

By the Committee on Tourism and Representatives Cosgrove, Barreiro, Garcia, Mackenzie, Logan, Meek, Lippman, Morse, Villalobos, Heyman and Bullard

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; requiring applicants  
18          for certification to contract with the  
19          Department of Labor and Employment Security to  
20          hire WAGES program participants; providing  
21          contract requirements; requiring a report;  
22          amending ss. 218.65 and 288.1169, F.S.;  
23          conforming cross references; providing an  
24          effective date.

25  
26           WHEREAS, the Metro-Dade Homestead Motorsports Complex,  
27   in less than one year of operation, has already been called  
28   the finest motorsports facility in the world, and  
29           WHEREAS, Homestead and the South Dade area are  
30   continuing to recover from the devastation of Hurricane Andrew  
31   and are benefiting significantly both from the direct economic

1 impact generated by the Metro-Dade Homestead Motorsports  
2 Complex and the indirect economic impact generated by the  
3 positive publicity resulting from the numerous national and  
4 international broadcasts from and press coverage generated by  
5 the Metro-Dade Homestead Motorsports Complex, and

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

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

18 WHEREAS, more than 5 million international travelers  
19 visited the Greater Miami area in 1995, marking a 7 percent  
20 increase over 1994, while the first quarter of 1996 saw a 4.7  
21 percent increase in international visitors over the same  
22 period of 1995, and

23 WHEREAS, an estimated 1 million international travelers  
24 visited the Florida Keys in 1995, and

25 WHEREAS, according to the International Association of  
26 Sports Museums and Halls of Fame, an estimated 40 million  
27 people annually visit sports and entertainment-related museums  
28 world-wide, and

29 WHEREAS, the City of Homestead has announced its  
30 support for and participation in an international educational  
31 automotive and racing history museum owned and operated by the

1 Grand Prix Foundation, Inc., a not-for-profit Florida  
2 corporation headed by a board of directors made up of local  
3 community leaders and national and international racing  
4 officials, to be located at the state-of-the-art facility, and

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

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

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

22 WHEREAS, the additional tourism generated by the  
23 International Motorsports Museum will have a positive impact  
24 on the taxes and economy of the state, and

25 WHEREAS, the International Motorsports Museum project  
26 will build upon the economic development already being reaped  
27 from the creation of the Metro-Dade Homestead Motorsports  
28 Complex, and

29 WHEREAS, the International Motorsports Museum will  
30 serve as a world centerpiece of exhibits to educate visitors  
31 on the advanced technology involved in automobile racing, the

1 use of computers in racing and automobile design, vehicle  
2 dynamics, and the rich world history of automobile racing, and

3 WHEREAS, a permanent exhibit at the International  
4 Motorsports Museum is also envisioned, featuring the  
5 devastating impact of Hurricane Andrew on the South Dade  
6 community and the community's recovery from the hurricane, and

7 WHEREAS, the International Motorsports Museum will  
8 further create economic development for the Homestead and  
9 South Dade community, and

10 WHEREAS, IndyCar and the Sports Car Club of America  
11 have designated the planned museum as their Official  
12 International Museum and have announced its location at the  
13 Metro-Dade Homestead Motorsports Complex, subject to  
14 groundbreaking for the museum taking place before May 1998,  
15 NOW, THEREFORE,

16

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

18

19 Section 1. Paragraph (f) of subsection (6) of section  
20 212.20, Florida Statutes, 1996 Supplement, is amended to read:

21 212.20 Funds collected, disposition; additional powers  
22 of department; operational expense; refund of taxes  
23 adjudicated unconstitutionally collected.--

24 (6) Distribution of all proceeds under this part shall  
25 be as follows:

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

28 1. In any fiscal year, the greater of \$500 million,  
29 minus an amount equal to 4.6 percent of the proceeds of the  
30 taxes collected pursuant to chapter 201, or 5 percent of all  
31 other taxes and fees imposed pursuant to this part shall be

1 deposited in monthly installments into the General Revenue  
2 Fund.

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

5           3. After the distribution under subparagraphs 1. and  
6 2., 9.653 percent of the amount remitted by a sales tax dealer  
7 located within a participating county pursuant to s. 218.61  
8 shall be transferred into the Local Government Half-cent Sales  
9 Tax Clearing Trust Fund.

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

14           5. Of the remaining proceeds:

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

1           b. Beginning 30 days after notice by the Office of  
2 Tourism, Trade, and Economic Development to the Department of  
3 Revenue that an applicant has been certified as the  
4 professional golf hall of fame pursuant to s. 288.1168 and is  
5 open to the public, the department shall distribute \$166,667  
6 ~~shall be distributed~~ monthly, for up to 300 months, to the  
7 applicant.

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

17           d. Beginning 30 days after notice by the Office of  
18 Tourism, Trade, and Economic Development to the Department of  
19 Revenue that the applicant has been certified as the  
20 International Motorsports Museum facility pursuant to s.  
21 288.11695, and the facility is open to the public, the  
22 department shall distribute \$83,333 monthly, for up to 180  
23 months, to the applicant. This distribution is subject to  
24 reduction pursuant to s. 288.11695.

