

By Representatives Cosgrove, Barreiro, Garcia, Mackenzie,  
Logan, Meek, Lippman, Morse and Villalobos

1                                   A bill to be entitled  
2           An act relating to the International  
3           Motorsports Museum facility; amending s.  
4           212.20, F.S.; providing for distribution of a  
5           portion of revenues from the tax on sales, use,  
6           and other transactions to such facility;  
7           creating s. 288.11695, F.S.; providing for  
8           certification of such facility by the Office of  
9           Tourism, Trade, and Economic Development;  
10          providing requirements for certification;  
11          requiring the International Motorsports Museum  
12          facility to contribute certain advertising;  
13          terminating or abating funding under certain  
14          circumstances; providing for use of the funds  
15          distributed to the museum; providing for audits  
16          by the Department of Revenue; providing for  
17          periodic recertification; amending ss. 218.65  
18          and 288.1169, F.S.; conforming cross  
19          references; providing an effective date.

20  
21           WHEREAS, the Metro-Dade Homestead Motorsports Complex,  
22   in less than one year of operation, has already been called  
23   the finest motorsports facility in the world, and

24           WHEREAS, Homestead and the South Dade area are  
25   continuing to recover from the devastation of Hurricane Andrew  
26   and are benefiting significantly both from the direct economic  
27   impact generated by the Metro-Dade Homestead Motorsports  
28   Complex and the indirect economic impact generated by the  
29   positive publicity resulting from the numerous national and  
30   international broadcasts from and press coverage generated by  
31   the Metro-Dade Homestead Motorsports Complex, and

1           WHEREAS, attendance at auto races across North America  
2 during 1995 increased nearly 4 percent over 1994 to almost 15  
3 million, further contributing to motorsport's increasingly  
4 growing worldwide population, and

5           WHEREAS, in addition to the United States, over 150  
6 countries aired coverage of the 1996 season of IndyCar, the  
7 body which sanctions the annual IndyCar Grand Prix of Miami,  
8 including national stations in France, Germany, Italy, the  
9 Netherlands, Russia, Sweden, the United Kingdom, Brazil,  
10 Canada, Chile, the Dominican Republic, Mexico, Peru, South  
11 Africa, Australia, China, Japan, New Zealand, and Singapore,  
12 and

13           WHEREAS, more than 5 million international travelers  
14 visited the Greater Miami area in 1995, marking a 7 percent  
15 increase over 1994, while the first quarter of 1996 saw a 4.7  
16 percent increase in international visitors over the same  
17 period of 1995, and

18           WHEREAS, an estimated 1 million international travelers  
19 visited the Florida Keys in 1995, and

20           WHEREAS, according to the International Association of  
21 Sports Museums and Halls of Fame, an estimated 40 million  
22 people annually visit sports and entertainment-related museums  
23 world-wide, and

24           WHEREAS, the City of Homestead has announced its  
25 support for and participation in an international educational  
26 automotive and racing history museum owned and operated by the  
27 Grand Prix Foundation, Inc., a not-for-profit Florida  
28 corporation headed by a board of directors made up of local  
29 community leaders and national and international racing  
30 officials, to be located at the state-of-the-art facility, and  
31

1           WHEREAS, the International Motorsports Museum, to be  
2 located at the Metro-Dade Homestead Motorsports Complex, will  
3 benefit from its strategic location midway between Greater  
4 Miami and the Florida Keys and its easy access to both the  
5 Florida Turnpike and U.S. 1, and

6           WHEREAS, the Grand Prix Foundation, Inc., will create a  
7 stand-alone and exciting attraction that will be open  
8 year-round and plans to work with tour operators to make the  
9 international educational automotive and racing history museum  
10 a family-oriented attraction for the millions of visitors from  
11 North America and around the world who tour through South  
12 Florida and the Florida Keys, and

13           WHEREAS, the international museum will be featured in  
14 national and international broadcasts from the Metro-Dade  
15 Homestead Motorsports Complex and will be the subject of a  
16 variety of press coverages during the many events scheduled  
17 annually at the facility, and

18           WHEREAS, the additional tourism generated by the  
19 International Motorsports Museum will have a positive impact  
20 on the taxes and economy of the state, and

