

By the Committees on Community Affairs, 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, Homestead and the South Dade area are
27 continuing to recover from the devastation of Hurricane Andrew
28 and are benefiting significantly both from the direct economic
29 impact generated by facilities such as the Metro-Dade
30 Homestead Motorsports Complex and the indirect economic impact
31 generated by the positive publicity resulting from the

1 numerous national and international broadcasts from and press
2 coverage generated by the Metro-Dade Homestead Motorsports
3 Complex, and

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

9 WHEREAS, an estimated 1 million international travelers
10 visited the Florida Keys in 1995, and

11 WHEREAS, the City of Homestead has announced its
12 support for and participation in an international educational
13 automotive and racing history museum owned and operated by the
14 Grand Prix Foundation, Inc., a not-for-profit Florida
15 corporation headed by a board of directors made up of local
16 community leaders and national and international racing
17 officials, to be located at the state-of-the-art facility, and

18 WHEREAS, the International Motorsports Museum, to be
19 located in the Metro-Dade Homestead area, will benefit from
20 its strategic location midway between Greater Miami and the
21 Florida Keys and its easy access to both the Florida Turnpike
22 and U.S. 1, and

23 WHEREAS, the Grand Prix Foundation, Inc., will create a
24 stand-alone and exciting attraction that will be open
25 year-round and plans to work with tour operators to make the
26 international educational automotive and racing history museum
27 a family-oriented attraction for the millions of visitors from
28 North America and around the world who tour through South
29 Florida and the Florida Keys, and

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1 WHEREAS, the additional tourism generated by the
2 International Motorsports Museum will have a positive impact
3 on the taxes and economy of the state, and

4 WHEREAS, the International Motorsports Museum project
5 will build upon the economic development already being reaped
6 from the creation of the Metro-Dade Homestead Motorsports
7 Complex, and

8 WHEREAS, according to the International Association of
9 Sports Museums and Halls of Fame, an estimated 40 million
10 people annually visit sports and entertainment-related museums
11 world-wide, and

12 WHEREAS, the International Motorsports Museum will
13 serve as a world centerpiece of exhibits to educate visitors
14 on the advanced technology involved in automobile racing, the
15 use of computers in racing and automobile design, vehicle
16 dynamics, and the rich world history of automobile racing, and

17 WHEREAS, a permanent exhibit at the International
18 Motorsports Museum is also envisioned, featuring the
19 devastating impact of Hurricane Andrew on the South Dade
20 community and the community's recovery from the hurricane, and

21 WHEREAS, the International Motorsports Museum will
22 further create economic development for the Homestead and
23 South Dade community, and

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

28 WHEREAS, in addition to the United States, over 150
29 countries aired coverage of the 1996 season of IndyCar, the
30 body which sanctions the annual IndyCar Grand Prix of Miami,
31 including national stations in France, Germany, Italy, the

1 Netherlands, Russia, Sweden, the United Kingdom, Brazil,
2 Canada, Chile, the Dominican Republic, Mexico, Peru, South
3 Africa, Australia, China, Japan, New Zealand, and Singapore,
4 and

5 WHEREAS, the international museum will be featured in
6 national and international broadcasts from the Metro-Dade
7 Homestead Motorsports Complex and will be the subject of a
8 variety of press coverages during the many events scheduled
9 annually at the facility, and

10 WHEREAS, IndyCar and the Sports Car Club of America
11 have designated the planned museum as their Official
12 International Museum, subject to groundbreaking for the museum
13 taking place before May 1999, NOW, THEREFORE,

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

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17 Section 1. Paragraph (f) of subsection (6) of section
18 212.20, Florida Statutes, is amended to read:

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

22 (6) Distribution of all proceeds under this chapter
23 shall be as follows:

24 (f) The proceeds of all other taxes and fees imposed
25 pursuant to this chapter shall be distributed as follows:

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

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

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

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

12 5. Of the remaining proceeds:

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

30 b. Beginning 30 days after notice by the Office of
31 Tourism, Trade, and Economic Development to the Department of

1 Revenue that an applicant has been certified as the
2 professional golf hall of fame pursuant to s. 288.1168 and is
3 open to the public, the department shall distribute \$166,667
4 ~~shall be distributed~~ monthly, for up to 300 months, to the
5 applicant.

