

House Bill No. 1489

An act relating to the state's aerospace industry; redesignating the "Florida Space Authority" as "Space Florida"; creating s. 331.3011, F.S.; providing legislative intent; amending s. 331.302, F.S.; establishing and creating Space Florida as an independent special district, a body politic and corporate, for certain purposes; providing purposes and duties and responsibilities of Space Florida; providing definitions; revising and consolidating the roles, purposes, responsibilities, assets, and duties of the Florida Space Authority as those of Space Florida; deleting authority to establish facilities and complementary activities; providing additional powers and duties of Space Florida; prohibiting Space Florida from endorsing political candidates or making campaign contributions; characterizing certain property as Space Florida territory; creating s. 331.3051, F.S.; providing additional powers and responsibilities of Space Florida relating to the state's aerospace industry; deleting authority to exercise eminent domain powers; requiring Space Florida to create a business plan and a marketing campaign; directing Space Florida to enter into agreements with the Department of Education, the Department of Transportation, Enterprise Florida, Inc., and Workforce Florida, Inc., for certain purposes; requiring Space Florida to coordinate its activities with federal and state agencies; amending s. 331.308, F.S.; replacing provisions providing for a board of supervisors with provisions providing for a board of directors of Space Florida; providing for designation and appointment of members; providing requirements of board members; providing for terms, removal of members, and filling of vacancies; providing for board meetings; specifying service without compensation; providing for reimbursement of certain expenses; providing financial disclosure requirements; revising powers and duties of the board; amending ss. 331.301, 331.303, 331.305, 331.306, 331.309, 331.310, 331.3101, 331.311, 331.312, 331.313, 331.316, 331.317, 331.318, 331.319, 331.320, 331.321, 331.322, 331.323, 331.324, 331.325, 331.326, 331.327, 331.328, 331.329, 331.331, 331.333, 331.334, 331.335, 331.336, 331.337, 331.338, 331.339, 331.340, 331.343, 331.345, 331.346, 331.347, 331.348, 331.349, 331.350, 331.351, 331.354, 331.355, 331.360, and 331.369, F.S., to conform; amending ss. 14.2015, 74.011, 196.012, 212.02, 288.063, 288.075, 288.35, and 288.9415, F.S., to conform; amending s. 212.08, F.S.; revising the exemption from the sales and use tax on certain machinery and equipment; creating s. 1004.86, F.S.; requiring the Department of Education to contract for the establishment of the Florida Center for Mathematics and Science Education Research at a public or private university; specifying requirements for the center; repealing s. 331.314, F.S., relating to the exclusive authority of the Florida Space Authority to regulate spaceports; repealing s. 331.315, F.S., relating to maintenance of projects across rights-of-way; repealing s. 331.367, F.S., relating to the Spaceport Management Council; repealing s. 331.368, F.S., relating to the Florida Space Research Insti-

tute; repealing ss. 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415, 331.417, and 331.419, F.S., relating to the Florida Aerospace Finance Corporation; requiring the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation to submit articles of dissolution to the Department of State by a specified date; providing that Space Florida assumes the records, property, and unexpended balances of appropriations, allocations, and other funds from the dissolved entities; requiring the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint the board of directors of Space Florida by a specified date; requiring the board of directors of Space Florida to hold its first meeting by a specified date; amending s. 228.1224, F.S.; requiring the Florida Commission on Tourism to advise and cooperate with Space Florida under certain circumstances; amending ss. 288.9015, 334.044, 445.004, and 1001.10, F.S.; requiring Enterprise Florida, Inc., the Department of Transportation, Workforce Florida, Inc., and the Commissioner of Education to enter into agreement with Space Florida for certain purposes; providing appropriations; requiring current Florida Space Authority board members to complete their terms as appointees of the Space Florida board; requiring the Governor to appoint the remaining members of the board; providing for vacancies; providing for staffing; providing an effective date.

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

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

331.301 Short title.—This act may be cited as the “Space Florida Space Authority Act.”

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

331.3011 Legislative findings and intent.—

(1) The Legislature finds and declares that the aerospace industry of this state is integral to the state’s long-term success in diversifying its economy and building a knowledge-based economy that is able to support the creation of high value-added businesses and jobs. Further, under the direction of Space Florida, this state has the opportunity to strengthen its existing leadership in civil, commercial, and military aerospace activity and emerge as a leader in the nation’s new vision for space exploration and commercial aerospace opportunities, including the integration of space, aeronautics, and aviation technologies. As the leading location for talent, research, advanced technologies and systems development, launch, and other aerospace-based industry activities, this state can position itself for sustainable economic growth and prosperity.

(2) The Legislature finds that attaining this vision requires a strong public and private commitment to a world class aerospace industry. It is the intent of the Legislature that Space Florida will encourage the public and private sectors to work together to implement an aggressive strategy that

enhances the state's workforce, education, and research capabilities, with emphasis on mathematics, science, engineering, and related fields; will focus on the state's economic development efforts in order to capture a larger share of activity in aerospace research, technology, production, and commercial operations, while maintaining the state's historical leadership in space launch activities; and will preserve the unique national role served by the Cape Canaveral Air Force Station and the John F. Kennedy Space Center by reducing costs and improving the regulatory flexibility for commercial sector launches while pursuing the development of complementary sites for commercial horizontal launches.

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

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

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

331.302 Space Florida; creation; purpose.—

(1) There is established, formed, and created Space Florida, which is created as an independent special district, a body politic and corporate, and a subdivision of the state, to foster the growth and development of a sustainable and world-leading aerospace industry in this state. Space Florida shall promote aerospace business development by facilitating business financing, spaceport operations, research and development, workforce development, and innovative education programs. Space Florida has all the powers, rights, privileges, and authority as provided under the laws of this state.

(2) In carrying out its duties and responsibilities, Space Florida shall advise, coordinate, cooperate, and, when necessary, enter into memoranda of agreement with municipalities, counties, regional authorities, state agencies and organizations, appropriate federal agencies and organizations, and other interested persons and groups.

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

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

(5) Space Florida is subject to applicable provisions of chapter 189. To the extent that any provisions of chapter 189 conflict with this act, this act shall prevail.

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

331.303 Definitions.—

(1) "Aerospace" means the industry that designs and manufactures aircraft, rockets, missiles, spacecraft, satellites, space vehicles, space stations,

space facilities or components thereof, and equipment, systems, facilities, simulators, programs, and related activities, including, but not limited to, the application of aerospace technologies in air-based, land-based, and sea-based platforms for commercial, civil, and defense purposes. “Authority” means the Florida Space Authority created by this act.

(2) “Board” or “board of directors supervisors” means the governing body of Space Florida ~~the authority~~.

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

(4) “Business client” means any person, other than a state official or state employee, who receives the services of, or is the subject of solicitation by, representatives of Space Florida ~~the authority~~ in connection with the performance of its statutory duties, including purchasers or prospective purchasers of Space Florida ~~authority~~ services, persons or representatives of firms considering or being solicited for investment in Space Florida ~~authority~~ projects, persons or representatives of firms considering or being solicited for location, relocation, or expansion of an aerospace-related a space-related business within the state, and business, financial, or other persons connected with the aerospace ~~space~~ industry.

(5) ~~“Complementary activity” means any space business incubator, space tourism activity, educational involvement in an incubator, or space tourism and space-related research and development.~~

(6) ~~“Conduit bond” means any bond of the authority which is a nonrecourse obligation of the authority payable from the proceeds of such bonds and related financing agreements.~~

(5)(7) “Cost” means all costs, fees, charges, expenses, and amounts associated with the development of projects by Space Florida ~~the authority~~.

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

(9) ~~“Federal aid” means any property, funding, or other financial assistance provided by the Federal Government to the authority for its projects.~~

(7)(10) “Financing agreement” means a lease, lease-purchase agreement, lease with option to purchase, sale or installment sale agreement, whether title passes in whole or in part at any time before ~~prior to~~, at, or after completion of the project, loan agreement, or other agreement forming the basis for the financing under this act, including any agreements, guarantees, or security instruments forming part of or related to providing assurance of payment of the obligations under the ~~such~~ financing agreement.

(8)(11) “Guest” means a person, other than a state official or state employee, authorized by the board or its designee to receive the hospitality of

Space Florida ~~the authority~~ in connection with the performance of its statutory duties.

(9)(12) “Landing area” means the geographical area designated by Space Florida ~~the authority~~ within the spaceport territory for or intended for the landing and surface maneuvering of any launch or other space vehicle.

(10)(13) “Launch pad” means any launch pad, runway, airstrip, or similar facility ~~used by the spaceport or spaceport user~~ for launching of space vehicles.

(11)(14) “Payload” means any property or cargo to be transported aboard any vehicle launched by or from the spaceport.

(12)(15) “Person” means any individual, child, community college, college, university, firm, association, joint venture, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, nation, government (federal, state, or local), agency (government or other), subdivision of the state, municipality, county, business entity, or any other group or combination.

