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### Session Law 89-228

Florida Senate & House of Representatives

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**S 647 GENERAL BILL/1ST ENG by McPherson (Compare H 458)**  
**Harness Racing Dates & Meetings**; provides harness racing dates for certain per-  
mitholders, known as "Florida Harness Racing Season"; provides for application  
to conduct race meetings; provides time limitation; provides for issuance of cer-  
tain temporary occupational licenses. Creates 550.525; amends 550.10. Effective  
Date: 06/28/89.  
03/24/89 SENATE Prefiled  
04/07/89 SENATE Introduced, referred to Regulated Industries; Finance,  
Taxation and Claims -SJ 100  
04/14/89 SENATE Extension of time granted Committee Regulated Indus-  
tries  
04/17/89 SENATE On Committee agenda—Regulated Industries, 04/19/89,  
1:00 pm, Room-H-(428)  
04/19/89 SENATE Comm. Report: Favorable with 1 amendment(s) by Regu-  
lated Industries -SJ 199  
04/21/89 SENATE Now in Finance, Taxation and Claims -SJ 199  
04/25/89 SENATE On Committee agenda—Finance, Taxation and Claims,  
04/27/89, 2:00 pm, Room-1C-(309)  
04/27/89 SENATE Comm. Report: Favorable by Finance, Taxation and  
Claims, placed on Calendar -SJ 242  
05/18/89 SENATE Placed on Special Order Calendar -SJ 380  
05/24/89 SENATE Placed on Special Order Calendar -SJ 402; Passed as  
amended; YEAS 38 NAYS 0 -SJ 436; Immediately certified  
-SJ 436  
05/24/89 HOUSE In Messages  
05/25/89 HOUSE Received, placed on Calendar -HJ 645  
05/26/89 HOUSE Placed on Special Order Calendar; Substituted for HB 458  
-HJ 662; Read second time; Read third time; Passed;  
YEAS 109 NAYS 3 -HJ 662  
05/26/89 Ordered enrolled -SJ 480  
06/12/89 Signed by Officers and presented to Governor  
06/28/89 Became Law without Governor's Signature; Chapter No.  
89-228

**NOTES:** Above bill history from Division of Legislative Information's **FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS**. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

REVISED: \_\_\_\_\_

BILL NO. SB 647DATE: April 26, 1989Page 1

## SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>George</u>	<u>Skelton</u>	1. <u>RI</u>	<u>Fav/1 amend</u>
2. <u>Keating</u>	<u>Beggs</u> <i>JS</i>	2. <u>FTC</u>	<u>Favorable</u>
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT: Harness racing

BILL NO. AND SPONSOR:  
SB 647 by  
Senator McPherson

I. SUMMARY:

## A. Present Situation:

Harness racing is defined in s. 550.37(2), F.S., as the racing of standardbred horses in harness with sulky. Standardbred horses are an American breed of light trotting and pacing horse which are bred for speed and noted for endurance. The horses pull a sulky, a two-wheeled cart with a seat for the driver, during the races.

Section 550.37(4)(a), F.S., authorizes a licensed harness track to operate up to 120 days, plus scholarship and charity days, during the period between October 1 of any year and June 1 of the succeeding year, as granted by the Florida Pari-mutuel Commission. In 1987, a provision was added to allow a harness track which runs the full 120 days to apply to the Division of Pari-mutuel Wagering for up to an additional 50 racing days. All harness races must be conducted between the hours of 7:00 p.m. and midnight.

Currently, there is only one licensed and operating harness track in Florida. The permit is issued to Pompano Park Associates, Ltd., the track is located in Pompano Beach, Florida. This permitholder was issued a license to operate 170 regular performances and 5 charity performances during the 1988-89 racing season.

## B. Effect of Proposed Changes:

This bill creates s. 550.525, F.S.

The new section would allow a permitholder that has conducted harness racing between January 1, 1988 and January 1, 1989 to conduct harness racing throughout the year. It would establish an annual harness racing season to run from September 1 to August 31 of the following year. A qualifying permitholder would be required to file a written application with the Division of Pari-mutuel Wagering at any time between December 15 and January 4 of the following year. Such applicant would have until March 31 of each year to adjust its operating dates for the next annual harness racing season.

II. ECONOMIC IMPACT AND FISCAL NOTE:

## A. Public:

This bill may assist Pompano Park by allowing it to operate on the dates during the year which its management believes to be the most beneficial.

**B. Government:**

This bill does not alter the number of performances which may be run. Therefore, a change in tax revenue or in operating costs for the Division of Pari-mutuel Wagering is not expected.

**III. COMMENTS:**

The permit located in Broward County, presently held by Pompano Park Associates, Ltd., is the only permit to meet the requirements of this bill. Harness racing is an exhibition sport which attracts tourists and other patrons who do not usually participate in other forms of pari-mutuel betting. This permitholder feels that the flexibility to conduct their allotment of harness race meetings throughout the year would enable them to present a better and more attractive race card.

This bill creates a new statutory section which sets a maximum number of harness racing operating days at 175. Although Pompano Park has already been authorized to operate 170 regular performances as allowed by s. 550.37(4), F.S., that section and this proposed new section conflict with s. 550.37(6) and s. 550.37(7), F.S., which state that a harness racing permitholder may operate no more than 90 racing days.

HB 458 is similar to SB 647.

This bill will take effect upon becoming a law.

**IV. AMENDMENTS:****#1 by Regulated Industries:**

Clarifies that the bill does not change the total number of performances the permit held by Pompano Park Associates, Ltd. is authorized to conduct each year.