21           WHEREAS, the International Motorsports Museum project  
22 will build upon the economic development already being reaped  
23 from the creation of the Metro-Dade Homestead Motorsports  
24 Complex, and

25           WHEREAS, the International Motorsports Museum will  
26 serve as a world centerpiece of exhibits to educate visitors  
27 on the advanced technology involved in automobile racing, the  
28 use of computers in racing and automobile design, vehicle  
29 dynamics, and the rich world history of automobile racing, and

30           WHEREAS, a permanent exhibit at the International  
31 Motorsports Museum is also envisioned, featuring the

1 devastating impact of Hurricane Andrew on the South Dade  
2 community and the community's recovery from the hurricane, and  
3           WHEREAS, the International Motorsports Museum will  
4 further create economic development for the Homestead and  
5 South Dade community, and  
6           WHEREAS, IndyCar and the Sports Car Club of America  
7 have designated the planned museum as their Official  
8 International Museum and have announced its location at the  
9 Metro-Dade Homestead Motorsports Complex, subject to  
10 groundbreaking for the museum taking place before May 1998,  
11 NOW, THEREFORE,

12

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

14

15           Section 1. Paragraph (f) of subsection (6) of section  
16 212.20, Florida Statutes, 1996 Supplement, is amended to read:

17           212.20 Funds collected, disposition; additional powers  
18 of department; operational expense; refund of taxes  
19 adjudicated unconstitutionally collected.--

20           (6) Distribution of all proceeds under this part shall  
21 be as follows:

22           (f) The proceeds of all other taxes and fees imposed  
23 pursuant to this part shall be distributed as follows:

24           1. In any fiscal year, the greater of \$500 million,  
25 minus an amount equal to 4.6 percent of the proceeds of the  
26 taxes collected pursuant to chapter 201, or 5 percent of all  
27 other taxes and fees imposed pursuant to this part shall be  
28 deposited in monthly installments into the General Revenue  
29 Fund.

30           2. Two-tenths of one percent shall be transferred to  
31 the Solid Waste Management Trust Fund.

1           3. After the distribution under subparagraphs 1. and  
2 2., 9.653 percent of the amount remitted by a sales tax dealer  
3 located within a participating county pursuant to s. 218.61  
4 shall be transferred into the Local Government Half-cent Sales  
5 Tax Clearing Trust Fund.

6           4. After the distribution under subparagraphs 1., 2.,  
7 and 3., 0.054 percent shall be transferred to the Local  
8 Government Half-cent Sales Tax Clearing Trust Fund and  
9 distributed pursuant to s. 218.65.

10          5. Of the remaining proceeds:

11          a. Beginning July 1, 1992, \$166,667 shall be  
12 distributed monthly by the department to each applicant that  
13 has been certified as a "facility for a new professional  
14 sports franchise" or a "facility for a retained professional  
15 sports franchise" pursuant to s. 288.1162 and \$41,667 shall be  
16 distributed monthly by the department to each applicant that  
17 has been certified as a "new spring training franchise  
18 facility" pursuant to s. 288.1162. Distributions shall begin  
19 60 days following such certification and shall continue for 30  
20 years. Nothing contained herein shall be construed to allow an  
21 applicant certified pursuant to s. 288.1162 to receive more in  
22 distributions than actually expended by the applicant for the  
23 public purposes provided for in s. 288.1162(7). However, a  
24 certified applicant shall receive distributions up to the  
25 maximum amount allowable and undistributed under this section  
26 for additional renovations and improvements to the facility  
27 for the franchise without additional certification.

28          b. Beginning 30 days after notice by the Office of  
29 Tourism, Trade, and Economic Development to the Department of  
30 Revenue that an applicant has been certified as the  
31 professional golf hall of fame pursuant to s. 288.1168 and is

1 open to the public, the department shall distribute \$166,667  
2 ~~shall be distributed~~ monthly, for up to 300 months, to the  
3 applicant.

4 c. Beginning 30 days after notice by the Office of  
5 Tourism, Trade, and Economic Development ~~Department of~~  
6 ~~Commerce~~ to the Department of Revenue that the applicant has  
7 been certified as the International Game Fish Association  
8 World Center facility pursuant to s. 288.1169, and the  
9 facility is open to the public, the department shall  
10 distribute \$83,333 ~~shall be distributed~~ monthly, for up to 180  
11 months, to the applicant. This distribution is subject to  
12 reduction pursuant to s. 288.1169.

