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SENATE JOINT MEMORIAL 86

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Shirley M. Bailey

A JOINT MEMORIAL

REQUESTING A MORATORIUM ON EXPANDING GAMBLING IN NEW MEXICO.

WHEREAS, congress created the national gambling impact study commission in 1997; and

WHEREAS, the commission reported its recommendations in 1999; and

WHEREAS, the commission's recommendations were in the areas of gambling regulation, problem and pathological gambling, internet gambling, Native American tribal gambling, gambling's impact on people and places and the need for research; and

WHEREAS, several recommendations were relevant to New Mexico's circumstances, including these numbered recommendations:

". . . 3-12 . . . that states refuse to allow the

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1 introduction of casino-style gambling into pari-mutuel  
2 facilities for the primary purpose of saving a pari-mutuel  
3 facility that the market has determined no longer serves the  
4 community or for the purpose of competing with other forms of  
5 gambling. . . .

6 3-16 . . . states and tribal governments should conduct  
7 periodic reassessments of the various forms of gambling  
8 permitted within their borders for the purpose of determining  
9 whether the public interest would be better served by  
10 limiting, eliminating, or expanding one or more of those  
11 forms. . . .

12 3-18 . . . jurisdictions considering the introduction of  
13 new forms of gambling or the significant expansion of existing  
14 gambling operations should sponsor comprehensive Gambling  
15 Impact statements. Such analyses should be conducted by  
16 qualified independent research organizations and should  
17 encompass, insofar as possible, the economic, social, and  
18 regional effects of the proposed action. . . .

19 7-4 . . . that when considering the legalization of  
20 gambling or the repeal of gambling that is already legal, they  
21 [state and local governments] should recognize that lotteries,  
22 Internet gambling, and non-casino EGDs do not create a  
23 concentration of good quality jobs and do not generate  
24 significant economic development. . . .

25 8-20 . . . that [the state consider] authorizing research

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1 to collect and analyze data that would assess the following  
2 gambling-related effects on customers and their families  
3 resident in [its] jurisdictions:

4 - The extent to which gambling-related debt is a  
5 contributing factor to personal bankruptcies.

6 - The extent to which gambling problems contribute to  
7 divorce, domestic violence, and child abuse and neglect.

8 - The extent to which gambling problems contribute to  
9 incidents of suicide (or suicidal behaviors).

10 - The number, types, and average monetary values of  
11 gambling-related crimes perpetrated for the primary purpose of  
12 gaining funds to continue gambling or to pay gambling  
13 debts. . . ."; and

14 WHEREAS, the commission concluded that there is a need  
15 for a "pause" in the growth of gambling, to allow governments  
16 to survey the results of their decisions and determine if they  
17 have chosen wisely; and

18 WHEREAS, the commission's report ended with the following  
19 quote:

20 ". . . policymakers may wish to impose an explicit  
21 moratorium on gambling expansion while awaiting further  
22 research and assessment."; and

23 WHEREAS, a moratorium is an eminently reasonable response  
24 to the many questions about the social benefits and  
25 consequences of expanded gambling; and

.141001.1

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1           WHEREAS, state and local government policymakers cannot  
2 make good public policy decisions without adequate  
3 information, and there has been very little research conducted  
4 in New Mexico on the social costs of gambling; and

5           WHEREAS, until that research is done, the state must act  
6 responsibly and limit gambling in the state;

7           NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
8 STATE OF NEW MEXICO that the state racing commission be  
9 requested to initiate a moratorium on licensing any new race  
10 tracks in the state; and

11           BE IT FURTHER RESOLVED that the moratorium be in effect  
12 until the national institutes of health convene a  
13 multidisciplinary advisory panel to establish research  
14 frameworks and appropriate objective research has been  
15 conducted on the costs and benefits of gambling in New Mexico  
16 so that policymakers are able to judge if gambling is in  
17 accord with the public good, if harmful effects are remediable  
18 and if the cost-benefit ratio is acceptable; and

19           BE IT FURTHER RESOLVED that copies of this memorial be  
20 transmitted to the state racing commission, the governor and  
21 the attorney general.