



Finance and Tax Committee

Tuesday, April 21, 2015

8:00 a.m. – 10:00 a.m.

Morris Hall

ACTION PACKET

COMMITTEE MEETING REPORT

Finance & Tax Committee

4/21/2015 8:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Finance & Tax Committee

Tuesday April 21, 2015 08:00 am

PCS for CS/HB 1233 Favorable With Amendment(s)

Yeas: 10

Nays: 8

Committee meeting was reported out: Tuesday, April 21, 2015 10:43:45AM

COMMITTEE MEETING REPORT

Finance & Tax Committee

4/21/2015 8:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Matt Gaetz (Chair)	X		
Frank Artiles	X		
Lori Berman	X		
Randolph Bracy	X		
Robert Cortes	X		
Jay Fant	X		
Walter Hill	X		
George Moraitis, Jr.	X		
Jared Moskowitz	X		
Scott Plakon	X		
Ray Rodrigues	X		
José Rodríguez	X		
Hazelle Rogers	X		
Richard Stark	X		
Jennifer Sullivan	X		
John Tobia	X		
Charles Van Zant	X		
Ritch Workman	X		
Totals:	18	0	0

Committee meeting was reported out: Tuesday, April 21, 2015 10:43:45AM

COMMITTEE MEETING REPORT

Finance & Tax Committee

4/21/2015 8:00:00AM

Location: Morris Hall (17 HOB)

PCS for CS/HB 1233 : Gaming

Favorable With Amendment(s)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Artiles			X		
Lori Berman	X				
Randolph Bracy	X				
Robert Cortes	X				
Jay Fant		X			
Walter Hill		X			
George Moraitis, Jr.		X			
Jared Moskowitz	X				
Scott Plakon		X			
Ray Rodrigues		X			
José Rodríguez	X				
Hazelle Rogers		X			
Richard Stark	X				
Jennifer Sullivan		X			
John Tobia	X				
Charles Van Zant		X			
Ritch Workman	X				
Jim Boyd (Ex Officio)	X				
Matt Gaetz (Chair)	X				
Total Yeas: 10		Total Nays: 8			

Appearances:

Amendment #1

Joe Pennachio - Opponent
 Florida Standardbred Breeders Association
 President
 151 NE 5th Avenue
 Delray Beach FL 33483

Amendment #1

Wilbur Brewton - Proponent
 Calder Race Course
 225 South Adams Street #250
 Tallahassee FL 32301
 Phone: 850-222-7718

Amendment #1

Doug Russell - Opponent
 Jai Alai Players Association
 9604 Deer Valley Drive
 Tallahassee FL 32312
 Phone: 850-445-0206

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/21/2015 8:00:00AM

Location: Morris Hall (17 HOB)

PCS for CS/HB 1233 : Gaming (continued)

Appearances: (continued)

Amendment #1

Wesley Cox - Information Only

Amendment #1

John Brunetti, Jr. - Information Only

Hialeah Park

President

Hialeah Park FL

Phone: 305-885-8000

Amendment #1

Steve Fisch - Opponent

Florida Quarter Horse Racing Association

President

9085 Wacuolia Hill Drive

Tallahassee FL 32308

Phone: 850-386-3619

Amendment #1

Warren Husband - Opponent

Florida thoroughbred Breeders and Owners Assoc.

P.O. Box 10909

Tallahassee FL 32302

Phone: 850-205-9000

Amendment #1

Jack Cory - Information Only

Florida Greyhound Association

110 East College Avenue

Tallahassee FL 32301

Phone: 850-681-1065

Amendment #1

William P. White - Opponent

FHBPA

President

2839 Morning Glory Circle

Davie FL

Phone: 954-303-5448

Amendment #1

Donn Mitchell - Proponent

Isels of Capri Casinos

Chief Administrative Officer

Pompano Beach FL

Phone: 314-306-0118

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Finance & Tax Committee

4/21/2015 8:00:00AM

Location: Morris Hall (17 HOB)

PCS for CS/HB 1233 : Gaming (continued)

Appearances: (continued)

