



Florida House of Representatives

Representative Dan Daley

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December 20, 2021

Secretary Julie Imanuel Brown

Department of Business and Professional Regulation

2601 Blair Stone Road

Tallahassee FL 32399

Re: Ruling of the U.S. Circuit Court of Appeal on the Seminole Compact

I am writing to you today to request that you consider placing a hold on enacting Senate Bill 8A, Gaming, that passed through the Legislature during the Special Session in May 2021. This legislation revises requirements for jai alai permitholders and harness horse permitholders to conduct live racing or games by amending Chapter 550, Florida Statutes (Pari-Mutuel Wagering), Chapter 551, Florida Statutes (Slot Machines), and Chapter 849, Florida Statutes (Gambling). The legislation also eliminates language related to live racing or games requirements.

This request is based on and in response to the recent decision from the U.S. Circuit Court of Appeal on the Seminole Compact. The U.S. Circuit Court of Appeal for the District of Columbia recently agreed with the stay imposed by U.S. District Judge Dabney Friedrich's Nov. 22, 2021 ruling. Judge Friedrich's decision found that U.S. Department of the Interior Secretary Deb Haaland, whose agency oversees tribal gambling, erred in allowing the compact to go into effect because it violates federal law. Since the Seminole Compact cannot carry out provisions passed by the Legislature until further litigation has taken place, Senate Bill 8A Gaming, should therefore not go into effect.

Senate Bill 8A Gaming, states on line 1446, Section 42. "Except as otherwise expressly provided in this act, this act shall take effect on the same date that S.B. 2A or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law." Since this legislation is contingent on the other enacting legislation currently on hold due to the U.S. Circuit Court of Appeal for the District of Columbia ruling to stay with the U.S. District's Nov. 22 ruling, this legislation should also be placed on hold and should not be enforced by the Department.

The Florida Standardbred Breeders and Owners Association (FSBOA) should be allowed to apply for a pari-mutuel permit and remain in existence while the Seminole Compact is paused due to ongoing

litigation. Wrongly enacting the provisions of SB 8A, could mean the total elimination of harness racing in Florida. Harness racing, or Standardbred racing, enjoys a tradition in Florida that is over half-a-century long. Approximately 5,000 people are directly employed in the state of Florida between Standardbred breeding and racing, including drivers, owners, breeders, and trainers. Subsequently, thousands more in Florida derive income from the industry indirectly, including veterinarians, blacksmiths, grooms, supply shops, truckers, restaurants, and hotels that support visiting horsemen. There are 62 Standardbred farms and 7 training centers located throughout the state of Florida. During the peak season, there are more horses in Florida than in any other state, providing a reliable economic benefit to many Floridians.

The pending Seminole Compact provides a critical sense of hope for these families against the despair of losing their entire way of life. I am requesting that the Department consider these families and delay any decision until the Seminole Compact is resolved. Thank you for considering this request. Please do not hesitate to reach out with any questions or need for additional information. I can be reached at dan.daley@myfloridahouse.gov or 954-778-3304.

Best,

A handwritten signature in blue ink that reads "Dan Daley". The signature is written in a cursive, flowing style.

Dan Daley
Florida House of Representatives
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402 South Monroe Street
Tallahassee, FL 32399-1300

CC: Director of Pari-Mutuel Wagering, Louis Trombetta