

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 573

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO GAMING; EXPANDING PERMITTED GAMING AT RACETRACKS.

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

Section 1. Section 60-2E-15 NMSA 1978 (being Laws 1997, Chapter 190, Section 17) is amended to read:

"60-2E-15. LICENSE, CERTIFICATION AND WORK PERMIT FEES. --

A. License and other fees shall be established by board regulation but shall not exceed the following amounts:

(1) manufacturer's license, twenty thousand dollars (\$20,000) for the initial license and five thousand dollars (\$5,000) for annual renewal;

(2) distributor's license, ten thousand dollars (\$10,000) for the initial license and one thousand dollars (\$1,000) for annual renewal;

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 (3) gaming operator's license for a
2 racetrack, [~~fifty thousand dollars (\$50,000)~~] one hundred
3 thousand dollars (\$100,000) for the initial license and [~~ten~~
4 ~~thousand dollars (\$10,000)~~] twenty thousand dollars (\$20,000)
5 for annual renewal;

6 (4) gaming operator's license for a nonprofit
7 organization, one thousand dollars (\$1,000) for the initial
8 license and two hundred dollars (\$200) for annual renewal;

9 (5) for each separate gaming machine licensed
10 to a person holding an operator's license, five hundred
11 dollars (\$500) for the initial license and one hundred dollars
12 (\$100) for annual renewal; and

13 (6) work permit, one hundred dollars (\$100)
14 annually.

15 B. The board shall establish the fee for
16 certifications or other actions by regulation, but no fee
17 established by the board shall exceed one thousand dollars
18 (\$1,000), except for fees established pursuant to Paragraph
19 (18) of Subsection C of Section [~~10 of the Gaming Control Act~~]
20 60-2E-8 NMSA 1978.

21 C. All license, certification or work permit fees
22 shall be paid to the board at the time and in the manner
23 established by regulations of the board. "

24 Section 2. Section 60-2E-27 NMSA 1978 (being Laws 1997,
25 Chapter 190, Section 29) is amended to read:

underscored material = new
[bracketed material] = delete

1 "60-2E-27. GAMING OPERATOR LICENSEES--SPECIAL CONDITIONS
2 FOR RACETRACKS-- [NUMBER OF GAMING MACHINES] DAYS AND HOURS OF
3 OPERATIONS. --

4 A. A racetrack licensed by the state racing
5 commission pursuant to the Horse Racing Act to conduct live
6 horse races or simulcast races may be issued a gaming
7 operator's license to operate [gaming machines] games on its
8 premises where live racing is conducted.

9 B. A racetrack's gaming operator's license shall
10 automatically become void if:

11 (1) the racetrack no longer holds an active
12 license to conduct pari-mutuel wagering; or

13 (2) the racetrack fails to maintain a minimum
14 of three live race days a week with at least nine live races
15 on each race day during its licensed race meet in the 1997
16 calendar year and in the 1998 and subsequent calendar years,
17 four live race days a week with at least nine live races on
18 each race day during its licensed race meet.

19 C. A gaming operator licensee that is a racetrack
20 may have [~~up to three hundred licensed~~] an unlimited number of
21 gaming machines, but the number of gaming machines to be
22 located on the licensee's premises shall be specified in the
23 gaming operator's license.

24 D. [~~Except as provided in Subsection F of this~~
25 section, ~~gaming machines on a racetrack gaming operator~~

underscored material = new
[bracketed material] = delete

1 ~~licensee's premises may be played only on days when the~~
2 ~~racetrack is either conducting live horse races or~~
3 ~~simulcasting horse race meets.]~~ A gaming operator licensee
4 that is a racetrack [~~shall be~~] is permitted to conduct [~~such~~]
5 games [~~on only the aforementioned days~~] for a daily period not
6 to exceed [~~twelve~~] twenty consecutive hours [~~at the discretion~~
7 ~~of such licensee~~] of each day.

8 E. Alcoholic beverages shall not be sold, served,
9 delivered or consumed in the area restricted pursuant to
10 Subsection F of Section [~~28 of the Gaming Control Act~~]
11 60-2E-26 NMSA 1978.

12 F. A gaming operator licensee that is a racetrack
13 located on state land within the boundaries of a municipality
14 with a population of more than two hundred thousand persons
15 according to the 1990 decennial census shall not operate
16 [~~gaming machines~~] games later than 10:00 p.m. on any day of
17 the year. "

18 Section 3. EFFECTIVE DATE. --The effective date of the
19 provisions of this act is the date that the gaming control
20 board certifies to the governor that it has promulgated rules
21 to regulate the additional gaming authorized for racetracks
22 pursuant to this act's provisions.