13 d. Beginning 30 days after notice by the Office of  
14 Tourism, Trade, and Economic Development to the Department of  
15 Revenue that the applicant has been certified as the  
16 International Motorsports Museum facility pursuant to s.  
17 288.11695, and the facility is open to the public, the  
18 department shall distribute \$83,333 monthly, for up to 180  
19 months, to the applicant. This distribution is subject to  
20 reduction pursuant to s. 288.11695.

21 6. All other proceeds shall remain with the General  
22 Revenue Fund.

23 Section 2. Section 288.11695, Florida Statutes, is  
24 created to read:

25 288.11695 International Motorsports Museum facility;  
26 duties of the Office of Tourism, Trade, and Economic  
27 Development.--

28 (1) The Office of Tourism, Trade, and Economic  
29 Development shall serve as the state agency approving  
30 applicants for funding pursuant to s. 212.20 and for  
31 certifying the applicant as the International Motorsports

1 Museum facility. For purposes of this section, "facility"  
2 means the International Motorsports Museum, and "project"  
3 means the International Motorsports Museum and new colocated  
4 improvements by private sector concerns who have made cash or  
5 in-kind contributions to the facility of \$1 million or more.

6 (2) Prior to certifying this facility, the Office of  
7 Tourism, Trade, and Economic Development must determine that:

8 (a) The International Motorsports Museum, to be  
9 headquartered in Homestead, Florida, has been awarded and  
10 designated as the official museum of at least one nationally  
11 recognized motorsport sanctioning body, including, but not  
12 limited to, IndyCar, the Sports Car Club of America (SCCA), or  
13 the National Association for Stock Car Auto Racing (NASCAR)  
14 and that one or more private sector concerns have committed to  
15 donate to the International Motorsports Museum Foundation land  
16 upon which the International Motorsports Museum will operate.

17 (b) The Grand Prix Foundation, Inc., is a  
18 not-for-profit Florida corporation that has contracted to  
19 construct and operate the facility.

20 (c) The municipality in which the facility is located,  
21 or the county if the facility is located in an unincorporated  
22 area, has certified by resolution after a public hearing that  
23 the facility serves a public purpose.

24 (d) There are existing projections that the  
25 International Motorsports Museum facility and the colocated  
26 facilities of private sector concerns will attract an  
27 attendance of more than 1 million annually.

28 (e) There are existing projections that the project  
29 will attract annually more than 100,000 persons who are not  
30 residents of this state.

31

1       (f) The applicant has submitted an agreement to  
2 provide \$500,000 annually in national and international media  
3 promotion of the facility or the Motorsports Complex, which  
4 shall include event promotions and television broadcasts,  
5 during the period of time that the facility receives funds  
6 pursuant to s. 212.20. Failure on the part of the applicant to  
7 annually provide the advertising as provided in this paragraph  
8 shall result in the termination of the funding as provided in  
9 s. 212.20. The applicant can discharge its obligation under  
10 this paragraph by contracting with other persons, including  
11 private sector concerns who participate in the project.

12       (g) Documentation exists that demonstrates that the  
13 applicant has provided, and is capable of providing, or has  
14 financial or other commitments to provide, more than one-half  
15 of the cost incurred or related to the improvements and the  
16 development of the facility.

17       (h) The application is signed by senior officials of  
18 the Grand Prix Foundation, Inc., and is notarized according to  
19 Florida law providing for penalties for falsification.

20       (3) The applicant may use funds provided pursuant to  
21 s. 212.20 for the purpose of paying for the construction,  
22 reconstruction, renovation, promotion, or operation of the  
23 facility, or to pay or pledge for payment of debt service on,  
24 or to fund debt service reserve funds, arbitrage rebate  
25 obligations, or other amounts payable with respect to, bonds  
26 issued for the construction, reconstruction, or renovation of  
27 the facility or for the reimbursement of such costs or by  
28 refinancing of bonds issued for such purposes.

