Senate Engrossed

FILED
JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 133

SENATE BILL 1249

AN ACT

CHANGING THE DESIGNATION OF TITLE 41, CHAPTER 10.1, ARIZONA REVISED STATUTES, TO "ARIZONA AEROSPACE AND DEFENSE COMMISSION"; AMENDING SECTIONS 41-1561, 41-1562, 41-1563 AND 41-3011.04, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 10.1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1564; RELATING TO THE ARIZONA AEROSPACE AND DEFENSE COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Heading change

The chapter heading of title 41, chapter 10.1, Arizona Revised Statutes, is changed from "ARIZONA SPACE COMMISSION" to "ARIZONA AEROSPACE AND DEFENSE COMMISSION".

Sec. 2. Section 41-1561, Arizona Revised Statutes, is amended to read:

41-1561. Definition of commission

In this chapter, unless the context otherwise requires, ~~:~~

~~1.~~ "commission" means the Arizona ~~space~~ AEROSPACE AND DEFENSE commission.

~~2. "Director" means the director of the commission.~~

Sec. 3. Section 41-1562, Arizona Revised Statutes, is amended to read:

41-1562. Arizona aerospace and defense commission; definition

A. An Arizona ~~space~~ AEROSPACE AND DEFENSE commission is established consisting of:

1. One ~~ex officio~~ ADVISORY member who is a member of the senate and who is appointed by the president of the senate.

2. One ~~ex officio~~ ADVISORY member who is a member of the house of representatives and who is appointed by the speaker of the house of representatives.

3. The director of the department of commerce OR THE DIRECTOR'S DESIGNEE.

4. ~~The~~ ONE ADVISORY MEMBER WHO IS A director of a privately funded ~~statewide~~ organization for economic development OR A BUSINESS DEVELOPMENT DIRECTOR FOR AN AIRPORT IN THIS STATE AND WHO IS APPOINTED BY THE GOVERNOR.

5. TWO ADVISORY MEMBERS FROM A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS WITH EXPERTISE IN EDUCATIONAL OR RESEARCH AND DEVELOPMENT SYSTEMS THAT SUPPORT THE AEROSPACE AND DEFENSE INDUSTRIES AND WHO ARE APPOINTED BY THE GOVERNOR.

~~5.~~ 6. Nine private sector members who are appointed by the governor under section 38-211, who are residents of this state and who have knowledge of or expertise in one or more of the following areas:

(a) The ~~commercial~~ aerospace ~~industry~~ AND DEFENSE INDUSTRIES.

~~(b) Scientific initiatives concerning space resource characterization and utilization.~~

~~(c) Community coalition building or tourism facility development.~~

~~(d)~~ (b) ~~Space-related~~ AEROSPACE AND DEFENSE RELATED research and development.

~~(e)~~ (c) Existing resources that may support the ~~evolution of space-related industry~~ AEROSPACE AND DEFENSE RELATED INDUSTRIES in this state.

~~(f)~~ (d) ~~Space-related~~ AEROSPACE AND DEFENSE RELATED business ventures in this state.

~~(g)~~ (e) Mechanisms for infrastructure improvement.

~~(h)~~ (f) Educational systems that support the ~~commercial~~ aerospace ~~industry~~ AND DEFENSE INDUSTRIES.

~~(i) Integrative and regulatory mechanisms governing national and regional space ventures.~~

B. The director of the department of commerce shall serve as acting chairman until the members elect a chairman at the first meeting.

C. Commission members who are appointed shall serve two year terms to begin and end on the third Monday in January. No commission member who is appointed may serve more than three consecutive terms.

D. Commission members are not eligible for compensation but are eligible for reimbursement for expenses pursuant to title 38, chapter 4, article 2.

E. For the purposes of this section, "~~ex officio~~ ADVISORY member" means a member who gives advice to the other members of the commission at meetings of the commission but who is not eligible to vote, is not a member for purposes of determining whether a quorum is present and is not eligible to receive any compensation by the commission.

Sec. 4. Section 41-1563, Arizona Revised Statutes, is amended to read:

41-1563. Powers and duties

A. The commission is designated as this state's sole coordinator of all ~~space-related~~ AEROSPACE AND DEFENSE RELATED commercial ~~and high technological~~ partnerships.

B. The commission shall:

1. Provide technical support to the department of commerce, local and regional industrial development organizations, local agencies and other groups concerning infrastructure improvements and any other projects designated by the governor.

~~2. Provide expertise and advice to this state regarding all space-related and high technological business matters.~~

~~3. Prepare, before January 1, 1992, a plan that addresses the development of space-related industry in this state for presentation to the governor, the president of the senate and the speaker of the house of representatives. This plan shall be developed in coordination with the federal government, other state agencies, private industry and the state universities and shall include proposed legislation.~~

~~4. Employ, determine the conditions of employment and prescribe the duties of a director and such other staff as may be necessary to perform the duties of the commission.~~

~~5. Appoint the director who serves at the pleasure of the commission.~~

~~6.~~ 2. Adopt rules it deems necessary or desirable to further the objectives and programs of the commission.

~~7.~~ 3. Develop goals and objectives, establish guidelines, recommend legislation and provide general direction regarding this state's interests in ~~space-related~~ AEROSPACE AND DEFENSE RELATED commerce.

~~8. Formulate policies, plans and programs to effectuate the purposes of the department.~~

~~9.~~ 4. Make contracts and incur obligations within the general scope of its activities and operations subject to the availability of monies.