(13)(16) “Project” means any activity associated with any development, improvement, property, launch, utility, facility, system, works, road, sidewalk, enterprise, service, or convenience, which may include coordination with federal and state partners or agencies ~~Enterprise Florida, Inc., the Board of Education, the Florida Aerospace Finance Corporation, and the Florida Space Research Institute;~~ any rocket, capsule, module, launch facility, assembly facility, operations or control facility, tracking facility, administrative facility, or any other type of aerospace-related space-related ~~transportation vehicle, station, or facility;~~ any type of equipment or instrument to be used or useful in connection with any of the foregoing; any type of intellectual property and intellectual property protection in connection with any of the foregoing including, without limitation, any patent, copyright, trademark, and service mark for, among other things, computer software; any water, wastewater, gas, or electric utility system, plant, or distribution or collection system; any small business incubator initiative, including any startup aerospace company, and any aerospace business proposing to expand or locate its business in this state, research and development company, research and development facility, education and workforce training facility, storage facility, and consulting service; or any tourism initiative, including any space experience attraction, microgravity flight program, aerospace launch-related ~~space-launch-related~~ activity, and space museum sponsored or promoted by Space Florida ~~the authority~~.

(14)(17) “Range” means the geographical area designated by Space Florida ~~the authority~~ or other appropriate body as the area for the launching of rockets, missiles, launch vehicles, and other vehicles designed to reach high altitude.

(15)(18) “Recovery” means the recovery of space vehicles and payloads which have been launched from or by a ~~the~~ spaceport.

(16)(19) “Spaceport” means any area of land or water, or any manmade object or facility located therein, developed by Space Florida ~~the authority~~

under this act, which area is intended for public use or for the launching, takeoff, and landing of spacecraft and aircraft, and includes any appurtenant areas which are used or intended for public use, for spaceport buildings, or for other spaceport facilities, spaceport projects, or rights-of-way.

(20) —“Spaceport Florida” means the authority or its facilities and projects.

(17)(21) “Spaceport launch facilities” means ~~shall be defined as~~ industrial facilities as described in accordance with s. 380.0651(3)(c) and include any launch pad, launch control center, and fixed launch-support equipment.

(22) —“Spaceport system” means the programs, organizations, and infrastructure developed by the authority for the development of facilities or activities to enhance and provide commercial space-related development opportunities for business, education, and government within the state.

(18)(23) “Spaceport territory” means the geographical area designated in s. 331.304 and as amended or changed in accordance with s. 331.329.

(19)(24) “Spaceport user” means any person who uses the facilities or services of any spaceport; and, for the purposes of any exemptions or rights granted under this act, the said spaceport user shall be deemed a spaceport user only during the time period in which the such person has in effect a contract, memorandum of understanding, or agreement with the spaceport, and such rights and exemptions shall be granted with respect to transactions relating only to spaceport projects.

(20)(25) “Travel expenses” means the actual, necessary, and reasonable costs of transportation, meals, lodging, and incidental expenses normally incurred by a traveler, which costs are defined and prescribed by rules adopted by Space Florida ~~the authority~~, subject to approval by the Chief Financial Officer.

(21)(26) “Spaceport discretionary capacity improvement projects” means capacity improvements that enhance space transportation capacity at spaceports that have had one or more orbital or suborbital flights during the previous calendar year or have an agreement in writing for installation of one or more regularly scheduled orbital or suborbital flights upon the commitment of funds for stipulated spaceport capital improvements.

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

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

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

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

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

(3) Conduct its affairs, carry on its operations, and have offices and exercise the powers granted by this act in any state, territory, district, or possession of the United States or any foreign country.

(4) Acquire, enjoy, use, and dispose of patents, copyrights, and trademarks and any licenses and other rights or interests under or in such licenses.

(5) Purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge, or otherwise dispose of and otherwise use and deal in and with shares and other interests in, or obligations of, other domestic or foreign corporations, whether for profit or not for profit, associations, partnerships, or individuals, or direct or indirect obligations of the United States, or of any other government, state, territory, governmental district, municipality, or of any instrumentality of such governmental units.

(6) Lend money for its purposes, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds loaned.

(7) Have and exercise all powers necessary or convenient to effect any or all of the purposes for which it is organized.

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

- ~~(a) The authority and the commercial space industry.~~
- ~~(b) Products, services description—potential, technologies, skills.~~
- ~~(c) Market research and evaluation—customers, competition, economics.~~
- ~~(d) Marketing plan and strategy.~~
- ~~(e) Design and development plan—tasks, difficulties, costs.~~
- ~~(f) Manufacturing locations, facilities, and operations plan.~~
- ~~(g) Management organization—roles and responsibilities.~~
- ~~(h) Overall schedule (monthly).~~
- ~~(i) Important risks, assumptions, and problems.~~
- ~~(j) Community impact—economic, human development, community development.~~
- ~~(k) Financial plan (monthly for first year; quarterly for next 3 years).~~
- ~~(l) Proposed authority offering—financing, capitalization, use of funds.~~

~~(8)~~(5) Acquire property, real, personal, intangible, tangible, or mixed, within or without its territorial limits, in fee simple or any lesser interest

or estate, by purchase, gift, devise, or lease, on such terms and conditions as the board may deem necessary or desirable, and sell or otherwise dispose of the same and of any of the assets and properties of Space Florida the authority.

~~(9)~~(6) Make and execute any and all contracts and other instruments necessary or convenient to the exercise of its powers, including financing agreements with persons or spaceport users to facilitate the financing, construction, leasing, or sale of any project.

~~(10)~~(7) Whenever deemed necessary by the board, lease as lessor or lessee to or from any person, public or private, any facilities or property for the use of Space Florida the authority and carry out any of the purposes of Space Florida the authority.

~~(8)~~ Appoint, through its board of supervisors, an executive director.

~~(11)~~(9) Own, acquire, construct, develop, create, reconstruct, equip, operate, maintain, extend, and improve launch pads, landing areas, ranges, payload assembly buildings, payload processing facilities, laboratories, aero-space ~~space~~ business incubators, launch vehicles, payloads, space flight hardware, facilities and equipment for the construction of payloads, space flight hardware, rockets, and other launch vehicles, and other spaceport facilities and other aerospace-related ~~space-related~~ systems, including educational, cultural, and parking facilities and aerospace-related ~~space-related~~ initiatives.

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

~~(12)~~(11) Own, acquire, construct, reconstruct, equip, operate, maintain, extend, or ~~and~~ improve transportation facilities appropriate to meet the transportation requirements of Space Florida the authority and activities conducted within the spaceport territory.

~~(13)~~(12) Own, acquire, construct, reconstruct, equip, operate, maintain, extend, or ~~and~~ improve electric power plants, transmission lines and related facilities, gas mains and facilities of any nature for the production or distribution of natural gas, transmission lines and related facilities and plants and facilities for the generation and transmission of power through traditional and new and experimental sources of power and energy; purchase electric power, natural gas, and other sources of power for distribution within any spaceport territory; develop and operate water and sewer systems and waste collection and disposal consistent with chapter 88-130, Laws of Florida; and develop and operate such new and experimental public utilities, including, but not limited to, centrally distributed heating and air-conditioning facilities and services, closed-circuit television systems, and computer services and facilities, as the board may from time to time determine. However, Space Florida ~~may~~ the authority ~~shall~~ not construct any system, work, project, or utility authorized to be constructed under this paragraph in the event that a system, work, project, or utility of a similar

character is being actually operated by a municipality or private company in the municipality or territory adjacent thereto, unless such municipality or private company consents to such construction.

~~(14)~~⁽¹³⁾ Designate, set aside, and maintain lands and areas within or without the territorial limits of any spaceport territory as conservation areas or bird and wildlife sanctuaries; stock such areas with animal and plant life and stock water areas with fish and other aquatic life; adopt pursuant to ss. 120.536(1) and 120.54 ~~promulgate~~ and enforce rules ~~and regulations~~ with respect thereto and protect and preserve the natural beauty thereof; and do all acts necessary or desirable in order to qualify such lands and areas as conservation areas and sanctuaries under any of the laws of the state or under federal law.

~~(15)~~⁽¹⁴⁾ Establish a program for the control, abatement, and elimination of mosquitoes and other noxious insects, rodents, reptiles, and other pests throughout the spaceport territory and undertake such works and construct such facilities within or without the spaceport territory as may be determined by the board to be needed to effectuate such program; abate and suppress mosquitoes and other arthropods, whether disease-bearing or pestiferous, within any spaceport territory when in the judgment of the board such action is necessary or desirable for the health and welfare of the inhabitants of or visitors to any spaceport; and take any and all temporary or permanent eliminative measures that the board may deem advisable. The Legislature hereby finds and declares Space Florida ~~the authority~~ eligible to receive state funds, supplies, services, and equipment available or that may in the future become available to mosquito or pest control districts, the provisions of s. 388.021 notwithstanding.

~~(16)~~⁽¹⁵⁾ Subject to the rules and regulations of the appropriate water management district, own, acquire, construct, reconstruct, equip, maintain, operate, extend, and improve water and flood control facilities. The Legislature hereby finds and declares Space Florida ~~the authority~~ eligible to receive moneys, disbursements, and assistance from the state available to flood control or water management districts and navigation districts or agencies.

~~(17)~~⁽¹⁶⁾ Own, acquire, construct, reconstruct, equip, maintain, operate, extend, and improve public safety facilities for the spaceport, including security stations, security vehicles, fire stations, water mains and plugs, and fire trucks and other vehicles and equipment; hire employees, security officers, and firefighters; and undertake such works and construct such facilities determined by the board to be necessary or desirable to promote and ensure public safety within the spaceport territory.