Amendment #4

Carey Thiel (Lobbyist) - Proponent

Greyzk USA

Executive Director

P.O. Box F

Arlington VA 05476

Phone: 781-488-3526

Amendment #5

Cameron yarbrough (Lobbyist) - Information Only

Tampa Bay Downs

3154 Baringer Hill Drive

Tallahassee FL 32311

Phone: 850-528-9034

Amendment #8

Clarence Jackson - Proponent

City of Gretna

City Commissioner

P.O. Box 220

Gretna FL 32332

Phone: 850-856-5257

Amendments 9 & 10

Mark Dunbar (Lobbyist) - Proponent

Stronach Group

P.O. Box 351

Tallahassee FL 32312

Phone: 850-933-8500

Amendment #9

Jack Cory (Lobbyist) - Proponent

Florida Greyhound Association

110 East College Avenue

Tallahassee FL 32301

Amendment #9

David Bishop (Lobbyist) - Proponent

Florida Greyhound Association

John Sovirsti - Opponent

No Casinos, Inc.

President

201 S. Orange Avenue #880

Orlando FL 32801

Phone: 407-805-5904

Wesley Cox - Information Only

Quincy FL

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/21/2015 8:00:00AM

Location: Morris Hall (17 HOB)

PCS for CS/HB 1233 : Gaming (continued)

Appearances: (continued)

Kate MacFall (Lobbyist) - Proponent
Humane Society of the United States
State Director
1624 Metropolitan Circle
Tallahassee FL 32308
Phone: 850-508-1001

Brian Pitts - Opponent
Justice 2 Jesus
Trustee
119 Newton Avenue South
St. Petersburg FL 33705
Phone: 727-897-9291

Ramon Maury (Lobbyist) - Opponent
Florida Greyhound Association
P.O. Box 10245
Tallahassee FL 32302
Phone: 850-222-1568

David Bishop - Opponent
Florida Greyhound Association

Kottkamp, Jeff (Lobbyist) (General Public) - Proponent
Fla. Greyhound Assoc. and Florida Casino Watch
undefined
3311 Dartmoor Drive
Tallahassee FL 32312

Jack Cory (Lobbyist) (General Public) - Opponent
Florida Greyhound Association
110 East College Avenue
Tallahassee FL 32301

Mark Dunbar (Lobbyist) - Opponent
Stronach Group
P.O. Box 351
Tallahassee FL 32312
Phone: 850-933-8500

Brewster Bevis (Lobbyist) - Proponent
Associated Industries of Florida
Senior Vice President
516 North Adams Street
Tallahassee FL 32301
Phone: 850-224-7173

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Finance & Tax Committee

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Location: Morris Hall (17 HOB)

PCS for CS/HB 1233 : Gaming (continued)

Appearances: (continued)

Carey Thiel (Lobbyist) - Proponent

Greyzk USA

Executive Director

P.O. Box F

Arlington VA 05476

Phone: 781-488-3526

Committee meeting was reported out: Tuesday, April 21, 2015 10:43:45AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	<input checked="" type="checkbox"/>	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Finance & Tax Committee
 2 Representative Rogers offered the following:

Amendment (with title amendment)

Remove line 238 and insert:

6 (c) Notwithstanding any other law or regulation, if any
 7 greyhound racing permitholder with a slot machine license
 8 discontinues the operation of live racing, all pari-mutuel
 9 permitholders with slot machine licenses may also discontinue
 10 the operation of live racing or games, shall have the same
 11 related rights and exemptions provided to such greyhound racing
 12 permitholder, and are entitled, but not required, to be a guest
 13 track for purposes of intertrack wagering and interstate
 14 simulcast and to obtain a cardroom license.

15 (d) Permitholders may shall be entitled to amend their
 16

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 1

17

18

T I T L E A M E N D M E N T

19

Remove line 9 and insert:

20

performances; providing circumstances for certain permitholders

21

to discontinue live racing or games while continuing intertrack

22

wagering and maintaining slot machines or cardrooms; limiting

23

the number of pari-mutuel

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	<input checked="" type="checkbox"/>	(Y/N)
OTHER	___	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee
2 Representative Workman offered the following:

