HOUSE BILL 288

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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AN ACT

RELATING TO GAMING; CREATING THE NEW MEXICO GAMING REFORM
COMMISSION; REQUIRING THAT THE COMMISSION PROVIDE
RECOMMENDATIONS FOR CONDUCTING GAMING IN NEW MEXICO; REQUIRING
A REPORT BY NOVEMBER 15, 2021; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. TEMPORARY PROVISION--NEW MEXICO GAMING REFORM
COMMISSION--APPOINTMENT--PROVIDING RECOMMENDATIONS--REPORTING
REQUIRED.--

A. The "New Mexico gaming reform commission" is
created and shall function from the date of its appointment
until November 15, 2021.

B. The New Mexico gaming reform commission consists
of nine members, no more than five of whom shall be from the
same political party, as follows:

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(1) the director of the legislative finance committee;

(2) three members appointed by the governor; and

(3) five members appointed by the New Mexico legislative council.

C. The appointing authorities shall make every effort to ensure that there are five members who will provide broad tribal representation from gaming and non-gaming tribes and three members who are agents of racetrack casinos.

D. The commission shall elect a chair and may elect such officers as it deems necessary to carry out its duties.

E. Two absences from meetings of the commission constitutes grounds for removal of a member of the commission. Upon the request of the chair of the commission, the appointing authority shall replace a member who has failed to attend two meetings of the commission.

F. A majority of the members constitutes a quorum for the transaction of business. The support of a majority of the members appointed is required for adoption of any action by the commission.

G. The commission shall review the overall gaming industry in New Mexico, including its present status and future outlook; federal and state laws that apply to the gaming industry; the 2015 Tribal-State Class III Gaming Compact;
casino gaming trends; industry developments in the region and
nationwide, including internet gaming, sports wagering and
class II and class III gaming; federal tribal gaming
legislation and the structure of compacts; approaches to
revenue enhancement and taxation structures; and responsible
gaming best practices. The commission shall develop policy
proposals for changes to applicable New Mexico laws and
compacts that will seek to enhance opportunities for all
participants in the gaming industry and shall seek input from
all Indian nations, tribes and pueblos in New Mexico, all
fraternal organizations with gaming operations, racetrack
casino licensees, the gaming control board and the state gaming
representative.

H. The commission shall review the Indian Gaming
Compact, the Gaming Control Act and any other relevant
legislation and may make specific recommendations for updates
and revisions, which may include recommending initiation of the
process contemplated for negotiation of a compact or amendment
as set forth in the Compact Negotiation Act.

I. The commission may hire or contract for
appropriate staff, including staff to provide legal services.
Staff shall assist the commission as directed by the chair,
including conducting interviews with parties that wish to
express their views to the commission and synthesizing those
views for the commission. The commission may request
assistance from the legislative council service and the risk
management division of the general services department.

J. For its operation and to carry out its work, the
commission shall use money from the unexpended balance of the
appropriations to the legislative department of the state of
New Mexico.

K. The commission shall submit a report of its
findings, including specific recommendations and proposed
legislation, to the governor, the New Mexico legislative
council and the appropriate legislative interim committees
dealing with gaming by November 15, 2021.

L. Members of the commission are entitled to
compensation pursuant to the provisions of the Per Diem and
Mileage Act and shall receive no other perquisite, compensation
or allowance.

SECTION 2. EMERGENCY.--It is necessary for the public
peace, health and safety that this act take effect immediately.

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