceport, operated by the Jacksonville Aviation Authority (JAA).

Cape Canaveral Spaceport

Space Florida was first issued a FAA commercial spaceport license in 1999 and with that license operates the Cape Canaveral Spaceport, a group of facilities that include launch complexes leased from and co-located on CCAFS. Space Florida utilizes these launch complexes to facilitate private and commercial space ventures as well as research and development.

⁸ FAA report: *2011 U.S. Commercial Space Transportation Developments and Concepts: Vehicles, Technologies, and Spaceports*. January 2011. p. 47. Available at:

http://www.faa.gov/about/office_org/headquarters_offices/ast/media/2011%20DevCon%20Report.pdf

⁹ FAA report: *2011 U.S. Commercial Space Transportation Developments and Concepts: Vehicles, Technologies, and Spaceports*. January 2011. p. 48. Available at:

http://www.faa.gov/about/office_org/headquarters_offices/ast/media/2011%20DevCon%20Report.pdf

Cecil Field Spaceport¹⁰

In January 2010, the FAA issued the JAA a Space Launch Site Operator's License. The license authorizes use of Cecil Field Spaceport for horizontal take off and landings for suborbital launch vehicles. The U.S. Navy once operated Cecil Field as an airfield, which was closed in 1993 and transferred to the City of Jacksonville in 1999. Cecil Field Spaceport is located about 15 miles from Jacksonville and features a 12,500 foot runway and three shorter runways. Cecil Field Spaceport shares assets with Cecil Field Airport, which services military and civil aircraft and general aviation customers. The FAA awarded \$105,000 to JAA, as part of the FAA's Space Transportation Infrastructure Matching Grants program¹¹ in 2010. JAA will use the money to develop a Spaceport Master Plan for Cecil Field.

Spaceport Territories Designated in the Florida Statutes

Section 331.304, F.S., provides that certain property in the state constitutes "spaceport territory." This property includes:

- Certain real property in Brevard County that is included within the 1998 boundaries of Patrick Air Force Base, Cape Canaveral Air Force Station, or John F. Kennedy Space Center; and
- Certain real property located in Santa Rosa, Okaloosa, Gulf, and Walton Counties which is included within the 1997 boundaries of Eglin Air Force Base.

The property within Duval County which constitutes Cecil Field Spaceport is not currently designated as a "spaceport territory" in the Florida Statutes.

III. Effect of Proposed Changes:

This bill amends s. 331.304, F.S., to:

- Update the inventory of existing spaceport territories in the state by designating the property within the boundaries of Cecil Airport and Cecil Commerce Center in Jacksonville as a spaceport territory.
- Permit the board of directors of Space Florida to designate real property within the state as a spaceport territory if the property has been licensed by the FAA as a spaceport or if the property serves as space-related infrastructure.

This bill provides an effective date of July 1, 2012.

¹⁰ Information summarized from FAA report: *2011 U.S. Commercial Space Transportation Developments and Concepts: Vehicles, Technologies, and Spaceports*. January 2011. p. 50. Available at:

http://www.faa.gov/about/office_org/headquarters_offices/ast/media/2011%20DevCon%20Report.pdf

¹¹For more information on the FAA's Space Transportation Infrastructure Matching Grants program, see http://www.faa.gov/about/office_org/headquarters_offices/ast/grants_program/

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

By designating Cecil Field Spaceport, other FAA licensed spaceports, and other space-related infrastructure as spaceport territory, this bill has the potential to increase the economic development and commercial space business in Florida. Specifically, Cecil Field Spaceport may attract commercial ventures, such as space tourism when the space tourism industry advances.

C. Government Sector Impact:

Designating Cecil Field Spaceport as spaceport territory and permitting the board of directors of Space Florida to recognize future FAA licensed spaceports and other space-related infrastructure as spaceport territory will aid Space Florida in attracting different types of commercial space companies and competing for spaceflight businesses. In addition, Space Florida can include these spaceport territories in master planning efforts and enable them to make appropriate infrastructure improvements on these spaceport territories.¹²

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

¹² Space Florida. *Cecil Airport as Spaceport Territory Legislative Talking Points*. Provided to Senate Military Affairs, Space, and Domestic Security professional staff September 13, 2011.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