~~(18)~~⁽¹⁷⁾ Hire, through its president ~~executive director~~, a safety officer with substantial experience in public safety procedures and programs for space vehicle launching and related hazardous operations. The safety officer shall monitor and report on the safety and hazards of ground-based space operations to the president ~~executive director~~.

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

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

~~(19)~~(20) Examine, develop, and use ~~utilize~~ new concepts, designs, and ideas; own, acquire, construct, reconstruct, equip, operate, maintain, extend, and improve experimental spaceport facilities and services; and otherwise undertake, sponsor, finance, and maintain such research activities, experimentation, and development as the board may from time to time determine, in connection with any of the projects that Space Florida ~~the authority~~ is authorized to undertake pursuant to the powers and authority vested in it by this act, and in order to promote the development and utilization of new concepts, designs, and ideas in the fields of space exploration, commercialization of the space industry, and spaceport facilities.

~~(20)~~(21) Issue revenue bonds, assessment bonds, or any other bonds or obligations authorized by the provisions of this act or any other law, or any combination of the foregoing, and pay all or part of the cost of the acquisition, construction, reconstruction, extension, repair, improvement, or maintenance of any project or combination of projects, including payloads and space flight hardware, and equipment for research, development, and educational activities, to provide for any facility, service, or other activity of Space Florida ~~the authority~~, and provide for the retirement or refunding of any bonds or obligations of Space Florida ~~the authority~~, or for any combination of the foregoing purposes. Space Florida ~~The authority~~ must provide 14 days' notice to the presiding officers and appropriations chairs of both houses of the Legislature prior to presenting a bond proposal to the Governor and Cabinet. If either presiding officer or appropriations chair objects to the bonding proposal within the 14-day-notice period, the bond issuance may be approved only by a vote of three-fourths ~~two-thirds~~ of the members of the Governor and Cabinet.

~~(21)~~(22) Make expenditures for entertainment and travel expenses and business clients, guests, and other authorized persons as provided in this act.

~~(22)~~(23) In connection with any financing agreement, fix and collect fees, loan payments, rental payments, and other charges for the use of any project in such amount as to provide sufficient moneys to pay the principal of and interest on bonds as the same shall become due and payable, if so provided in the bond resolution or trust agreement, and to create reserves for such purposes. The fees, rents, payments, and charges and all other revenues and proceeds derived from the project in connection with which the bonds of any issue shall have been issued, except such part thereof as may be necessary for such reserves or any expenditures as may be provided in the resolution authorizing the issuance of the bonds or in the trust agreement securing the same, shall be set aside, at the time as may be specified in the resolution or trust agreement, in a sinking fund which may be pledged to and charged

with the payment of the principal of and the interest on such bonds as the same shall become due and the redemption price or the purchase price of bonds retired by call or purchase as therein provided. Such pledge ~~is~~ shall be valid and binding from the time the pledge is made. The fees, rents, charges, and other revenues and moneys so pledged and thereafter received by or on behalf of Space Florida the authority shall immediately be subject to the lien of any such pledge without any physical delivery thereof or further act, and the lien of any such pledge ~~is~~ shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against Space Florida the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded, except in the records of Space Florida the authority. The use and disposition of money to the credit of the sinking fund shall be subject to the provisions of the resolution authorizing the issuance of such bonds or the provisions of such trust agreement.

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

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

331.3051 Duties of Space Florida.—Space Florida shall:

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

(2) Enter into agreement with the Department of Education, the Department of Transportation, Enterprise Florida, Inc., and Workforce Florida, Inc., for the purpose of implementing this act.

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

(4) Create a marketing campaign to help attract, develop, and retain aerospace businesses, aerospace research and technology, and other related activities in this state. Space Florida shall attempt to coordinate the campaign with existing economic-development-promotion efforts in this state and may use private resources. Marketing strategies may include developing promotional materials, Internet and print advertising, public relations and media placement, trade show attendance, and other activities.

(5) Consult with the Florida Commission on Tourism in developing a space tourism marketing plan. Space Florida and the Florida Commission on Tourism may enter into a mutually beneficial agreement that provides funding to the commission for its services to implement this subsection.

(6) Develop, in cooperation with Enterprise Florida, Inc., a plan to provide financing assistance to aerospace businesses. The plan may include the following activities:

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

(b) Organizing, hosting, and participating in seminars and other forums designed to disseminate information and technical assistance regarding aerospace-related financing.

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

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

(e) Financing aerospace business development projects or initiatives using funds provided by the Legislature.

(7) Carry out its responsibilities for spaceport operations by:

(a) Seeking federal support and developing partnerships to renew and upgrade the infrastructure and technologies at the Cape Canaveral Air Force Station, the John F. Kennedy Space Center, and the Eastern Range that will enhance space and military programs of the Federal Government, and improve access for commercial launch activities.

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

(c) Pursuing the development of commercial spaceports in the state, in addition to those defined in s. 331.304, through a competitive request for proposals in partnership with counties or municipalities, the Federal Government, or private entities.

(d) Promoting and facilitating launch activity within the state by supporting and assisting commercial launch operators in completing and submitting required documentation and gaining approvals and authorization from the required federal agencies for launching from Florida.

(e) Consulting, as necessary, with the appropriate federal, state, and local authorities, including the National Aeronautics and Space Administration, the Federal Aviation Administration, the Department of Defense, the Department of Transportation, the Florida National Guard, and industry on

all aspects of establishing and operating spaceport infrastructure and related facilities within the state.

(8) Carry out its responsibility for research and development by:

(a) Contracting for the operations of the state's Space Life Sciences Laboratory.

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

(9) Carry out its responsibility for workforce development by coordinating with Workforce Florida, Inc., community colleges, colleges, public and private universities, and other public and private partners to develop a plan to retain, train, and retrain workers, from entry-level skills training through to technician-level, and 4-year degrees and higher, with the skills most relevant to aerospace employers.

(10) Carry out its responsibility for creating innovative education programs by funding programs developed in conjunction with the Department of Education that target grades K-20 in an effort to promote mathematics and science education programs, which may include the Florida-NASA Matching Grant Program, aerospace-focused education programs for teachers, education-oriented microgravity flight programs for teachers and students, and Internet-based aerospace education. Funds appropriated and any in-kind or private-sector contributions may be used to carry out innovative education programs. Funding levels shall be determined by the Space Florida board of directors. In its annual report, Space Florida shall include, at a minimum, a description of programs funded, the number of students served, and private-sector support.

(11) Annually report on its performance with respect to its business plan, to include finance, spaceport operations, research and development, workforce development, and education. The report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than September 1 for the prior fiscal year.

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

331.306 Federal airspace notification.—In accordance ~~coordination~~ with ~~Federal Aviation Administration procedures~~ the Florida Department of Transportation, Space Florida the authority shall develop and file the appropriate federal airspace notification to activate special-use airspace in support of its launch operations required for priority airspace use.

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

331.308 Board of directors supervisors.—

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

- (a) The Governor or the Governor's designee.
- (b) The Secretary of Transportation or the secretary's designee.
- (c) The president of Workforce Florida, Inc., or the president's designee.
- (d) The president of Enterprise Florida, Inc., or the president's designee.
- (e) The Commissioner of Education or the commissioner's designee.

(f) Twelve members from the private sector, one of whom shall be a representative of organized labor with professional experience in the aerospace industry, appointed by the Governor. In making these appointments, the Governor shall ensure that the composition of the board reflects the diversity of the aerospace industry community of this state and, to the greatest degree possible, that the composition of the board includes, but is not limited to, at least one individual from each of the industries of business, finance, marketing, space, aerospace, aviation, defense, research and development, and education. The Governor shall also consider whether the current members of the board, together with potential appointees, reflect the racial, ethnic, and gender diversity, as well as the geographic distribution, of the population of the state.

(g) Two ex officio, nonvoting members, one of whom shall be a member of the Senate, selected by the President of the Senate, and one of whom shall be a member of the House of Representatives, selected by the Speaker of the House of Representatives.

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

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

1. The Governor shall appoint two members for a 1-year term, four members for 2-year terms, and six members for 4-year terms.

2. The appointees of the President of the Senate and the Speaker of the House of Representatives shall serve at the pleasure of their presiding officers.

(c) Any member is eligible for reappointment.

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

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

(5) The Governor shall serve as chair of the board of directors. The board of directors shall biennially elect one of its private sector members as vice chair to serve in the absence of the Governor and to perform such other duties as may be designated. The president shall keep a record of the proceedings of the board of directors and shall be the custodian of all books,

documents, and papers filed with the board of directors, the minutes of the board of directors, and the official seal of Space Florida.

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

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

(8) Each member of the board of directors of Space Florida who is not otherwise required to file financial disclosure pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, shall file disclosure of financial interests pursuant to s. 112.3145. There is created within the Florida Space Authority a board of supervisors consisting of eight regular members, who shall be appointed by the Governor, and two ex officio nonvoting members, one of whom shall be a state senator selected by the President of the Senate and one of whom shall be a state representative selected by the Speaker of the House of Representatives. The Lieutenant Governor, who is the state's space policy leader, shall serve as chair of the board of supervisors, and shall cast the deciding vote if the votes of the eight regular members result in a tie. The board shall elect a vice chair to preside in the absence of the Lieutenant Governor and to perform such other duties as may be designated. All regular members shall be subject to confirmation by the Senate at the next regular session of the Legislature. Existing board members are not prohibited from reappointment. Each of the regular board members must be a resident of the state and must have experience in the aerospace or commercial space industry or in finance or have other significant relevant experience. A private sector legal entity may not have more than one person serving on the board at any one time. One regular member shall represent organized labor interests, one regular member shall represent minority interests, and four regular members must represent space industry, at least one of whom must also be from a small business, as defined in s. 288.703. For the purpose of this section, "space industry" includes private sector entities engaged in space flight business, as defined in s. 212.031, research and technology development of space-based products and services, space station commercialization, development of spaceport and range technology, remote sensing products and services, space biotechnology, measurement and calibration of space assets, space-related software and information technology development, design and architecture of space-based assets and facilities for manufacturing and other purposes, space-related nanotechnology, space tourism, and other commercial enterprises utilizing uniquely space-based capabilities.