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

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

23 6. All other proceeds shall remain with the General
24 Revenue Fund.

25 Section 2. Section 288.11695, Florida Statutes, is
26 created to read:

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

30 (1) The Office of Tourism, Trade, and Economic
31 Development shall serve as the state agency approving

1 applicants for funding pursuant to s. 212.20 and for
2 certifying the applicant as the International Motorsports
3 Museum facility. For purposes of this section, "facility"
4 means the International Motorsports Museum, and "project"
5 means the International Motorsports Museum and new colocated
6 improvements by private sector concerns who have made cash or
7 in-kind contributions to the facility of \$1 million or more.
8 (2) Prior to certifying this facility, the Office of
9 Tourism, Trade, and Economic Development must determine that:
10 (a) The International Motorsports Museum, to be
11 headquartered in Homestead, Florida, has been awarded and
12 designated as the official museum of at least one nationally
13 recognized motorsport sanctioning body, including, but not
14 limited to, IndyCar or the Sports Car Club of America (SCCA)
15 and that one or more private sector concerns have committed to
16 donate to the International Motorsports Museum Foundation land
17 upon which the International Motorsports Museum will operate,
18 provided such facility may not be colocated with or be a part
19 of the Metro-Dade Homestead Motorsports Complex.
20 (b) The Grand Prix Foundation, Inc., is a
21 not-for-profit Florida corporation that has contracted to
22 construct and operate the facility.
23 (c) The municipality in which the facility is located,
24 or the county if the facility is located in an unincorporated
25 area, has certified by resolution after a public hearing that
26 the facility serves a public purpose.
27 (d) There are existing projections that the
28 International Motorsports Museum facility and the colocated
29 facilities of private sector concerns will attract an
30 attendance of more than 1 million annually.
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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, the Metro-Dade Homestead area, the
7 Motorsports Complex, or other similar attractions in the
8 Metro-Dade Homestead area, which shall include event
9 promotions and television broadcasts, during the period of
10 time that the facility receives funds pursuant to s. 212.20.
11 Failure on the part of the applicant to annually provide the
12 advertising as provided in this paragraph shall result in the
13 termination of the funding as provided in s. 212.20. The
14 applicant can discharge its obligation under this paragraph by
15 contracting with other persons, including private sector
16 concerns who participate in the project.

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

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

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

1 the facility or for the reimbursement of such costs or by
2 refinancing of bonds issued for such purposes.

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

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

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

27 (7) The Office of Tourism, Trade, and Economic
28 Development shall, in addition to any other requirements of
29 this section, determine that an applicant which has been
30 certified under this section has entered into a contract with
31 the Department of Labor and Employment Security in which the

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

26 Section 3. Subsections (5) and (6) of section 218.65,
27 Florida Statutes, are amended to read:

28 218.65 Emergency distribution.--

29 (5) At the beginning of each fiscal year, the
30 Department of Revenue shall calculate a base allocation for
31 each eligible county equal to the difference between the

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

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

20 Section 4. Subsection (6) of section 288.1169, Florida
21 Statutes, is amended to read:

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

25 (6) The Office of Tourism, Trade, and Economic
26 Development ~~Department of Commerce~~ must recertify every 10
27 years that the facility is open, that the International Game
28 Fish Association World Center continues to be the only
29 international administrative headquarters, fishing museum, and
30 Hall of Fame in the United States recognized by the
31 International Game Fish Association, and that the project is

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

14 Section 5. This act shall take effect October 1 of the
15 year in which enacted.

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