

1 the Transition Service Integration Model
2 Project Grant Program within the Department of
3 Education; providing purposes of the program;
4 specifying the type of student for whom the
5 program is intended; defining the term
6 "developmental disability"; providing for the
7 administration of grants; requiring the project
8 to fund staff development and an ongoing
9 third-party evaluation of results; requiring
10 that the Division of Vocational Rehabilitation
11 and the Agency for Persons with Disabilities
12 provide support to the program; requiring that
13 grants be awarded through a competitive
14 process; limiting the use of grants to certain
15 contractual agreements; requiring that all
16 applicants use the Transition Service
17 Integration Model; providing requirements for
18 eligibility for a grant; requiring that
19 applicants provide a statement of how they plan
20 to sustain or expand the program after the end
21 of the grant period; specifying a grant period;
22 specifying an approximate number of students to
23 participate in the program; specifying a number
24 of district pilot sites that will participate
25 in the program; authorizing additional
26 positions and providing an appropriation;
27 providing for severability; providing an
28 effective date.
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1 WHEREAS, cardroom operations of pari-mutuel facilities
2 offer an opportunity to the State of Florida to raise
3 much-needed revenues for underserved program areas, and

4 WHEREAS, vocational education is a component that is
5 critical to providing an adequate and effective workforce in
6 this state, and

7 WHEREAS, persons with disabilities represent a portion
8 of our population whose employment horizons are not being
9 maximized under current programs, and

10 WHEREAS, revenues raised from cardroom operations at
11 pari-mutuel facilities can provide the source of funding
12 needed for new programs to assist persons with disabilities
13 and provide at-risk juveniles with an opportunity for training
14 and vocational education so that they may become productive
15 members of Florida's workforce, NOW, THEREFORE,

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsections (2), (7), and (8), and
20 paragraphs (c) and (h) of subsection (13) of section 849.086,
21 Florida Statutes, are amended to read:

22 849.086 Cardrooms authorized.--

23 (2) DEFINITIONS.--As used in this section:

24 (a) "Authorized game" means a game or series of games
25 of poker which are played in a nonbanking manner.

26 (b) "Banking game" means a game in which the house is
27 a participant in the game, taking on players, paying winners,
28 and collecting from losers or in which the cardroom
29 establishes a bank against which participants play.

30 (c) "Cardroom" means a facility where authorized card
31 games are played for money or anything of value and to which

1 | the public is invited to participate in such games and charged
2 | a fee for participation by the operator of such facility.
3 | Authorized games and cardrooms do not constitute casino gaming
4 | operations.

5 | (d) "Cardroom management company" means any individual
6 | not an employee of the cardroom operator, any proprietorship,
7 | partnership, corporation, or other entity that enters into an
8 | agreement with a cardroom operator to manage, operate, or
9 | otherwise control the daily operation of a cardroom.

10 | (e) "Cardroom distributor" means any business that
11 | distributes cardroom paraphernalia such as card tables,
12 | betting chips, chip holders, drop boxes, banking supplies,
13 | playing cards, card shufflers, and other associated equipment
14 | to authorized cardrooms.

15 | (f) "Cardroom operator" means a licensed pari-mutuel
16 | permitholder which holds a valid permit and license issued by
17 | the division pursuant to chapter 550 and which also holds a
18 | valid cardroom license issued by the division pursuant to this
19 | section which authorizes such person to operate a cardroom and
20 | to conduct authorized games in such cardroom.

21 | (g) "Division" means the Division of Pari-mutuel
22 | Wagering of the Department of Business and Professional
23 | Regulation.

24 | (h) "Gross receipts" means the total amount of money
25 | received by a cardroom from any person for participation in
26 | authorized games.

27 | (i) "House" means the cardroom operator and all
28 | employees of the cardroom operator.

29 | (j) "Net proceeds" means the total amount of gross
30 | receipts received by a cardroom operator from cardroom
31 | operations less direct operating expenses related to cardroom

1 operations, including labor costs, admission taxes only if a
2 separate admission fee is charged for entry to the cardroom
3 facility, gross receipts taxes imposed on cardroom operators
4 by this section, the annual cardroom license fees imposed by
5 this section on each table operated at a cardroom, and
6 reasonable promotional costs excluding officer and director
7 compensation, interest on capital debt, legal fees, real
8 estate taxes, bad debts, contributions or donations, or
9 overhead and depreciation expenses not directly related to the
10 operation of the cardrooms.

11 (k) "Rake" means a set fee or percentage of the pot
12 assessed by a cardroom operator for providing the services of
13 a dealer, table, or location for playing the authorized game.

14 (l) "Tournament" means a series of games that have
15 more than one betting round involving one or more tables,
16 where the winners or others receive a prize or cash award.

17 (7) CONDITIONS FOR OPERATING A CARDROOM.--

18 (a) A cardroom may be operated only at the location
19 specified on the cardroom license issued by the division, and
20 such location may only be the location at which the
21 pari-mutuel permit holder is authorized to conduct pari-mutuel
22 wagering activities pursuant to such permit holder's valid
23 pari-mutuel permit or as otherwise authorized by law.

24 (b) A cardroom may be operated at the facility between
25 the hours of 10 a.m. and 2 a.m. only on days when the facility
26 is authorized to accept wagers on pari-mutuel events except
27 that the hours of operation may be extended by majority vote
28 of the governing body of the municipality where the facility
29 is located or the governing body of the county if the facility
30 is not located in a municipality during its authorized meet. A
31 cardroom may operate between the hours of 12 noon and 12

1 ~~midnight on any day a pari mutuel event is conducted live as a~~
2 ~~part of its authorized meet. However, a permitholder who holds~~
3 ~~a valid cardroom license may operate a cardroom between the~~
4 ~~hours of 12 noon and 12 midnight on any day that live racing~~
5 ~~of the same class of permit is occurring within 35 miles of~~
6 ~~its facility if no other holder of that same class of permit~~
7 ~~within 35 miles is operating a cardroom at such time and if~~
8 ~~all holders of the same class of permit within the 35 mile~~
9 ~~area have given their permission in writing to the~~
10 ~~permitholder to operate the cardroom during the designated~~
11 ~~period. Application to operate a cardroom under this paragraph~~
12 ~~must be made to the division as part of the annual license~~
13 ~~application.~~

14 (c) A cardroom operator must at all times employ and
15 provide a nonplaying dealer for each table on which authorized
16 card games which traditionally utilize a dealer are conducted
17 at the cardroom. Such dealers may not have any participatory
18 interest in any game other than the dealing of cards and may
19 not have an interest in the outcome of the game. The providing
20 of such dealers by a licensee shall not be construed as
21 constituting the conducting of a banking game by the cardroom
22 operator.

23 (d) A cardroom operator may award giveaways, jackpots,
24 and prizes to a player or players who hold certain
25 combinations of cards specified by the cardroom operator.

26 (e)~~(d)~~ Each cardroom operator shall conspicuously post
27 upon the premises of the cardroom a notice which contains a
28 copy of the cardroom license; a list of authorized games
29 offered by the cardroom; the wagering limits imposed by the
30 house, if any; any additional house rules regarding operation
31 of the cardroom or the playing of any game; and all costs to

1 | players to participate, including any rake by the house. In
2 | addition, each cardroom operator shall post at each table a
3 | notice of the minimum and maximum bets authorized at such
4 | table and the fee for participation in the game conducted.

5 | ~~(f)(e)~~ The cardroom facility shall be subject to
6 | inspection by the division or any law enforcement agency
7 | during the licensee's regular business hours. The inspection
8 | will specifically encompass the permitholder internal control
9 | procedures approved by the division.

10 | ~~(g)(f)~~ A cardroom operator may refuse entry to or
11 | refuse to allow to play any person who is objectionable,
12 | undesirable, or disruptive, but such refusal shall not be on
13 | the basis of race, creed, color, religion, sex, national
14 | origin, marital status, physical handicap, or age, except as
15 | provided in this section.

16 | (8) METHOD OF WAGERS; LIMITATION.--

17 | (a) No wagering may be conducted using money or other
18 | negotiable currency. Games may only be played utilizing a
19 | wagering system whereby all players' money is first converted
20 | by the house to tokens or chips which shall be used for
21 | wagering only at that specific cardroom.

22 | (b) The cardroom operator may limit the amount wagered
23 | in any game or series of games, but the maximum bet may not
24 | exceed~~\$10~~\$2 in value. There may not be more than three
25 | raises in any round of betting. The fee charged by the
26 | cardroom for participation in the game shall not be included
27 | in the calculation of the limitation on the bet amount
28 | provided in this paragraph.

29 | ~~(c)~~ A tournament shall consist of a series of games.
30 | The entry fee for a tournament, including any re-buys, may not
31 | exceed the maximum amount that could be wagered by a

1 participant in 10 like-kind, nontournament games under
2 paragraph (b). Tournaments must be played only with tournament
3 chips that are provided to all participants in exchange for an
4 entry fee and any subsequent re-buys. All players must receive
5 an equal number of tournament chips for their entry fee.
6 Tournament chips have no cash value and represent tournament
7 points only. There is no limitation on the number of
8 tournament chips that may be used for a bet except as
9 otherwise determined by the cardroom operator. Tournament
10 chips may never be redeemed for cash or for any other thing of
11 value. The distribution of prizes and cash awards is
12 determined by the cardroom operator before entry fees are
13 accepted.

14 (d) For purposes of tournament play only, the term
15 "gross receipts for the tournament" means the total amount
16 received by the cardroom operator for all entry fees, player
17 re-buys, and fees for participation in the tournament less the
18 total amount paid to the winners or others as prizes.

19 (13) TAXES AND OTHER PAYMENTS.--

20 (c) Payment of the admission tax and gross receipts
21 tax imposed by this section shall be paid to the division. The
22 division shall deposit these sums with the Chief Financial
23 Officer, ~~one half being credited to the Pari-mutuel Wagering~~
24 ~~Trust Fund and one half being credited to the General Revenue~~
25 ~~Fund~~. The cardroom licensee shall remit to the division
26 payment for the admission tax, the gross receipts tax, and the
27 licensee fees. Such payments shall be remitted to the division
28 on the fifth day of each calendar month for taxes and fees
29 imposed for the preceding month's cardroom activities.
30 Licensees shall file a report under oath by the fifth day of
31 each calendar month for all taxes remitted during the

1 preceding calendar month. Such report shall, under oath,
2 indicate the total of all admissions, the cardroom activities
3 for the preceding calendar month, and such other information
4 as may be prescribed by the division.

5 (h)1. One-sixteenth ~~One-quarter~~ of the moneys
6 deposited into the Pari-mutuel Wagering Trust Fund pursuant to
7 paragraph (g) shall, by October 1 of each year, be distributed
8 to counties in which the cardrooms are located; however, if
9 two or more pari-mutuel racetracks are located within the same
10 incorporated municipality, the cardroom funds shall be
11 distributed to the municipality. If a pari-mutuel facility is
12 situated in such a manner that it is located in more than one
13 county, the site of the cardroom facility shall determine the
14 location for purposes of disbursement of tax revenues under
15 this paragraph. The division shall, by September 1 of each
16 year, determine: the amount of taxes deposited into the
17 Pari-mutuel Wagering Trust Fund pursuant to this section from
18 each cardroom licensee; the location by county of each
19 cardroom; whether the cardroom is located in the
20 unincorporated area of the county or within an incorporated
21 municipality; and, the total amount to be distributed to each
22 eligible county and municipality.

23 2. One half of the moneys deposited into the
24 Pari-mutuel Wagering Trust Fund pursuant to paragraph (g)
25 shall be transferred to the Grants and Donations Trust Fund
26 established by s. 215.32(2)(d) on or before October 1 of each
27 year for the purpose of funding programs established by the
28 Transition Service Integration Model Project Grant Program.

29 Section 2. Transition Service Integration Model
30 Project Grant Program.--
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1 (1) The Transition Service Integration Model Project
2 Grant Program is established within the Department of
3 Education to provide startup grants to offset the cost of
4 formal service agreements between district school boards and
5 not-for-profit employment services providers for the purpose
6 of providing a seamless transition, through customized
7 employment, for students with severe disabilities who are
8 eligible for developmental disability services. The program
9 shall assist students in moving from school to integrated
10 direct-hire employment and postsecondary education and shall
11 provide inclusive access to a wide range of preferred
12 community activities and settings.

13 (2) As used in this section, the term "developmental
14 disability" has the same meaning as in s. 393.063(9), Florida
15 Statutes.

16 (3) In addition, the project shall fund staff
17 development required to support the project and a third-party
18 evaluation of results for the duration of the project. The
19 Bureau of Exceptional Education and Student Services shall
20 administer the grants. The Division of Vocational
21 Rehabilitation and the Agency for Persons with Disabilities
22 shall provide leadership to their field offices in support of
23 collaborative efforts with local school districts and provide
24 training in the area of customized employment.

25 (4) A school district may apply to the Bureau of
26 Exceptional Education and Student Services for a grant. Grants
27 must be provided through a competitive process and may be used
28 only for contractual agreements between district school boards
29 and employment services providers to provide customized
30 employment for the student population described in subsection
31 (1).

1 (5) To be eligible for funding, applicants must use
2 the Transition Service Integration Model. Specifically,
3 applicants must:

4 (a) Create programs that are designed to provide for
5 the seamless transition of the student population from school
6 to integrated direct-hire employment and postsecondary
7 education and provide inclusive access to a wide range of
8 preferred community activities and settings;

9 (b) Enter into a formal service arrangement with a
10 not-for-profit agency that agrees to work with pending
11 graduates before and after graduation and that is used as a
12 provider by both the rehabilitation and developmental
13 disability systems;

14 (c) Dedicate staff members to share responsibility for
15 developing preferred work-related and outside activities for
16 their pending graduates with the not-for-profit agency;

17 (d) Demonstrate partnerships and collaborative
18 relationships with the rehabilitation system, the
19 developmental disability system, postsecondary institutions,
20 families, advocacy groups of the student population, and local
21 workforce One-Stops;

22 (e) Specify locations outside high school campuses at
23 which the program will be housed and determine how instruction
24 will take place in natural community settings in which the
25 skills being acquired are functional;

26 (f) Ensure representation from a student with a
27 disability and a family member of a student with a disability
28 in program planning;

29 (g) Commit to customized employment and training in
30 the Transition Service Integration Model for staff members of
31

1 the district, the nonprofit agency, the rehabilitation system,
2 and the developmental disability system;

3 (h) Specify measurable goals and objectives; and

4 (i) Submit to a third-party evaluation for the
5 duration of the project.

6 (5) Applicants must specify how they will sustain and
7 expand the program after the grant period has ended.

8 (6) Each grant shall be implemented to the extent
9 funded over a period of 4 years. The program shall be directed
10 towards approximately 200 students each year in no more than
11 10 district pilot sites.

12 (7) From funds allocated pursuant to s.
13 849.086(13)(h)2., the Bureau of Contract Grants and
14 Procurement shall annually distribute half of these funds to
15 providers who specialize in the postsecondary vocational
16 training of at-risk students and students with disabilities.
17 In order to qualify for these funds, a provider must be
18 licensed and have a demonstrated ability to:

19 (a) Provide postsecondary vocational training programs
20 for male and female juveniles placed in a residential
21 commitment facility designated by the Department of Juvenile
22 Justice; and

23 (b) Provide vocational training to juveniles in a
24 program certified pursuant to s. 985.19.

25
26 Any provider must be able to provide participating juveniles
27 with occupational completion points.

28 Section 3. For the 2007-2008 fiscal year, seven
29 full-time equivalent positions and 240,542 in associated
30 salary rate are authorized, and the sums of \$401,743 in
31 recurring funds and \$92,589 in nonrecurring funds from the

1 Pari-mutuel Wagering Trust Fund of the Department of Business
2 and Professional Regulation are hereby appropriated for the
3 purpose of carrying out activities related to this act.

4 Section 4. If any provision of this act or its
5 application to any individual or circumstance is held invalid,
6 the invalidity does not affect other provisions or
7 applications of this act which can be given effect without the
8 invalid provision or application, and to this end the
9 provisions of this act are severable.

10 Section 5. This act shall take effect July 1, 2007.

11
12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 CS/SB 752

15 The Committee Substitute made the following changes to CS/SB
16 752:

- 17 1. Removed from the bill, all of the references to
18 electronic poker tables.
- 19 2. Establishes the Transition Service Integration Model
20 Project Grant Program. The purpose of the program is to
21 enable students with developmental disabilities the
22 opportunity to transition seamlessly from school to work
23 or post-secondary education without an interruption in
24 services.
- 25 3. Changing the disposition of the admission tax and gross
26 receipts tax on cardroom operators, from one half being
27 credited to the Pari-mutuel Wagering Trust Fund and one
28 half being credited to the General Revenue Fund, to 100
29 percent being deposited to the Pari-mutuel Wagering Trust
30 Fund
- 31 4. Requires that one half of these moneys deposited into the
Pari-mutual Wagering Trust Fund from these funds be
transferred to the Grants and Donations Trust Fund on or
before October 1 of each year for the purpose of funding
programs established by the Transition Service
Integration Model Project Grant Program.
5. For the fiscal year 2007-2008, seven full-time equivalent
positions and 240,542 in associated salary rate are
authorized, and the sum of \$401,743 in recurring funds
and \$92,589 in nonrecurring funds from the Pari-mutuel
Wagering Trust Fund are appropriated to carry out the
provisions of the bill.