\*\*AS PASSED BY THE 1989 LEGISLATURE\*\*

STORAGE NAME: \wp\sa\s647-f.ri  
DATE: June 20, 1989

HOUSE OF REPRESENTATIVES  
COMMITTEE ON REGULATED INDUSTRIES  
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: SB 647

RELATING TO: Harness racing season

SPONSOR(S): Senator McPherson

CHAPTER #: 89-228, Laws of Florida

EFFECTIVE DATE: Upon Becoming A Law

DATE BECAME LAW: June 28, 1989

COMPANION BILL(S): HB 458 by Representative Locke

OTHER COMMITTEES OF REFERENCE: (1) Regulated Industries  
(2) Finance, Taxation, and Claims

\*\*\*\*\*

I. SUMMARY:

This bill will enable the harness track located in Pompano Beach to conduct its performances during any period of the year.

A. PRESENT SITUATION:

There is only one harness track presently licensed or operating in Florida. It is located in Pompano Beach. Historically it had an operating season which ran from October 1 of each year to June 1 of the following year, during which it could conduct up to 120 performances. These performances must be conducted between 7 p.m. and midnight, and generally were conducted during the winter tourist season.

The operators of this track are also entitled to conduct a limited quarterhorse meet in the summer, and have done so until this past year. However, as has generally been the case in the eastern United States, public interest in quarterhorse racing was lacking. This was probably compounded by horse drugging scandals at each of the meets in recent years. As a result of the lack of public interest, the track lost money on these meets and discontinued them after the 1987 meet.

In 1987 the Legislature approved 50 additional harness racing performances for the track. The track has been attempting to conduct these additional performances as an extension of their traditional winter meet. However, because northern tracks begin to open during the spring, many of which pay higher purses than

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Pompano, it is difficult to keep enough horses on the grounds that late into the year.

According to track management, they would like to have the flexibility to conduct some of their present allotment of performances during the summer, on a 3 day per week basis. They believe that they would be able to operate such a limited meet with the horses which would remain in Florida.

B. EFFECT OF PROPOSED CHANGES:

This bill establishes an annual harness racing season running from September 1 of each year through August 31 of the following year. Pompano Park will be able to conduct its present allotment of performances at any time during the year. Track management will have until March 31 of each year to adjust the dates of operation for their next annual operating period, beginning the following September 1.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

Insignificant

2. Recurring or Annualized Continuation Effects:

Insignificant

3. Long Run Effects Other Than Normal Growth:

Insignificant

4. Appropriations Consequences:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

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C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None

2. Direct Private Sector Benefits:

This should assist Pompano Harness Track, which according to financial statements filed with the Division, has lost money in four of the past five years.

3. Effects on Competition, Private Enterprise, and Employment Markets:

This should have minimal effects on competition. However, it may be somewhat beneficial to employment and for this enterprise.

D. FISCAL COMMENTS:

None

III. LONG RANGE CONSEQUENCES:

This bill is arguably in accord with the goal articulated in the State Comprehensive Plan of "promoting an economic climate which provides economic stability, maximizes job opportunities, and increases per capita income for its residents."

IV. COMMENTS:

This bill is arguably in accord with the Committee mission statement of supporting "the enhancement of the entertainment value of the pari-mutuel industry as a national and international attraction." However it is not relevant to the Policy Statement issued by the 1989-90 Legislative Issues Conference.

Legislative History 1989 Session

A. Enacted Bill

Senate Bill 647 was prefiled by Senator McPherson on March 24, 1989. On April 7 it was referred to the Committee on Regulated Industries and the Finance, Taxation, and Claims Committee.

On April 19 the Committee on Regulated Industries adopted one amendment and voted favorably on the bill. The amendment served to clarify that the bill was not intended to change the number of performances which Pompano is authorized to conduct.

On April 27 the Finance, Taxation, and Claims Committee voted favorably on the bill, as amended, and it was placed on the Calendar.

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On May 24 it was placed on the Special Order Calendar and passed as amended by a vote of 38-0. On May 26 it was passed by the House by a vote of 109-3.

On June 12 it was presented to the Governor.

**B. Disposition of Companion**

House Bill 458 was prefiled by Representative Locke on March 1, 1989. On April 4 it was referred to the Committee on Regulated Industries, the Finance and Taxation Committee, and the Appropriations Committee, and subreferred to the Subcommittee on Pari-mutuels.

On April 5 the Subcommittee on Pari-mutuels voted to recommend the bill favorably with one amendment. That amendment served to clarify that the bill was not intended to change the number of performances which Pompano is authorized to conduct. On April 10 the Committee on Regulated Industries approved the bill with the subcommittee amendment.

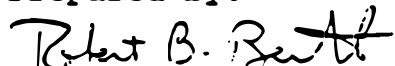
On April 26 the Finance and Taxation Committee approved the bill. On May 16 the Appropriations Committee approved the bill.

The bill was placed on the Calendar on May 18 and placed on the Special Order Calendar on May 24. On May 26 the House substituted and passed the Senate companion.

**V. SIGNATURES:**

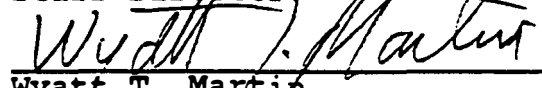
**SUBSTANTIVE COMMITTEE:**

Prepared by:



Robert B. Beitler

Staff Director:



Wyatt T. Martin

**SECOND COMMITTEE OF REFERENCE:**

Prepared by:

Staff Director:

**APPROPRIATIONS:**

Prepared by:

Staff Director: