

The Florida House of Representatives


Office of the Speaker

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MEMORANDUM

TO: Members, Florida House of Representatives

FROM: Speaker Marco Rubio 

DATE: November 8, 2007

The Crist Administration and the Seminole Tribe of Florida apparently are close to agreement on a compact to allow casino-style gambling on tribal lands in Florida. As the negotiation process winds down, I wanted to share with you the attached legal opinion prepared for the Florida House by Jon Mills. Mr. Mills is a professor of law at the University of Florida's law school, a former Speaker of the Florida House, and a distinguished member of Florida's most recent Constitutional Revision Commission.

Professor Mills's legal opinion addresses the constitutional standards that govern the role of the Florida Legislature in the process of entering a gambling compact with the Seminole Tribe. In short, the opinion concludes that any final compact will not be valid unless it is approved by the Florida Legislature.

Each of us must give this matter careful consideration. There is much more at stake here than our individual views on the merits of expanded tribal gambling. Legislative involvement is essential to the principle of checks and balances and to respect for open government. The issue is whether it is acceptable for a single elected official, acting without public review and without clear authority, to determine Florida's gambling policy. Our answer to that question tests our commitment to the constitutional process for making fundamental policy decisions that affect all Floridians.

Attachment