3
4 **Amendment (with title amendment)**

5 Remove line 238 and insert:

6 (c) As a condition precedent on the validity of its
7 permit, any greyhound permitholder which does not apply to
8 conduct a full schedule of live racing following the passage of
9 this act shall contribute an amount equal to thirty percent of
10 the operating loss declared from its pari-mutuel operations on
11 its most recent uniform annual report filed with the Division
12 prior to the passage of this act. The contribution shall be made
13 annually prior to the issuance of its annual operating license
14 by the division. Failure to conduct a full schedule of live
15 racing pursuant to its annual operating license shall obligate
16 the permitholder to make the contribution required by this
17 paragraph for the previous year prior to the issuance of any

Amendment No. 2

18 future license to conduct wagering or gaming activities. The
19 division shall aggregate these contributions into a purse pool
20 from which permitholders conducting live races or games may
21 apply and receive subsidies for wagering and non-wagering purses
22 and players awards paid by the permitholders conducting live
23 races or games in the upcoming state fiscal year. In the event
24 there is more than one application submitted by a pari-mutuel
25 permitholder conducting live races or games, the division shall
26 divide the purse pool pro rata based upon the total amount of
27 live wagering handle and non-wagering purses conducted or
28 offered by the permitholders conducting live races or games in
29 the prior state fiscal year.

30 (d) Permitholders may ~~shall be entitled to~~ amend their
31

32 -----
33 T I T L E A M E N D M E N T

34 Remove line 6 and insert:

35 operating licenses; requiring greyhound racing permitholders
36 that do not conduct a full schedule of live racing to contribute
37 funds to a pool of money that will be distributed by the
38 division to pari-mutuel permitholders that conduct live racing
39 or games; authorizing a greyhound racing

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<u>7</u>	(Y)N
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee

2 Representative Workman offered the following:

3
4 **Amendment**

5 Remove line 401 and insert:

6 provided the application is received by July 31, 2018, the move

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER —

1 Committee/Subcommittee hearing bill: Finance & Tax Committee
2 Representative Workman offered the following:

3
4 **Amendment**

5 Remove lines 896-904 and insert:

6 the injury occurred or is believed to have occurred. The
7 Division is authorized to adopt rules defining the term
8 "injury."

9 (2) The form shall be completed and signed under oath or
10 affirmation by the:

11 (a) Racetrack veterinarian or director of racing, if the
12 injury occurred at the racetrack facility; or

13 (b) Owner, trainer, or kennel operator who had knowledge of
14 the injury, if the injury occurred at a location other than the
15 racetrack facility, including during transportation.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 4

16 (3) The Division is authorized to fine, suspend, or revoke
17 the license of any individual who knowingly violates the
18 provisions of this section.

19 (4) The form must include all of the following:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ___ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ✓ (Y/N)
OTHER ___

1 Committee/Subcommittee hearing bill: Finance & Tax Committee
2 Representative Workman offered the following:

4 **Amendment (with title amendment)**

5 Between lines 1510 and 1511, insert:

6 Section 25. Subsection (3) of section 551.106, Florida
7 Statutes, is amended to read:

8 551.106 License fee; tax rate; penalties.—

9 (3) PAYMENT AND DISPOSITION OF TAXES.—

10 (a) Payment for the tax on slot machine revenues imposed
11 by this section shall be paid to the division. The division
12 shall deposit these sums with the Chief Financial Officer, to
13 the credit of the Pari-mutuel Wagering Trust Fund. The slot
14 machine licensee shall remit to the division payment for the tax
15 on slot machine revenues. Such payments shall be remitted by 3
16 p.m. Wednesday of each week for taxes imposed and collected for
17 the preceding week ending on Sunday. Beginning on July 1, 2012,

Amendment No. 5

18 the slot machine licensee shall remit to the division payment
19 for the tax on slot machine revenues by 3 p.m. on the 5th day of
20 each calendar month for taxes imposed and collected for the
21 preceding calendar month. If the 5th day of the calendar month
22 falls on a weekend, payments shall be remitted by 3 p.m. the
23 first Monday following the weekend. The slot machine licensee
24 shall file a report under oath by the 5th day of each calendar
25 month for all taxes remitted during the preceding calendar
26 month. Such payments shall be accompanied by a report under oath
27 showing all slot machine gaming activities for the preceding
28 calendar month and such other information as may be prescribed
29 by the division.

