

1                   A bill to be entitled  
2           An act relating to the state's aerospace industry;  
3           redesignating the "Florida Space Authority" as "Space  
4           Florida"; providing legislative intent; providing  
5           definitions; revising and consolidating the roles,  
6           purposes, responsibilities, assets, and duties of the  
7           Florida Space Authority as those of Space Florida;  
8           deleting authority to establish facilities and  
9           complementary activities; providing additional powers and  
10          duties of Space Florida; prohibiting Space Florida from  
11          endorsing political candidates or making campaign  
12          contributions; characterizing certain property as Space  
13          Florida territory; providing additional powers and  
14          responsibilities of Space Florida relating to the state's  
15          aerospace industry; deleting authority to exercise eminent  
16          domain powers; requiring Space Florida to create a  
17          business plan and a marketing campaign; requiring Space  
18          Florida to coordinate its activities with federal and  
19          state agencies; replacing provisions providing for a board  
20          of supervisors with provisions providing for a board of  
21          directors of Space Florida; providing for designation and  
22          appointment of members; providing for terms, removal of  
23          members, and filling of vacancies; providing for board  
24          meetings; specifying service without compensation;  
25          providing for reimbursement of certain expenses; providing  
26          financial disclosure requirements; revising powers and  
27          duties of the board; creating ss. 331.3011 and 331.3051,  
28          F.S.; amending ss. 331.301, 331.302, 331.303, 331.305,

29 | 331.306, 331.308, 331.309, 331.310, 331.3101, 331.311,  
 30 | 331.312, 331.313, 331.315, 331.316, 331.317, 331.318,  
 31 | 331.319, 331.320, 331.321, 331.322, 331.323, 331.324,  
 32 | 331.325, 331.326, 331.327, 331.328, 331.329, 331.331,  
 33 | 331.333, 331.334, 331.335, 331.336, 331.337, 331.338,  
 34 | 331.339, 331.340, 331.343, 331.345, 331.346, 331.347,  
 35 | 331.348, 331.349, 331.350, 331.351, 331.354, 331.355,  
 36 | 331.360, and 331.369, F.S., to conform; amending ss.  
 37 | 14.2015, 74.011, 196.012, 212.02, 288.063, 288.075,  
 38 | 288.35, and 288.9415, F.S., to conform; amending s.  
 39 | 212.08, F.S.; expanding the exemption from the sales and  
 40 | use tax on certain machinery and equipment; amending s.  
 41 | 212.20, F.S.; requiring dealers at certain business  
 42 | locations to file returns with the Department of Revenue  
 43 | disclosing certain sales tax information; specifying  
 44 | return requirements; requiring the department to  
 45 | distribute certain proceeds to Space Florida; requiring  
 46 | expenditure of such proceeds for certain purposes;  
 47 | creating s. 1004.86, F.S.; requiring the Department of  
 48 | Education to establish the Florida Center for Mathematics  
 49 | and Science Education Research at a public state  
 50 | university; specifying requirements for the center;  
 51 | repealing s. 331.314, F.S., relating to the exclusive  
 52 | authority of the Florida Space Authority to regulate  
 53 | spaceports; repealing s. 331.367, F.S., relating to the  
 54 | Spaceport Management Council; repealing s. 331.368, F.S.,  
 55 | relating to the Florida Space Research Institute;  
 56 | repealing ss. 331.401, 331.403, 331.405, 331.407, 331.409,

57 331.411, 331.415, 331.417, and 331.419, F.S., relating to  
 58 the Florida Aerospace Finance Corporation; providing that  
 59 the Florida Space Authority, the Florida Space Research  
 60 Institute, and the Florida Aerospace Finance Corporation  
 61 are dissolved on a specified date; providing that Space  
 62 Florida assumes the records, property, and unexpended  
 63 balances of appropriations, allocations, and other funds  
 64 from the dissolved entities; requiring the Governor, the  
 65 President of the Senate, and the Speaker of the House of  
 66 Representatives to appoint the board of directors of Space  
 67 Florida by a specified date; requiring the board of  
 68 directors of Space Florida to hold its first meeting by a  
 69 specified date; amending ss. 228.1224, 288.9015, 445.004,  
 70 and 1001.10, F.S.; requiring the Florida Commission on  
 71 Tourism, Enterprise Florida, Inc., Workforce Florida,  
 72 Inc., and the Commissioner of Education to enter into  
 73 memoranda of agreement with Space Florida; providing an  
 74 effective date.

75  
 76 Be It Enacted by the Legislature of the State of Florida:

77  
 78 Section 1. Section 331.301, Florida Statutes, is amended  
 79 to read:

80 331.301 Short title.--This act may be cited as the "Space  
 81 ~~Florida Space Authority~~ Act."

82 Section 2. Section 331.3011, Florida Statutes, is created  
 83 to read:

84 331.3011 Legislative findings and intent.--

85       (1) The Legislature finds and declares that the aerospace  
86 industry of this state is integral to the state's long-term  
87 success in diversifying its economy and building a knowledge-  
88 based economy that is able to support the creation of high  
89 value-added businesses and jobs. Further, under the direction  
90 and leadership of a single, private-public board, this state has  
91 the opportunity to strengthen its existing leadership in civil  
92 and military aerospace activity and emerge as a leader in the  
93 nation's new vision for space exploration and commercial  
94 aerospace opportunities, including the integration of space,  
95 aeronautics, and aviation technologies. As the leading location  
96 for talent, research, advanced technologies and systems  
97 development, launch, and other aerospace-based industry  
98 activities, this state can position itself for sustainable  
99 economic growth and prosperity.

100       (2) The Legislature finds that attaining this vision  
101 requires a strong public and private commitment to a world class  
102 aerospace and aeronautics industry. It is the intent of the  
103 Legislature that Space Florida will encourage the public and  
104 private sectors to work together to implement an aggressive  
105 strategy that enhances the state's workforce, education, and  
106 research capabilities, with emphasis on mathematics, science,  
107 engineering, and related fields; will focus on the state's  
108 economic development efforts in order to capture a larger share  
109 of activity in aerospace research, technology, production, and  
110 commercial operations, while maintaining the state's historical  
111 leadership in space launch activities; and will preserve the  
112 unique national role served by the Cape Canaveral Air Force

113 Station and Kennedy Space Center by reducing costs and improving  
 114 the regulatory flexibility for commercial sector launches while  
 115 pursuing the development of alternative sites for commercial  
 116 horizontal launches.

117 (3) It is the intent of the Legislature that aerospace  
 118 activities be highly visible and coordinated within this state.  
 119 To that end, it is the intent of the Legislature that Space  
 120 Florida provide a single point of contact for state aerospace-  
 121 related activities with federal agencies, the military, state  
 122 agencies, businesses, and the private sector.

123 Section 3. Section 331.302, Florida Statutes, is amended  
 124 to read:

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

127 331.302 Space Florida; creation; purpose.--

128 (1) There is established, formed, and created Space  
 129 Florida, which is created and incorporated as a public  
 130 corporation, body politic, and subdivision of the state to  
 131 foster the growth and development of a sustainable and world-  
 132 leading aerospace industry in this state. Space Florida shall  
 133 promote aerospace business development by facilitating business  
 134 financing, spaceport operations, research and development,  
 135 workforce development, and innovative education programs. Space  
 136 Florida has all the powers, rights, privileges, and authority as  
 137 provided under the laws of this state.

138 (2) In carrying out its duties and responsibilities, Space  
 139 Florida shall advise, coordinate, cooperate, and, when  
 140 necessary, enter into memoranda of agreement with

141 municipalities, counties, regional authorities, state agencies  
 142 and organizations, appropriate federal agencies and  
 143 organizations, and other interested persons and groups.

144 (3) Space Florida may not endorse any candidate for any  
 145 elected public office or contribute money to the campaign of any  
 146 candidate for public office.

147 (4) Space Florida is not an agency as defined in ss.  
 148 216.011 and 287.012.

149 Section 4. Section 331.303, Florida Statutes, is amended  
 150 to read:

151 331.303 Definitions.--

152 (1) "Aerospace" means the industry that designs and  
 153 manufactures aircraft related to space flight, rockets,  
 154 missiles, spacecraft, satellites, space vehicles, space  
 155 stations, space facilities or components thereof, and equipment,  
 156 systems, facilities, simulators, programs, and related  
 157 activities. "Authority" ~~means the Florida Space Authority~~  
 158 ~~created by this act.~~

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

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

164 (4) "Business client" means any person, other than a state  
 165 official or state employee, who receives the services of, or is  
 166 the subject of solicitation by, representatives of Space Florida  
 167 ~~the authority~~ in connection with the performance of its  
 168 statutory duties, including purchasers or prospective purchasers

169 of Space Florida ~~authority~~ services, persons or representatives  
 170 of firms considering or being solicited for investment in Space  
 171 Florida ~~authority~~ projects, persons or representatives of firms  
 172 considering or being solicited for location, relocation, or  
 173 expansion of an aerospace-related ~~a space-related~~ business  
 174 within the state, and business, financial, or other persons  
 175 connected with the aerospace ~~space~~ industry.

176 (5) "Complementary activity" means any aerospace ~~space~~  
 177 business incubator, aerospace ~~space~~ tourism activity,  
 178 educational involvement in an incubator, or space tourism and  
 179 aerospace-related ~~space-related~~ research and development.

180 (6) "Conduit bond" means any bond of Space Florida that  
 181 ~~the authority which~~ is a nonrecourse obligation of Space Florida  
 182 ~~the authority~~ payable from the proceeds of the ~~such~~ bonds and  
 183 related financing agreements.

184 (7) "Cost" means all costs, fees, charges, expenses, and  
 185 amounts associated with the development of projects by Space  
 186 Florida ~~the authority~~.

187 (8) "Entertainment expenses" means the actual, necessary,  
 188 and reasonable costs of providing hospitality for business  
 189 clients or guests, which costs are defined and prescribed by  
 190 rules adopted by Space Florida ~~the authority~~, subject to  
 191 approval by the Chief Financial Officer.

192 (9) "Federal aid" means any property, funding, or other  
 193 financial assistance provided by the Federal Government to Space  
 194 Florida ~~the authority~~ for its projects.

195 (10) "Financing agreement" means a lease, lease-purchase  
 196 agreement, lease with option to purchase, sale or installment

197 sale agreement, whether title passes in whole or in part at any  
 198 time before ~~prior to~~, at, or after completion of the project,  
 199 loan agreement, or other agreement forming the basis for the  
 200 financing under this act, including any agreements, guarantees,  
 201 or security instruments forming part of or related to providing  
 202 assurance of payment of the obligations under the ~~such~~ financing  
 203 agreement.

204 (11) "Guest" means a person, other than a state official  
 205 or state employee, authorized by the board or its designee to  
 206 receive the hospitality of Space Florida ~~the authority~~ in  
 207 connection with the performance of its statutory duties.

208 (12) "Landing area" means the geographical area designated  
 209 by Space Florida ~~the authority~~ within the spaceport territory  
 210 for or intended for the landing and surface maneuvering of any  
 211 launch or other space vehicle.

212 (13) "Launch pad" means any launch pad, runway, airstrip,  
 213 or similar facility ~~used by the spaceport or spaceport user~~ for  
 214 launching ~~of~~ space vehicles.

215 (14) "Payload" means any property or cargo to be  
 216 transported aboard any vehicle launched by or from the  
 217 spaceport.

218 (15) "Person" means any individual, child, community  
 219 college, college, university, firm, association, joint venture,  
 220 partnership, estate, trust, business trust, syndicate,  
 221 fiduciary, corporation, nation, government (federal, state, or  
 222 local), agency (government or other), subdivision of the state,  
 223 municipality, county, business entity, or any other group or  
 224 combination.

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225 (16) "Project" means any development, improvement,  
226 property, launch, utility, facility, system, works, road,  
227 sidewalk, enterprise, service, or convenience, which may include  
228 coordination with state partners or agencies ~~Enterprise Florida,~~  
229 ~~Inc., the Board of Education, the Florida Aerospace Finance~~  
230 ~~Corporation, and the Florida Space Research Institute;~~ any  
231 rocket, capsule, module, launch facility, assembly facility,  
232 operations or control facility, tracking facility,  
233 administrative facility, or any other type of space-related  
234 transportation vehicle, station, or facility; any type of  
235 equipment or instrument to be used or useful in connection with  
236 any of the foregoing; any type of intellectual property and  
237 intellectual property protection in connection with any of the  
238 foregoing including, without limitation, any patent, copyright,  
239 trademark, and service mark for, among other things, computer  
240 software; any water, wastewater, gas, or electric utility  
241 system, plant, or distribution or collection system; any small  
242 business incubator initiative, including any startup aerospace  
243 company, and any aerospace business proposing to expand or  
244 locate its business in this state, research and development  
245 company, research and development facility, education and  
246 workforce training facility, storage facility, and consulting  
247 service; or any tourism initiative, including any space  
248 experience attraction, microgravity flight program, aerospace  
249 space-launch-related activity, and space museum sponsored or  
250 promoted by Space Florida ~~the authority.~~

251 (17) "Range" means the geographical area designated by  
252 Space Florida ~~the authority~~ or other appropriate body as the

253 area for the launching of rockets, missiles, launch vehicles,  
 254 and other vehicles designed to reach high altitude.

255 (18) "Recovery" means the recovery of space vehicles and  
 256 payloads which have been launched from or by a ~~the~~ spaceport.

257 (19) "Spaceport" means any area of land or water, or any  
 258 manmade object or facility located therein, developed by Space  
 259 Florida ~~the authority~~ under this act, which area is intended for  
 260 public use or for the launching, takeoff, and landing of  
 261 spacecraft and aircraft, and includes any appurtenant areas  
 262 which are used or intended for public use, for spaceport  
 263 buildings, or for other spaceport facilities, spaceport  
 264 projects, or rights-of-way.

265 ~~(20) "Spaceport Florida" means the authority or its~~  
 266 ~~facilities and projects.~~

267 (20) ~~(21)~~ "Spaceport launch facilities" means ~~shall be~~  
 268 ~~defined as~~ industrial facilities as described in accordance with  
 269 s. 380.0651(3)(c) and include any launch pad, launch control  
 270 center, and fixed launch-support equipment.

271 (21) ~~(22)~~ "Spaceport system" means the programs,  
 272 organizations, and infrastructure developed by Space Florida ~~the~~  
 273 ~~authority~~ for the development of facilities or activities to  
 274 enhance and provide commercial aerospace space-related  
 275 development opportunities for business, education, workforce  
 276 development, and government within the state.

277 (22) ~~(23)~~ "Spaceport territory" means the geographical area  
 278 designated in s. 331.304 and as amended or changed in accordance  
 279 with s. 331.329.

280 (23) ~~(24)~~ "Spaceport user" means any person who uses the

281 facilities or services of any spaceport; and, for the purposes  
 282 of any exemptions or rights granted under this act, the said  
 283 spaceport user shall be deemed a spaceport user only during the  
 284 time period in which the ~~such~~ person has in effect a contract,  
 285 memorandum of understanding, or agreement with the spaceport,  
 286 and such rights and exemptions shall be granted with respect to  
 287 transactions relating only to spaceport projects.

288 ~~(24)-(25)~~ "Travel expenses" means the actual, necessary,  
 289 and reasonable costs of transportation, meals, lodging, and  
 290 incidental expenses normally incurred by a traveler, which costs  
 291 are defined and prescribed by rules adopted by Space Florida ~~the~~  
 292 ~~authority~~, subject to approval by the Chief Financial Officer.

293 ~~(25)-(26)~~ "Spaceport discretionary capacity improvement  
 294 projects" means capacity improvements that enhance space  
 295 transportation capacity at spaceports that have had one or more  
 296 orbital or suborbital flights during the previous calendar year  
 297 or have an agreement in writing for installation of one or more  
 298 regularly scheduled orbital or suborbital flights upon the  
 299 commitment of funds for stipulated spaceport capital  
 300 improvements.

301 Section 5. Section 331.305, Florida Statutes, is amended  
 302 to read:

303 331.305 Powers of Space Florida ~~the authority~~.--Space  
 304 Florida may ~~The authority shall have the power to:~~

305 (1) Exercise all powers granted to corporations under the  
 306 Florida Business Corporation Act, chapter 607.

307 (2) Sue and be sued by its name in any court of law or in  
 308 equity.

309           (3) Adopt and use a corporate seal and alter the same at  
310 pleasure.

311           ~~(4) Review and make recommendations with respect to a~~  
312 ~~strategy to guide and facilitate the future of space related~~  
313 ~~educational and commercial development. The authority shall in~~  
314 ~~coordination with the Federal Government, private industry, and~~  
315 ~~Florida universities develop a business plan which shall address~~  
316 ~~the expansion of Spaceport Florida locations, space launch~~  
317 ~~capacity, spaceport projects, and complementary activities,~~  
318 ~~which shall include, but not be limited to, a detailed analysis~~  
319 ~~of:~~

320           ~~(a) The authority and the commercial space industry.~~

321           ~~(b) Products, services description potential,~~  
322 ~~technologies, skills.~~

323           ~~(c) Market research and evaluation customers,~~  
324 ~~competition, economics.~~

325           ~~(d) Marketing plan and strategy.~~

326           ~~(e) Design and development plan tasks, difficulties,~~  
327 ~~costs.~~

328           ~~(f) Manufacturing locations, facilities, and operations~~  
329 ~~plan.~~

330           ~~(g) Management organization roles and responsibilities.~~

331           ~~(h) Overall schedule (monthly).~~

332           ~~(i) Important risks, assumptions, and problems.~~

333           ~~(j) Community impact economic, human development,~~  
334 ~~community development.~~

335           ~~(k) Financial plan (monthly for first year; quarterly for~~  
336 ~~next 3 years).~~

337           ~~(1) Proposed authority offering financing,~~  
 338 ~~capitalization, use of funds.~~

339           (4)~~(5)~~ Acquire property, real, personal, intangible,  
 340 tangible, or mixed, within or without its territorial limits, in  
 341 fee simple or any lesser interest or estate, by purchase, gift,  
 342 devise, or lease, on such terms and conditions as the board may  
 343 deem necessary or desirable, and sell or otherwise dispose of  
 344 the same and of any of the assets and properties of Space  
 345 Florida ~~the authority~~.

346           (5)~~(6)~~ Make and execute any and all contracts and other  
 347 instruments necessary or convenient to the exercise of its  
 348 powers, including financing agreements with persons or spaceport  
 349 users to facilitate the financing, construction, leasing, or  
 350 sale of any project.

351           (6)~~(7)~~ Whenever deemed necessary by the board, lease as  
 352 lessor or lessee to or from any person, public or private, any  
 353 facilities or property for the use of Space Florida ~~the~~  
 354 ~~authority~~ and carry out any of the purposes of Space Florida ~~the~~  
 355 ~~authority~~.

356           (7)~~(8)~~ Appoint, through its board of directors  
 357 ~~supervisors~~, a president ~~an executive director~~.

358           (8)~~(9)~~ Own, acquire, construct, develop, create,  
 359 reconstruct, equip, operate, maintain, extend, and improve  
 360 launch pads, landing areas, ranges, payload assembly buildings,  
 361 payload processing facilities, laboratories, aerospace ~~space~~  
 362 business incubators, launch vehicles, payloads, space flight  
 363 hardware, facilities and equipment for the construction of  
 364 payloads, space flight hardware, rockets, and other launch

365 vehicles, and other spaceport facilities and other aerospace-  
 366 related ~~space-related~~ systems, including educational, cultural,  
 367 and parking facilities and space-related initiatives.

368 (9) Insure, coinsure, lend, and guarantee loans and to  
 369 originate for sale direct aerospace-related loans, pursuant to  
 370 criteria, bylaws, policies, and procedures adopted by the board.

371 (10) Capitalize, underwrite, and secure funding for  
 372 aerospace infrastructure, satellites, launch vehicles, and any  
 373 service that supports aerospace launches.

374 (11) Construct, lease, or sell aerospace infrastructure,  
 375 satellites, launch vehicles, and any other related activities  
 376 and services.

377 (12) Acquire, accept, or administer grants, contracts, and  
 378 fees from other organizations to perform activities that are  
 379 consistent with the purposes of this section.

380 ~~(10) Undertake a program of advertising to the public~~  
 381 ~~promoting space related businesses or any spaceport projects of~~  
 382 ~~the authority, and expend moneys and undertake such activities~~  
 383 ~~to carry out such advertising and promotional program as the~~  
 384 ~~board from time to time may determine.~~

385 (13)~~(11)~~ Own, acquire, construct, reconstruct, equip,  
 386 operate, maintain, extend, or ~~and~~ improve transportation  
 387 facilities appropriate to meet the transportation requirements  
 388 of Space Florida ~~the authority~~ and activities conducted within  
 389 the spaceport territory.

390 (14)~~(12)~~ Own, acquire, construct, reconstruct, equip,  
 391 operate, maintain, extend, or ~~and~~ improve electric power plants,  
 392 transmission lines and related facilities, gas mains and

393 facilities of any nature for the production or distribution of  
 394 natural gas, transmission lines and related facilities and  
 395 plants and facilities for the generation and transmission of  
 396 power through traditional and new and experimental sources of  
 397 power and energy; purchase electric power, natural gas, and  
 398 other sources of power for distribution within any spaceport  
 399 territory; develop and operate water and sewer systems and waste  
 400 collection and disposal consistent with chapter 88-130, Laws of  
 401 Florida; and develop and operate such new and experimental  
 402 public utilities, including, but not limited to, centrally  
 403 distributed heating and air-conditioning facilities and  
 404 services, closed-circuit television systems, and computer  
 405 services and facilities, as the board may from time to time  
 406 determine. However, Space Florida may ~~the authority shall~~ not  
 407 construct any system, work, project, or utility authorized to be  
 408 constructed under this paragraph in the event that a system,  
 409 work, project, or utility of a similar character is being  
 410 actually operated by a municipality or private company in the  
 411 municipality or territory adjacent thereto, unless such  
 412 municipality or private company consents to such construction.

413 ~~(15)(13)~~ (15) Designate, set aside, and maintain lands and  
 414 areas within or without the territorial limits of any spaceport  
 415 territory as conservation areas or bird and wildlife  
 416 sanctuaries; stock such areas with animal and plant life and  
 417 stock water areas with fish and other aquatic life; adopt  
 418 pursuant to ss. 120.536(1) and 120.54 ~~promulgate~~ and enforce  
 419 rules ~~and regulations~~ with respect thereto and protect and  
 420 preserve the natural beauty thereof; and do all acts necessary

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421 or desirable in order to qualify such lands and areas as  
422 conservation areas and sanctuaries under any of the laws of the  
423 state or under federal law.

424 (16)~~(14)~~ Establish a program for the control, abatement,  
425 and elimination of mosquitoes and other noxious insects,  
426 rodents, reptiles, and other pests throughout the spaceport  
427 territory and undertake such works and construct such facilities  
428 within or without the spaceport territory as may be determined  
429 by the board to be needed to effectuate such program; abate and  
430 suppress mosquitoes and other arthropods, whether disease-  
431 bearing or pestiferous, within any spaceport territory when in  
432 the judgment of the board such action is necessary or desirable  
433 for the health and welfare of the inhabitants of or visitors to  
434 any spaceport; and take any and all temporary or permanent  
435 eliminative measures that the board may deem advisable. The  
436 Legislature hereby finds and declares Space Florida ~~the~~  
437 ~~authority~~ eligible to receive state funds, supplies, services,  
438 and equipment available or that may in the future become  
439 available to mosquito or pest control districts, the provisions  
440 of s. 388.021 notwithstanding.

441 (17)~~(15)~~ Subject to the rules and regulations of the  
442 appropriate water management district, own, acquire, construct,  
443 reconstruct, equip, maintain, operate, extend, and improve water  
444 and flood control facilities. The Legislature hereby finds and  
445 declares Space Florida ~~the authority~~ eligible to receive moneys,  
446 disbursements, and assistance from the state available to flood  
447 control or water management districts and navigation districts  
448 or agencies.

449        (18)~~(16)~~ Own, acquire, construct, reconstruct, equip,  
 450 maintain, operate, extend, and improve public safety facilities  
 451 for the spaceport, including security stations, security  
 452 vehicles, fire stations, water mains and plugs, and fire trucks  
 453 and other vehicles and equipment; hire employees, security  
 454 officers, and firefighters; and undertake such works and  
 455 construct such facilities determined by the board to be  
 456 necessary or desirable to promote and ensure public safety  
 457 within the spaceport territory.

458        (19)~~(17)~~ Hire, through its president ~~executive director~~, a  
 459 safety officer with substantial experience in public safety  
 460 procedures and programs for space vehicle launching and related  
 461 hazardous operations. The safety officer shall monitor and  
 462 report on the safety and hazards of ground-based space  
 463 operations to the president ~~executive director~~.

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

468        ~~(19) Establish procedures, rules, and rates governing per~~  
 469 ~~diem and travel expenses of its employees, the members of the~~  
 470 ~~board of supervisors, and other persons authorized by the board~~  
 471 ~~to incur such expenses. Except as otherwise provided in s.~~  
 472 ~~331.3101, such rules are subject to provisions of state law or~~  
 473 ~~rules pertaining to per diem and travel expenses of public~~  
 474 ~~officers, employees, or other persons authorized by an agency~~  
 475 ~~head to incur such expenses.~~

476        (20) Examine, develop, and use ~~utilize~~ new concepts,

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477 designs, and ideas; own, acquire, construct, reconstruct, equip,  
478 operate, maintain, extend, and improve experimental spaceport  
479 facilities and services; and otherwise undertake, sponsor,  
480 finance, and maintain such research activities, experimentation,  
481 and development as the board may from time to time determine, in  
482 connection with any of the projects that Space Florida ~~the~~  
483 ~~authority~~ is authorized to undertake pursuant to the powers and  
484 authority vested in it by this act, and in order to promote the  
485 development and utilization of new concepts, designs, and ideas  
486 in the fields of space exploration, commercialization of the  
487 space industry, and spaceport facilities.

488 (21) Issue revenue bonds, assessment bonds, or any other  
489 bonds or obligations authorized by the provisions of this act or  
490 any other law, or any combination of the foregoing, and pay all  
491 or part of the cost of the acquisition, construction,  
492 reconstruction, extension, repair, improvement, or maintenance  
493 of any project or combination of projects, including payloads  
494 and space flight hardware, and equipment for research,  
495 development, and educational activities, to provide for any  
496 facility, service, or other activity of Space Florida ~~the~~  
497 ~~authority~~, and provide for the retirement or refunding of any  
498 bonds or obligations of Space Florida ~~the authority~~, or for any  
499 combination of the foregoing purposes. Space Florida ~~The~~  
500 ~~authority~~ must provide 14 days' notice to the presiding officers  
501 and appropriations chairs of both houses of the Legislature  
502 prior to presenting a bond proposal to the Governor and Cabinet.  
503 If either presiding officer or appropriations chair objects to  
504 the bonding proposal within the 14-day-notice period, the bond

505 issuance may be approved only by a vote of two-thirds of the  
 506 members of the Governor and Cabinet.

507 (22) Make expenditures for entertainment and travel  
 508 expenses and business clients, guests, and other authorized  
 509 persons as provided in this act.

510 (23) In connection with any financing agreement, fix and  
 511 collect fees, loan payments, rental payments, and other charges  
 512 for the use of any project in such amount as to provide  
 513 sufficient moneys to pay the principal of and interest on bonds  
 514 as the same shall become due and payable, if so provided in the  
 515 bond resolution or trust agreement, and to create reserves for  
 516 such purposes. The fees, rents, payments, and charges and all  
 517 other revenues and proceeds derived from the project in  
 518 connection with which the bonds of any issue shall have been  
 519 issued, except such part thereof as may be necessary for such  
 520 reserves or any expenditures as may be provided in the  
 521 resolution authorizing the issuance of the bonds or in the trust  
 522 agreement securing the same, shall be set aside, at the time as  
 523 may be specified in the resolution or trust agreement, in a  
 524 sinking fund which may be pledged to and charged with the  
 525 payment of the principal of and the interest on such bonds as  
 526 the same shall become due and the redemption price or the  
 527 purchase price of bonds retired by call or purchase as therein  
 528 provided. Such pledge is ~~shall be~~ valid and binding from the  
 529 time the pledge is made. The fees, rents, charges, and other  
 530 revenues and moneys so pledged and thereafter received by or on  
 531 behalf of Space Florida ~~the authority~~ shall immediately be  
 532 subject to the lien of any such pledge without any physical

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533 delivery thereof or further act, and the lien of any such pledge  
534 is ~~shall be~~ valid and binding as against all parties having  
535 claims of any kind in tort, contract, or otherwise against Space  
536 Florida ~~the authority~~, irrespective of whether such parties have  
537 notice thereof. Neither the resolution nor any trust agreement  
538 by which a pledge is created need be filed or recorded, except  
539 in the records of Space Florida ~~the authority~~. The use and  
540 disposition of money to the credit of the sinking fund shall be  
541 subject to the provisions of the resolution authorizing the  
542 issuance of such bonds or the provisions of such trust  
543 agreement.

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

548 Section 6. Section 331.3051, Florida Statutes, is created  
549 to read:

550 331.3051 Duties of Space Florida.--Space Florida shall:

551 (1) Create a business plan to foster the growth and  
552 development of the aerospace industry. The business plan must  
553 address business development; finance; spaceport operations;  
554 research and development; workforce development; and education.  
555 The business plan must be completed by March 1, 2007, and be  
556 revised when determined as necessary by the board.

557 (2) Enter into memoranda of agreement with the Department  
558 of Education, the Department of Transportation, Enterprise  
559 Florida, Inc., the Florida Tourism Commission and its direct-  
560 support organization, and Workforce Florida, Inc., for the

561 purpose of implementing this act.

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

566 (4) Create a marketing campaign to help attract, develop,  
567 and retain aerospace businesses, aerospace research and  
568 technology, and other related activities in this state. The  
569 campaign must be coordinated with any existing economic-  
570 development-promotion efforts in this state and may use private  
571 resources. Marketing strategies may include developing  
572 promotional materials, Internet and print advertising, public  
573 relations and media placement, trade show attendance, and other  
574 activities.

575 (5) Develop, in conjunction with Enterprise Florida, Inc.,  
576 and the Florida Commission on Tourism and its direct-support  
577 organization, a public advertising program promoting aerospace-  
578 related activities, businesses, or any Space Florida projects.

579 (6) In cooperation with Enterprise Florida, Inc., develop  
580 a plan to finance aerospace businesses. The plan may include the  
581 following activities:

582 (a) Assembling, publishing, and disseminating information  
583 concerning financing opportunities and techniques for aerospace  
584 projects, programs, and activities; sources of public and  
585 private aerospace financing assistance; and sources of  
586 aerospace-related financing.

587 (b) Organizing, hosting, and participating in seminars and  
588 other forums designed to disseminate information and technical

589 assistance regarding aerospace-related financing.

590 (c) Coordinating with programs and goals of the Department  
591 of Defense, the National Aeronautics and Space Administration,  
592 the Export-Import Bank, the International Trade Administration  
593 of the United States Department of Commerce, the Foreign Credit  
594 Insurance Association, and other private and public programs and  
595 organizations, domestic and foreign.

596 (d) Establishing a network of contacts among those  
597 domestic and foreign public and private organizations that  
598 provide information, technical assistance, and financial support  
599 to the aerospace industry.

600 (7) In carrying out its responsibilities for spaceport  
601 operations:

602 (a) Seek federal support to renew and upgrade the  
603 infrastructure and technologies at the Cape Canaveral Air Force  
604 Station, the Kennedy Space Center, and the Eastern Range that  
605 will enhance space and military programs of the Federal  
606 Government, and improve access for commercial launch activities.

607 (b) Support federal efforts to clarify roles and  
608 responsibilities of federal agencies, and eliminate duplicative  
609 federal rules and policies, in an effort to streamline access  
610 for commercial launch users.

611 (c) Pursue the development of additional commercial  
612 spaceports in the state through a competitive request for  
613 proposals in partnership with counties or municipalities, the  
614 Federal Government, or private entities.

615 (d) Promote and facilitate launch activity within the  
616 state by supporting and assisting commercial launch operators in

617 completing and submitting required documentation and gaining  
618 approvals and authorization from the required federal agencies  
619 for launching from Florida.

620 (e) Consult, as necessary, with the appropriate federal,  
621 state, and local authorities, including the National Aeronautics  
622 and Space Administration, the Federal Aviation Administration,  
623 the Department of Defense, the Department of Transportation, the  
624 Florida National Guard, and industry on all aspects of  
625 establishing and operating spaceport infrastructure and related  
626 facilities within the state.

627 (8) In carrying out its responsibility for research and  
628 development:

629 (a) Manage the contract for the operators of the state's  
630 Space Life Sciences Laboratory.

631 (b) Work in collaboration with one or more universities  
632 and other public or private entities to develop a proposal for a  
633 Center of Excellence for Aerospace that will foster and promote  
634 the research necessary to develop commercially promising,  
635 advanced, and innovative science and technology and will  
636 transfer those discoveries to the commercial sector.

637 (9) In carrying out its responsibility for workforce  
638 development, coordinate with Workforce Florida, Inc., community  
639 colleges, colleges, universities, and other public and private  
640 partners to develop a plan to retain and retrain workers, from  
641 entry-level skills training through to technician-level, and 4-  
642 year degrees and higher, with the skills most relevant to space  
643 and aeronautics employers, and further enhance the Florida  
644 Aviation/Aerospace Banner Center to ensure that graduates from

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645 the institution meet the needs of the space and aeronautics  
646 industry.

647 (10) In carrying out its responsibility for creating  
648 innovative education programs, fund programs developed in  
649 conjunction with the Department of Education, targeting grades  
650 K-20 in an effort to promote mathematics and science education  
651 programs, which may include the Florida-NASA Matching Grant  
652 Program, aerospace-focused education programs for teachers,  
653 education-oriented microgravity flight programs for teachers and  
654 students, and Internet-based aerospace education. Funds for  
655 these programs shall include tax revenues distributed to Space  
656 Florida under s. 212.20(6)(d) and may also include private-  
657 sector support or in-kind contributions. In its annual report,  
658 Space Florida shall include, at a minimum, a description of  
659 programs funded, the number of students served, and private-  
660 sector support.

661 Section 7. Section 331.306, Florida Statutes, is amended  
662 to read:

663 331.306 Federal airspace notification.--In coordination  
664 with the Florida Department of Transportation, Space Florida ~~the~~  
665 ~~authority~~ shall develop and file the federal airspace  
666 notification required for priority airspace use.

667 Section 8. Section 331.308, Florida Statutes, is amended  
668 to read:

669 331.308 Board of directors ~~supervisors~~.--

670 (1) Space Florida shall be governed by a board of  
671 directors. Designees of appointed members do not have voting  
672 authority. The board of directors shall consist of the following

673 members:

674 (a) The Governor or the Governor's designee.

675 (b) The Secretary of Transportation or the secretary's  
676 designee.

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

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

681 (e) The president of the Florida Tourism Commission's  
682 direct-support organization or the president's designee.

683 (f) The Commissioner of Education or the commissioner's  
684 designee.

685 (g) Seven members from the private sector appointed by the  
686 Governor. In making these appointments, the Governor shall  
687 ensure that the composition of the board reflects the diversity  
688 of the aerospace industry community of this state and, to the  
689 greatest degree possible, that the composition of the board  
690 includes, but is not limited to, individuals representing the  
691 industries of business, finance, marketing, space, aerospace,  
692 aviation, defense, research and development, and education. The  
693 Governor shall also consider whether the current members of the  
694 board, together with potential appointees, reflect the racial,  
695 ethnic, and gender diversity, as well as the geographic  
696 distribution, of the population of the state.

697 (h) Two ex officio, nonvoting members, one of whom shall  
698 be a member of the Senate, selected by the President of the  
699 Senate, and one of whom shall be a member of the House of  
700 Representatives, selected by the Speaker of the House of

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701 Representatives.

702 (i) Six members from the private sector, three of whom  
703 shall be appointed by the President of the Senate and three of  
704 whom shall be appointed by the Speaker of the House of  
705 Representatives.

706 (2) (a) Vacancies on the board shall be filled for the  
707 unexpired term in the same manner as the original appointments  
708 to the board.

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

712 1. The Governor shall appoint two members for a 1-year  
713 term, two members for 2-year terms, and three members for 4-year  
714 terms.

715 2. The President of the Senate and the Speaker of the  
716 House of Representatives shall each appoint one member for a 1-  
717 year term, one member for a 2-year term, and one member for a 4-  
718 year term.

719 (c) Any member is eligible for reappointment.

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

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

725 (5) The Governor shall serve as chair of the board of  
726 directors. The board of directors shall biennially elect one of  
727 its members as vice chair to serve in the absence of the  
728 Governor and to perform such other duties as may be designated.

729 The president shall keep a record of the proceedings of the  
 730 board of directors and shall be the custodian of all books,  
 731 documents, and papers filed with the board of directors, the  
 732 minutes of the board of directors, and the official seal of  
 733 Space Florida.

734 (6) The board of directors shall meet at least four times  
 735 each year, upon the call of the chair, at the request of the  
 736 vice chair, or at the request of a majority of the membership. A  
 737 majority of the total number of current voting directors shall  
 738 constitute a quorum. The board of directors may take official  
 739 action by a majority vote of the members present at any meeting  
 740 at which a quorum is present.

741 (7) Members of the board of directors shall serve without  
 742 compensation, but members, the president, and staff may be  
 743 reimbursed for all reasonable, necessary, and actual expenses,  
 744 as determined by the board of directors of Space Florida  
 745 pursuant to s. 112.061.

746 (8) Each member of the board of directors of Space Florida  
 747 who is not otherwise required to file financial disclosure  
 748 pursuant to s. 8, Art. II of the State Constitution or s.  
 749 112.3144, shall file disclosure of financial interests pursuant  
 750 to s. 112.3145. ~~There is created within the Florida Space~~  
 751 ~~Authority a board of supervisors consisting of eight regular~~  
 752 ~~members, who shall be appointed by the Governor, and two ex~~  
 753 ~~officio nonvoting members, one of whom shall be a state senator~~  
 754 ~~selected by the President of the Senate and one of whom shall be~~  
 755 ~~a state representative selected by the Speaker of the House of~~  
 756 ~~Representatives. The Lieutenant Governor, who is the state's~~

757 ~~space policy leader, shall serve as chair of the board of~~  
758 ~~supervisors, and shall cast the deciding vote if the votes of~~  
759 ~~the eight regular members result in a tie. The board shall elect~~  
760 ~~a vice chair to preside in the absence of the Lieutenant~~  
761 ~~Governor and to perform such other duties as may be designated.~~  
762 ~~All regular members shall be subject to confirmation by the~~  
763 ~~Senate at the next regular session of the Legislature. Existing~~  
764 ~~board members are not prohibited from reappointment. Each of the~~  
765 ~~regular board members must be a resident of the state and must~~  
766 ~~have experience in the aerospace or commercial space industry or~~  
767 ~~in finance or have other significant relevant experience. A~~  
768 ~~private sector legal entity may not have more than one person~~  
769 ~~serving on the board at any one time. One regular member shall~~  
770 ~~represent organized labor interests, one regular member shall~~  
771 ~~represent minority interests, and four regular members must~~  
772 ~~represent space industry, at least one of whom must also be from~~  
773 ~~a small business, as defined in s. 288.703. For the purpose of~~  
774 ~~this section, "space industry" includes private sector entities~~  
775 ~~engaged in space flight business, as defined in s. 212.031,~~  
776 ~~research and technology development of space based products and~~  
777 ~~services, space station commercialization, development of~~  
778 ~~spaceport and range technology, remote sensing products and~~  
779 ~~services, space biotechnology, measurement and calibration of~~  
780 ~~space assets, space related software and information technology~~  
781 ~~development, design and architecture of space based assets and~~  
782 ~~facilities for manufacturing and other purposes, space related~~  
783 ~~nanotechnology, space tourism, and other commercial enterprises~~  
784 ~~utilizing uniquely space based capabilities.~~

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

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

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

795           ~~(5) The board shall appoint an executive director.~~  
 796 ~~Meetings shall be held quarterly or more frequently at the call~~  
 797 ~~of the chair. A majority of the regular members of the board~~  
 798 ~~shall constitute a quorum, and a majority vote of such members~~  
 799 ~~present is necessary for any action taken by the board.~~

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

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

809           331.309 Treasurer; depositories; fiscal agent.--

810           (1) The board shall designate an individual who is a  
 811 resident of the state, or a qualified public depository as  
 812 defined in s. 280.02, as treasurer of Space Florida the

813 ~~authority~~, who shall have charge of the funds of Space Florida  
 814 ~~the authority~~. Such funds shall be disbursed only upon the order  
 815 of or pursuant to the resolution of the board by warrant, check,  
 816 authorization, or direct deposit pursuant to s. 215.85, signed  
 817 or authorized by the treasurer or his or her representative or  
 818 by such other persons as may be authorized by the board. The  
 819 board may give the treasurer such other or additional powers and  
 820 duties as the board may deem appropriate and shall establish the  
 821 treasurer's compensation. The board may require the treasurer to  
 822 give a bond in such amount, on such terms, and with such  
 823 sureties as may be deemed satisfactory to the board to secure  
 824 the performance by the treasurer of his or her powers and  
 825 duties. The board shall audit or have audited the books of the  
 826 treasurer at least once a year.

827 (2) The board is authorized to select as depositories in  
 828 which the funds of the board and of Space Florida ~~the authority~~  
 829 shall be deposited any qualified public depository as defined in  
 830 s. 280.02, upon such terms and conditions as to the payment of  
 831 interest by such depository upon the funds so deposited as the  
 832 board may deem just and reasonable. ~~Funds of the authority may~~  
 833 ~~also be deposited with the Florida Commercial Space Financing~~  
 834 ~~Corporation created by s. 331.407.~~ The funds of Space Florida  
 835 ~~the authority~~ may be kept in or removed from the State Treasury  
 836 upon written notification from the chair of the board to the  
 837 Chief Financial Officer.

838 (3) The board may employ a fiscal agent, who shall be  
 839 either a resident of the state or a corporation organized under  
 840 the laws of this or any other state and authorized by such laws

841 to act as such fiscal agent in the state.

842 Section 10. Section 331.310, Florida Statutes, is amended  
843 to read:

844 331.310 Powers and duties of the board of directors  
845 ~~supervisors. -- Except as otherwise provided in this act, all of~~  
846 ~~the powers and duties of the authority shall be exercised by and~~  
847 ~~through the board of supervisors, including the power and duty~~  
848 ~~to:~~

849 (1) The board may: ~~Adopt bylaws, rules, resolutions, and~~  
850 ~~orders prescribing the powers, duties, and functions of the~~  
851 ~~officers of the authority, the conduct of the business of the~~  
852 ~~authority, the maintenance of records, and the form of all~~  
853 ~~documents and records of the authority. The board may adopt~~  
854 ~~administrative rules and regulations with respect to any of the~~  
855 ~~projects of the authority, with notice and public hearing.~~

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

858 (a)(3) ~~Enter, and authorize any agent or employee of Space~~  
859 ~~Florida the authority to enter, upon any lands, waters, and~~  
860 ~~premises, upon giving reasonable notice and due process to the~~  
861 ~~land owner, for the purposes of making surveys, soundings,~~  
862 ~~drillings, appraisals, and examinations necessary to perform its~~  
863 ~~duties and functions. Any such entry shall not be deemed a~~  
864 ~~trespass or an entry that would constitute a taking in an~~  
865 ~~eminent domain proceeding. Space Florida ~~The authority~~ shall~~  
866 ~~make reimbursement for any actual damages to such lands, waters,~~  
867 ~~and premises as a result of such activity.~~

868 (b)(4) Execute all contracts and other documents, adopt

869 all proceedings, and perform all acts determined by the board to  
 870 be necessary or desirable to carry out the purposes of this act.  
 871 The board may authorize one or more members of the board to  
 872 execute contracts and other documents on behalf of the board or  
 873 Space Florida ~~the authority~~.

874 (c) ~~(5)~~ Establish and create such departments, committees,  
 875 or other entities ~~agencies~~ as from time to time the board may  
 876 deem necessary or desirable in the performance of any acts or  
 877 other things necessary to the exercise of the powers provided in  
 878 this act, and delegate to such departments, boards, or other  
 879 agencies such administrative duties and other powers as the  
 880 board may deem necessary or desirable.

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

884 (d) ~~(7)~~ Examine, and authorize any officer or agent of  
 885 Space Florida ~~the authority~~ to examine, the county tax rolls  
 886 with respect to the assessed valuation of the real and personal  
 887 property within any spaceport territory.

888 (e) ~~(8)~~ Engage in the planning and implementation of space-  
 889 related economic and educational development within the state.

890 (f) Provide the strategic direction for the aerospace-  
 891 related research priorities of the state and its aerospace-  
 892 related businesses, the scope of research projects for Space  
 893 Florida, and the timeframe for completion of the projects.

894 (g) ~~(9)~~ Execute intergovernmental agreements and  
 895 development agreements consistent with prevailing statutory  
 896 provisions, including, but not limited to, special benefits or

897 tax increment financing initiatives.

898 (h) ~~(10)~~ Establish reserve funds for future board  
899 operations.

900 (i) ~~(11)~~ Adopt rules pursuant to chapter 120 to carry out  
901 the purposes of this act.

902 (2) The board of directors shall:

903 (a) Adopt bylaws, rules, resolutions, and orders  
904 prescribing the powers, duties, and functions of Space Florida  
905 to conduct the business of Space Florida, the maintenance of  
906 records, and the form of all documents and records of Space  
907 Florida. The board may adopt rules with respect to any of the  
908 projects of Space Florida with notice and a public hearing.

909 (b) Maintain a Space Florida office or offices in  
910 locations that are strategically advantageous to creating or  
911 expanding aerospace activities within the state.

912 (c) Appoint a person to act as the president of Space  
913 Florida, having such official title, functions, duties, powers,  
914 and salary as the board may prescribe.

915 (d) ~~(12)~~ Abide by all applicable federal labor laws in the  
916 construction and day-to-day operations of Space Florida ~~the~~  
917 ~~authority~~ and any spaceport. Further, the board shall establish,  
918 by rule and regulation, pursuant to chapter 120, policies and  
919 procedures for the construction and operation of Space Florida  
920 ~~the authority~~ and any spaceport. The said policies and  
921 procedures shall be such that when Space Florida ~~the authority~~  
922 expends federal funds for construction or operation of any  
923 spaceport project, Space Florida ~~the authority~~ will be subject  
924 to the federal labor laws observed at the Kennedy Space Center

925 and Cape Canaveral Air Force Station, Florida, applicable as a  
 926 result of such federal expenditures.

927 (e) ~~(13)~~ Prepare an annual report of operations. The said  
 928 report shall include, but not be limited to, a balance sheet, an  
 929 income statement, a statement of changes in financial position,  
 930 a reconciliation of changes in equity accounts, a summary of  
 931 significant accounting principles, the auditor's report, a  
 932 summary of the status of existing and proposed bonding projects,  
 933 comments from management about the year's business, and  
 934 prospects for the next year, which shall be submitted each year  
 935 by December 31 ~~November 30~~ to the Governor, the President of the  
 936 Senate, the Speaker of the House of Representatives, the  
 937 minority leader of the Senate, and the minority leader of the  
 938 House of Representatives.

939 (f) Establish a personnel management system for hiring  
 940 employees and establishing employee's benefit packages.  
 941 Personnel of Space Florida are not state employees.

942 (g) Establish procedures, rules, and rates governing per  
 943 diem and travel expenses of its employees, the members of the  
 944 board of directors, and other persons authorized by the board to  
 945 incur such expenses. Except as otherwise provided in s.  
 946 331.3101, such rules are subject to the laws and rules  
 947 pertaining to per diem and travel expenses of public officers,  
 948 employees, or other persons authorized by an agency head to  
 949 incur such expenses.

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

951 Section 11. Section 331.3101, Florida Statutes, is amended  
 952 to read:

953           331.3101 Space Florida ~~Space Authority~~; travel and  
 954 entertainment expenses.--

955           (1) Notwithstanding the provisions of s. 112.061, Space  
 956 Florida ~~the authority~~ shall adopt rules by which it may make  
 957 expenditures by advancement or reimbursement, or a combination  
 958 thereof, to authority officers and employees; reimburse business  
 959 clients, guests, and authorized persons as defined in s.  
 960 112.061(2)(e); and make direct payments to third-party vendors:

961           (a) For travel expenses of such business clients, guests,  
 962 and authorized persons incurred by Space Florida ~~the authority~~  
 963 in connection with the performance of its statutory duties, and  
 964 for travel expenses incurred by state officials and state  
 965 employees while accompanying such business clients, guests, or  
 966 authorized persons or when authorized by the board or its  
 967 designee.

968           (b) For entertainment expenses of such guests, business  
 969 clients, and authorized persons incurred by Space Florida ~~the~~  
 970 ~~authority~~ in connection with the performance of its statutory  
 971 duties, and for entertainment expenses incurred for authority  
 972 officials and employees when such expenses are incurred while in  
 973 the physical presence of such business clients, guests, or  
 974 authorized persons.

975           (2) The rules shall be subject to approval by the Chief  
 976 Financial Officer before adoption ~~prior to promulgation~~. The  
 977 rules shall require the submission of paid receipts, or other  
 978 proof prescribed by the Chief Financial Officer, with any claim  
 979 for reimbursement, and shall require, as a condition for any  
 980 advancement, an agreement to submit paid receipts or other proof

981 and to refund any unused portion of the advancement within 15  
 982 days after the expense is incurred or, if the advancement is  
 983 made in connection with travel, within 15 days after completion  
 984 of the travel. However, with respect to an advancement made  
 985 solely for travel expenses, the rules may allow paid receipts or  
 986 other proof to be submitted, and any unused portion of the  
 987 advancement to be refunded, within 30 days after completion of  
 988 the travel.

989 (3) An annual report shall be made to the Legislature not  
 990 later than December 31 ~~November 30~~ of each year for the previous  
 991 fiscal year, which shall consist of a synopsis concisely  
 992 summarizing all travel, entertainment, and incidental expenses  
 993 incurred within the United States and, separately, all travel,  
 994 entertainment, and incidental expenses incurred outside the  
 995 United States.

996 (4) A ~~No~~ claim submitted under this section is not ~~shall~~  
 997 ~~be~~ required to be sworn to before a notary public or other  
 998 officer authorized to administer oaths, but any claim authorized  
 999 or required to be made under any provision of this section must  
 1000 ~~shall~~ contain a statement that the expenses were actually  
 1001 incurred as necessary travel or entertainment expenses in the  
 1002 performance of official duties of Space Florida ~~the authority~~  
 1003 and shall be verified by written declaration that it is true and  
 1004 correct as to every material matter. Any person who willfully  
 1005 makes and subscribes to any such claim which the person does not  
 1006 believe to be true and correct as to every material matter or  
 1007 who willfully aids or assists in, or procures, counsels, or  
 1008 advises, the preparation or presentation of a claim pursuant to

1009 | this section, which claim is fraudulent or false as to any  
 1010 | material matter, whether or not such falsity or fraud is with  
 1011 | the knowledge or consent of the person authorized or required to  
 1012 | present such claim, commits a misdemeanor of the second degree,  
 1013 | punishable as provided in s. 775.082 or s. 775.083. Whoever  
 1014 | receives an advancement or reimbursement by means of a false  
 1015 | claim is civilly liable, in the amount of the overpayment, for  
 1016 | the reimbursement of the public fund from which the claim was  
 1017 | paid.

1018 |         Section 12. Section 331.311, Florida Statutes, is amended  
 1019 | to read:

1020 |         331.311 Exercise by authority of its powers within  
 1021 | municipalities and other political subdivisions.--Space Florida  
 1022 | may ~~The authority shall have the power to~~ exercise any of its  
 1023 | rights, powers, privileges, and authority in any and all  
 1024 | portions of any spaceport territory lying within the boundaries  
 1025 | of any municipal corporation or other political subdivision,  
 1026 | heretofore or hereafter created or organized, whose boundaries  
 1027 | lie wholly or partly within the geographical limits of the  
 1028 | spaceport territory, to the same extent and in the same manner  
 1029 | as in areas of the spaceport territory not incorporated as part  
 1030 | of a municipality or other political subdivision. With respect  
 1031 | to any municipal corporation or other political subdivision  
 1032 | whose boundaries lie partly within and partly without the  
 1033 | geographical limits of the spaceport territory, Space Florida  
 1034 | may ~~the authority shall have the power to~~ exercise its rights,  
 1035 | powers, privileges, and authority only within the portion of the  
 1036 | ~~such~~ municipal corporation or other political subdivision lying

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1037 within the boundaries of the spaceport territory.

1038 Section 13. Section 331.312, Florida Statutes, is amended  
1039 to read:

1040 331.312 Furnishing facilities and services within the  
1041 spaceport territory.--Space Florida may ~~The authority shall have~~  
1042 ~~the power to~~ construct, develop, create, maintain, and operate  
1043 its projects within the geographical limits of the spaceport  
1044 territory, including any portions of the spaceport territory  
1045 located inside the boundaries of any incorporated municipality  
1046 or other political subdivision, and to offer, supply, and  
1047 furnish the facilities and services provided for in this act to,  
1048 and to establish and collect fees, rentals, and other charges  
1049 from, persons, public or private, within the geographical limits  
1050 of the spaceport territory and for the use of Space Florida ~~the~~  
1051 ~~authority~~ itself.

1052 Section 14. Section 331.313, Florida Statutes, is amended  
1053 to read:

1054 331.313 Power of Space Florida ~~the authority~~ with respect  
1055 to roads.--Within the territorial limits of any spaceport  
1056 territory, Space Florida may ~~the authority has the right to~~  
1057 acquire, through purchase or interagency agreement, or as  
1058 otherwise provided in law, and to construct, control, and  
1059 maintain, roads deemed necessary by Space Florida ~~the authority~~  
1060 and connections thereto and extensions thereof now or hereafter  
1061 acquired, constructed, or maintained in accordance with  
1062 established highway safety standards; provided that, in the  
1063 event a road being addressed by Space Florida ~~the authority~~ is  
1064 owned by another agency or jurisdiction, Space Florida ~~the~~

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1065 ~~authority, before~~ before ~~prior to~~ proceeding with the proposed project  
 1066 or work activity, shall have either coordinated the desired work  
 1067 with the owning agency or jurisdiction or shall have  
 1068 successfully executed an interagency agreement with the owning  
 1069 agency or jurisdiction.

1070 Section 15. Section 331.315, Florida Statutes, is amended  
 1071 to read:

1072 331.315 Maintenance of projects across rights-of-  
 1073 way.--Space Florida may ~~The authority shall have the right to~~  
 1074 construct and operate its projects in, along, or under any  
 1075 streets, alleys, highways, or other public places or ways, and  
 1076 across any drain, ditch, canal, floodway, holding basin,  
 1077 excavation, railroad right-of-way, track, grade, fill, or cut;  
 1078 ~~provided,~~ however, Space Florida shall pay ~~that~~ just  
 1079 compensation, including fees, ~~shall be paid by the authority~~ for  
 1080 any damages arising from ~~or private property taken by~~ the  
 1081 exercise of such power.

1082 Section 16. Section 331.316, Florida Statutes, is amended  
 1083 to read:

1084 331.316 Rates, fees, rentals, tolls, fares, and charges;  
 1085 procedure for adoption and modification; minimum revenue  
 1086 requirements.--

1087 (1) To recover the costs of the spaceport facility or  
 1088 system, Space Florida may ~~the authority shall have the power to~~  
 1089 prescribe, fix, establish, and collect rates, fees, rentals,  
 1090 tolls, fares, or other charges (hereinafter referred to as  
 1091 "revenues"), and to revise the same from time to time, for the  
 1092 facilities and services furnished or to be furnished by Space

1093 Florida ~~the authority~~ and the spaceport, including, but not  
 1094 limited to, launch pads, ranges, payload assembly and processing  
 1095 facilities, visitor and tourist facilities, transportation  
 1096 facilities, and parking and other related facilities, and may  
 1097 ~~shall have the power to~~ provide for reasonable penalties against  
 1098 any user or property for any such rates, fees, rentals, tolls,  
 1099 fares, or other charges that are delinquent.

1100 (2) The board may ~~shall have the power to~~ enter into  
 1101 contracts for the use of the projects of Space Florida ~~the~~  
 1102 ~~authority~~ and for the services and facilities furnished or to be  
 1103 furnished by Space Florida ~~the authority~~, including, but not  
 1104 limited to, launch services, payload assembly and processing,  
 1105 and other aerospace-related ~~space-related~~ services, for such  
 1106 consideration and on such other terms and conditions as the  
 1107 board may approve. Such contracts, and revenues or service  
 1108 charges received or to be received by Space Florida ~~the~~  
 1109 ~~authority~~ thereunder, may be pledged as security for any of the  
 1110 bonds of Space Florida ~~the authority~~.

1111 Section 17. Section 331.317, Florida Statutes, is amended  
 1112 to read:

1113 331.317 Recovery of delinquent charges.--In the event that  
 1114 any of the rates, fees, rentals, tolls, fares, other charges, or  
 1115 delinquent penalties shall not be paid as and when due and shall  
 1116 be in default for 30 days or more, the unpaid balance thereof  
 1117 and all interest accrued thereon, together with attorney's fees  
 1118 and costs, may be recovered by Space Florida ~~the authority~~ in a  
 1119 civil action.

1120 Section 18. Section 331.318, Florida Statutes, is amended

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1121 to read:

1122           331.318 Discontinuance of service.--In the event that the  
 1123 rates, fees, rentals, tolls, fares, or other charges for the  
 1124 services and facilities of any project are not paid when due,  
 1125 the board may ~~shall have the power to~~ discontinue and shut off  
 1126 the same until such rates, fees, rentals, tolls, fares, or other  
 1127 charges, including interest, penalties, and charges for the  
 1128 shutting off and discontinuance and the restoration of such  
 1129 services and facilities, are fully paid. Such delinquent rates,  
 1130 fees, rentals, tolls, fares, or other charges, together with  
 1131 interest, penalties, and charges for the shutting off and  
 1132 discontinuance and the restoration of such services and  
 1133 facilities, and reasonable attorney's fees and other expenses,  
 1134 may be recovered by Space Florida ~~the authority~~ by suit in any  
 1135 court of competent jurisdiction. Space Florida ~~The authority~~ may  
 1136 also enforce payment of such delinquent rates, fees, rentals,  
 1137 tolls, fares, or other charges by any other lawful method of  
 1138 enforcement.

1139           Section 19. Section 331.319, Florida Statutes, is amended  
 1140 to read:

1141           331.319 Comprehensive planning; building and safety  
 1142 codes.--The board of directors may ~~supervisors shall have the~~  
 1143 ~~power to~~:

1144           (1) Adopt, and from time to time review, amend,  
 1145 supplement, or repeal, a comprehensive general plan for the  
 1146 physical development of the area within the spaceport territory  
 1147 in accordance with the objectives and purposes of this act and  
 1148 consistent with the comprehensive plans of the applicable county

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1149 or counties and municipality or municipalities adopted pursuant  
 1150 to the Local Government Comprehensive Planning and Land  
 1151 Development Regulation Act, part II of chapter 163.

1152 (2) Prohibit within the spaceport territory the  
 1153 construction, alteration, repair, removal, or demolition, or the  
 1154 commencement of the construction, alteration, repair (except  
 1155 emergency repairs), removal, or demolition, of any building or  
 1156 structure, including, but not by way of limitation, public  
 1157 utility poles, lines, pipes, and facilities, without first  
 1158 obtaining a permit from the board or such other officer or  
 1159 agency as the board may designate, and to prescribe the  
 1160 procedure with respect to the obtaining of such permit.

1161 Section 20. Section 331.320, Florida Statutes, is amended  
 1162 to read:

1163 331.320 Additional powers of board.--The board of  
 1164 directors may ~~shall have the power~~ within any spaceport  
 1165 territory ~~to~~:

1166 (1) Adopt regulations to prohibit or control the pollution  
 1167 of air and water, and require certain location and placement of  
 1168 electrical power, telephone, and other utility lines, cables,  
 1169 pipes, and ducts.

1170 (2) Divide the spaceport territory into zones or districts  
 1171 of such number, shape, and area as the board may deem best  
 1172 suited to carry out the purposes of this act, and within and for  
 1173 each such district make regulations and restrictions as provided  
 1174 for in subsection (1).

1175 Section 21. Section 331.321, Florida Statutes, is amended  
 1176 to read:

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1177           331.321 Federal and other funds and aid.--Space Florida  
 1178 may ~~The authority is authorized to~~ accept, receive, and receipt  
 1179 for federal moneys, property, and other moneys or properties,  
 1180 either public or private, for the acquisition, planning,  
 1181 operation, construction, enlargement, improvement, maintenance,  
 1182 equipment, or development of programs, facilities, and sites  
 1183 therefor, and ~~to~~ comply with the provisions of the laws of the  
 1184 United States and any rules and regulations made thereunder for  
 1185 the expenditure of federal moneys.

1186           Section 22. Section 331.322, Florida Statutes, is amended  
 1187 to read:

1188           331.322 Agreements with municipalities within any  
 1189 spaceport territory.--The board of directors and the governing  
 1190 body or bodies of any one or more municipalities located wholly  
 1191 or partly within any spaceport territory, whether now in  
 1192 existence or hereafter created, may ~~are authorized to~~ enter into  
 1193 and carry into effect contracts and agreements relating to the  
 1194 common powers, duties, and functions of the board and other  
 1195 officers, agents, and employees of Space Florida ~~the authority~~,  
 1196 and the respective governing body or bodies of one or more such  
 1197 municipalities, and their respective officers, agents, and  
 1198 employees, to the end that there may be effective cooperation  
 1199 between and coordination of the efforts of such municipality or  
 1200 municipalities and Space Florida ~~the authority~~ in discharging  
 1201 their common functions, powers, and duties and in rendering  
 1202 services to the respective residents and property owners of such  
 1203 municipality or municipalities and Space Florida ~~the authority~~.  
 1204 The board and the governing body or bodies of one or more such

1205 municipalities are further authorized to enter into and carry  
 1206 into effect contracts and agreements for the performance of any  
 1207 of their common functions, powers, and duties by a central  
 1208 agency or common agent of the contracting parties.

1209 Section 23. Section 331.323, Florida Statutes, is amended  
 1210 to read:

1211 331.323 Cooperative agreements with the state, counties,  
 1212 and municipalities.--

1213 (1) The state and the counties, municipalities, and other  
 1214 political subdivisions, public bodies, and agencies thereof, or  
 1215 any of them, whether now existing or hereafter created, are  
 1216 authorized to aid and cooperate with Space Florida ~~the authority~~  
 1217 in carrying out any of the purposes and projects of Space  
 1218 Florida ~~the authority~~, to enter into cooperative agreements with  
 1219 Space Florida ~~the authority~~, to provide in any such cooperative  
 1220 agreement for the making of loans, gifts, grants, or  
 1221 contributions to Space Florida ~~the authority~~ and the granting  
 1222 and conveyance to Space Florida ~~the authority~~ of real or  
 1223 personal property of any kind or nature, or any interest  
 1224 therein, for the carrying out of the purpose and projects of  
 1225 Space Florida ~~the authority~~; to covenant in any such cooperative  
 1226 agreement to pay all or any part of the costs of acquisition,  
 1227 planning, development, construction, reconstruction, extension,  
 1228 improvement, operation, and maintenance of any projects of Space  
 1229 Florida ~~the authority~~; and to pay all or any part of the  
 1230 principal and interest on any bonds of Space Florida ~~the~~  
 1231 ~~authority~~.

1232 (2) The state and the counties, municipalities, and other

1233 political subdivisions, public bodies, and agencies thereof, or  
 1234 any of them, whether now existing or hereafter created, and  
 1235 Space Florida ~~the authority created by this act~~, are further  
 1236 authorized to enter into cooperative agreements to provide for  
 1237 the furnishing by Space Florida ~~the authority~~ to the state or  
 1238 any county, municipality, or other political subdivision, public  
 1239 body, or agency thereof of any of the facilities and services of  
 1240 Space Florida ~~the authority~~, or by the state or any county,  
 1241 municipality, or other political subdivision, public body, or  
 1242 agency thereof to Space Florida ~~the authority~~ and to persons  
 1243 within the spaceport territory of facilities and services of the  
 1244 type that Space Florida ~~the authority~~ is authorized to furnish  
 1245 or undertake, or such other facilities and services as may be  
 1246 determined necessary or desirable by the board for the carrying  
 1247 out of the purposes of this act. Without limitation of the  
 1248 foregoing, such cooperative agreements may provide for the  
 1249 furnishing by any county, municipality, or other political  
 1250 subdivision of fire and police protection for Space Florida ~~the~~  
 1251 ~~authority~~ and persons and property within Space Florida ~~the~~  
 1252 ~~authority~~, and for the providing to Space Florida ~~the authority~~  
 1253 of any services deemed necessary or desirable by the board for  
 1254 the proper functioning of Space Florida ~~the authority~~.

1255 (3) Without limitation of the foregoing, the board may  
 1256 undertake and finance any of the projects of Space Florida ~~the~~  
 1257 ~~authority~~, in whole or in part, jointly with any municipality or  
 1258 municipalities, now existing or hereafter created, or in any  
 1259 other manner combine the projects of Space Florida ~~the authority~~  
 1260 with the projects of such municipality or municipalities.

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1261 (4) Any agreement of the type authorized by this section  
 1262 may be made and entered into under ~~pursuant to~~ this act for such  
 1263 time or times, not exceeding 40 years.

1264 Section 24. Section 331.324, Florida Statutes, is amended  
 1265 to read:

1266 331.324 Contracts, grants, and contributions.--Space  
 1267 Florida may ~~The authority shall have the power to~~ make and enter  
 1268 all contracts and agreements necessary or incidental to the  
 1269 performance of the functions of Space Florida ~~the authority~~ and  
 1270 the execution of its powers, and to contract with, and to accept  
 1271 and receive grants or loans of money, material, or property  
 1272 from, any person, private or public, as the board shall  
 1273 determine to be necessary or desirable to carry out the purposes  
 1274 of this act, and in connection with any such contract, grant, or  
 1275 loan to stipulate and agree to such covenants, terms, and  
 1276 conditions as the board shall deem appropriate.

1277 Section 25. Section 331.325, Florida Statutes, is amended  
 1278 to read:

1279 331.325 Environmental permits.--Space Florida ~~The~~  
 1280 ~~authority~~ shall obtain required environmental permits in  
 1281 accordance with federal and state law and shall comply with the  
 1282 provisions of chapter 380.

1283 Section 26. Section 331.326, Florida Statutes, is amended  
 1284 to read:

1285 331.326 Information relating to trade secrets  
 1286 confidential.--The records of Space Florida ~~the authority~~  
 1287 regarding matters encompassed by this act are public records  
 1288 subject to the provisions of chapter 119. Any information held

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1289 by Space Florida ~~the authority~~ which is a trade secret, as  
 1290 defined in s. 812.081, including trade secrets of Space Florida  
 1291 ~~the authority~~, any spaceport user, or the space industry  
 1292 business, is confidential and exempt from the provisions of s.  
 1293 119.07(1) and s. 24(a), Art. I of the State Constitution and may  
 1294 not be disclosed. If Space Florida ~~the authority~~ determines that  
 1295 any information requested by the public will reveal a trade  
 1296 secret, it shall, in writing, inform the person making the  
 1297 request of that determination. The determination is a final  
 1298 order as defined in s. 120.52. Any meeting or portion of a  
 1299 meeting of Space Florida's ~~the authority's~~ board of ~~supervisors~~  
 1300 is exempt from the provisions of s. 286.011 and s. 24(b), Art. I  
 1301 of the State Constitution when the board is discussing trade  
 1302 secrets. Any public record generated during the closed portions  
 1303 of the ~~such~~ meetings, such as minutes, tape recordings, and  
 1304 notes, is confidential and exempt from the provisions of s.  
 1305 119.07(1) and s. 24(a), Art. I of the State Constitution.

1306 Section 27. Section 331.327, Florida Statutes, is amended  
 1307 to read:

1308 331.327 Foreign trade zone.--Space Florida may ~~The~~  
 1309 ~~authority shall have the power to~~ apply to the Federal  
 1310 Government for a grant allowing the designation of any spaceport  
 1311 territory as a foreign trade zone pursuant to ss. 288.36 and  
 1312 288.37. However, the designation of any spaceport territory as a  
 1313 foreign trade zone does ~~shall not be deemed to~~ authorize an  
 1314 exemption from any tax imposed by the state or by any political  
 1315 subdivision, agency, or instrumentality thereof.

1316 Section 28. Section 331.328, Florida Statutes, is amended

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1317 to read:

1318           331.328 Sovereign immunity.--Space Florida ~~The authority~~  
 1319 shall be granted sovereign immunity in the same manner as the  
 1320 state under the laws and Constitution of the State of Florida.  
 1321 The state, by this section, hereby waives the sovereign immunity  
 1322 granted to the same extent as waived by the state under state  
 1323 law.

1324           Section 29. Section 331.329, Florida Statutes, is amended  
 1325 to read:

1326           331.329 Changing boundary lines; annexation and exclusion  
 1327 of lands; creation of municipalities within the geographical  
 1328 limits of any spaceport territory; limitations on the furnishing  
 1329 of services within annexed areas.--

1330           (1) The board of directors may at any time strike out or  
 1331 correct the description of any land within or claimed to be  
 1332 within the boundary lines of any spaceport territory upon the  
 1333 written consent of the owners of all the land that would be  
 1334 included or excluded from the boundary lines of any spaceport  
 1335 territory or otherwise affected by the taking of such action,  
 1336 and of the owners of not less than the majority in acreage of  
 1337 all lands within any spaceport territory.

1338           (a) The board may enlarge the geographical limits of any  
 1339 spaceport territory to include any lands not then within any  
 1340 spaceport territory:

1341           1. Upon the written consent of the owners of all the land  
 1342 to be included in any spaceport territory and of the owners of  
 1343 not less than a majority in acreage of all the land then within  
 1344 any spaceport territory; or

1345           2. By resolution of the board approved at a special  
 1346 election called for such purpose, by vote of a majority of  
 1347 freeholders residing within the area to be annexed and a  
 1348 majority of freeholders residing within any spaceport territory.

1349           (b) The board of directors may contract the geographical  
 1350 limits of any spaceport territory so as to exclude from any  
 1351 spaceport territory any land then within any spaceport  
 1352 territory:

1353           1. Upon the written consent of the owners of all the land  
 1354 to be so excluded and of the owners of not less than a majority  
 1355 in acreage of all the land then within any spaceport territory;  
 1356 or

1357           2. By resolution of the board approved at a special  
 1358 election called for such purpose, by vote of a majority of  
 1359 freeholders residing within the area to be excluded and a  
 1360 majority of the freeholders residing within any spaceport  
 1361 territory.

1362           (2) Land, including property situated thereon, added to  
 1363 any spaceport territory in the manner provided in subsection (1)  
 1364 shall from the time of its inclusion within such spaceport  
 1365 territory be subject to all assessments thereafter levied and  
 1366 assessed on all other land or property of any spaceport  
 1367 territory similarly situated. Land, including property situated  
 1368 thereon, excluded from any spaceport territory in the manner  
 1369 provided in subsection (1) shall from the date of such exclusion  
 1370 be exempt from assessments thereafter imposed by Space Florida  
 1371 ~~the authority~~ but shall not be exempt from assessments  
 1372 theretofore levied or due with respect to such land or property,

1373 or from subsequent installments of assessments theretofore  
 1374 levied or assessed with respect thereto, and such assessments  
 1375 may be enforced and collected by or on behalf of Space Florida  
 1376 ~~the authority~~ in the same manner as if such land or property  
 1377 continued to be within the geographical limits of any spaceport  
 1378 territory.

1379 (3) In the event that the geographical limits of any  
 1380 spaceport territory as set forth in s. 331.304 are revised so as  
 1381 to include within any spaceport territory any areas not  
 1382 presently contained within any spaceport territory, Space  
 1383 Florida ~~may the authority shall~~ not engage in the business of  
 1384 furnishing electric power for sale in such annexed area, unless  
 1385 Space Florida ~~the authority~~ shall offer to purchase from any  
 1386 person who is at the time engaged in the business of making,  
 1387 generating, or distributing electricity for sale within such  
 1388 annexed area, such portion of its electric plant and property  
 1389 suitable and used for such business in connection therewith as  
 1390 lies within the limits of such annexed area, in a manner  
 1391 consistent with law.

1392 (4) Space Florida ~~The authority~~ shall designate new launch  
 1393 pads outside the present designated spaceport territories by  
 1394 statutory amendment of s. 331.304.

1395 Section 30. Section 331.331, Florida Statutes, is amended  
 1396 to read:

1397 331.331 Revenue bonds.--

1398 (1) Revenue bonds issued by Space Florida ~~the authority~~  
 1399 shall not be deemed revenue bonds issued by the state or its  
 1400 agencies for purposes of s. 11, Art. VII of the State

1401 Constitution and ss. 215.57-215.83. Space Florida ~~The authority~~  
 1402 shall include in its annual report to the Governor and  
 1403 Legislature, as provided in s. 331.310, a summary of the status  
 1404 of existing and proposed bonding projects.

1405 (2) The issuance of revenue bonds may be secured by or  
 1406 payable from the gross or net pledge of the revenues to be  
 1407 derived from any project or combination of projects, from the  
 1408 rates, fees, rentals, tolls, fares, or other charges to be  
 1409 collected from the users of any project or projects; from any  
 1410 revenue-producing undertaking or activity of Space Florida ~~the~~  
 1411 ~~authority~~; or from any source of pledged security. Such bonds  
 1412 shall not constitute an indebtedness of Space Florida ~~the~~  
 1413 ~~authority~~ unless such bonds are additionally secured by the full  
 1414 faith and credit of Space Florida ~~the authority~~. Bonds issued by  
 1415 Space Florida ~~the authority~~ are not secured by the full faith  
 1416 and credit of the State of Florida and do not constitute an  
 1417 obligation, either general or special, thereof.

1418 (3) Any two or more projects may be combined and  
 1419 consolidated into a single project, and may thereafter be  
 1420 operated and maintained as a single project. The revenue bonds  
 1421 authorized herein may be issued to finance any one or more such  
 1422 projects separately, or to finance two or more such projects,  
 1423 regardless whether or not such projects have been combined and  
 1424 consolidated into a single project. If the board deems it  
 1425 advisable, the proceedings authorizing such revenue bonds may  
 1426 provide that Space Florida ~~the authority~~ may thereafter combine  
 1427 the projects then being financed or theretofore financed with  
 1428 other projects to be subsequently financed by Space Florida ~~the~~

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1429 ~~authority~~ shall be on a parity with the revenue bonds then being  
 1430 issued, all on such terms, conditions, and limitations as shall  
 1431 be provided, and may further provide that the revenues to be  
 1432 derived from the subsequent projects shall at the time of the  
 1433 issuance of such parity revenue bonds be also pledged to the  
 1434 holders of any revenue bonds theretofore issued to finance the  
 1435 revenue undertakings which are later combined with such  
 1436 subsequent projects. Space Florida ~~The authority~~ may pledge for  
 1437 the security of the revenue bonds a fixed amount, without regard  
 1438 to any fixed proportion of the gross revenues of any project.

1439 Section 31. Section 331.333, Florida Statutes, is amended  
 1440 to read:

1441 331.333 Refunding bonds.--Space Florida ~~The authority~~  
 1442 through its board may ~~shall have the power to~~ issue bonds to  
 1443 provide for the retirement or refunding of any bonds or  
 1444 obligations of Space Florida ~~the authority~~ that at the time of  
 1445 such issuance are or subsequently thereto become due and  
 1446 payable, or that at the time of issuance have been called or are  
 1447 or will be subject to call for redemption within 10 years  
 1448 thereafter, or the surrender of which can be procured from the  
 1449 holders thereof at prices satisfactory to the board. Refunding  
 1450 bonds may be issued at any time when in the judgment of the  
 1451 board such issuance will be advantageous to Space Florida ~~the~~  
 1452 ~~authority~~. The provisions of this act pertaining to bonds of  
 1453 Space Florida ~~the authority~~ shall, unless the context otherwise  
 1454 requires, govern the issuance of refunding bonds, the form and  
 1455 other details thereof, the rights of the holders thereof, and  
 1456 the duties of the board with respect to the same.

1457           Section 32. Section 331.334, Florida Statutes, is amended  
 1458 to read:  
 1459           331.334 Pledging assessments and other revenues and  
 1460 properties as additional security on bonds.--Space Florida ~~The~~  
 1461 ~~authority~~ may pledge as additional security for the payment of  
 1462 any of the bonds of Space Florida ~~the authority~~ its full faith  
 1463 and credit, and provide that such bonds shall be payable as to  
 1464 both principal and interest, and as to any reserve or other  
 1465 funds provided therefor, to the full extent that any revenues as  
 1466 defined in this act, assessments, or other funds, or any  
 1467 combination thereof, pledged therefor are insufficient for the  
 1468 full payment of the same, and provided further that no bonds  
 1469 shall be issued to the payment of which the full faith and  
 1470 credit of Space Florida ~~the authority~~ is pledged unless approved  
 1471 at an election in the manner provided by law. Space Florida ~~The~~  
 1472 ~~authority~~ by resolution of the board may also pledge as  
 1473 additional security for said bonds the revenues from any project  
 1474 of Space Florida ~~the authority~~, utility service, assessments,  
 1475 and any other sources of revenue or funds, or any combination of  
 1476 the foregoing, and may pledge or mortgage any of the properties,  
 1477 rights, interest, or other assets of Space Florida ~~the~~  
 1478 ~~authority~~. Bonds issued by Space Florida ~~the authority~~ are not  
 1479 secured by the full faith and credit of the State of Florida and  
 1480 do not constitute an obligation, either general or special,  
 1481 thereof. The board may also provide with respect to any bonds of  
 1482 Space Florida ~~the authority~~ that such bonds shall be payable, in  
 1483 whole or in part, as to principal amount or interest, or both,  
 1484 out of rates, fees, rentals, tolls, fares, or other charges

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1485 collected with respect to any of the projects of Space Florida  
 1486 ~~the authority.~~

1487 Section 33. Section 331.335, Florida Statutes, is amended  
 1488 to read:

1489 331.335 Lien of pledges.--All pledges of revenues and  
 1490 assessments made pursuant to the provisions of this act shall be  
 1491 valid and binding from the time when such pledges are made. All  
 1492 such revenues and assessments so pledged and thereafter  
 1493 collected shall immediately be subject to the lien of such  
 1494 pledges without any physical delivery thereof or further action,  
 1495 and the lien of such pledges shall be valid and binding as  
 1496 against all parties having claims of any kind in tort, contract,  
 1497 or otherwise against Space Florida ~~the authority~~, irrespective  
 1498 of whether such parties have notice thereof.

1499 Section 34. Section 331.336, Florida Statutes, is amended  
 1500 to read:

1501 331.336 Issuance of bond anticipation notes.--In addition  
 1502 to the other powers provided for in this act and not in  
 1503 limitation thereof, Space Florida ~~may the authority shall have~~  
 1504 ~~the power~~, at any time from time to time after the issuance of  
 1505 any bonds of Space Florida ~~the authority shall~~ have been  
 1506 authorized, ~~to~~ borrow money for the purposes for which such  
 1507 bonds are to be issued in anticipation of the receipt of the  
 1508 proceeds of the sale of such bonds and ~~to~~ issue bond  
 1509 anticipation notes in a principal amount not in excess of the  
 1510 authorized maximum amount of such bond issue. Such notes shall  
 1511 be in such denomination or denominations, bear interest at such  
 1512 rate or rates, mature at such time or times, be renewable for

1513 such additional term or terms, and be in such form and executed  
 1514 in such manner as the board shall prescribe. Such notes may be  
 1515 sold at public sale, or if such notes shall be renewable notes,  
 1516 may be exchanged for notes then outstanding on such terms as the  
 1517 board shall determine. Such notes shall be paid from the  
 1518 proceeds of such bonds when issued. The board may in its  
 1519 discretion, in lieu of retiring the notes by means of bonds,  
 1520 retire them by means of current revenues or from any assessments  
 1521 levied for the payment of such bonds, but in such event a like  
 1522 amount of the bonds authorized shall not be issued.

1523 Section 35. Section 331.337, Florida Statutes, is amended  
 1524 to read:

1525 331.337 Short-term borrowing.--Space Florida ~~The authority~~  
 1526 at any time may obtain loans, in such amount and on such terms  
 1527 and conditions as the board may approve, for the purpose of  
 1528 paying any of the expenses of Space Florida ~~the authority~~ or any  
 1529 costs incurred or that may be incurred in connection with any of  
 1530 the projects of Space Florida ~~the authority~~, which loans shall  
 1531 have such term or terms, be renewable for such term or terms,  
 1532 bear interest at such rate or rates, and be payable from and  
 1533 secured by a pledge of such funds, revenues, and assessments as  
 1534 the board may determine. For the purpose of defraying such costs  
 1535 and expenses, Space Florida ~~the authority~~ may issue negotiable  
 1536 notes, warrants, or other evidences of debt signed on behalf of  
 1537 Space Florida ~~the authority~~ by any one of the board, such notes  
 1538 or other evidences of indebtedness to be payable at such time or  
 1539 times, to bear interest at such rate or rates, and to be sold or  
 1540 discounted at such price or prices and on such term or terms as

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1541 the board may deem advisable. The board may ~~shall have the right~~  
 1542 ~~to~~ provide for the payment thereof by pledging the whole or any  
 1543 part of the funds, revenues, and assessments of Space Florida  
 1544 ~~the authority~~.

1545 Section 36. Section 331.338, Florida Statutes, is amended  
 1546 to read:

1547 331.338 Trust agreements.--In the discretion of the board,  
 1548 any issue of bonds may be secured by a trust agreement by and  
 1549 between Space Florida ~~the authority~~ and a corporate trustee  
 1550 which may be any trust company or bank having the powers of a  
 1551 trust company within or without the state. The resolution  
 1552 authorizing the issuance of the bonds or such trust agreement  
 1553 may pledge the revenues to be received from any projects of  
 1554 Space Florida ~~the authority~~ and any other authorized moneys to  
 1555 be used for the repayment of bonds, and may contain such  
 1556 provisions for protecting and enforcing the rights and remedies  
 1557 of the bondholders as the board may approve, including without  
 1558 limitation covenants setting forth the duties of Space Florida  
 1559 ~~the authority~~ in relation to the acquisition, planning,  
 1560 development, construction, reconstruction, improvement,  
 1561 maintenance, repair, operation, and insurance of any projects,  
 1562 the fixing and revision of the rates, fees, rentals, tolls,  
 1563 fares, and charges, and the custody, safeguarding, and  
 1564 application of all moneys, and for the employment of consulting  
 1565 engineers in connection with such acquisition, planning,  
 1566 development, construction, reconstruction, improvement,  
 1567 maintenance, repair, or operation. It shall be lawful for any  
 1568 bank or trust company incorporated under the laws of the state

1569 or the United States which may act as a depository of the  
 1570 proceeds of bonds or of revenues to furnish such indemnifying  
 1571 bonds or to pledge such securities as may be required by Space  
 1572 Florida ~~the authority~~. Such resolution or trust agreement may  
 1573 set forth the rights and remedies of the bondholders and of the  
 1574 trustee, if any, and may restrict the individual right of action  
 1575 by bondholders. The board may provide for the payment of the  
 1576 proceeds of the sale of the bonds and the revenues of any  
 1577 project to such officer, board, or depository as it may  
 1578 designate for the custody thereof, and for the method of  
 1579 disbursement thereof, with such safeguards and restrictions as  
 1580 it may determine. All expenses incurred in carrying out the  
 1581 provisions of such resolution or trust agreement may be treated  
 1582 as part of the cost of the project to which such trust agreement  
 1583 pertains.

1584 Section 37. Section 331.339, Florida Statutes, is amended  
 1585 to read:

1586 331.339 Sale of bonds.--Bonds may be sold in blocks or  
 1587 installments at different times, or an entire issue or series  
 1588 may be sold at one time. Bonds may only be sold at public sale  
 1589 after being advertised and publicly noticed, unless Space  
 1590 Florida ~~the authority~~ has previously complied with the  
 1591 provisions of s. 218.385. Bonds may be sold or exchanged for  
 1592 refunding bonds. Special assessment and revenue bonds may be  
 1593 delivered as payment by Space Florida ~~the authority~~ of the  
 1594 purchase price or lease of any project or part thereof, or a  
 1595 combination of projects or parts thereof, or as the purchase  
 1596 price of, or exchange for, any property, real, personal, or

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1597 mixed, including franchises, or services rendered by any  
1598 contractor, engineer, or other person, all at one time or in  
1599 blocks from time to time, in such manner and upon such terms as  
1600 the board in its discretion shall determine. The price or prices  
1601 for any bonds sold, exchanged, or delivered may be:

1602 (1) The money paid for the bonds.

1603 (2) The principal amount, plus accrued interest to date of  
1604 redemption or exchange, of outstanding obligations exchanged for  
1605 refunding bonds.

1606 (3) In the case of special assessment or revenue bonds,  
1607 the amount of any indebtedness to contractors or other persons  
1608 paid with such bonds, or the fair value of any properties  
1609 exchanged for the bonds, as determined by the board.

1610 Section 38. Section 331.340, Florida Statutes, is amended  
1611 to read:

1612 331.340 Authorization and form of bonds.--Bonds may be  
1613 authorized by resolution or resolutions of the board which shall  
1614 be adopted by a majority of all of the members thereof then in  
1615 office and present at the meeting at which the resolution or  
1616 resolutions are adopted and shall be approved as provided in s.  
1617 331.305. The resolution or resolutions of the board may be  
1618 adopted at the same meeting at which they are introduced, and  
1619 shall be published and noticed. The board may by resolution  
1620 authorize the issuance of bonds, fix the aggregate amount of  
1621 bonds to be issued, the purpose or purposes for which the moneys  
1622 derived therefrom shall be expended, the rate or rates of  
1623 interest, the denomination of the bonds, whether or not the  
1624 bonds are to be issued in one or more series, the date or dates

1625 | thereof, the date or dates of maturity, which shall not exceed  
 1626 | 40 years from their respective dates of issuance, the medium of  
 1627 | payment, the place or places within or without the state where  
 1628 | payment shall be made, registration privileges, redemption terms  
 1629 | and privileges (whether with or without premium), the manner of  
 1630 | execution, the form of the bonds including any interest coupons  
 1631 | to be attached thereto, the manner of execution of bonds and  
 1632 | coupons, and any and all other terms, covenants, and conditions  
 1633 | thereof, and the establishment of reserve or other funds. Such  
 1634 | authorizing resolution may further provide that such bonds may  
 1635 | be executed manually or by engraved, lithographed, or facsimile  
 1636 | signature, provided that where signatures are engraved,  
 1637 | lithographed, or facsimile no bond shall be valid unless  
 1638 | countersigned by a registrar or other officer designated by  
 1639 | appropriate resolution of the board. The seal of Space Florida  
 1640 | ~~the authority~~ may be affixed, lithographed, engraved, or  
 1641 | otherwise reproduced in facsimile on such bonds. In case any  
 1642 | officer whose signature or a facsimile of whose signature shall  
 1643 | appear on any bonds or coupons shall cease to be such officer  
 1644 | before the delivery of such bonds, such signature or facsimile  
 1645 | shall nevertheless be valid and sufficient for all purposes the  
 1646 | same as if the officer had remained in office until such  
 1647 | delivery.

1648 |         Section 39. Section 331.343, Florida Statutes, is amended  
 1649 | to read:

1650 |         331.343 Defeasance.--The board may make such provision  
 1651 | with respect to the defeasance of the right, title, and interest  
 1652 | of the holders of any of the bonds and obligations of Space

1653 Florida ~~the authority~~ in any revenues, funds, or other  
 1654 properties by which such bonds are secured as the board deems  
 1655 appropriate and, without limitation on the foregoing, may  
 1656 provide that when such bonds or obligations become due and  
 1657 payable or shall have been called for redemption, and the whole  
 1658 amount of the principal and the interest and premium, if any,  
 1659 due and payable upon the bonds or obligations when outstanding  
 1660 shall be paid, or sufficient moneys or direct obligations of the  
 1661 United States Government the principal of and the interest on  
 1662 which when due will provide sufficient moneys, shall be held or  
 1663 deposited in trust for such purpose, and provision shall also be  
 1664 made for paying all other sums payable in connection with such  
 1665 bonds or other obligations, then and in such event the right,  
 1666 title, and interest of the holders of the bonds in any revenues,  
 1667 funds, or other properties by which such bonds are secured shall  
 1668 thereupon cease, terminate, and become void; and the board may  
 1669 apply any surplus in any sinking fund established in connection  
 1670 with such bonds or obligations and all balances remaining in all  
 1671 other funds or accounts other than money held for the redemption  
 1672 or payment of the bonds or other obligations to any lawful  
 1673 purpose of Space Florida ~~the authority~~ as the board shall  
 1674 determine.

1675 Section 40. Section 331.345, Florida Statutes, is amended  
 1676 to read:

1677 331.345 Covenants.--Any resolution authorizing the  
 1678 issuance of bonds may contain such covenants as the board may  
 1679 deem advisable and all such covenants shall constitute valid and  
 1680 legally binding and enforceable contracts between Space Florida

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1681 ~~the authority~~ and the bondholders, regardless of the time of  
1682 issuance thereof. Such covenants may include, without  
1683 limitation, covenants concerning the disposition of the bond  
1684 proceeds, the use and disposition of project revenues, the  
1685 pledging of revenues, and assessments, the obligations of Space  
1686 Florida ~~the authority~~ with respect to the operation of the  
1687 project and the maintenance of adequate project revenues, the  
1688 issuance of additional bonds, the appointment, powers, and  
1689 duties of trustees and receivers, the acquisition of outstanding  
1690 bonds and obligations, restrictions on the establishing of  
1691 competing projects or facilities, restrictions on the sale or  
1692 disposal of the assets and property of Space Florida ~~the~~  
1693 ~~authority~~, the priority of assessment liens, the priority of  
1694 claims by bondholders on the taxing power of Space Florida ~~the~~  
1695 ~~authority~~, the maintenance of deposits to assure the payment of  
1696 revenues by users of spaceport facilities and services, the  
1697 discontinuance of authority services by reason of delinquent  
1698 payments, acceleration upon default, the execution of necessary  
1699 instruments, the procedure for amending or abrogating covenants  
1700 with the bondholders, and such other covenants as may be deemed  
1701 necessary or desirable for the security of the bondholders.

1702 Section 41. Section 331.346, Florida Statutes, is amended  
1703 to read:

1704 331.346 Validity of bonds; validation proceedings.--Any  
1705 bonds issued by Space Florida ~~the authority~~ shall be  
1706 incontestable in the hands of bona fide purchasers or holders  
1707 for value and shall not be invalid because of any irregularity  
1708 or defect in the proceedings for the issue and sale thereof.

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1709 Prior to the issuance of any bonds, Space Florida ~~the authority~~  
 1710 shall publish a notice at least once in a newspaper or  
 1711 newspapers published or of general circulation in the  
 1712 appropriate counties in the state, stating the date of adoption  
 1713 of the resolution authorizing such obligations, the amount,  
 1714 maximum rate of interest, and maturity of such obligations, and  
 1715 the purpose in general terms for which such obligations are to  
 1716 be issued, and further stating that no action or proceeding  
 1717 questioning the validity of such obligations or of the  
 1718 proceedings authorizing the issuance thereof, or of any  
 1719 covenants made therein, must be instituted within 20 days after  
 1720 the first publication of such notice, or the validity of such  
 1721 obligations, proceedings, and covenants shall not be thereafter  
 1722 questioned in any court whatsoever. If no such action or  
 1723 proceeding is so instituted within such 20-day period, then the  
 1724 validity of such obligations, proceedings, and covenants shall  
 1725 be conclusive, and all persons or parties whatsoever shall be  
 1726 forever barred from questioning the validity of such  
 1727 obligations, proceedings, or covenants in any court whatsoever.

1728 Section 42. Section 331.347, Florida Statutes, is amended  
 1729 to read:

1730 331.347 Act furnishes full authority for issuance of  
 1731 bonds.--This act constitutes full and complete authority for the  
 1732 issuance of bonds and the exercise of the powers of Space  
 1733 Florida ~~the authority~~ provided herein. Any and all bonds issued  
 1734 by Space Florida ~~the authority~~ shall not be secured by the full  
 1735 faith and credit of the State of Florida and do not constitute  
 1736 an obligation, either general or special, thereof.

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1737 Section 43. Section 331.348, Florida Statutes, is amended  
 1738 to read:

1739 331.348 Investment of funds.--The board may in its  
 1740 discretion invest funds of Space Florida ~~the authority~~ through  
 1741 the Chief Financial Officer or in:

1742 (1) Direct obligations of or obligations guaranteed by the  
 1743 United States or for the payment of the principal and interest  
 1744 of which the faith and credit of the United States is pledged;

1745 (2) Bonds or notes issued by any of the following federal  
 1746 agencies: Bank for Cooperatives; federal intermediate credit  
 1747 banks; federal home loan bank system; federal land banks; or the  
 1748 Federal National Mortgage Association (including debentures or  
 1749 participating certificates issued by such association);

1750 (3) Public housing bonds issued by public housing  
 1751 authorities and secured by a pledge or annual contributions  
 1752 under an annual contribution contract or contracts with the  
 1753 United States;

1754 (4) Bonds or other interest-bearing obligations of any  
 1755 county, district, city, or town located in the state for which  
 1756 the full faith and credit of such political subdivision is  
 1757 pledged;

1758 (5) Any investment authorized for insurers by ss. 625.306-  
 1759 625.316 and amendments thereto; or

1760 (6) Any investment authorized under s. 17.57 and  
 1761 amendments thereto.

1762 Section 44. Section 331.349, Florida Statutes, is amended  
 1763 to read:

1764 331.349 Fiscal year of Space Florida ~~the authority~~.--The

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1765 board may ~~has the power to~~ establish and from time to time  
 1766 redetermine the fiscal year of Space Florida ~~the authority~~.  
 1767 Unless the board otherwise provides, Space Florida's ~~the~~  
 1768 ~~authority's~~ fiscal year shall be July 1 through June 30.

1769 Section 45. Section 331.350, Florida Statutes, is amended  
 1770 to read:

1771 331.350 Insurance coverage of Space Florida ~~the authority~~;  
 1772 safety program.--

1773 (1) Notwithstanding any other provision of law, the State  
 1774 Risk Management Trust Fund established under s. 284.30 may ~~shall~~  
 1775 not insure buildings and property owned or leased by Space  
 1776 Florida ~~the authority~~.

1777 (2) Notwithstanding any other provision of law, the State  
 1778 Risk Management Trust Fund established under s. 284.30 may ~~shall~~  
 1779 not insure against any liability of Space Florida ~~the authority~~.

1780 (3) Space Florida ~~The authority~~ shall establish a safety  
 1781 program. The safety program shall include:

1782 (a) The development and implementation of a loss  
 1783 prevention program which shall consist of a comprehensive  
 1784 authority wide safety program, including a statement,  
 1785 established by the board of directors ~~supervisors~~, of safety  
 1786 policy and responsibility.

1787 (b) Provision for regular and periodic facility and  
 1788 equipment inspections.

1789 (c) Investigation of job-related employee accidents and  
 1790 other accidents occurring on the premises of Space Florida ~~the~~  
 1791 ~~authority~~ or within areas of its jurisdiction.

1792 (d) Establishment of a program to promote increased safety

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1793 awareness among employees, agents, and subcontractors of Space  
 1794 Florida ~~the authority~~.

1795 (4) (a) Space Florida ~~The authority~~ shall, if available,  
 1796 secure insurance coverage within reasonable limits for liability  
 1797 which may arise as a consequence of its responsibilities.

1798 (b) Space Florida ~~The authority~~ shall, if available, and  
 1799 if cost-effective, secure insurance coverage on its buildings,  
 1800 facilities, and property at reasonable levels.

1801 (c) Space Florida ~~The authority~~, with respect to the  
 1802 purchase of insurance, shall be subject to the applicable  
 1803 provisions of chapter 287 and other applicable law.

1804 Section 46. Section 331.351, Florida Statutes, is amended  
 1805 to read:

1806 331.351 Participation by women, minorities, and socially  
 1807 and economically disadvantaged business enterprises  
 1808 encouraged.--It is the intent of the Legislature and the public  
 1809 policy of this state that women, minorities, and socially and  
 1810 economically disadvantaged business enterprises be encouraged to  
 1811 participate fully in all phases of economic and community  
 1812 development. Accordingly, to achieve such purpose, Space Florida  
 1813 ~~the authority~~ shall, in accordance with applicable state and  
 1814 federal law, involve and utilize women, minorities, and socially  
 1815 and economically disadvantaged business enterprises in all  
 1816 phases of the design, development, construction, maintenance,  
 1817 and operation of spaceports developed under this act.

1818 Section 47. Section 331.354, Florida Statutes, is amended  
 1819 to read:

1820 331.354 Tax exemption.--The exercise of the powers granted

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1821 by this act in all respects shall be for the benefit of the  
 1822 people of the state, for the increase of their industry and  
 1823 prosperity, for the improvement of their health and living  
 1824 conditions, and for the provision of gainful employment and  
 1825 shall constitute the performance of essential public functions.  
 1826 Space Florida is ~~The authority shall~~ not be required to pay any  
 1827 taxes on any project or any other property owned by Space  
 1828 Florida ~~the authority~~ under ~~the provisions of~~ this act or upon  
 1829 the income therefrom. The bonds issued under ~~the provisions of~~  
 1830 this act or upon the income therefrom (including any profit made  
 1831 on the sale thereof), and all notes, mortgages, security  
 1832 agreements, letters of credit, or other instruments which arise  
 1833 out of or are given to secure the repayment of bonds issued in  
 1834 connection with a project financed under this act, shall at all  
 1835 times be free from taxation by the state or any local unit,  
 1836 political subdivision, or other instrumentality of the state.  
 1837 ~~Nothing in~~ This section, however, does not exempt ~~shall be~~  
 1838 ~~construed as exempting~~ from taxation or assessments the  
 1839 leasehold interest of a lessee in any project or any other  
 1840 property or interest owned by the lessee. The exemption granted  
 1841 by this section ~~is shall~~ not be applicable to any tax imposed by  
 1842 chapter 220 on interest, income, or profits on debt obligations  
 1843 owned by corporations.

1844 Section 48. Section 331.355, Florida Statutes, is amended  
 1845 to read:

1846 331.355 Use of name; ownership rights to intellectual  
 1847 property.--

1848 (1) (a) The corporate name of a corporation incorporated or

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1849 authorized to transact business in this state, or the name of  
 1850 any person or business entity transacting business in this  
 1851 state, may not use the words "Florida Space Authority," "Florida  
 1852 Aerospace Finance Corporation," "Florida Space Research  
 1853 Institute," "spaceport Florida," or "Florida spaceport" in its  
 1854 name unless Space Florida ~~the authority~~ gives written approval  
 1855 for such use.

1856 (b) The Department of State may dissolve, pursuant to s.  
 1857 607.1421, any corporation that violates paragraph (a).

1858 (2) Notwithstanding any provision of chapter 286, the  
 1859 legal title and every right, interest, claim, or demand of any  
 1860 kind in and to any patent, trademark, copyright, certification  
 1861 mark, or other right acquired under the patent and trademark  
 1862 laws of the United States or this state or any foreign country,  
 1863 or the application for the same, as is owned or held, acquired,  
 1864 or developed by Space Florida ~~the authority~~, under the authority  
 1865 and directions given it by this part, is vested in Space Florida  
 1866 ~~the authority~~ for the use, benefit, and purposes provided in  
 1867 this part. Space Florida ~~The authority~~ is vested with and is  
 1868 authorized to exercise any and all of the normal incidents of  
 1869 such ownership, including the receipt and disposition of  
 1870 royalties. Any sums received as royalties from any such rights  
 1871 are hereby appropriated to Space Florida ~~the authority~~ for any  
 1872 and all of the purposes and uses provided in this part.

1873 Section 49. Section 331.360, Florida Statutes, is amended  
 1874 to read:

1875 331.360 Joint project agreement or assistance; spaceport  
 1876 master plan.--

1877 (1) It shall be the duty, function, and responsibility of  
 1878 the Department of Transportation to promote the further  
 1879 development and improvement of aerospace transportation  
 1880 facilities; to address intermodal requirements and impacts of  
 1881 the launch ranges, spaceports, and other space transportation  
 1882 facilities; to assist in the development of joint-use facilities  
 1883 and technology that support aviation and aerospace operations;  
 1884 and to facilitate and promote cooperative efforts between  
 1885 federal and state government entities to improve space  
 1886 transportation capacity and efficiency. In carrying out this  
 1887 duty and responsibility, the department may assist and advise,  
 1888 cooperate with, and coordinate with federal, state, local, or  
 1889 private organizations and individuals. The department may  
 1890 administratively house its space transportation responsibilities  
 1891 within an existing division or office.

1892 (2) Notwithstanding any other provision of law, the  
 1893 Department of Transportation may enter into a joint project  
 1894 agreement with, or otherwise assist, ~~the Florida Space~~ Florida  
 1895 ~~Authority~~ as necessary to effectuate the provisions of this  
 1896 chapter and may allocate funds for such purposes in its 5-year  
 1897 work program. However, the department may not fund the  
 1898 administrative or operational costs of Space Florida ~~the~~  
 1899 ~~authority~~.

1900 (3) Space Florida ~~The authority~~ shall develop a spaceport  
 1901 master plan for expansion and modernization of space  
 1902 transportation facilities within spaceport territories as  
 1903 defined in s. 331.303 (22) ~~(23)~~. The plan shall contain  
 1904 recommended projects to meet current and future commercial,

1905 national, and state space transportation requirements. Space  
 1906 Florida ~~The authority~~ shall submit the plan to any appropriate  
 1907 metropolitan planning organization M.P.O. for review of  
 1908 intermodal impacts. Space Florida ~~The authority~~ shall submit the  
 1909 spaceport master plan to the Department of Transportation, and  
 1910 such plan may be included within the department's 5-year work  
 1911 program of qualifying aerospace discretionary capacity  
 1912 improvement under subsection (4). The plan shall identify  
 1913 appropriate funding levels and include recommendations on  
 1914 appropriate sources of revenue that may be developed to  
 1915 contribute to the State Transportation Trust Fund.

1916 (4) Subject to the availability of appropriated funds, the  
 1917 department may participate in the capital cost of eligible  
 1918 spaceport discretionary capacity improvement projects. The  
 1919 annual legislative budget request shall be based on the proposed  
 1920 funding requested for approved spaceport discretionary capacity  
 1921 improvement projects.

1922 Section 50. Section 331.369, Florida Statutes, is amended  
 1923 to read:

1924 331.369 Space Industry Workforce Initiative.--

1925 (1) The Legislature finds that the aerospace ~~space~~  
 1926 industry is critical to the economic future of the state and  
 1927 that the competitiveness of the industry in the state depends  
 1928 upon the development and maintenance of a qualified workforce.  
 1929 The Legislature further finds that the aerospace ~~space~~ industry  
 1930 in this state has diverse and complex workforce needs,  
 1931 including, but not limited to, the need for qualified entry-  
 1932 level workers, the need to upgrade the skills of technician-

1933 level incumbent workers, and the need to ensure continuing  
 1934 education opportunities for workers with advanced educational  
 1935 degrees. It is the intent of the Legislature to support programs  
 1936 designed to address the workforce development needs of the  
 1937 aerospace ~~space~~ industry in this state.

1938 (2) The Workforce Development Board of Enterprise Florida,  
 1939 Inc., or its successor entity, shall coordinate development of a  
 1940 Space Industry Workforce Initiative in partnership with Space  
 1941 Florida, ~~the Florida Space Research Institute, the institute's~~  
 1942 ~~consortium~~ of public and private universities, community  
 1943 colleges, and other training providers approved by the board.  
 1944 The purpose of the initiative is to use or revise existing  
 1945 programs and to develop innovative new programs to address the  
 1946 workforce needs of the aerospace ~~space~~ industry.

1947 (3) The initiative shall emphasize:

1948 (a) Curricula content and timeframes developed with  
 1949 industry participation and endorsed by the industry;

1950 (b) Programs that certify persons completing training as  
 1951 meeting industry-approved standards or competencies;

1952 (c) Use of distance-learning and computer-based training  
 1953 modules as appropriate and feasible;

1954 (d) Industry solicitation of public and private  
 1955 universities to develop continuing education programs at the  
 1956 master's and doctoral levels;

1957 (e) Agreements with the National Aeronautics and Space  
 1958 Administration to replicate on a national level successful  
 1959 training programs developed through the initiative; and

1960 (f) Leveraging of state and federal workforce funds.

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1961           (4) The Workforce Development Board of Enterprise Florida,  
 1962 Inc., or its successor entity, with the assistance of Space  
 1963 Florida ~~the Florida Space Research Institute~~, shall convene  
 1964 representatives from the aerospace ~~space~~ industry to identify  
 1965 the priority training and education needs of the industry and to  
 1966 appoint a team to design programs to meet the ~~such~~ priority  
 1967 needs.

1968           (5) The Workforce Development Board of Enterprise Florida,  
 1969 Inc., or its successor entity, as part of its statutorily  
 1970 prescribed annual report to the Legislature, shall provide  
 1971 recommendations for policies, programs, and funding to enhance  
 1972 the workforce needs of the aerospace ~~space~~ industry.

1973           Section 51. Paragraph (g) of subsection (2) of section  
 1974 14.2015, Florida Statutes, is amended to read:

1975           14.2015 Office of Tourism, Trade, and Economic  
 1976 Development; creation; powers and duties.--

1977           (2) The purpose of the Office of Tourism, Trade, and  
 1978 Economic Development is to assist the Governor in working with  
 1979 the Legislature, state agencies, business leaders, and economic  
 1980 development professionals to formulate and implement coherent  
 1981 and consistent policies and strategies designed to provide  
 1982 economic opportunities for all Floridians. To accomplish such  
 1983 purposes, the Office of Tourism, Trade, and Economic Development  
 1984 shall:

1985           (g) Serve as contract administrator for the state with  
 1986 respect to contracts with Enterprise Florida, Inc., the Florida  
 1987 Commission on Tourism, Space Florida, and all direct-support  
 1988 organizations under this act, excluding those relating to

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1989 | tourism. To accomplish the provisions of this act and applicable  
 1990 | provisions of chapter 288, and notwithstanding the provisions of  
 1991 | part I of chapter 287, the office shall enter into specific  
 1992 | contracts with Enterprise Florida, Inc., the Florida Commission  
 1993 | on Tourism, and other appropriate direct-support organizations.  
 1994 | Such contracts may be multiyear and shall include specific  
 1995 | performance measures for each year.

1996 |         Section 52. Section 74.011, Florida Statutes, is amended  
 1997 | to read:

1998 |         74.011 Scope.--In any eminent domain action, properly  
 1999 | instituted by and in the name of the state; the Department of  
 2000 | Transportation; any county, school board, municipality,  
 2001 | expressway authority, regional water supply authority,  
 2002 | transportation authority, flood control district, or drainage or  
 2003 | subdrainage district; the ship canal authority; any lawfully  
 2004 | constituted housing, port, or aviation authority; ~~the Florida~~  
 2005 | ~~Space Authority;~~ or any rural electric cooperative, telephone  
 2006 | cooperative corporation, or public utility corporation, the  
 2007 | petitioner may avail itself of the provisions of this chapter to  
 2008 | take possession and title in advance of the entry of final  
 2009 | judgment.

2010 |         Section 53. Subsection (6) of section 196.012, Florida  
 2011 | Statutes, is amended to read:

2012 |         196.012 Definitions.--For the purpose of this chapter, the  
 2013 | following terms are defined as follows, except where the context  
 2014 | clearly indicates otherwise:

2015 |         (6) Governmental, municipal, or public purpose or function  
 2016 | shall be deemed to be served or performed when the lessee under

2017 any leasehold interest created in property of the United States,  
 2018 the state or any of its political subdivisions, or any  
 2019 municipality, agency, special district, authority, or other  
 2020 public body corporate of the state is demonstrated to perform a  
 2021 function or serve a governmental purpose which could properly be  
 2022 performed or served by an appropriate governmental unit or which  
 2023 is demonstrated to perform a function or serve a purpose which  
 2024 would otherwise be a valid subject for the allocation of public  
 2025 funds. For purposes of the preceding sentence, an activity  
 2026 undertaken by a lessee which is permitted under the terms of its  
 2027 lease of real property designated as an aviation area on an  
 2028 airport layout plan which has been approved by the Federal  
 2029 Aviation Administration and which real property is used for the  
 2030 administration, operation, business offices and activities  
 2031 related specifically thereto in connection with the conduct of  
 2032 an aircraft full service fixed base operation which provides  
 2033 goods and services to the general aviation public in the  
 2034 promotion of air commerce shall be deemed an activity which  
 2035 serves a governmental, municipal, or public purpose or function.  
 2036 Any activity undertaken by a lessee which is permitted under the  
 2037 terms of its lease of real property designated as a public  
 2038 airport as defined in s. 332.004(14) by municipalities,  
 2039 agencies, special districts, authorities, or other public bodies  
 2040 corporate and public bodies politic of the state, a spaceport as  
 2041 defined in s. 331.303(19), or which is located in a deepwater  
 2042 port identified in s. 403.021(9)(b) and owned by one of the  
 2043 foregoing governmental units, subject to a leasehold or other  
 2044 possessory interest of a nongovernmental lessee that is deemed

2045 | to perform an aviation, airport, aerospace, maritime, or port  
 2046 | purpose or operation shall be deemed an activity that serves a  
 2047 | governmental, municipal, or public purpose. The use by a lessee,  
 2048 | licensee, or management company of real property or a portion  
 2049 | thereof as a convention center, visitor center, sports facility  
 2050 | with permanent seating, concert hall, arena, stadium, park, or  
 2051 | beach is deemed a use that serves a governmental, municipal, or  
 2052 | public purpose or function when access to the property is open  
 2053 | to the general public with or without a charge for admission. If  
 2054 | property deeded to a municipality by the United States is  
 2055 | subject to a requirement that the Federal Government, through a  
 2056 | schedule established by the Secretary of the Interior, determine  
 2057 | that the property is being maintained for public historic  
 2058 | preservation, park, or recreational purposes and if those  
 2059 | conditions are not met the property will revert back to the  
 2060 | Federal Government, then such property shall be deemed to serve  
 2061 | a municipal or public purpose. The term "governmental purpose"  
 2062 | also includes a direct use of property on federal lands in  
 2063 | connection with the Federal Government's Space Exploration  
 2064 | Program or spaceport activities as defined in s. 212.02(22).  
 2065 | Real property and tangible personal property owned by the  
 2066 | Federal Government or Space Florida ~~the Florida Space Authority~~  
 2067 | and used for defense and space exploration purposes or which is  
 2068 | put to a use in support thereof shall be deemed to perform an  
 2069 | essential national governmental purpose and shall be exempt.  
 2070 | "Owned by the lessee" as used in this chapter does not include  
 2071 | personal property, buildings, or other real property  
 2072 | improvements used for the administration, operation, business

2073 offices and activities related specifically thereto in  
 2074 connection with the conduct of an aircraft full service fixed  
 2075 based operation which provides goods and services to the general  
 2076 aviation public in the promotion of air commerce provided that  
 2077 the real property is designated as an aviation area on an  
 2078 airport layout plan approved by the Federal Aviation  
 2079 Administration. For purposes of determination of "ownership,"  
 2080 buildings and other real property improvements which will revert  
 2081 to the airport authority or other governmental unit upon  
 2082 expiration of the term of the lease shall be deemed "owned" by  
 2083 the governmental unit and not the lessee. Providing two-way  
 2084 telecommunications services to the public for hire by the use of  
 2085 a telecommunications facility, as defined in s. 364.02(15), and  
 2086 for which a certificate is required under chapter 364 does not  
 2087 constitute an exempt use for purposes of s. 196.199, unless the  
 2088 telecommunications services are provided by the operator of a  
 2089 public-use airport, as defined in s. 332.004, for the operator's  
 2090 provision of telecommunications services for the airport or its  
 2091 tenants, concessionaires, or licensees, or unless the  
 2092 telecommunications services are provided by a public hospital.  
 2093 However, property that is being used to provide such  
 2094 telecommunications services on or before October 1, 1997, shall  
 2095 remain exempt, but such exemption expires October 1, 2004.

2096 Section 54. Subsection (22) of section 212.02, Florida  
 2097 Statutes, is amended to read:

2098 212.02 Definitions.--The following terms and phrases when  
 2099 used in this chapter have the meanings ascribed to them in this  
 2100 section, except where the context clearly indicates a different

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2101 meaning:

2102 (22) "Spaceport activities" means activities directed or  
 2103 sponsored by Space Florida ~~the Florida Space Authority~~ on  
 2104 spaceport territory pursuant to its powers and responsibilities  
 2105 under the Space Florida Act ~~Florida Space Authority Act~~.

2106 Section 55. Subsection (7) of section 288.063, Florida  
 2107 Statutes, is amended to read:

2108 288.063 Contracts for transportation projects.--

2109 (7) For the purpose of this section, Space Florida ~~the~~  
 2110 ~~Florida Space Authority~~ may serve as the local government or as  
 2111 the contracting agency for transportation projects within  
 2112 spaceport territory as defined by s. 331.304.

2113 Section 56. Subsection (1) of section 288.075, Florida  
 2114 Statutes, is amended to read:

2115 288.075 Confidentiality of records.--

2116 (1) As used in this section, the term "economic  
 2117 development agency" means the Office of Tourism, Trade, and  
 2118 Economic Development, any industrial development authority  
 2119 created in accordance with part III of chapter 159 or by special  
 2120 law, Space Florida ~~the Florida Space Authority~~ created in part  
 2121 II of chapter 331, ~~the Florida Aerospace Finance Corporation~~  
 2122 ~~created in part III of chapter 331~~, the public economic  
 2123 development agency of a county or municipality, or any research  
 2124 and development authority created in accordance with part V of  
 2125 chapter 159. The term also includes any private agency, person,  
 2126 partnership, corporation, or business entity when authorized by  
 2127 the state, a municipality, or a county to promote the general  
 2128 business interests or industrial interests of the state or that

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2129 municipality or county.

2130 Section 57. Subsection (2) of section 288.35, Florida  
2131 Statutes, is amended to read:

2132 288.35 Definitions.--The following terms, wherever used or  
2133 referred to in this part, shall have the following meanings:

2134 (2) "Government agency" means the state or any county or  
2135 political subdivision thereof; any state agency; any  
2136 consolidated government of a county, and some or all of the  
2137 municipalities located within the said county; any chartered  
2138 municipality in the state; and any of the institutions of such  
2139 consolidated governments, counties, or municipalities.

2140 Specifically included are airports, port authorities, industrial  
2141 authorities, and Space Florida ~~the Florida Space Authority~~.

2142 Section 58. Subsection (2) of section 288.9415, Florida  
2143 Statutes, is amended to read:

2144 288.9415 International Trade Grants.--

2145 (2) A county, municipality, economic development council,  
2146 Space Florida ~~the Florida Space Authority~~, or a not-for-profit  
2147 association of businesses organized to assist in the promotion  
2148 of international trade may apply for a grant of state funds for  
2149 the promotion of international trade.

2150 Section 59. Paragraph (j) of subsection (5) of section  
2151 212.08, Florida Statutes, is amended to read:

2152 212.08 Sales, rental, use, consumption, distribution, and  
2153 storage tax; specified exemptions.--The sale at retail, the  
2154 rental, the use, the consumption, the distribution, and the  
2155 storage to be used or consumed in this state of the following  
2156 are hereby specifically exempt from the tax imposed by this

2157 chapter.

2158 (5) EXEMPTIONS; ACCOUNT OF USE.--

2159 (j) Machinery and equipment used in semiconductor,  
 2160 defense, or space technology production and research and  
 2161 development.--

2162 1.a. Industrial machinery and equipment used in  
 2163 semiconductor technology facilities certified under subparagraph  
 2164 6. to manufacture, process, compound, or produce semiconductor  
 2165 technology products for sale or for use by these facilities are  
 2166 exempt from the tax imposed by this chapter. For purposes of  
 2167 this paragraph, industrial machinery and equipment includes  
 2168 molds, dies, machine tooling, other appurtenances or accessories  
 2169 to machinery and equipment, testing equipment, test beds,  
 2170 computers, and software, whether purchased or self-fabricated,  
 2171 and, if self-fabricated, includes materials and labor for  
 2172 design, fabrication, and assembly.

2173 b. Industrial machinery and equipment used in defense or  
 2174 space technology facilities certified under subparagraph 6. to  
 2175 design, manufacture, assemble, process, compound, or produce  
 2176 defense technology products or space technology products for  
 2177 sale or for use by these facilities are exempt from ~~25 percent~~  
 2178 ~~of~~ the tax imposed by this chapter.

2179 2.a. Machinery and equipment are exempt from the tax  
 2180 imposed by this chapter if used predominately in semiconductor  
 2181 wafer research and development activities in a semiconductor  
 2182 technology research and development facility certified under  
 2183 subparagraph 6. For purposes of this paragraph, machinery and  
 2184 equipment includes molds, dies, machine tooling, other

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2185 appurtenances or accessories to machinery and equipment, testing  
2186 equipment, test beds, computers, and software, whether purchased  
2187 or self-fabricated, and, if self-fabricated, includes materials  
2188 and labor for design, fabrication, and assembly.

2189       b. Machinery and equipment are exempt from ~~25 percent of~~  
2190 the tax imposed by this chapter if used predominately in defense  
2191 or space research and development activities in a defense or  
2192 space technology research and development facility certified  
2193 under subparagraph 6.

2194       3. Building materials purchased for use in manufacturing  
2195 or expanding clean rooms in semiconductor-manufacturing  
2196 facilities are exempt from the tax imposed by this chapter.

2197       4. In addition to meeting the criteria mandated by  
2198 subparagraph 1., subparagraph 2., or subparagraph 3., a business  
2199 must be certified by the Office of Tourism, Trade, and Economic  
2200 Development as authorized in this paragraph in order to qualify  
2201 for exemption under this paragraph.

2202       5. For items purchased tax exempt pursuant to this  
2203 paragraph, possession of a written certification from the  
2204 purchaser, certifying the purchaser's entitlement to exemption  
2205 pursuant to this paragraph, relieves the seller of the  
2206 responsibility of collecting the tax on the sale of such items,  
2207 and the department shall look solely to the purchaser for  
2208 recovery of tax if it determines that the purchaser was not  
2209 entitled to the exemption.

2210       6.a. To be eligible to receive the exemption provided by  
2211 subparagraph 1., subparagraph 2., or subparagraph 3., a  
2212 qualifying business entity shall apply to Enterprise Florida,

2213 Inc. The application shall be developed by the Office of  
 2214 Tourism, Trade, and Economic Development in consultation with  
 2215 Enterprise Florida, Inc.

2216 b. Enterprise Florida, Inc., shall review each submitted  
 2217 application and information and determine whether or not the  
 2218 application is complete within 5 working days. Once an  
 2219 application is complete, Enterprise Florida, Inc., shall, within  
 2220 10 working days, evaluate the application and recommend approval  
 2221 or disapproval of the application to the Office of Tourism,  
 2222 Trade, and Economic Development.

2223 c. Upon receipt of the application and recommendation from  
 2224 Enterprise Florida, Inc., the Office of Tourism, Trade, and  
 2225 Economic Development shall certify within 5 working days those  
 2226 applicants who are found to meet the requirements of this  
 2227 section and notify the applicant, Enterprise Florida, Inc., and  
 2228 the department of the certification. If the Office of Tourism,  
 2229 Trade, and Economic Development finds that the applicant does  
 2230 not meet the requirements of this section, it shall notify the  
 2231 applicant and Enterprise Florida, Inc., within 10 working days  
 2232 that the application for certification has been denied and the  
 2233 reasons for denial. The Office of Tourism, Trade, and Economic  
 2234 Development has final approval authority for certification under  
 2235 this section.

2236 7.a. A business may apply once each year for the  
 2237 exemption.

2238 b. The application must indicate, for program evaluation  
 2239 purposes only, the average number of full-time equivalent  
 2240 employees at the facility over the preceding calendar year, the

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2241 average wage and benefits paid to those employees over the  
2242 preceding calendar year, the total investment made in real and  
2243 tangible personal property over the preceding calendar year, and  
2244 the total value of tax-exempt purchases and taxes exempted  
2245 during the previous year. The department shall assist the Office  
2246 of Tourism, Trade, and Economic Development in evaluating and  
2247 verifying information provided in the application for exemption.

2248 c. The Office of Tourism, Trade, and Economic Development  
2249 may use the information reported on the application for  
2250 evaluation purposes only and shall prepare an annual report on  
2251 the exemption program and its cost and impact. The annual report  
2252 for the preceding fiscal year shall be submitted to the  
2253 Governor, the President of the Senate, and the Speaker of the  
2254 House of Representatives by September 30 of each fiscal year.

2255 8. A business certified to receive this exemption may  
2256 elect to designate one or more state universities or community  
2257 colleges as recipients of up to 100 percent of the amount of the  
2258 exemption for which they may qualify. To receive these funds,  
2259 the institution must agree to match the funds so earned with  
2260 equivalent cash, programs, services, or other in-kind support on  
2261 a one-to-one basis in the pursuit of research and development  
2262 projects as requested by the certified business. The rights to  
2263 any patents, royalties, or real or intellectual property must be  
2264 vested in the business unless otherwise agreed to by the  
2265 business and the university or community college.

2266 9. As used in this paragraph, the term:

2267 a. "Predominately" means at least 50 percent of the time  
2268 in qualifying research and development.

2269           b. "Research and development" means basic and applied  
 2270 research in the science or engineering, as well as the design,  
 2271 development, and testing, of prototypes or processes of new or  
 2272 improved products, including the design, development, and  
 2273 testing of space launch vehicles, space flight vehicles,  
 2274 missiles, satellites, or research payloads, avionics, and  
 2275 associated control systems and processing systems, and  
 2276 components of any of the foregoing. Research and development  
 2277 does not include market research, routine consumer product  
 2278 testing, sales research, research in the social sciences or  
 2279 psychology, or similar nontechnological activities, ~~or technical~~  
 2280 services.

2281           c. "Semiconductor technology products" means raw  
 2282 semiconductor wafers or semiconductor thin films that are  
 2283 transformed into semiconductor memory or logic wafers, including  
 2284 wafers containing mixed memory and logic circuits; related  
 2285 assembly and test operations; active-matrix flat panel displays;  
 2286 semiconductor chips; semiconductor lasers; optoelectronic  
 2287 elements; and related semiconductor technology products as  
 2288 determined by the Office of Tourism, Trade, and Economic  
 2289 Development.

2290           d. "Clean rooms" means manufacturing facilities enclosed  
 2291 in a manner that meets the clean manufacturing requirements  
 2292 necessary for high-technology semiconductor-manufacturing  
 2293 environments.

2294           e. "Defense technology products" means products that have  
 2295 a military application, including, but not limited to, weapons,  
 2296 weapons systems, guidance systems, surveillance systems,

2297 | communications or information systems, munitions, aircraft,  
 2298 | vessels, or boats, or components thereof, which are intended for  
 2299 | military use and manufactured in performance of a contract with  
 2300 | the United States Department of Defense or the military branch  
 2301 | of a recognized foreign government or a subcontract thereunder  
 2302 | which relates to matters of national defense.

2303 |         f. "Space technology products" means products that are  
 2304 | specifically designed or manufactured for application in space  
 2305 | activities, including, but not limited to, space launch  
 2306 | vehicles, space flight vehicles, missiles, satellites or  
 2307 | research payloads, avionics, and associated control systems and  
 2308 | processing systems and components of any of the foregoing. The  
 2309 | term does not include products that are designed or manufactured  
 2310 | for general commercial aviation or other uses even though those  
 2311 | products may also serve an incidental use in space applications.

2312 |         Section 60. Paragraph (d) of subsection (6) of section  
 2313 | 212.20, Florida Statutes, is amended to read:

2314 |             212.20 Funds collected, disposition; additional powers of  
 2315 | department; operational expense; refund of taxes adjudicated  
 2316 | unconstitutionally collected.--

2317 |             (6) Distribution of all proceeds under this chapter and s.  
 2318 | 202.18(1)(b) and (2)(b) shall be as follows:

2319 |             (d) The proceeds of all other taxes and fees imposed  
 2320 | pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)  
 2321 | and (2)(b) shall be distributed as follows:

2322 |             1. In any fiscal year, the greater of \$500 million, minus  
 2323 | an amount equal to 4.6 percent of the proceeds of the taxes  
 2324 | collected pursuant to chapter 201, or 5 percent of all other

2325 taxes and fees imposed pursuant to this chapter or remitted  
 2326 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in  
 2327 monthly installments into the General Revenue Fund.

2328         2. Two-tenths of one percent shall be transferred to the  
 2329 Ecosystem Management and Restoration Trust Fund to be used for  
 2330 water quality improvement and water restoration projects.

2331         3. After the distribution under subparagraphs 1. and 2.,  
 2332 8.814 percent of the amount remitted by a sales tax dealer  
 2333 located within a participating county pursuant to s. 218.61  
 2334 shall be transferred into the Local Government Half-cent Sales  
 2335 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to  
 2336 be transferred pursuant to this subparagraph to the Local  
 2337 Government Half-cent Sales Tax Clearing Trust Fund shall be  
 2338 reduced by 0.1 percent, and the department shall distribute this  
 2339 amount to the Public Employees Relations Commission Trust Fund  
 2340 less \$5,000 each month, which shall be added to the amount  
 2341 calculated in subparagraph 4. and distributed accordingly.

2342         4. After the distribution under subparagraphs 1., 2., and  
 2343 3., 0.095 percent shall be transferred to the Local Government  
 2344 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
 2345 to s. 218.65.

2346         5. After the distributions under subparagraphs 1., 2., 3.,  
 2347 and 4., 2.0440 percent of the available proceeds pursuant to  
 2348 this paragraph shall be transferred monthly to the Revenue  
 2349 Sharing Trust Fund for Counties pursuant to s. 218.215.

2350         6. After the distributions under subparagraphs 1., 2., 3.,  
 2351 and 4., 1.3409 percent of the available proceeds pursuant to  
 2352 this paragraph shall be transferred monthly to the Revenue

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2353 Sharing Trust Fund for Municipalities pursuant to s. 218.215. If  
 2354 the total revenue to be distributed pursuant to this  
 2355 subparagraph is at least as great as the amount due from the  
 2356 Revenue Sharing Trust Fund for Municipalities and the former  
 2357 Municipal Financial Assistance Trust Fund in state fiscal year  
 2358 1999-2000, no municipality shall receive less than the amount  
 2359 due from the Revenue Sharing Trust Fund for Municipalities and  
 2360 the former Municipal Financial Assistance Trust Fund in state  
 2361 fiscal year 1999-2000. If the total proceeds to be distributed  
 2362 are less than the amount received in combination from the  
 2363 Revenue Sharing Trust Fund for Municipalities and the former  
 2364 Municipal Financial Assistance Trust Fund in state fiscal year  
 2365 1999-2000, each municipality shall receive an amount  
 2366 proportionate to the amount it was due in state fiscal year  
 2367 1999-2000.

2368 7. Of the remaining proceeds:

2369 a. In each fiscal year, the sum of \$29,915,500 shall be  
 2370 divided into as many equal parts as there are counties in the  
 2371 state, and one part shall be distributed to each county. The  
 2372 distribution among the several counties shall begin each fiscal  
 2373 year on or before January 5th and shall continue monthly for a  
 2374 total of 4 months. If a local or special law required that any  
 2375 moneys accruing to a county in fiscal year 1999-2000 under the  
 2376 then-existing provisions of s. 550.135 be paid directly to the  
 2377 district school board, special district, or a municipal  
 2378 government, such payment shall continue until such time that the  
 2379 local or special law is amended or repealed. The state covenants  
 2380 with holders of bonds or other instruments of indebtedness

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2381 issued by local governments, special districts, or district  
2382 school boards prior to July 1, 2000, that it is not the intent  
2383 of this subparagraph to adversely affect the rights of those  
2384 holders or relieve local governments, special districts, or  
2385 district school boards of the duty to meet their obligations as  
2386 a result of previous pledges or assignments or trusts entered  
2387 into which obligated funds received from the distribution to  
2388 county governments under then-existing s. 550.135. This  
2389 distribution specifically is in lieu of funds distributed under  
2390 s. 550.135 prior to July 1, 2000.

2391 b. The department shall distribute \$166,667 monthly  
2392 pursuant to s. 288.1162 to each applicant that has been  
2393 certified as a "facility for a new professional sports  
2394 franchise" or a "facility for a retained professional sports  
2395 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be  
2396 distributed monthly by the department to each applicant that has  
2397 been certified as a "facility for a retained spring training  
2398 franchise" pursuant to s. 288.1162; however, not more than  
2399 \$208,335 may be distributed monthly in the aggregate to all  
2400 certified facilities for a retained spring training franchise.  
2401 Distributions shall begin 60 days following such certification  
2402 and shall continue for not more than 30 years. Nothing contained  
2403 in this paragraph shall be construed to allow an applicant  
2404 certified pursuant to s. 288.1162 to receive more in  
2405 distributions than actually expended by the applicant for the  
2406 public purposes provided for in s. 288.1162(6). However, a  
2407 certified applicant is entitled to receive distributions up to  
2408 the maximum amount allowable and undistributed under this

2409 section for additional renovations and improvements to the  
 2410 facility for the franchise without additional certification.

2411 c. Beginning 30 days after notice by the Office of  
 2412 Tourism, Trade, and Economic Development to the Department of  
 2413 Revenue that an applicant has been certified as the professional  
 2414 golf hall of fame pursuant to s. 288.1168 and is open to the  
 2415 public, \$166,667 shall be distributed monthly, for up to 300  
 2416 months, to the applicant.

2417 d. Beginning 30 days after notice by the Office of  
 2418 Tourism, Trade, and Economic Development to the Department of  
 2419 Revenue that the applicant has been certified as the  
 2420 International Game Fish Association World Center facility  
 2421 pursuant to s. 288.1169, and the facility is open to the public,  
 2422 \$83,333 shall be distributed monthly, for up to 168 months, to  
 2423 the applicant. This distribution is subject to reduction  
 2424 pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be  
 2425 made, after certification and before July 1, 2000.

2426 e. Every dealer conducting business at a fixed location at  
 2427 the John F. Kennedy Space Center or Cape Canaveral Air Force  
 2428 Station and selling admissions to the John F. Kennedy Space  
 2429 Center or Cape Canaveral Air Force Station, or any part of  
 2430 either location, under a contract with the National Aeronautics  
 2431 and Space Administration or under a subcontract to such  
 2432 contract, shall file returns each month in accordance with this  
 2433 sub-subparagraph. Each dealer must file a separate return each  
 2434 month which reports, separately from any other sales and use  
 2435 taxes due under this chapter, the sale of admissions to the John  
 2436 F. Kennedy Space Center or Cape Canaveral Air Force Station or

2437 any part of the facilities or to any event held at either  
 2438 location, together with sales at retail of tangible personal  
 2439 property from such fixed place of business, and leases and  
 2440 licenses by the dealer at the John F. Kennedy Space Center or  
 2441 Cape Canaveral Air Force Station taxable under s. 212.031, and  
 2442 the taxes collected by the dealer with respect to such  
 2443 admissions, leases, licenses, and sales. All amounts due under  
 2444 this chapter with respect to these transactions shall be timely  
 2445 remitted to the department. The dealer shall simultaneously file  
 2446 a copy of the return with Space Florida and a copy with the  
 2447 director of the Office of Tourism, Trade, and Economic  
 2448 Development, all of which return copies and information  
 2449 contained in such copies are subject to the same confidentiality  
 2450 provisions as are applicable to returns and information filed  
 2451 with the department under s. 213.053. Each month the department  
 2452 shall distribute to Space Florida all such proceeds collected  
 2453 and remitted to the department as shown on the returns required  
 2454 by this sub-subparagraph. However, the monthly distributions may  
 2455 not include proceeds of discretionary surtaxes due under this  
 2456 chapter. The proceeds of the monthly distributions shall be  
 2457 expended for aerospace education projects authorized in s.  
 2458 331.305. If the department collects any additional amounts under  
 2459 this chapter with respect to any transactions for which a  
 2460 separate return is required by this sub-subparagraph, no later  
 2461 than 30 days after the collection, the proceeds shall be  
 2462 distributed by the department to Space Florida for the uses  
 2463 specified in this sub-subparagraph. This sub-subparagraph does  
 2464 not affect any dealer's liability for other taxes imposed by and

2465 due under this chapter.

2466 8. All other proceeds shall remain with the General  
2467 Revenue Fund.

2468 Section 61. Section 1004.86, Florida Statutes, is created  
2469 to read:

2470 1004.86 Florida Center for Mathematics and Science  
2471 Education Research.--

2472 (1) The Department of Education shall establish at a  
2473 public state university the Florida Center for Mathematics and  
2474 Science Education Research to increase student achievement in  
2475 science and mathematics. The center shall:

2476 (a) Provide technical assistance and support to school  
2477 districts and schools in the development and implementation of  
2478 mathematics and science instruction.

2479 (b) Conduct applied research on policy and practices  
2480 related to mathematics and science instruction and assessment in  
2481 the state.

2482 (c) Conduct or compile basic research regarding student  
2483 acquisition of mathematics and science knowledge and skills.

2484 (d) Develop comprehensive course frameworks for  
2485 mathematics and science courses that emphasize rigor and  
2486 relevance at the elementary, middle, and high school levels.

2487 (e) Disseminate information regarding research-based  
2488 teaching practices in mathematics and science to teachers and  
2489 teacher educators in the state.

2490 (f) Collect, manage, and report on assessment information  
2491 regarding student achievement in mathematics and science.

2492 (g) Establish partnerships with state universities,

2493 community colleges, and school districts.

2494 (h) Collaborate with the Florida Center for Reading  
 2495 Research in order to provide research-based practices that  
 2496 integrate the teaching of reading within mathematics and  
 2497 sciences courses.

2498 (2) The department shall monitor the center through the  
 2499 Division of K-12 Public Schools.

2500 Section 62. Sections 331.314, 331.367, 331.368, 331.401,  
 2501 331.403, 331.405, 331.407, 331.409, 331.411, 331.415, 331.417,  
 2502 and 331.419, Florida Statutes, are repealed.

2503 Section 63. The Florida Space Authority, the Florida Space  
 2504 Research Institute, and the Florida Aerospace Finance  
 2505 Corporation are dissolved effective September 1, 2006. Space  
 2506 Florida, as created by this act, is the successor organization  
 2507 to, and as such shall assume the records, property, obligations,  
 2508 and unexpended balances of appropriations, allocations, or other  
 2509 funds of, the Florida Space Authority, the Florida Space  
 2510 Research Institute, and the Florida Aerospace Finance  
 2511 Corporation.

2512 Section 64. The Governor, the President of the Senate, and  
 2513 the Speaker of the House of Representatives shall appoint the  
 2514 board of directors of Space Florida no later than July 1, 2006.  
 2515 The board of directors of Space Florida shall hold its first  
 2516 meeting no later than August 1, 2006. The board of directors of  
 2517 Space Florida shall appoint a president no later than September  
 2518 1, 2006. The Executive Office of the Governor shall provide  
 2519 staffing, and transitional support to Space Florida until  
 2520 December 31, 2006.

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2521 Section 65. Subsection (12) is added to section 288.1224,  
 2522 Florida Statutes, to read:

2523 288.1224 Powers and duties.--The commission:

2524 (12) Shall enter into a memorandum of agreement with Space  
 2525 Florida and Enterprise Florida, Inc., to develop a public  
 2526 advertising program promoting aerospace-related activities,  
 2527 businesses, or any Space Florida project.

2528 Section 66. Subsections (7) and (8) are added to section  
 2529 288.9015, Florida Statutes, to read:

2530 288.9015 Enterprise Florida, Inc.; purpose; duties.--

2531 (7) Enterprise Florida, Inc., shall enter into a  
 2532 memorandum of agreement with Space Florida to:

2533 (a) Develop a plan to retain, expand, attract, and create  
 2534 aerospace industry entities, public or private, which result in  
 2535 the creation of high-value-added businesses and jobs in this  
 2536 state.

2537 (b) Develop a plan to assist in the financing of aerospace  
 2538 businesses.

2539 (8) Enterprise Florida, Inc., shall enter into a  
 2540 memorandum of agreement with Space Florida and the Florida  
 2541 Commission on Tourism and its direct-support organization to  
 2542 develop a public advertising program promoting aerospace-related  
 2543 activities, businesses, and any Space Florida project.

2544 Section 67. Subsection (12) is added to section 445.004,  
 2545 Florida Statutes, to read:

2546 445.004 Workforce Florida, Inc.; creation; purpose;  
 2547 membership; duties and powers.--

2548 (12) Workforce Florida, Inc., shall enter into a

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2549 memorandum of agreement with Space Florida, and collaborate with  
2550 Florida vocational institutes, community colleges, colleges, and  
2551 universities, to develop a workforce development strategy to  
2552 implement s. 331.3051.

2553 Section 68. Subsection (17) is added to section 1001.10,  
2554 Florida Statutes, read:

2555 1001.10 Commissioner of Education; general powers and  
2556 duties.--The Commissioner of Education is the chief educational  
2557 officer of the state, and is responsible for giving full  
2558 assistance to the State Board of Education in enforcing  
2559 compliance with the mission and goals of the seamless K-20  
2560 education system. To facilitate innovative practices and to  
2561 allow local selection of educational methods, the State Board of  
2562 Education may authorize the commissioner to waive, upon the  
2563 request of a district school board, State Board of Education  
2564 rules that relate to district school instruction and school  
2565 operations, except those rules pertaining to civil rights, and  
2566 student health, safety, and welfare. The Commissioner of  
2567 Education is not authorized to grant waivers for any provisions  
2568 in rule pertaining to the allocation and appropriation of state  
2569 and local funds for public education; the election,  
2570 compensation, and organization of school board members and  
2571 superintendents; graduation and state accountability standards;  
2572 financial reporting requirements; reporting of out-of-field  
2573 teaching assignments under s. 1012.42; public meetings; public  
2574 records; or due process hearings governed by chapter 120. No  
2575 later than January 1 of each year, the commissioner shall report  
2576 to the Legislature and the State Board of Education all approved

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2577 waiver requests in the preceding year. Additionally, the  
2578 commissioner has the following general powers and duties:

2579 (17) To enter into a memorandum of agreement with Space  
2580 Florida to develop innovative aerospace-related education  
2581 programs that promote mathematics and science education for  
2582 grades K-20.

2583

2584 The commissioner's office shall operate all statewide functions  
2585 necessary to support the State Board of Education and the K-20  
2586 education system, including strategic planning and budget  
2587 development, general administration, and assessment and  
2588 accountability.

2589 Section 69. This act shall take effect upon becoming a  
2590 law.