25           6. All other proceeds shall remain with the General  
26 Revenue Fund.

27           Section 2. Section 288.11695, Florida Statutes, is  
28 created to read:

29           288.11695 International Motorsports Museum facility;  
30 duties of the Office of Tourism, Trade, and Economic  
31 Development.--

1           (1) The Office of Tourism, Trade, and Economic  
2 Development shall serve as the state agency approving  
3 applicants for funding pursuant to s. 212.20 and for  
4 certifying the applicant as the International Motorsports  
5 Museum facility. For purposes of this section, "facility"  
6 means the International Motorsports Museum, and "project"  
7 means the International Motorsports Museum and new colocated  
8 improvements by private sector concerns who have made cash or  
9 in-kind contributions to the facility of \$1 million or more.

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

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

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

24           (c) The municipality in which the facility is located,  
25 or the county if the facility is located in an unincorporated  
26 area, has certified by resolution after a public hearing that  
27 the facility serves a public purpose.

28           (d) There are existing projections that the  
29 International Motorsports Museum facility and the colocated  
30 facilities of private sector concerns will attract an  
31 attendance of more than 1 million annually.

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

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

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

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

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



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

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

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

25       (7) The Office of Tourism, Trade, and Economic  
26 Development shall, in addition to any other requirements of  
27 this section, determine that an applicant which has been  
28 certified under this section has entered into a contract with  
29 the Department of Labor and Employment Security in which the  
30 applicant agrees to register with the Work and Gain Economic  
31 Self-Sufficiency (WAGES) Program Business Registry established

1 by the local WAGES coalition for the area in which the  
2 applicant is located. Such contract shall further provide  
3 that the applicant shall hire WAGES Program participants to  
4 the maximum extent possible and shall provide for appropriate  
5 monitoring and training of such employees. The applicant  
6 shall agree to employ a specified number of WAGES participants  
7 in each year that the applicant receives a distribution under  
8 s. 212.20. The number of WAGES participants to be employed by  
9 the applicant shall be based upon the applicant's good faith  
10 efforts, workforce availability, suitable jobs, and in keeping  
11 with the applicant's minimum standards of employment as  
12 provided in the contract with the department. The applicant  
13 may renegotiate the contract and employ fewer WAGES program  
14 participants if the applicant demonstrates to the satisfaction  
15 of the department that, due to economic condition or the  
16 nature of the applicant's business in a given year, the  
17 requirement to hire the specified number of employees is  
18 unattainable. Each applicant subject to the requirements of  
19 this subsection shall report to the Governor, the President of  
20 the Senate and the Speaker of the House of Representatives by  
21 December 31 of each year in which the applicant receives a  
22 distribution under s. 212.20 on the extent to which the  
23 applicant's employees are WAGES participants.

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

26 218.65 Emergency distribution.--

27 (5) At the beginning of each fiscal year, the  
28 Department of Revenue shall calculate a base allocation for  
29 each eligible county equal to the difference between the  
30 current per capita limitation times the county's population,  
31 minus prior year ordinary distributions to the county pursuant

1 to ss. 212.20(6)(f)~~(g)~~3., 218.61, and 218.62. If moneys  
2 deposited into the Local Government Half-cent Sales Tax  
3 Clearing Trust Fund pursuant to s. 212.20(6)(f)~~(g)~~4.,  
4 excluding moneys appropriated for supplemental distributions  
5 pursuant to subsection (7), for the current year are less than  
6 or equal to the sum of the base allocations, each eligible  
7 county shall receive a share of the appropriated amount  
8 proportional to its base allocation. If the deposited amount  
9 exceeds the sum of the base allocations, each county shall  
10 receive its base allocation, and the excess appropriated  
11 amount shall be distributed equally on a per capita basis  
12 among the eligible counties.

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

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

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

23 (6) The Office of Tourism, Trade, and Economic  
24 Development ~~Department of Commerce~~ must recertify every 10  
25 years that the facility is open, that the International Game  
26 Fish Association World Center continues to be the only  
27 international administrative headquarters, fishing museum, and  
28 Hall of Fame in the United States recognized by the  
29 International Game Fish Association, and that the project is  
30 meeting the minimum projections for attendance or sales tax  
31 revenues as required at the time of original certification.

1 If the facility is not recertified during this 10-year review  
2 as meeting the minimum projections, ~~then~~ funding will be  
3 abated until certification criteria are met. If the project  
4 fails to generate \$1 million of annual revenues pursuant to  
5 paragraph (2)(e), the distribution of revenues pursuant to s.  
6 212.20(6)(f)~~(g)~~5.c. shall be reduced to an amount equal to  
7 \$83,333 multiplied by a fraction, the numerator of which is  
8 the actual revenues generated and the denominator of which is  
9 \$1 million. Such reduction shall remain in effect until  
10 revenues generated by the project in a 12-month period equal  
11 or exceed \$1 million.

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

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