~~10.~~ 5. Subject to section 35-149, accept, spend and account for grants, monies and direct payments from public or private sources and other grants of money or property to conduct programs that are consistent with the overall purposes and objectives of the commission.

~~11.~~ 6. Have an official seal that shall be judicially noticed.

~~C. The director is eligible to receive compensation as determined under section 38-611.~~

Sec. 5. Title 41, chapter 10.1, article 1, Arizona Revised Statutes, is amended by adding section 41-1564, to read:

41-1564. Aerospace and defense strategic plan; requirements; report

A. THE COMMISSION SHALL DEVELOP, USE AND MAINTAIN AN AEROSPACE AND DEFENSE STRATEGIC PLAN THAT BUILDS SYNERGY BETWEEN GOVERNMENT, INDUSTRY AND EDUCATION. THE STRATEGIC PLAN SHALL:

1. ESTABLISH EXTERNAL COMMUNICATIONS AND PUBLIC INFORMATION LINKAGE TO ADDRESS AND INFORM CITIZENS AND DECISION MAKERS ABOUT AEROSPACE AND DEFENSE ENTERPRISES IN THIS STATE.

2. BROADEN AND STRENGTHEN THE COMMUNICATION AND COOPERATION BETWEEN THE VARIOUS KEY ELEMENTS WITHIN THE ENTERPRISES OF COMMERCIAL AVIATION, GENERAL AVIATION, DEFENSE, EDUCATION, SPACE, MANUFACTURING, SERVICE AND SUPPORT AND RESEARCH AND DEVELOPMENT.

3. RESEARCH AND ANALYZE ECONOMIC, EMPLOYMENT, COMPETITIVE, CAPABILITY, CAPACITY AND TECHNOLOGY STATISTICS TO SUBSTANTIATE THE HEALTH OF THE VARIOUS ENTERPRISES.

4. FOSTER AND LEVERAGE PUBLIC OR PRIVATE PARTNERSHIPS TO RETAIN AND PROMOTE AEROSPACE, DEFENSE INDUSTRIES, RELATED INDUSTRY SECTORS AND STRATEGIC ZONES OF IMPORTANCE TO THE VARIOUS ENTERPRISES.

5. FACILITATE GROWTH OF EXISTING INDUSTRIAL ASSETS AND NEW BUSINESS OPPORTUNITIES FOR THE AEROSPACE AND DEFENSE ENTERPRISE SUPPLIER BASE.

6. PROVIDE PROCEDURES TO LIAISON WITH OTHER STATE AND FEDERAL ENTITIES WITH RELATED ECONOMIC, EDUCATIONAL, DEVELOPMENTAL AND DEFENSE RESPONSIBILITIES OR INTERESTS TO SUPPORT MARKETING OF THIS STATE'S UNIQUE AEROSPACE AND DEFENSE CAPABILITIES AND ASSETS.

7. PROVIDE LEADERSHIP AND ADMINISTRATIVE SUPPORT FOR TARGETED PROGRAMS AND INCENTIVES THAT PROMOTE AEROSPACE AND DEFENSE INDUSTRY RETENTION AND DEVELOPMENT IN THIS STATE.

8. WORK TO ASSURE THE WORKFORCE IN THIS STATE IS WELL TRAINED, MOTIVATED AND HIGHLY SKILLED IN THE AREAS IMPORTANT TO AEROSPACE AND DEFENSE ENTERPRISES.

9. WORK WITH EDUCATIONAL INSTITUTIONS TO ENCOURAGE INNOVATION AND HELP ATTRACT AEROSPACE AND DEFENSE RELATED RESEARCH AND DEVELOPMENT TO THIS STATE.

B. THE COMMISSION SHALL ADVISE STATE AGENCIES IN ORDER TO MAXIMIZE THIS STATE'S RESPONSE TO MARKET OPPORTUNITIES AND TO BUILD ON THIS STATE'S UNIQUE AEROSPACE AND DEFENSE ASSETS.

C. THE COMMISSION SHALL BENCHMARK OTHER STATES, REGIONS AND COUNTRIES THAT ARE COMPETING FOR AEROSPACE AND DEFENSE INDUSTRY OPPORTUNITIES.

D. THE COMMISSION SHALL MONITOR THE STATE OF THE VARIOUS ENTERPRISES, ASSESS KEY METRICS AND PRESCRIBE PRIORITIES TO ASSURE THAT AEROSPACE AND DEFENSE REMAINS COMPETITIVE IN THIS STATE. BEGINNING ON DECEMBER 31, 2005, THE COMMISSION SHALL SUBMIT A REPORT OF ITS FINDINGS PURSUANT TO THIS SUBSECTION TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES ON OR BEFORE DECEMBER 31 OF EACH YEAR AND PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

Sec. 6. Section 41-3011.04, Arizona Revised Statutes, is amended to read:

41-3011.04. Arizona aerospace and defense commission; termination July 1, 2011

A. The Arizona ~~space~~ AEROSPACE AND DEFENSE commission terminates on July 1, 2011.

B. Title 41, chapter 10.1 is repealed on January 1, 2012.

Sec. 7. Retention of members

Notwithstanding section 41-1562, Arizona Revised Statutes, as amended by this act, all persons serving as members of the Arizona space commission on the effective date of this act may continue to serve until the expiration of their normal terms. The governor shall make all subsequent appointments as prescribed by statute.

APPROVED BY THE GOVERNOR APRIL 19, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2004.