30 (b) Upon issuance of a license pursuant to s.
31 551.104(2)(a)3. and the payment of slot machine revenue taxes by
32 such licensees in accordance with s. 551.106(2), the division
33 shall allocate 10 percent of such slot machine revenue tax
34 payments to any thoroughbred permitholder that has conducted a
35 full schedule of live races for fifteen consecutive years, that
36 has never held a slot machine license, and that is located in a
37 county in which Class III gaming is conducted on Indian Lands.
38 The permitholder must use the allocation for thoroughbred racing
39 purses and the operations of the permitholder's thoroughbred
40 racing facility. If more than one permitholder is eligible for
41 such an allocation, the division shall equally allocate such
42 funds between eligible permitholders. The allocation or
43 allocations made by the division for payment in accordance with

Amendment No. 5

44 this provision shall be deposited into the Pari-mutuel Wagering
45 Trust Fund for immediate transfer by the Chief Financial Officer
46 to any qualifying permitholders within 30 days after the
47 conclusion of the state's fiscal year.

48

49

50

T I T L E A M E N D M E N T

51

Between lines 107 and 108, insert:

52

53 551.106, F.S.; requiring the division to allocate ten percent of
54 slot machine tax revenues received from certain permitholders to
55 certain other permitholders for the purpose of funding purses
56 and facility operations; amending s.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION — (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER TP

1 Committee/Subcommittee hearing bill: Finance & Tax Committee
2 Representative Artiles offered the following:

3
4 **Amendment**
5 Remove lines 178-179 and insert:
6 c. For every fiscal year after the 2012-2013 fiscal year,
7 the conduct of no less than 5 and no more than at least 40 live
8 regular wagering performances.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 7

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	<u>TP</u>	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee
 2 Representative Artiles offered the following:

Amendment (with title amendment)

Remove line 1567 and insert:

6 during the state fiscal year immediately prior thereto. If the
 7 application is for a quarter horse racing permitholder cardroom,
 8 the applicant must have requested, as part of its pari-mutuel
 9 annual license application, to conduct a full schedule of live
 10 racing. If more

11 -----
 12
 13 T I T L E A M E N D M E N T

Remove line 113 and insert:

14 that a cardroom may operate; requiring a quarter horse racing
 15 permitholder to conduct a full schedule of live racing in order
 16

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCS for CS/HB 1233 (2015)

Amendment No. 7

17 to receive, maintain, or renew a cardroom license; exempting a
18 greyhound

Amend #8

1467
1376 125.011; or

by Rep. Bracy *withdrawn*

1393 rights; or
1484

Insert the Following between lines ~~1393-1394~~ 1484-1485

4. A licensed pari-mutuel facility located in a county which a majority of voters have approved Class II slot machines at eligible facilities in a countywide referendum, and is comprised of predominately minority citizens, and has a population of less than 100,000 persons, and an income per capita of 80 percent or less of the national average, and has an unemployment rate at least 1 percent greater than the national average unemployment rate. However, a license to conduct slot machine gaming may not be granted by the division pursuant to this paragraph unless the Gaming Compact between the Seminole Tribe of Florida and the State of Florida authorized pursuant to s. 285.710 is amended to exempt the slot machine gaming conducted by such slot machine licensees from the Seminole Tribe of Florida's exclusive gaming rights.



Committee on

Finance - Tax

Date 4/21/15

Action failed

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No. 9

Bill No. PCS/1233

(For filing with the Clerk, Committee and Member Amendments must be prepared on computer)

~~Representative(s)~~ The Committee on Van Zant

offered the following amendment:

Amendment

on page 10, ^{after} line 237, insert

(c) Decoupling will be allowed on a county by county basis as long as it is accomplished by referendum during a general election of either the Governor of this state or the President of the United States.



Committee on

Finance & Tax

Date

4/21/15

Action

failed

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No.

10

Bill No.

PCS/1233

(For filing with the Clerk, Committee and Member Amendments must be prepared on computer)

Representative(s)/The Committee on

Van Zant

offered the following amendment:

Amendment

on page 65, ^{after} line 1686

~~(3) Future ~~restoration~~ casinos may not be built in any county without a referendum during a general election of either the Governor of this state or the President of the United States.~~