

By the Committee on Tourism and Representatives Thrasher, Lippman, Bitner, Burroughs, Heyman, Meek, Garcia, Fasano, Morse, Tobin, Putnam, Cosgrove, Roberts-Burke, Bloom, Barreiro, Merchant, Gay, Valdes, Feeney, Flanagan, King, (Additional Sponsors on Last Printed Page)

1                                   A bill to be entitled  
2           An act relating to professional sports  
3           franchises; amending s. 288.1162, F.S.;  
4           revising the definition of the term "new  
5           professional sports franchise"; authorizing  
6           certain applicants to be certified more than  
7           once under certain circumstances; providing  
8           requirements for certain applicants; conforming  
9           dates to comply with the act; providing that an  
10          applicant applying for certification for more  
11          than one franchise, after a certain date, is  
12          required to have a contract with the Department  
13          of Labor and Employment Security for the hiring  
14          of WAGES participants; providing contract  
15          requirements; providing for an annual report to  
16          the Governor and specified legislative leaders  
17          on the extent of WAGES hiring by the applicant;  
18          providing an effective date.

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

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22           Section 1. Paragraph (a) of subsection (3), paragraphs  
23           (c), (e), and (h) of subsection (4), and subsection (8) of  
24           section 288.1162, Florida Statutes, 1996 Supplement, are  
25           amended, and subsection (11) is added to said section, to  
26           read:

27           288.1162 Professional sports franchises; spring  
28           training franchises; duties.--

29           (3) As used in this section:

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1 (a) "New professional sports franchise" means a  
2 professional sports franchise that is not based in this state  
3 prior to August 16, 1965 ~~April 1, 1987~~.

4 (4) Prior to certifying an applicant as a "facility  
5 for a new professional sports franchise" or a "facility for a  
6 retained professional sports franchise," the Office of  
7 Tourism, Trade, and Economic Development must determine that:

8 (c) The applicant has a verified copy of the approval  
9 from the governing authority of the league in which the new  
10 professional sports franchise exists authorizing the location  
11 of the professional sports franchise in this state after  
12 August 16, 1965 ~~April 1, 1987~~, or in the case of a retained  
13 professional sports franchise, verified evidence that it has  
14 had a league-authorized location in this state on or before  
15 December 31, 1976. The term "league" means the National League  
16 or the American League of Major League Baseball, the National  
17 Basketball Association, the National Football League, or the  
18 National Hockey League.

19 (e) The applicant has an independent analysis or  
20 study, verified by the Office of Tourism, Trade, and Economic  
21 Development, which demonstrates that the amount of the  
22 revenues generated by the taxes imposed under part I of  
23 chapter 212 with respect to the use and operation of the  
24 professional sports franchise facility will equal or exceed \$2  
25 million annually, and in the case of an applicant which has  
26 been certified for one franchise and is an applicant for a  
27 different franchise, the amount demonstrated shall be \$2  
28 million annually for each franchise.

29 (h) No applicant previously certified under any  
30 provision of this section who has received funding under such  
31 certification shall be eligible for an additional

1 certification, unless it is for a different sports franchise  
2 as recognized under paragraph (c).

3 (8) The Office of Tourism, Trade, and Economic  
4 Development shall notify the Department of Revenue of any  
5 facility certified as a facility for a new professional sports  
6 franchise or a facility for a retained professional sports  
7 franchise or as a new spring training franchise facility. The  
8 Office of Tourism, Trade, and Economic Development may certify  
9 no more than eight facilities for no more than nine  
10 professional sports franchises as facilities for a new  
11 professional sports franchise, as facilities for a retained  
12 professional sports franchise, or as new spring training  
13 franchise facilities, including in such total any facilities  
14 certified by the Department of Commerce before July 1, 1996.  
15 ~~The office may make no more than one certification for any~~  
16 ~~facility.~~

17 (11) The Office of Tourism, Trade, and Economic  
18 Development shall, in addition to any other requirements of  
19 this section, determine that an applicant which has been  
20 certified under this section prior to June 1, 1997, for one  
21 franchise and is an applicant for certification for a  
22 different franchise under this section after June 1, 1997, has  
23 entered into a contract with the Department of Labor and  
24 Employment Security in which the applicant agrees to register  
25 with the Work and Gain Economic Self-Sufficiency (WAGES)  
26 Program Business Registry established by the local WAGES  
27 coalition for the area in which the applicant is located. Such  
28 contract shall further provide that the applicant shall hire  
29 WAGES program participants to the maximum extent possible and  
30 shall provide for appropriate monitoring and training of such  
31 employees. The applicant shall agree to employ a specified

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

18           Section 2. This act shall take effect upon becoming a  
19 law.

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24                           ADDITIONAL SPONSORS

25 Edwards, Chestnut, Mackenzie, Logan, Mackey, Ogles,  
26 Constantine, Harrington, Geller, Culp and Ritchie  
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