

Briefing on the Florida Special Session Proposals for Gambling

Background:

By law, the state of Florida has an agreement, contract or “compact” with the Seminole Indian Tribes who have separate and sovereign jurisdiction on their tribal property. The compact is up for renewal and the new compact agreement will last for the next 30 years.

Governor Ron DeSantis already has signed a massive, all-exclusive state-sanctioned gambling expansion deal with the Seminole Indian Tribe of Florida.

However, the terms the Governor has proposed to the Seminole Tribe must be approved by the Florida Legislature. Coming up on Monday, May 17, 2021, the Florida Legislature will begin a Special Legislative Session to consider, among other related gambling issues, whether to approve, amend or disapprove this massive, exclusive gambling expansion. The legislature has never called a special session regarding gambling to my knowledge. The compact with the Seminoles does need to be renewed by law but they can simply readopt the same terms and not expand gambling further in Florida.

Three parts to the proposed gambling expansion compact:

There are three gambling-related issues the Legislature is expected to take up beginning on Monday, May 17. One would create a “*Gaming Control Commission*”, in which the gambling industry would no longer be regulated by the Department of Business and Professional Regulation. This is bad because the gambling industry could easily influence who sits on this special commission with favorable members unlike DBPR which is more objective and impartial.

The second issue would allow Pari-mutuel Permit holders (17 local facilities statewide) to no longer be required to run their live events of jai-alai, harness racing, and dog racing, but allow their existing card

room gambling operations to continue, the first step (nose under the camel's tent) to a possible local casino in some of the poorest neighborhoods around Florida.

The Seminole Tribe would be the sole state "hub" whereby all the Pari-mutuels would contract with the tribe for a 60/40 revenue split to operate sports gambling at their statewide facilities. It is a 30-year exclusive revenue-sharing with the state. Three new casinos are allowed to be built on Seminole Tribe properties. Also, a lucrative mega-deal involving the possible transfer of one Pari-mutuel permit to the Fontainebleau Hotel on Miami Beach, which the owner has desired for years.

The third issue is the proposed massive, exclusive gambling compact deal with the Seminole Tribe of Florida. Its biggest prize is to bring sports gambling to Florida. This proposal could also potentially create apps for slot machines to operate on smart phones around the country. Slot machines are known as the "crack cocaine" of highly addictive gambling.

Why this is unconstitutional.

In 2018, 72% of Florida Voters approved an amendment to the State Constitution which The Florida State Constitution states, "**...Florida voters shall have the exclusive right to decide whether to authorize casino gambling in the State of Florida.**" That means new gambling in Florida can only be authorized by a statewide vote of the people.

Because the proposed compact would expand gambling in Florida without voters' consent, it is a violation of that constitutional provision.

If the compact is passed and there is a legal challenge to it, the State will have to spend a significant amount of time and taxpayer dollars trying to defend the law in court.

This proposal completely ignores this amendment and the will of the people who adopted it.

Proposal's Effect on Families and Communities

If passed, this compact will allow casinos to be built in communities that do not want them.

Florida could become a gambling tourism destination, drawing people from all over the globe.

Gambling can lead to addiction, which tears families apart through debt, depression, divorce and sometimes even suicide.

Electronic expansion of gaming is particularly dangerous because there is no way to effectively prevent children from being able to place bets online.

Casinos have a negative effect on communities because they “cannibalizing” or swallowing up the business of nearby local restaurants, hotels, and other entertainment establishments. The massive amounts of cash that would normally go to these local businesses get redirected to the casinos.

In short, the proposal:

- 1) Ignores the will of the people
- 2) Violates the State and Federal Constitutions
- 3) Forces the largest expansion of gambling in Florida history.