29       (4) Upon determining that an applicant is or is not  
30 certifiable, the Office of Tourism, Trade, and Economic  
31 Development shall notify the applicant of its status by means

1 of an official letter. If certifiable, the Office of Tourism,  
2 Trade, and Economic Development shall notify the executive  
3 director of the Department of Revenue and the applicant of  
4 such certification by means of an official letter granting  
5 certification. From the date of such certification, the  
6 applicant shall have 5 years to open the facility to the  
7 public and notify the Office of Tourism, Trade, and Economic  
8 Development of such opening. The Department of Revenue shall  
9 not begin distributing funds until 30 days following notice by  
10 the Office of Tourism, Trade, and Economic Development that  
11 the facility is open to the public.

12 (5) The Department of Revenue may audit as provided in  
13 s. 213.34 to verify that the contributions pursuant to this  
14 section have been expended as required by this section.

15 (6) The Office of Tourism, Trade, and Economic  
16 Development must recertify every 10 years that the facility is  
17 open, that the International Motorsports Museum continues to  
18 be designated by a sanctioning body. If the facility is not  
19 recertified during this 10-year review as meeting the minimum  
20 projections, funding shall be abated until certification  
21 criteria are met.

22 Section 3. Subsections (5) and (6) of section 218.65,  
23 Florida Statutes, 1996 Supplement, are amended to read:

24 218.65 Emergency distribution.--

25 (5) At the beginning of each fiscal year, the  
26 Department of Revenue shall calculate a base allocation for  
27 each eligible county equal to the difference between the  
28 current per capita limitation times the county's population,  
29 minus prior year ordinary distributions to the county pursuant  
30 to ss. 212.20(6)(~~f~~)(~~g~~)3., 218.61, and 218.62. If moneys  
31 deposited into the Local Government Half-cent Sales Tax

1 Clearing Trust Fund pursuant to s. 212.20(6)(f)~~(g)~~4.,  
2 excluding moneys appropriated for supplemental distributions  
3 pursuant to subsection (7), for the current year are less than  
4 or equal to the sum of the base allocations, each eligible  
5 county shall receive a share of the appropriated amount  
6 proportional to its base allocation. If the deposited amount  
7 exceeds the sum of the base allocations, each county shall  
8 receive its base allocation, and the excess appropriated  
9 amount shall be distributed equally on a per capita basis  
10 among the eligible counties.

11 (6) There is hereby annually appropriated from the  
12 Local Government Half-cent Sales Tax Clearing Trust Fund the  
13 distribution provided in s. 212.20(6)(f)~~(g)~~4. to be used for  
14 emergency and supplemental distributions pursuant to this  
15 section.

16 Section 4. Subsection (6) of section 288.1169, Florida  
17 Statutes, 1996 Supplement, is amended to read:

18 288.1169 International Game Fish Association World  
19 Center facility; ~~department~~ duties of the Office of Tourism,  
20 Trade, and Economic Development.--

21 (6) The Office of Tourism, Trade, and Economic  
22 Development ~~Department of Commerce~~ must recertify every 10  
23 years that the facility is open, that the International Game  
24 Fish Association World Center continues to be the only  
25 international administrative headquarters, fishing museum, and  
26 Hall of Fame in the United States recognized by the  
27 International Game Fish Association, and that the project is  
28 meeting the minimum projections for attendance or sales tax  
29 revenues as required at the time of original certification.  
30 If the facility is not recertified during this 10-year review  
31 as meeting the minimum projections, ~~then~~ funding will be

1 abated until certification criteria are met. If the project  
2 fails to generate \$1 million of annual revenues pursuant to  
3 paragraph (2)(e), the distribution of revenues pursuant to s.  
4 212.20(6)(f)~~(g)~~5.c. shall be reduced to an amount equal to  
5 \$83,333 multiplied by a fraction, the numerator of which is  
6 the actual revenues generated and the denominator of which is  
7 \$1 million. Such reduction shall remain in effect until  
8 revenues generated by the project in a 12-month period equal  
9 or exceed \$1 million.

10 Section 5. This act shall take effect October 1, 1997.

11

12

\*\*\*\*\*

13

HOUSE SUMMARY

14

15

16

17

Provides for distribution of a portion of sales tax  
revenues to the International Motorsports Museum  
facility, upon certification of such facility by the  
Office of Tourism, Trade, and Economic Development.  
Provides requirements for certification. See bill for  
details.

18

19

20

21

22

23

24

25

26

27

28

29

30

31