

STORAGE NAME: h1621s1.frc.doc
DATE: March 11, 2002

HOUSE OF REPRESENTATIVES
FISCAL RESPONSIBILITY COUNCIL
ANALYSIS

BILL #: CS/HB 1621
RELATING TO: Spaceport Florida Authority
SPONSOR(S): Fiscal Responsibility Council and Representative Lacasa
TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE YEAS 8 NAYS 0
- (2) TRANSPORTATION & ECONOMIC DEVELOPMENT COMMITTEE YEAS 15 NAYS 0
- (3) FISCAL RESPONSIBILITY COUNCIL YEAS 18 NAYS 0
- (4)
- (5)

I. SUMMARY:

The bill changes the composition of the Spaceport Florida Authority (SFA) board of supervisors by amending s. 331.308, F.S. The bill changes the number of regular voting members appointed by the Governor from seven to eight. Four members of the voting board must represent Florida's space industry, one of the four must represent small business, and a private-sector entity may not have more than one person serving on the board at any one time. The Senate must confirm each of the voting board members during the next regular session. The bill allows existing board members to be reappointed and current board terms are not affected.

The bill also provides that the Lieutenant Governor serves as chair of the board and shall cast the deciding vote if the votes of the eight regular members result in a tie.

The bill maintains current criteria for board appointments for an ex-officio non-voting senator appointed by the President of the Senate, an ex-officio non-voting state representative appointed by the Speaker of the House, one regular member from labor interests, and one regular member from minority interests.

The bill takes effect upon becoming law.

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

In 1989, the Florida legislature created the SFA with the "Spaceport Florida Authority Act" in part II, ss. 331.301 through 331.360, of chapter 331, F.S. The purpose of the Spaceport Florida Authority Act is to provide a unified direction for space-related economic growth and educational development, to ensure a stable and dynamic economic climate, to attract and maintain space-related businesses suitable to the state, and to further the coordination and development of Florida's economy. To that end, the SFA works through the direction of its board of supervisors with the federal government, private industry, and Florida universities to develop and expand spaceport facilities, space launch capacity, spaceport projects, and complementary activities. The SFA also works with public and private universities and community colleges in the state to increase their involvement in space-related research and education.

Section 331.308, F.S., creates a nine-member board of supervisors, appointed by the Governor and legislative leaders, to which the SFA's executive director reports. The Governor appoints seven board members to serve four-year terms, with two additional non-voting members serving two-year terms appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. Each regular board member must be a Florida resident with aerospace, financial, space related commercial, or other significant relevant experience. One regular member represents organized labor interests and one represents minority interests. The Governor has the authority to remove any regular board member for cause.

C. EFFECT OF PROPOSED CHANGES:

The bill changes the composition of the Spaceport Florida Authority (SFA) board of supervisors by amending s. 331.308, F.S. The bill changes the number of regular voting members appointed by the Governor from seven to eight. Four members of the voting board must represent Florida's space industry, one of the four must represent small business, and a private-sector entity may not have more than one person serving on the board at any one time. The Senate must confirm each of the voting board members during the next regular session. The bill allows existing board members to be reappointed and current board terms are not affected.

The bill also provides that the Lieutenant Governor serves as chair of the board and shall cast the deciding vote if the votes of the eight regular members result in a tie.

The bill maintains current criteria for board appointments for an ex-officio non-voting senator appointed by the President of the Senate, an ex-officio non-voting state representative appointed by the Speaker of the House, one regular member from labor interests, and one regular member from minority interests.

The bill defines "space industry," for the purpose of representation on the board, to include: private sector industries engaged in space flight business; research and technology development of space-based products and services; space station commercialization; development of spaceport and range technology; remote sensing products and services; space biotechnology, measurement and calibration of space assets; space-related software and information technology; design and architecture of space-based assets and facilities for manufacturing and other purposes; space-related nanotechnology; space tourism; and other commercial enterprises utilizing uniquely space-based capabilities.

The bill takes effect upon becoming law.

D. SECTION-BY-SECTION ANALYSIS:

See "Effect of Proposed Changes" portion of this analysis.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend money.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the revenue raising authority of counties or municipalities.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percent of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On February 20, 2002, the Committee on Economic Development and International Trade reported the bill favorably with one strike all amendment that substantially changes the bill by altering the number and composition of regular members of the board of supervisors from nine to eight. Four of the regular members shall now represent Florida's space-flight related businesses, with one of the four representing a small Florida space-related business. The Lieutenant Governor shall serve as Chair of the board of supervisors and cast the deciding vote in case the votes of the eight regular members result in a tie. All regular members shall be subject to confirmation by the Senate at the next regular legislative session.

On February 22, 2002, the Committee on Transportation & Economic Development Appropriations adopted a substitute amendment for the amendment from Economic Development and International Trade. This amendment makes technical and conforming changes.

On March 8, 2002, the Fiscal Responsibility Council adopted an amendment that alters the definition of the four space-related industry appointments. The amendment allows current board members to continue on the board for the completion of their terms. The amendment also makes technical and conforming corrections. The Fiscal Responsibility Council incorporated this amendment into a Council Substitute.

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VII. SIGNATURES:

COMMITTEE ON ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE:

Prepared by:

Benjamin G. Snipes

Staff Director:

J. Paul Whitfield, Jr.

AS REVISED BY THE COMMITTEE ON TRANSPORTATION & ECONOMIC DEVELOPMENT
COMMITTEE:

Prepared by:

Kurt Hamon

Staff Director:

Eliza Hawkins

AS FURTHER REVISED BY THE FISCAL RESPONSIBILITY COUNCIL:

Prepared by:

Kurt Hamon

Staff Director:

David Coburn