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

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

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

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

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

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

331.309 Treasurer; depositories; fiscal agent.—

(1) The board shall designate an individual who is a resident of the state, or a qualified public depository as defined in s. 280.02, as treasurer of Space Florida ~~the authority~~, who shall have charge of the funds of Space Florida ~~the authority~~. Such funds shall be disbursed only upon the order of or pursuant to the resolution of the board by warrant, check, authorization, or direct deposit pursuant to s. 215.85, signed or authorized by the treasurer or his or her representative or by such other persons as may be authorized by the board. The board may give the treasurer such other or additional powers and duties as the board may deem appropriate and shall establish the treasurer's compensation. The board may require the treasurer to give a bond in such amount, on such terms, and with such sureties as may be deemed satisfactory to the board to secure the performance by the treasurer of his or her powers and duties. The board shall audit or have audited the books of the treasurer at least once a year.

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

(3) The board may employ a fiscal agent, who shall be either a resident of the state or a corporation organized under the laws of this or any other state and authorized by such laws to act as such fiscal agent in the state.

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

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

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

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

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

~~(b)(4) Execute all contracts and other documents, adopt all proceedings, and perform all acts determined by the board to be necessary or desirable to carry out the purposes of this act. The board may authorize one or more members of the board to execute contracts and other documents on behalf of the board or Space Florida the authority.~~

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

~~(d) Provide financial services to support aerospace-related business development within the state. Financial services may include, but are not limited to, insuring, coinsuring, or originating for sale direct aerospace-related loans; direct lending; guaranteeing and collateralizing loans; creating accounts; capitalizing, underwriting, leasing, selling, or securing funding for aerospace-related infrastructure; investing in permissible securities; organizing financial institutions and international bank syndicates; and acquiring, accepting, or administering grants, contracts, and fees from other organizations to perform activities that are consistent with the purposes of Space Florida's business plan. If the board deems a financial services entity is necessary, the board may create, form, or contract with one or more such entities.~~

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

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

(f)(8) Engage in the planning and implementation of space-related economic and educational development within the state.

(g) Provide the strategic direction for the aerospace-related research priorities of the state and its aerospace-related businesses.

(h)(9) Execute intergovernmental agreements and development agreements consistent with prevailing statutory provisions, including, but not limited to, special benefits or tax increment financing initiatives.

(i)(10) Establish reserve funds for future board operations.

(j)(11) Adopt rules pursuant to chapter 120 to carry out the purposes of this act.

(2) The board of directors shall:

(a) Adopt rules and orders to conduct the business of Space Florida, the maintenance of records, and the form of all documents and records of Space Florida. The board may adopt rules with respect to any of the projects of Space Florida with notice and a public hearing.

(b) Maintain an executive office and Space Florida offices in close proximity to the John F. Kennedy Space Center.

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

(d)(12) Abide by all applicable federal labor laws in the construction and day-to-day operations of Space Florida ~~the authority~~ and any spaceport. Further, the board shall establish, by rule and regulation, pursuant to chapter 120, policies and procedures for the construction and operation of Space Florida ~~the authority~~ and any spaceport. The Said policies and procedures shall be such that when Space Florida ~~the authority~~ expends federal funds for construction or operation of any spaceport project, Space Florida ~~the authority~~ will be subject to the federal labor laws observed at the John F. Kennedy Space Center and Cape Canaveral Air Force Station, Florida, applicable as a result of such federal expenditures.

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

(f) Establish a personnel management system.

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

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

331.3101 Space Florida ~~Space Authority~~; travel and entertainment expenses.—

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

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

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

(2) The rules shall be subject to approval by the Chief Financial Officer before adoption ~~prior to promulgation~~. The rules shall require the submission of paid receipts, or other proof prescribed by the Chief Financial Officer, with any claim for reimbursement, and shall require, as a condition for any advancement, an agreement to submit paid receipts or other proof and to refund any unused portion of the advancement within 15 days after the expense is incurred or, if the advancement is made in connection with travel, within 15 days after completion of the travel. However, with respect to an advancement made solely for travel expenses, the rules may allow paid receipts or other proof to be submitted, and any unused portion of the advancement to be refunded, within 30 days after completion of the travel.

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

(4) A ~~No~~ claim submitted under this section is not ~~shall be~~ required to be sworn to before a notary public or other officer authorized to administer oaths, but any claim authorized or required to be made under any provision of this section must ~~shall~~ contain a statement that the expenses were actually incurred as necessary travel or entertainment expenses in the performance of official duties of Space Florida ~~the authority~~ and shall be verified by

written declaration that it is true and correct as to every material matter. Any person who willfully makes and subscribes to any such claim which the person does not believe to be true and correct as to every material matter or who willfully aids or assists in, or procures, counsels, or advises, the preparation or presentation of a claim pursuant to this section, which claim is fraudulent or false as to any material matter, whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such claim, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Whoever receives an advancement or reimbursement by means of a false claim is civilly liable, in the amount of the overpayment, for the reimbursement of the public fund from which the claim was paid.

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

331.311 Exercise by Space Florida authority of its powers within municipalities and other political subdivisions.—~~Space Florida may~~ The authority shall have the power to exercise any of its rights, powers, privileges, and authority in any and all portions of any spaceport territory lying within the boundaries of any municipal corporation or other political subdivision, heretofore or hereafter created or organized, whose boundaries lie wholly or partly within the geographical limits of the spaceport territory, to the same extent and in the same manner as in areas of the spaceport territory not incorporated as part of a municipality or other political subdivision. With respect to any municipal corporation or other political subdivision whose boundaries lie partly within and partly without the geographical limits of the spaceport territory, ~~Space Florida may~~ the authority shall have the power to exercise its rights, powers, privileges, and authority only within the portion of ~~the~~ such municipal corporation or other political subdivision lying within the boundaries of the spaceport territory.

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

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

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

331.313 Power of Space Florida ~~the authority~~ with respect to roads.—Within the territorial limits of any spaceport territory, Space Florida may ~~the authority has the right to~~ acquire, through purchase or interagency agreement, or as otherwise provided in law, and to construct, control, and maintain, roads deemed necessary by Space Florida ~~the authority~~ and connections thereto and extensions thereof now or hereafter acquired, constructed, or maintained in accordance with established highway safety

standards; provided that, in the event a road being addressed by Space Florida ~~the authority~~ is owned by another agency or jurisdiction, Space Florida ~~the authority~~, ~~before~~ ~~prior to~~ proceeding with the proposed project or work activity, shall have either coordinated the desired work with the owning agency or jurisdiction or shall have successfully executed an interagency agreement with the owning agency or jurisdiction.

Section 15. Section 331.316, Florida Statutes, is amended to read:

331.316 Rates, fees, rentals, tolls, fares, and charges; procedure for adoption and modification; minimum revenue requirements.—

(1) To recover the costs of the spaceport facility or system, Space Florida ~~may the authority shall have the power to~~ prescribe, fix, establish, and collect rates, fees, rentals, tolls, fares, or other charges (hereinafter referred to as “revenues”), and to revise the same from time to time, for the facilities and services furnished or to be furnished by Space Florida ~~the authority~~ and the spaceport, including, but not limited to, launch pads, ranges, payload assembly and processing facilities, visitor and tourist facilities, transportation facilities, and parking and other related facilities, and ~~may shall have the power to~~ provide for reasonable penalties against any user or property for any such rates, fees, rentals, tolls, fares, or other charges that are delinquent.

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

Section 16. Section 331.317, Florida Statutes, is amended to read:

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

Section 17. Section 331.318, Florida Statutes, is amended to read:

331.318 Discontinuance of service.—In the event that the rates, fees, rentals, tolls, fares, or other charges for the services and facilities of any project are not paid when due, the board ~~may shall have the power to~~ discontinue and shut off the same until such rates, fees, rentals, tolls, fares, or other charges, including interest, penalties, and charges for the shutting off and discontinuance and the restoration of such services and facilities, are fully paid. Such delinquent rates, fees, rentals, tolls, fares, or other charges,

together with interest, penalties, and charges for the shutting off and discontinuance and the restoration of such services and facilities, and reasonable attorney's fees and other expenses, may be recovered by Space Florida ~~the authority~~ by suit in any court of competent jurisdiction. Space Florida ~~The authority~~ may also enforce payment of such delinquent rates, fees, rentals, tolls, fares, or other charges by any other lawful method of enforcement.

Section 18. Section 331.319, Florida Statutes, is amended to read:

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

(1) Adopt, and from time to time review, amend, supplement, or repeal, a comprehensive general plan for the physical development of the area within the spaceport territory in accordance with the objectives and purposes of this act and consistent with the comprehensive plans of the applicable county or counties and municipality or municipalities adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, part II of chapter 163.

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

Section 19. Section 331.320, Florida Statutes, is amended to read:

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

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

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

Section 20. Section 331.321, Florida Statutes, is amended to read:

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

Section 21. Section 331.322, Florida Statutes, is amended to read:

331.322 Agreements with municipalities within any spaceport territory.—The board of directors and the governing body or bodies of any one or more municipalities located wholly or partly within any spaceport territory, whether now in existence or hereafter created, ~~may be authorized to enter into and carry into effect contracts and agreements relating to the common powers, duties, and functions of the board and other officers, agents, and employees of Space Florida the authority, and the respective governing body or bodies of one or more such municipalities, and their respective officers, agents, and employees, to the end that there may be effective cooperation between and coordination of the efforts of such municipality or municipalities and Space Florida the authority in discharging their common functions, powers, and duties and in rendering services to the respective residents and property owners of such municipality or municipalities and Space Florida the authority.~~ The board and the governing body or bodies of one or more such municipalities are further authorized to enter into and carry into effect contracts and agreements for the performance of any of their common functions, powers, and duties by a central agency or common agent of the contracting parties.

Section 22. Section 331.323, Florida Statutes, is amended to read:

331.323 Cooperative agreements with the state, counties, and municipalities.—

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

(2) The state and the counties, municipalities, and other political subdivisions, public bodies, and agencies thereof, or any of them, whether now existing or hereafter created, and Space Florida ~~the authority~~ ~~created by this act~~, are further authorized to enter into cooperative agreements to provide for the furnishing by Space Florida ~~the authority~~ to the state or any county, municipality, or other political subdivision, public body, or agency thereof of any of the facilities and services of Space Florida ~~the authority~~, or by the state or any county, municipality, or other political subdivision, public body, or agency thereof to Space Florida ~~the authority~~ and to persons within the spaceport territory of facilities and services of the type that Space

~~Florida the authority~~ is authorized to furnish or undertake, or such other facilities and services as may be determined necessary or desirable by the board for the carrying out of the purposes of this act. Without limitation of the foregoing, such cooperative agreements may provide for the furnishing by any county, municipality, or other political subdivision of fire and police protection for Space Florida the authority and persons and property within Space Florida the authority, and for the providing to Space Florida the authority of any services deemed necessary or desirable by the board for the proper functioning of Space Florida the authority.

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

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

Section 23. Section 331.324, Florida Statutes, is amended to read:

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

Section 24. Section 331.325, Florida Statutes, is amended to read:

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

Section 25. Section 331.326, Florida Statutes, is amended to read:

331.326 Information relating to trade secrets confidential.—The records of Space Florida the authority regarding matters encompassed by this act are public records subject to the provisions of chapter 119. Any information held by Space Florida the authority which is a trade secret, as defined in s. 812.081, including trade secrets of Space Florida the authority, any spaceport user, or the space industry business, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution and may not be disclosed. If Space Florida the authority determines that any information requested by the public will reveal a trade secret, it shall, in writing, inform the person making the request of that determination. The determination is a final order as defined in s. 120.52. Any meeting or portion of a meeting of Space Florida's the authority's board of supervisors is exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution

when the board is discussing trade secrets. Any public record generated during the closed portions of ~~the such~~ meetings, such as minutes, tape recordings, and notes, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

Section 26. Section 331.327, Florida Statutes, is amended to read:

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

Section 27. Section 331.328, Florida Statutes, is amended to read:

331.328 Sovereign immunity.—As an independent special district, Space Florida has ~~The authority shall be granted~~ sovereign immunity in the same manner as the state under the laws and Constitution of the State of Florida. The state, by this section, hereby waives the sovereign immunity granted to the same extent as waived by the state under state law.

Section 28. Section 331.329, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

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

(2) Land, including property situated thereon, added to any spaceport territory in the manner provided in subsection (1) shall from the time of its inclusion within such spaceport territory be subject to all assessments thereafter levied and assessed on all other land or property of any spaceport territory similarly situated. Land, including property situated thereon, excluded from any spaceport territory in the manner provided in subsection (1) shall from the date of such exclusion be exempt from assessments thereafter imposed by Space Florida ~~the authority~~ but shall not be exempt from assessments theretofore levied or due with respect to such land or property, or from subsequent installments of assessments theretofore levied or assessed with respect thereto, and such assessments may be enforced and collected by or on behalf of Space Florida ~~the authority~~ in the same manner as if such land or property continued to be within the geographical limits of any spaceport territory.

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

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

Section 29. Section 331.331, Florida Statutes, is amended to read:

331.331 Revenue bonds.—

(1) Revenue bonds issued by Space Florida ~~the authority~~ shall not be deemed revenue bonds issued by the state or its agencies for purposes of s. 11, Art. VII of the State Constitution and ss. 215.57-215.83. Space Florida ~~The authority~~ shall include in its annual report to the Governor and Legislature, as provided in s. 331.310, a summary of the status of existing and proposed bonding projects.

(2) The issuance of revenue bonds may be secured by or payable from the gross or net pledge of the revenues to be derived from any project or combination of projects, from the rates, fees, rentals, tolls, fares, or other charges

to be collected from the users of any project or projects; from any revenue-producing undertaking or activity of ~~Space Florida the authority~~; or from any source of pledged security. Such bonds shall not constitute an indebtedness of ~~Space Florida the authority~~ unless such bonds are additionally secured by the full faith and credit of ~~Space Florida the authority~~. Bonds issued by ~~Space Florida the authority~~ are not secured by the full faith and credit of the State of Florida and do not constitute an obligation, either general or special, thereof.

(3) Any two or more projects may be combined and consolidated into a single project, and may thereafter be operated and maintained as a single project. The revenue bonds authorized herein may be issued to finance any one or more such projects separately, or to finance two or more such projects, regardless whether or not such projects have been combined and consolidated into a single project. If the board deems it advisable, the proceedings authorizing such revenue bonds may provide that ~~Space Florida the authority~~ may thereafter combine the projects then being financed or theretofore financed with other projects to be subsequently financed by Space Florida the authority shall be on a parity with the revenue bonds then being issued, all on such terms, conditions, and limitations as shall be provided, and may further provide that the revenues to be derived from the subsequent projects shall at the time of the issuance of such parity revenue bonds be also pledged to the holders of any revenue bonds theretofore issued to finance the revenue undertakings which are later combined with such subsequent projects. ~~Space Florida The authority~~ may pledge for the security of the revenue bonds a fixed amount, without regard to any fixed proportion of the gross revenues of any project.

Section 30. Section 331.333, Florida Statutes, is amended to read:

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

Section 31. Section 331.334, Florida Statutes, is amended to read:

331.334 Pledging assessments and other revenues and properties as additional security on bonds.—~~Space Florida The authority~~ may pledge as additional security for the payment of any of the bonds of ~~Space Florida the authority~~ its full faith and credit, and provide that such bonds shall be payable as to both principal and interest, and as to any reserve or other funds provided therefor, to the full extent that any revenues as defined in

this act, assessments, or other funds, or any combination thereof, pledged therefor are insufficient for the full payment of the same, and provided further that no bonds shall be issued to the payment of which the full faith and credit of Space Florida ~~the authority~~ is pledged unless approved at an election in the manner provided by law. Space Florida ~~The authority~~ by resolution of the board may also pledge as additional security for said bonds the revenues from any project of Space Florida ~~the authority~~, utility service, assessments, and any other sources of revenue or funds, or any combination of the foregoing, and may pledge or mortgage any of the properties, rights, interest, or other assets of Space Florida ~~the authority~~. Bonds issued by Space Florida ~~the authority~~ are not secured by the full faith and credit of the State of Florida and do not constitute an obligation, either general or special, thereof. The board may also provide with respect to any bonds of Space Florida ~~the authority~~ that such bonds shall be payable, in whole or in part, as to principal amount or interest, or both, out of rates, fees, rentals, tolls, fares, or other charges collected with respect to any of the projects of Space Florida ~~the authority~~.

Section 32. Section 331.335, Florida Statutes, is amended to read:

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

Section 33. Section 331.336, Florida Statutes, is amended to read:

331.336 Issuance of bond anticipation notes.—In addition to the other powers provided for in this act and not in limitation thereof, Space Florida ~~may the authority shall have the power~~, at any time from time to time after the issuance of any bonds of Space Florida ~~the authority shall have been authorized, to borrow money for the purposes for which such bonds are to be issued in anticipation of the receipt of the proceeds of the sale of such bonds and to issue bond anticipation notes in a principal amount not in excess of the authorized maximum amount of such bond issue. Such notes shall be in such denomination or denominations, bear interest at such rate or rates, mature at such time or times, be renewable for such additional term or terms, and be in such form and executed in such manner as the board shall prescribe. Such notes may be sold at public sale, or if such notes shall be renewable notes, may be exchanged for notes then outstanding on such terms as the board shall determine. Such notes shall be paid from the proceeds of such bonds when issued. The board may in its discretion, in lieu of retiring the notes by means of bonds, retire them by means of current revenues or from any assessments levied for the payment of such bonds, but in such event a like amount of the bonds authorized shall not be issued.~~

Section 34. Section 331.337, Florida Statutes, is amended to read:

331.337 Short-term borrowing.—~~Space Florida~~ The authority at any time may obtain loans, in such amount and on such terms and conditions as the board may approve, for the purpose of paying any of the expenses of ~~Space Florida~~ the authority or any costs incurred or that may be incurred in connection with any of the projects of ~~Space Florida~~ the authority, which loans shall have such term or terms, be renewable for such term or terms, bear interest at such rate or rates, and be payable from and secured by a pledge of such funds, revenues, and assessments as the board may determine. For the purpose of defraying such costs and expenses, ~~Space Florida~~ the authority may issue negotiable notes, warrants, or other evidences of debt signed on behalf of ~~Space Florida~~ the authority by any one of the board, such notes or other evidences of indebtedness to be payable at such time or times, to bear interest at such rate or rates, and to be sold or discounted at such price or prices and on such term or terms as the board may deem advisable. The board ~~may shall have the right to~~ provide for the payment thereof by pledging the whole or any part of the funds, revenues, and assessments of ~~Space Florida~~ the authority.

Section 35. Section 331.338, Florida Statutes, is amended to read:

331.338 Trust agreements.—In the discretion of the board, any issue of bonds may be secured by a trust agreement by and between ~~Space Florida~~ the authority and a corporate trustee which may be any trust company or bank having the powers of a trust company within or without the state. The resolution authorizing the issuance of the bonds or such trust agreement may pledge the revenues to be received from any projects of ~~Space Florida~~ the authority and any other authorized moneys to be used for the repayment of bonds, and may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as the board may approve, including without limitation covenants setting forth the duties of ~~Space Florida~~ the authority in relation to the acquisition, planning, development, construction, reconstruction, improvement, maintenance, repair, operation, and insurance of any projects, the fixing and revision of the rates, fees, rentals, tolls, fares, and charges, and the custody, safeguarding, and application of all moneys, and for the employment of consulting engineers in connection with such acquisition, planning, development, construction, reconstruction, improvement, maintenance, repair, or operation. It shall be lawful for any bank or trust company incorporated under the laws of the state or the United States which may act as a depository of the proceeds of bonds or of revenues to furnish such indemnifying bonds or to pledge such securities as may be required by ~~Space Florida~~ the authority. Such resolution or trust agreement may set forth the rights and remedies of the bondholders and of the trustee, if any, and may restrict the individual right of action by bondholders. The board may provide for the payment of the proceeds of the sale of the bonds and the revenues of any project to such officer, board, or depository as it may designate for the custody thereof, and for the method of disbursement thereof, with such safeguards and restrictions as it may determine. All expenses incurred in carrying out the provisions of such resolution or trust agreement may be treated as part of the cost of the project to which such trust agreement pertains.

Section 36. Section 331.339, Florida Statutes, is amended to read:

331.339 Sale of bonds.—Bonds may be sold in blocks or installments at different times, or an entire issue or series may be sold at one time. Bonds may only be sold at public sale after being advertised and publicly noticed, unless Space Florida ~~the authority~~ has previously complied with the provisions of s. 218.385. Bonds may be sold or exchanged for refunding bonds. Special assessment and revenue bonds may be delivered as payment by Space Florida ~~the authority~~ of the purchase price or lease of any project or part thereof, or a combination of projects or parts thereof, or as the purchase price of, or exchange for, any property, real, personal, or mixed, including franchises, or services rendered by any contractor, engineer, or other person, all at one time or in blocks from time to time, in such manner and upon such terms as the board in its discretion shall determine. The price or prices for any bonds sold, exchanged, or delivered may be:

- (1) The money paid for the bonds.
- (2) The principal amount, plus accrued interest to date of redemption or exchange, of outstanding obligations exchanged for refunding bonds.
- (3) In the case of special assessment or revenue bonds, the amount of any indebtedness to contractors or other persons paid with such bonds, or the fair value of any properties exchanged for the bonds, as determined by the board.

Section 37. Section 331.340, Florida Statutes, is amended to read:

331.340 Authorization and form of bonds.—Bonds may be authorized by resolution or resolutions of the board which shall be adopted by a majority of all of the members thereof then in office and present at the meeting at which the resolution or resolutions are adopted and shall be approved as provided in s. 331.305. The resolution or resolutions of the board may be adopted at the same meeting at which they are introduced, and shall be published and noticed. The board may by resolution authorize the issuance of bonds, fix the aggregate amount of bonds to be issued, the purpose or purposes for which the moneys derived therefrom shall be expended, the rate or rates of interest, the denomination of the bonds, whether or not the bonds are to be issued in one or more series, the date or dates thereof, the date or dates of maturity, which shall not exceed 40 years from their respective dates of issuance, the medium of payment, the place or places within or without the state where payment shall be made, registration privileges, redemption terms and privileges (whether with or without premium), the manner of execution, the form of the bonds including any interest coupons to be attached thereto, the manner of execution of bonds and coupons, and any and all other terms, covenants, and conditions thereof, and the establishment of reserve or other funds. Such authorizing resolution may further provide that such bonds may be executed manually or by engraved, lithographed, or facsimile signature, provided that where signatures are engraved, lithographed, or facsimile no bond shall be valid unless countersigned by a registrar or other officer designated by appropriate resolution of the board. The seal of Space Florida ~~the authority~~ may be affixed, lithographed, engraved, or otherwise reproduced in facsimile on such bonds. In

case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if the officer had remained in office until such delivery.

Section 38. Section 331.343, Florida Statutes, is amended to read:

331.343 **Defeasance.**—The board may make such provision with respect to the defeasance of the right, title, and interest of the holders of any of the bonds and obligations of Space Florida the authority in any revenues, funds, or other properties by which such bonds are secured as the board deems appropriate and, without limitation on the foregoing, may provide that when such bonds or obligations become due and payable or shall have been called for redemption, and the whole amount of the principal and the interest and premium, if any, due and payable upon the bonds or obligations when outstanding shall be paid, or sufficient moneys or direct obligations of the United States Government the principal of and the interest on which when due will provide sufficient moneys, shall be held or deposited in trust for such purpose, and provision shall also be made for paying all other sums payable in connection with such bonds or other obligations, then and in such event the right, title, and interest of the holders of the bonds in any revenues, funds, or other properties by which such bonds are secured shall thereupon cease, terminate, and become void; and the board may apply any surplus in any sinking fund established in connection with such bonds or obligations and all balances remaining in all other funds or accounts other than money held for the redemption or payment of the bonds or other obligations to any lawful purpose of Space Florida the authority as the board shall determine.

Section 39. Section 331.345, Florida Statutes, is amended to read:

331.345 **Covenants.**—Any resolution authorizing the issuance of bonds may contain such covenants as the board may deem advisable and all such covenants shall constitute valid and legally binding and enforceable contracts between Space Florida the authority and the bondholders, regardless of the time of issuance thereof. Such covenants may include, without limitation, covenants concerning the disposition of the bond proceeds, the use and disposition of project revenues, the pledging of revenues, and assessments, the obligations of Space Florida the authority with respect to the operation of the project and the maintenance of adequate project revenues, the issuance of additional bonds, the appointment, powers, and duties of trustees and receivers, the acquisition of outstanding bonds and obligations, restrictions on the establishing of competing projects or facilities, restrictions on the sale or disposal of the assets and property of Space Florida the authority, the priority of assessment liens, the priority of claims by bondholders on the taxing power of Space Florida the authority, the maintenance of deposits to assure the payment of revenues by users of spaceport facilities and services, the discontinuance of Space Florida authority services by reason of delinquent payments, acceleration upon default, the execution of necessary instruments, the procedure for amending or abrogating covenants with the bondholders, and such other covenants as may be deemed necessary or desirable for the security of the bondholders.

Section 40. Section 331.346, Florida Statutes, is amended to read:

331.346 Validity of bonds; validation proceedings.—Any bonds issued by Space Florida ~~the authority~~ shall be incontestable in the hands of bona fide purchasers or holders for value and shall not be invalid because of any irregularity or defect in the proceedings for the issue and sale thereof. Prior to the issuance of any bonds, Space Florida ~~the authority~~ shall publish a notice at least once in a newspaper or newspapers published or of general circulation in the appropriate counties in the state, stating the date of adoption of the resolution authorizing such obligations, the amount, maximum rate of interest, and maturity of such obligations, and the purpose in general terms for which such obligations are to be issued, and further stating that no action or proceeding questioning the validity of such obligations or of the proceedings authorizing the issuance thereof, or of any covenants made therein, must be instituted within 20 days after the first publication of such notice, or the validity of such obligations, proceedings, and covenants shall not be thereafter questioned in any court whatsoever. If no such action or proceeding is so instituted within such 20-day period, then the validity of such obligations, proceedings, and covenants shall be conclusive, and all persons or parties whatsoever shall be forever barred from questioning the validity of such obligations, proceedings, or covenants in any court whatsoever.

Section 41. Section 331.347, Florida Statutes, is amended to read:

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

Section 42. Section 331.348, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

Section 43. Section 331.349, Florida Statutes, is amended to read:

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

Section 44. Section 331.350, Florida Statutes, is amended to read:

331.350 Insurance coverage of Space Florida ~~the authority~~; safety program.—

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

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

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

(a) The development and implementation of a loss prevention program which shall consist of a comprehensive ~~authority-wide~~ safety program for all of Space Florida, including a statement, established by the board of directors ~~supervisors~~, of safety policy and responsibility.

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

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

(d) Establishment of a program to promote increased safety awareness among employees, agents, and subcontractors of Space Florida ~~the authority~~.

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

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

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

Section 45. Section 331.351, Florida Statutes, is amended to read:

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

Section 46. Section 331.354, Florida Statutes, is amended to read:

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

Section 47. Section 331.355, Florida Statutes, is amended to read:

331.355 Use of name; ownership rights to intellectual property.—

(1)(a) The corporate name of a corporation incorporated or authorized to transact business in this state, or the name of any person or business entity transacting business in this state, may not use the words “Space Florida,” “Florida Space Authority,” “Florida Aerospace Finance Corporation,” “Florida Space Research Institute,” “spaceport Florida,” or “Florida spaceport” in its name unless the Space Florida board of directors ~~the authority~~ gives written approval for such use.

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

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

Section 48. Section 331.360, Florida Statutes, is amended to read:

331.360 Joint participation ~~project~~ agreement or assistance; spaceport master plan.—

(1) It shall be the duty, function, and responsibility of the Department of Transportation to promote the further development and improvement of aerospace transportation facilities; to address intermodal requirements and impacts of the launch ranges, spaceports, and other space transportation facilities; to assist in the development of joint-use facilities and technology that support aviation and aerospace operations; to coordinate and cooperate in the development of spaceport infrastructure and related transportation facilities contained in the Strategic Intermodal System Plan; to encourage, where appropriate, the cooperation and integration of airports and spaceports in order to meet transportation-related needs; and to facilitate and promote cooperative efforts between federal and state government entities to improve space transportation capacity and efficiency. In carrying out this duty and responsibility, the department may assist and advise, cooperate with, and coordinate with federal, state, local, or private organizations and individuals. The department may administratively house its space transportation responsibilities within an existing division or office.

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

(3) Space Florida ~~The authority~~ shall develop a spaceport master plan for expansion and modernization of space transportation facilities within spaceport territories as defined in s. 331.303(23). The plan shall contain recommended projects to meet current and future commercial, national, and state space transportation requirements. Space Florida ~~The authority~~ shall submit the plan to any appropriate metropolitan planning organization ~~M.P.O.~~ for review of intermodal impacts. Space Florida ~~The authority~~ shall submit

the spaceport master plan to the Department of Transportation, and such plan may be included within the department's 5-year work program of qualifying aerospace discretionary capacity improvement under subsection (4). The plan shall identify appropriate funding levels and include recommendations on appropriate sources of revenue that may be developed to contribute to the State Transportation Trust Fund.

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

Section 49. Section 331.369, Florida Statutes, is amended to read:

331.369 Space Industry Workforce Initiative.—

(1) The Legislature finds that the aerospace ~~space~~ industry is critical to the economic future of the state and that the competitiveness of the industry in the state depends upon the development and maintenance of a qualified workforce. The Legislature further finds that the aerospace ~~space~~ industry in this state has diverse and complex workforce needs, including, but not limited to, the need for qualified entry-level workers, the need to upgrade the skills of technician-level incumbent workers, and the need to ensure continuing education opportunities for workers with advanced educational degrees. It is the intent of the Legislature to support programs designed to address the workforce development needs of the aerospace ~~space~~ industry in this state.

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

(3) The initiative shall emphasize:

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

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

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

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

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

(f) Leveraging of state and federal workforce funds.

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

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

Section 50. Paragraph (g) of subsection (2) of section 14.2015, Florida Statutes, is amended to read:

14.2015 Office of Tourism, Trade, and Economic Development; creation; powers and duties.—

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

(g) Serve as contract administrator for the state with respect to contracts with Enterprise Florida, Inc., the Florida Commission on Tourism, Space Florida, and all direct-support organizations under this act, excluding those relating to tourism. To accomplish the provisions of this act and applicable provisions of chapter 288, and notwithstanding the provisions of part I of chapter 287, the office shall enter into specific contracts with Enterprise Florida, Inc., the Florida Commission on Tourism, Space Florida, and other appropriate direct-support organizations. Such contracts may be multiyear and shall include specific performance measures for each year.

Section 51. Section 74.011, Florida Statutes, is amended to read:

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

Section 52. Subsection (6) of section 196.012, Florida Statutes, is amended to read:

196.012 Definitions.—For the purpose of this chapter, the following terms are defined as follows, except where the context clearly indicates otherwise:

(6) Governmental, municipal, or public purpose or function shall be deemed to be served or performed when the lessee under any leasehold interest created in property of the United States, the state or any of its political subdivisions, or any municipality, agency, special district, authority, or other public body corporate of the state is demonstrated to perform a function or serve a governmental purpose which could properly be performed or served by an appropriate governmental unit or which is demonstrated to perform a function or serve a purpose which would otherwise be a valid subject for the allocation of public funds. For purposes of the preceding sentence, an activity undertaken by a lessee which is permitted under the terms of its lease of real property designated as an aviation area on an airport layout plan which has been approved by the Federal Aviation Administration and which real property is used for the administration, operation, business offices and activities related specifically thereto in connection with the conduct of an aircraft full service fixed base operation which provides goods and services to the general aviation public in the promotion of air commerce shall be deemed an activity which serves a governmental, municipal, or public purpose or function. Any activity undertaken by a lessee which is permitted under the terms of its lease of real property designated as a public airport as defined in s. 332.004(14) by municipalities, agencies, special districts, authorities, or other public bodies corporate and public bodies politic of the state, a spaceport as defined in s. 331.303(19), or which is located in a deepwater port identified in s. 403.021(9)(b) and owned by one of the foregoing governmental units, subject to a leasehold or other possessory interest of a nongovernmental lessee that is deemed to perform an aviation, airport, aerospace, maritime, or port purpose or operation shall be deemed an activity that serves a governmental, municipal, or public purpose. The use by a lessee, licensee, or management company of real property or a portion thereof as a convention center, visitor center, sports facility with permanent seating, concert hall, arena, stadium, park, or beach is deemed a use that serves a governmental, municipal, or public purpose or function when access to the property is open to the general public with or without a charge for admission. If property deeded to a municipality by the United States is subject to a requirement that the Federal Government, through a schedule established by the Secretary of the Interior, determine that the property is being maintained for public historic preservation, park, or recreational purposes and if those conditions are not met the property will revert back to the Federal Government, then such property shall be deemed to serve a municipal or public purpose. The term "governmental purpose" also includes a direct use of property on federal lands in connection with the Federal Government's Space Exploration Program or spaceport activities as defined in s. 212.02(22). Real property and tangible personal property owned by the Federal Government or Space Florida ~~the Florida Space Authority~~ and used for defense and space exploration purposes or which is put to a use in support thereof shall be deemed to perform an essential national governmental purpose and shall be exempt. "Owned by the lessee" as used in this chapter does not include personal property, buildings, or other real property improvements used for the administration, operation, business offices and activities related specifically thereto in connection with the conduct of an aircraft full service fixed based operation which provides goods and services to the general aviation public in the promotion of air commerce provided

that the real property is designated as an aviation area on an airport layout plan approved by the Federal Aviation Administration. For purposes of determination of “ownership,” buildings and other real property improvements which will revert to the airport authority or other governmental unit upon expiration of the term of the lease shall be deemed “owned” by the governmental unit and not the lessee. Providing two-way telecommunications services to the public for hire by the use of a telecommunications facility, as defined in s. 364.02(15), and for which a certificate is required under chapter 364 does not constitute an exempt use for purposes of s. 196.199, unless the telecommunications services are provided by the operator of a public-use airport, as defined in s. 332.004, for the operator’s provision of telecommunications services for the airport or its tenants, concessionaires, or licensees, or unless the telecommunications services are provided by a public hospital. However, property that is being used to provide such telecommunications services on or before October 1, 1997, shall remain exempt, but such exemption expires October 1, 2004.

Section 53. Subsection (22) of section 212.02, Florida Statutes, is amended to read:

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

(22) “Spaceport activities” means activities directed or sponsored by Space Florida ~~the Florida Space Authority~~ on spaceport territory pursuant to its powers and responsibilities under the Space Florida Act ~~Florida Space Authority Act~~.

Section 54. Subsection (7) of section 288.063, Florida Statutes, is amended to read:

288.063 Contracts for transportation projects.—

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

Section 55. Subsection (1) of section 288.075, Florida Statutes, is amended to read:

288.075 Confidentiality of records.—

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

Section 56. Subsection (2) of section 288.35, Florida Statutes, is amended to read:

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

(2) “Government agency” means the state or any county or political subdivision thereof; any state agency; any consolidated government of a county, and some or all of the municipalities located within the said county; any chartered municipality in the state; and any of the institutions of such consolidated governments, counties, or municipalities. Specifically included are airports, port authorities, industrial authorities, and Space Florida ~~the Florida Space Authority~~.

Section 57. Subsection (2) of section 288.9415, Florida Statutes, is amended to read:

288.9415 International Trade Grants.—

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

Section 58. Paragraph (j) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

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

(5) EXEMPTIONS; ACCOUNT OF USE.—

(j) Machinery and equipment used in semiconductor, defense, or space technology production and research and development.—

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

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

2.a. Machinery and equipment are exempt from the tax imposed by this chapter if used predominately in semiconductor wafer research and development activities in a semiconductor technology research and development facility certified under subparagraph 6. For purposes of this paragraph, machinery and equipment includes molds, dies, machine tooling, other appurtenances or accessories to machinery and equipment, testing equipment, test beds, computers, and software, whether purchased or self-fabricated, and, if self-fabricated, includes materials and labor for design, fabrication, and assembly.

