

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Pickens, Bowen, Baxley, Cretul and Jennings
2 offered the following:

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4 **Amendment (with title amendment)**

5 Remove line(s) 762 and 763, insert:

6 551.1078 License conditions for holders of thoroughbred
7 pari-mutuel wagering permits.--

8 (1) No slot machine license or renewal thereof shall be
9 issued to an applicant holding a permit under chapter 550 to
10 conduct pari-mutuel wagering meets on thoroughbred racing unless
11 the applicant has filed with the division and the Division of
12 Pari-Mutuel Wagering a written agreement governing the
13 distribution of purses and breeders, stallion, and special
14 racing awards under chapter 550, executed by the licensee, the

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15 Florida Horsemen's Protective and Benevolent Association, and
16 the Florida Thoroughbred Breeders' Association.

17 (2)(a) If the agreement required in subsection (1) is not
18 in place 120 days prior to the scheduled issuance of a slot
19 machine license or renewal, the applicant shall immediately ask
20 the American Arbitration Association to furnish a list of 11
21 arbitrators, each of whom shall have at least 5 years of
22 commercial arbitration experience and no financial interest in
23 or prior relationship with any of the parties or their
24 affiliated or related entities or principals. Each party shall
25 select a single arbitrator from the list provided by the
26 American Arbitration Association within 10 days after receipt of
27 the list, and the individuals so selected shall choose two
28 additional arbitrators from the list within the next 10 days.

29 (b) If the agreement required in subsection (1) is not in
30 place 60 days prior to the scheduled issuance of a slot machine
31 license or renewal, the matter shall be immediately submitted to
32 mandatory binding arbitration to resolve the disagreements among
33 the parties. The five arbitrators selected pursuant to paragraph
34 (a) shall constitute the panel that shall arbitrate the dispute
35 between the parties pursuant to the American Arbitration
36 Association Commercial Arbitration Rules and chapter 682.

37 (c) At the conclusion of the proceedings, which shall be
38 no later than 30 days prior to the scheduled issuance of the
39 slot machine license or renewal, the arbitration panel shall
40 present to the parties a proposed agreement that the panel
41 believes equitably balances the rights, interests, obligations,

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42 and reasonable expectations of the parties. The parties shall
 43 immediately enter into such agreement, which shall satisfy the
 44 requirements of subsection (1) and permit issuance of the
 45 pending annual slot machine license or renewal only. The
 46 agreement produced pursuant to this subsection shall be
 47 effective until the last day of the pending license or renewal
 48 or until the parties enter into a different agreement. Each
 49 party shall pay its respective costs of arbitration and shall
 50 pay one-third of the costs of the arbitration panel, unless the
 51 parties otherwise agree.

52
 53 ===== D I R E C T O R Y A M E N D M E N T =====
 54 Remove line(s) 393 and insert:
 55 sections 551.101, 551.103, 551.105, 551.107, 551.1073, 551.1075,
 56 551.1078,

57
 58 ===== T I T L E A M E N D M E N T =====
 59 Remove line(s) 97 and insert:
 60 fee; providing license conditions for holders of thoroughbred
 61 pari-mutuel wagering permits; providing for deposit of the fee
 62 into the Slot