

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Zapata offered the following:

2  
3 **Amendment (with title amendment)**

4 On page 1, between line(s) 21 and 22, insert:

5 Section 2. (1) (a) A video lottery retailer holding a  
6 permit under chapter 550, Florida Statutes, to conduct pari-  
7 mutuel wagering on live jai alai performances may not conduct  
8 video lottery games unless the retailer has on file with the  
9 Division of Pari-mutuel Wagering of the Department of Business  
10 and Professional Regulation a binding collective bargaining  
11 agreement with the International Jai Alai Players Association  
12 that contains provisions dedicating percentages of net terminal  
13 income, retained after the payment of the allocations required  
14 under s. 24.127(7), Florida Statutes, to supplementing player  
15 base salaries, supplementing retirement and pension funds, and

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16 funding competitive purses for international tournaments or such  
17 other binding agreement containing such provisions.

18 (b) If an impasse in the collective bargaining process  
19 prevents the collective bargaining agreement required under  
20 paragraph (a) from being filed with the Division of Pari-mutuel  
21 Wagering in order to conduct video lottery games, or a  
22 collective bargaining agreement is reached but does not contain  
23 the required provisions specified in paragraph (a), the  
24 provisions dedicating percentages of net terminal income to  
25 supplementing player base salaries, supplementing retirement and  
26 pension funds, and funding competitive purses for international  
27 tournaments shall be subject to binding arbitration.

28 (c)1. If a collective bargaining impasse is reached, the  
29 applicant shall immediately ask the American Arbitration  
30 Association to furnish a list of 11 arbitrators, each of whom  
31 shall have at least 5 years of commercial arbitration experience  
32 and no financial interest in or prior relationship with any of  
33 the parties or their affiliated or related entities or  
34 principals. Each required party to the agreement shall select a  
35 single arbitrator from the list provided by the American  
36 Arbitration Association within 10 days after receipt, and the  
37 individuals so selected shall choose an additional arbitrator  
38 from the list within the next 10 days. The three arbitrators  
39 selected shall constitute the panel that shall arbitrate the  
40 dispute between the parties pursuant to the American Arbitration  
41 Association Commercial Arbitration Rules and chapter 682,  
42 Florida Statutes.

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43        2. At the conclusion of the proceedings, which shall be  
44 within 60 days after the selection of the arbitration panel, the  
45 panel shall present to the parties a proposed agreement that a  
46 majority of the panel believes equitably balances the rights,  
47 interests, obligations, and reasonable expectations of the  
48 parties concerning the provisions described in paragraph (b).  
49 The parties shall immediately enter into such agreement, which  
50 shall be filed with the Division of Pari-mutuel Wagering and  
51 which shall satisfy the requirements of paragraph (a) and permit  
52 the conduct of video lottery games by the video lottery  
53 retailer, notwithstanding that a collective bargaining agreement  
54 may remain at impasse. The agreement produced by the arbitration  
55 panel under this paragraph shall be effective until the  
56 anniversary date of the initial issuance of the video lottery  
57 retailer license and annually on the same date thereafter, or  
58 until the parties enter into a different agreement concerning  
59 such issues, including a collective bargaining agreement. Each  
60 party shall pay its respective costs of arbitration and shall  
61 pay one-half of the costs of the arbitration panel, unless the  
62 parties otherwise agree.

63        (d) The Division of Pari-mutuel Wagering shall suspend the  
64 conduct of video lottery games if the agreement entered into by  
65 the parties as a result of arbitration under subparagraph (c)2.  
66 is terminated or otherwise ceases to operate or if the division  
67 determines that the licensee is materially failing to comply  
68 with the provisions of such agreement. Any such suspension shall  
69 take place in accordance with chapter 120, Florida Statutes.

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70       (2) If any provision of this section or its application to  
71 any person or circumstance is held invalid, the invalidity does  
72 not affect other provisions or applications of this section or  
73 act which can be given effect without the invalid provision or  
74 application, and to this end the provisions of this subsection  
75 are severable.  
76  
77

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

79           On page 1, line 8,  
80 remove: All of that line

81  
82 and insert:  
83 trademark; requiring video lottery retailers who are jai alai  
84 permitholders to execute agreements supplementing player  
85 salaries, supplementing retirement and pension funds, and  
86 funding certain purses; providing an effective date.