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

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

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

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

6.a. To be eligible to receive the exemption provided by subparagraph 1., subparagraph 2., or subparagraph 3., a qualifying business entity shall initially apply to Enterprise Florida, Inc. The original certification shall be valid for a period of 2 years. In lieu of submitting a new application, the original certification may be renewed biennially by submitting to the Office of Tourism, Trade, and Economic Development a statement, certified under oath, that there has been no material change in the conditions or circumstances entitling the business entity to the original certification. The initial application and certification renewal statement shall be developed by the Office of Tourism, Trade, and Economic Development in consultation with Enterprise Florida, Inc.

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

c. Upon receipt of the initial application and recommendation from Enterprise Florida, Inc., or upon receipt of a certification renewal statement, the Office of Tourism, Trade, and Economic Development shall certify

within 5 working days those applicants who are found to meet the requirements of this section and notify the applicant, Enterprise Florida, Inc., and the department of the original certification or certification renewal. If the Office of Tourism, Trade, and Economic Development finds that the applicant does not meet the requirements of this section, it shall notify the applicant and Enterprise Florida, Inc., within 10 working days that the application for certification has been denied and the reasons for denial. The Office of Tourism, Trade, and Economic Development has final approval authority for certification under this section.

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

~~d.b.~~ The initial application and certification renewal statement must indicate, for program evaluation purposes only, the average number of full-time equivalent employees at the facility over the preceding calendar year, the average wage and benefits paid to those employees over the preceding calendar year, the total investment made in real and tangible personal property over the preceding calendar year, and the total value of tax-exempt purchases and taxes exempted during the previous year. The department shall assist the Office of Tourism, Trade, and Economic Development in evaluating and verifying information provided in the application for exemption.

~~e.e.~~ The Office of Tourism, Trade, and Economic Development may use the information reported on the initial application and certification renewal statement for evaluation purposes only and shall prepare an annual report on the exemption program and its cost and impact. The annual report for the preceding fiscal year shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by September 30 of each fiscal year.

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

8.9. As used in this paragraph, the term:

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

b. "Research and development" means basic and applied research in the science or engineering, as well as the design, development, and testing, of prototypes or processes of new or improved products, including the design, development, and testing of space launch vehicles, space flight vehicles, missiles, satellites, or research payloads, avionics, and associated control systems and processing systems, and components of any of the foregoing.

Research and development does not include market research, routine consumer product testing, sales research, research in the social sciences or psychology, or similar nontechnological activities, or ~~technical~~ services.

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

d. “Clean rooms” means manufacturing facilities enclosed in a manner that meets the clean manufacturing requirements necessary for high-technology semiconductor-manufacturing environments.

e. “Defense technology products” means products that have a military application, including, but not limited to, weapons, weapons systems, guidance systems, surveillance systems, communications or information systems, munitions, aircraft, vessels, or boats, or components thereof, which are intended for military use and manufactured in performance of a contract with the United States Department of Defense or the military branch of a recognized foreign government or a subcontract thereunder which relates to matters of national defense.

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

Section 59. Section 1004.86, Florida Statutes, is created to read:

1004.86 Florida Center for Mathematics and Science Education Research.—

(1) The Department of Education shall contract with a competitively selected public or private university to create and operate the Florida Center for Mathematics and Science Education Research. The purpose of the center is increasing student achievement in mathematics and science, with an emphasis on K-12 education. The center shall:

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

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

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

(d) Develop comprehensive course frameworks for mathematics and science courses that emphasize rigor and relevance at the elementary, middle, and high school levels. Student achievement data should be used to aid in the development of course frameworks for low-performing schools, special needs students, females, and minorities.

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

(f) Collect, manage, and report on assessment information regarding student achievement in mathematics and science. The report shall include student achievement by ethnic group.

(g) Establish partnerships with public and private universities, community colleges, school districts, and other appropriate entities to further increase student achievement in mathematics and science.

(h) Develop a comprehensive plan, with input from school districts, to increase the number and percentage of females and minority students enrolling in and successfully completing mathematics and science courses.

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

Section 60. Sections 331.314, 331.315, 331.367, 331.368, 331.401, 331.403, 331.405, 331.407, 331.409, 331.411, 331.415, 331.417, and 331.419, Florida Statutes, are repealed.

Section 61. No later than September 1, 2006, the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation shall submit articles of dissolution to the Department of State in accordance with s. 607.1403, Florida Statutes, or s. 617.1403, Florida Statutes, as applicable. The Florida Space Authority shall also comply with the dissolution procedures provided s. 189.4042, Florida Statutes. Space Florida, as created by this act, is the successor organization to the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation. The Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation shall transfer and Space Florida shall receive all records, property, obligations, and unexpended balances of appropriations, allocations, or other funds of the dissolved entities. To ensure compliance with 26 U.S.C. 501(c)(3), Space Florida shall use the assets and funds transferred to it from the Florida Space Research Institute and the Florida Aerospace Finance Corporation in a manner consistent with the purposes for which the originating entity received such assets and funds.

Section 62. The Governor, the President of the Senate, and the Speaker of the House of Representatives shall appoint the board of directors of Space Florida no later than July 1, 2006. The board of directors of Space Florida shall hold its first meeting no later than August 1, 2006. The board of directors of Space Florida shall appoint a president no later than September

1, 2006. The Executive Office of the Governor shall provide staffing and transitional support to Space Florida until December 31, 2006.

Section 63. Subsection (12) is added to section 288.1224, Florida Statutes, to read:

288.1224 Powers and duties.—The commission:

(12) Shall advise and cooperate with Space Florida regarding space tourism marketing, when appropriate and beneficial.

Section 64. Subsection (7) is added to section 288.9015, Florida Statutes, to read:

288.9015 Enterprise Florida, Inc.; purpose; duties.—

(7) Enterprise Florida, Inc., shall enter into an agreement with Space Florida to:

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

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

Section 65. Subsection (33) is added to section 334.044, Florida Statutes, to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(33) To enter into agreement with Space Florida to coordinate and cooperate in the development of spaceport infrastructure and related transportation facilities contained in the Strategic Intermodal System Plan and, where appropriate, encourage the cooperation and integration of airports and spaceports in order to meet transportation-related needs.

Section 66. Subsection (12) is added to section 445.004, Florida Statutes, to read:

445.004 Workforce Florida, Inc.; creation; purpose; membership; duties and powers.—

(12) Workforce Florida, Inc., shall enter into agreement with Space Florida and collaborate with vocational institutes, community colleges, colleges, and universities in this state, to develop a workforce development strategy to implement the workforce provisions of s. 331.3051.

Section 67. Subsection (17) is added to section 1001.10, Florida Statutes, read:

1001.10 Commissioner of Education; general powers and duties.—The Commissioner of Education is the chief educational officer of the state, and is responsible for giving full assistance to the State Board of Education in

enforcing compliance with the mission and goals of the seamless K-20 education system. To facilitate innovative practices and to allow local selection of educational methods, the State Board of Education may authorize the commissioner to waive, upon the request of a district school board, State Board of Education rules that relate to district school instruction and school operations, except those rules pertaining to civil rights, and student health, safety, and welfare. The Commissioner of Education is not authorized to grant waivers for any provisions in rule pertaining to the allocation and appropriation of state and local funds for public education; the election, compensation, and organization of school board members and superintendents; graduation and state accountability standards; financial reporting requirements; reporting of out-of-field teaching assignments under s. 1012.42; public meetings; public records; or due process hearings governed by chapter 120. No later than January 1 of each year, the commissioner shall report to the Legislature and the State Board of Education all approved waiver requests in the preceding year. Additionally, the commissioner has the following general powers and duties:

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

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

Section 68. There is appropriated for the 2006-2007 state fiscal year to the Office of Tourism, Trade, and Economic Development within the Office of the Governor \$35 million of nonrecurring funds from the General Revenue Fund to be used for infrastructure needs related to the development of the National Aeronautics and Space Administration's Crew Exploration Vehicle; \$3 million of nonrecurring funds from the General Revenue Fund for operational needs of Space Florida, including operational funding through September 1, 2006, for the Florida Space Authority, the Florida Aerospace Finance Corporation, and the Florida Space Research Institute; and \$4 million of nonrecurring funds from the General Revenue Fund for implementation of innovative education programs and financing assistance for aerospace business-development projects.

Section 69. Notwithstanding s. 331.308(1)(f), Florida Statutes, the current board appointees, including ex officio appointees, to the Florida Space Authority Board of Supervisors shall complete their appointed terms as members of the Space Florida Board and shall assist Space Florida with its transition. Their historical perspective, insight, and expertise will ensure continuity of operations. The Governor shall make appointments to fill the remaining vacancies by July 1, 2006. Other vacancies occurring prior to the expiration of a term may be filled as provided in this act. The board of directors of Space Florida shall hold its first meeting by August 1, 2006. The board of directors shall appoint a president by September 1, 2006. The Executive Office of the Governor shall provide staffing and transition assistance to Space Florida until December 31, 2006.

Section 70. This act shall take effect upon becoming a law.

Approved by the Governor May 30, 2006.

Filed in Office Secretary of State May 30, 2006.