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Florida Gaming Updates

Pompano Beach, FL (November 21, 2011) – Articles below were published on November 18-20 relevant to issues that could affect the racing/breeding equine industry in Florida. We track the news and communicate daily with associations representing the competition breeds as we seek to inform the public and legislators on the economic impact of a strong industry.

Fla. dismisses barrel racing opponents' petitions

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TALLAHASSEE, Fla. (AP) - Florida regulators have rejected requests for administrative hearings from opponents of gambling on quarter horse barrel racing in the Panhandle. The Department of Business and Professional Regulation ruled on Friday. It said two associations representing flat-track quarter horse racing interests lack standing to challenge racing dates for a facility in Gretna, just west of Tallahassee.

A request for a hearing to challenge the addition of a card room at Gretna was rejected as premature. The decisions can be appealed in court.

A lawyer for the Florida Quarter Horse Racing Association and Florida Quarter Horse Breeders & Owners Association said the rulings are under review. The groups say the barrel racing is an attempt to bypass state regulations to get the card room and possibly slot machines.

Gambling in Florida may be set to explode

By Kathleen Haughney, Tallahassee Bureau
November 20, 2011

TALLAHASSEE—

With the Legislature set to consider allowing Vegas-style casinos, even as smaller operators seek a rash of new pari-mutuel permits, Florida finds itself at a gambling crossroads.

The state could explode with more gambling options, from glitzy, high-end resorts in South Florida that offer slots, card games and craps to barrel racing — and maybe slot machines — in areas such as tiny Gadsden County in Florida's Panhandle. Or the courts, now considering several lawsuits challenging gambling expansion, could force all the new projects back to the drawing board.

"This obviously has a lot of moving pieces to it," said Rep. Scott Plakon, R-Longwood, who opposes gambling expansion efforts.

Last month, Sen. [Ellyn Bogdanoff](#), R-Fort Lauderdale, and Rep. Erik Fresen, R-Miami, unveiled legislation that would bring three "destination casino" resorts to the state. At about the same time, the state approved a license for betting on barrel racing in the tiny city of Gretna, and the county put a referendum on the ballot that could allow slot machines at the facility as well.

Then, a lawyer for Magic City Casino in Miami found a loophole in the law that he said would allow it to get a license for summer jai alai; another attorney wants to exploit the same loophole to put jai alai in Weston. And most recently, the owners of Hamilton Downs, a jai alai and poker room in Jasper in north Florida, also filed for a barrel-racing permit for their quarter-horse track.

Finally, Internet cafes — offering "sweepstakes" that critics say are akin to slot machines — are continuing to pop up in strip malls all over the state.

For Bogdanoff, this explosion of gambling is reason enough to pass her bill — to get control of the industry through a new state gambling commission. Bogdanoff said she wants to create a "strategic vision" that starts with high-end resorts — and then decide how these facilities fit that vision: Seminole Indian casinos; slot-machine "racinos"; pari-mutuel tracks, frontons and poker rooms; and Internet cafes. "We have to decide they're here. Do we protect them? Do we give them parity? Do we want to continue to expand through clever lawyering? Or do we want to say, 'This is it, this is the strategic vision: up to three destination gaming resorts,' " she said last week.

"Let the gaming commission make the decisions on the nitty-gritty, how it gets done. But we don't want any more Internet cafes; we don't want any other counties expanding," she said.

For the backers of destination resorts and the smaller gambling venues, the expressed motivation is the same: jobs.

In Gretna, plans are under way to hire 178 people, a significant amount in a city of about 1,700 people that is poor and largely black.

"For us, this is just the tip of the iceberg," said Clarence Jackson, mayor of Gretna. "We're sure that we'll have some opportunities. The main thing for people around here, they're looking for jobs."

Casino executives from Las Vegas and Asia are making the same promises using bigger numbers: up to 100,000 if three megaresort-casinos open in Miami-Dade and Broward counties. Plus, they say, they'll attract millions of new tourists who will shop at local restaurants and travel to other Florida destinations such as Disney World.

"The potential here is exciting," said Jessica Hoppe, general counsel for Genting, which has spent more than \$300 million for bay-front property in Miami to build a \$3.8 billion resort, including the world's largest casino.

But the Florida Supreme Court — and the Legislature — could bring all these plans to a screeching halt.

Last week, owners of Miami Jai Alai and Calder Casino and Race Course asked the court to hear their appeal of a judicial decision allowing Hialeah Park racetrack to open a racino. More significantly, they're also challenging whether the Legislature has the authority to expand gambling or whether expansion requires a statewide constitutional amendment.

They argue that a 2004 referendum allowing slots in Miami-Dade and Broward applied only to pari-mutuels that were open at the time; Hialeah was closed. But in 2009, legislators authorized slots at Hialeah, and in 2010 a Leon County circuit judge said the Legislature could allow gambling anywhere in the state.

The case is crucial to the destination-casino bill. If the Supreme Court were to side with Calder, it would mean casino executives would need a constitutional amendment — passed by 60 percent of voters — to go forward. Three attempts in the past 33 years to pass such an amendment have failed.

If a statewide referendum were required, said Las Vegas Sands lobbyist Nick Iarossi, the company would "probably take our ball and go home" rather than wage an expensive campaign that had a high probability of failing.

Gretna's facility has also drawn a legal challenge from critics who say wagering barrel racing — normally a rodeo contest, not a betting event — was never authorized by the Legislature and therefore can't be permitted by the Department of Business and Professional Regulation.

In December, an administrative-law judge is set to hear a challenge by the Quarter Horse Racing Association, which called barrel racing an "entirely new form of activity never before authorized or approved for pari-mutuel wagering in this state."

Dan Adkins, vice president of Hollywood's Mardi Gras Casino, called the Gretna plan a "scam." "All of this is patently illegal," he said.

The Legislature is watching the court cases but will move forward with destination-casino discussion. A full Senate vote is expected in mid- to late January.

But Bogdanoff admitted that the Legislature has shied for decades from making big changes to the gambling industry and might not agree this year. "I don't know that the bill passes," she said. "That's why we're having the discussion."

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The Florida Standardbred Breeders and Owners Association, Inc. is a non-profit organization with the objective of promoting the Standardbred horse-breeding and racing industry in Florida. The FSBOA maintains a registry of Florida-bred Standardbred horses to promote and determine their eligibility for Florida-bred races. The FSBOA website contains information about stallions standing in Florida, special standardbred events taking place throughout the year, stake race information, including payment schedules, eligibilities, purses, and results. This site also will publish advertisements relating to standardbred services and articles offered for sale.