



# The Florida House of Representatives

## Office of the Speaker

**Marco Rubio**  
Speaker

August 17, 2007

The Honorable Bill McCollum  
Attorney General  
The Capitol  
Plaza Level 01  
Tallahassee, Florida 32399-1050

Dear Attorney General McCollum:

As you are undoubtedly aware, the Seminole Tribe of Florida has invoked its right under the federal Indian Gaming Regulatory Act ("IGRA") to request a Class III gambling compact with the State of Florida. IGRA requires the State to negotiate with the Tribe in good faith to enter such a compact, and negotiations have been ongoing for some time.

If the Governor and the Tribe are able to reach agreement on a compact, the Florida Legislature may be required to ratify the compact before it can take effect. And if we are called upon to ratify the compact, it will be critical for those of us in the Legislature to understand both the extent of gambling to which the Tribe is entitled under the law and the conditions under which the State may legally derive revenue related to gambling on tribal lands.

Accordingly, in connection with my duties as Speaker of the Florida House of Representatives and pursuant to Section 16.01, Florida Statutes, I would like your official legal opinion on the following questions:

- (1) For purposes of the State's obligation under IGRA to negotiate in good faith, does IGRA require the State to consent to any type of gambling that is currently prohibited by state law?
- (2) Under IGRA, in order for the State to derive fees or revenue sharing from gambling conducted on tribal lands, would a compact have to permit types of gambling that are currently prohibited by state law?

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Thank you in advance for your attention to this important matter

Sincerely,

A handwritten signature in black ink, appearing to be 'MR' or similar initials, written in a cursive style.

Marco Rubio  
Speaker

cc: The Honorable Charlie Crist, Governor  
The Honorable Ken Pruitt, Senate President