

January 4, 2006

Ms. Sue McCourt Cobb  
Secretary of State  
Florida Department of State  
R.A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Cobb:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby transmit to you, with my signature, House Bill 1B, enacted during the 107<sup>th</sup> Session of the Legislature of Florida since statehood in 1845, during the Special Session 2005B of the Legislature of Florida and entitled:

An act relating to slot machine gaming . . . .

I oppose the expansion of gambling because it is detrimental to Florida's economic development and hurts Florida's families. However, I have a constitutional duty, together with the Florida Legislature, to implement the voter-approved initiative that allows slot machines in four pari-mutuel facilities in Broward County. House Bill 1B strikes an appropriate balance between restricting the deleterious impacts of expanded gambling while also satisfying the voters' expectations in allowing slot machines in Broward County.

Specifically, this bill implements a regulatory framework for operating slot machines by providing the Department of Business and Professional Regulation and the Department of Law Enforcement with the tools and resources necessary to protect the public, monitor the facilities, and collect taxes. I applaud the Legislature's decision to prevent people under twenty-one from playing slot machines, to limit the provision of free alcoholic beverages at the facilities, and to create and fund a compulsive gambling program.

Even more importantly, the bill explicitly states that tax revenue generated from slot machines shall supplement public education funding statewide but shall not be used for recurring appropriations. This express prohibition against the use of recurring appropriations will ensure that Florida's education system will not become dependent on the future expansion of gambling in Florida.

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The provision, however, requiring temporary licensure is problematic. This provision requires the Department of Business and Professional Regulation to issue temporary licenses to operate slot machines if the Department fails to promulgate certain rules within six months, regardless of whether the Department's failure to implement those rules is due to rule challenges in court. Accordingly, this provision could encourage the pari-mutuels to pursue frivolous rule challenges, thereby impeding the Department's rule promulgation which, in turn, will result in the implementation of slot machine gaming under a temporary license without the proper regulatory oversight in place. Therefore, I urge the Legislature to closely monitor the conduct of the pari-mutuels in order to avoid any such abuses during rule implementation and to take action during regular session to set an expiration date for temporary licenses should any such abuses occur during the rule making process. Likewise, I will ensure the Department of Business and Professional Regulation will act expeditiously in its rule promulgation.

I hereby transmit House Bill 1B with my signature.

Sincerely,

Jeb Bush