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SENATE BILL 806

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

JOHN ARTHUR SMITH

AN ACT

RELATING TO GAMING; ESTABLISHING A TASK FORCE TO NEGOTIATE INTERGOVERNMENTAL JOINT GAMING AGREEMENTS; ESTABLISHING NEGOTIATING CRITERIA; DECLARING A MORATORIUM; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. TASK FORCE CREATED--MEMBERSHIP--DURATION.--

A. The "intergovernmental gaming task force" is created.

B. The intergovernmental gaming task force shall be composed of eighteen members appointed or selected in the following manner:

(1) three members shall be appointed by the president pro tempore of the senate from the members of the senate, one of whom shall be Native American and one of whom

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1 shall be from the minority party after consultation with the
2 minority floor leader;

3 (2) three members shall be appointed by the
4 speaker of the house of representatives from the membership of
5 the house of representatives, one of whom shall be Native
6 American and one of whom shall be from the minority party,
7 appointed after consultation with the minority floor leader;

8 (3) six members shall be appointed by the
9 governor; and

10 (4) six members shall be appointed from among
11 the gaming tribes by tribal consensus of those tribes.

12 C. The intergovernmental agency task force shall
13 cease to exist on January 1, 1997.

14 Section 2. TASK FORCE--PURPOSE--DUTIES--STAFFING. --

15 A. The purpose of the intergovernmental gaming task
16 force is to develop a plan for a joint venture between the
17 gaming tribes of New Mexico and the state in which regulation,
18 operation and profits of gaming are shared between the tribes
19 and the state.

20 B. The intergovernmental gaming task force shall
21 consider:

- 22 (1) how a joint venture might be structured;
23 (2) how the profits are to be divided between
24 the state and the tribes seeking an equal distribution of
25 profits between the state and the tribes and a formula for

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1 distribution that is acceptable and equitable;

2 (3) where jointly operated gaming
3 establishments would be located;

4 (4) cooperative security and regulatory
5 structures;

6 (5) distribution of costs for security and
7 regulation;

8 (6) a system to provide for infrastructure
9 development for all of the tribes in New Mexico; and

10 (7) any other matter that would enable the
11 state and the gaming tribes to successfully cooperate in the
12 operation, regulation and proceeds of gaming in New Mexico.

13 D. The intergovernmental gaming task force shall
14 report its findings to the first session of the forty-third
15 legislature and prepare all legislation necessary to implement
16 the findings of the task force.

17 E. The staff for the intergovernmental gaming task
18 force shall be provided by the legislative council service.

19 F. The nonlegislative members of the
20 intergovernmental gaming task force shall be paid per diem and
21 mileage at the same rate as the legislative members.

22 Section 3. MORATORIUM ON ENFORCEMENT OF GAMING OCCURRING
23 IN STATE. --Gaming on video pull tab machines shall be permitted
24 to occur in New Mexico under the regulation of the alcohol and
25 gaming division of the regulation and licensing department at

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1 organizations exempt from federal income tax pursuant to Section
2 501(a) of the Internal Revenue Code of 1986, as amended and
3 described in Section 501(c)(3), (8), (10), (19) or (23) of that
4 code if the organization is also licensed pursuant to the Bingo
5 and Raffle Act. The state or any agency or agent of the state
6 shall take no action to interfere with the operation of tribal
7 gaming establishments in New Mexico that are on lands of tribes
8 that have entered into tribal-state gaming compacts that have
9 been signed by the secretary of the interior and have been
10 published in the federal register until March 30, 1997.

11 Section 4. APPROPRIATION. -- Fifty thousand dollars
12 (\$50,000) is appropriated from the general fund to the
13 legislative council service for expenditure in fiscal year 1997
14 for the purpose of providing support staff for and otherwise
15 funding deliberations of the intergovernmental gaming task
16 force. Any unexpended or unencumbered balance remaining at the
17 end of fiscal year 1997 shall revert to the general fund.

18 Section 5. EMERGENCY. -- It is necessary for the public
19 peace, health and safety that this act take effect immediately.

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1 FORTY- SECOND LEGI SLATURE
2 SECOND SESSI ON, 1996
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5 FEBRUARY 1, 1996
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7 Mr. Presi dent:
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9 Your COMMI TTEES' COMMI TTEE, to whom has been referred
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11 SENATE BILL 806
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13 has had it under consideration and finds same to be GERMANE, PURSUANT
14 TO CONSTITUTIONAL PROVISIONS, and thence referred to the COMMI TTEE
15 OF THE WHOLE COMMI TTEE.
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17 Respectfully submi tted,
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23 SENATOR MANNY M. ARAGON, Chai rman
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Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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Date _____

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1 FORTY- SECOND LEGI SLATURE
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5 February 2, 1996
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7 Mr. President:
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9 Your COMMITTEE OF THE WHOLE, to whom has been referred
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11 SENATE BILL 806
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13 has had it under consideration and reports same WITHOUT
14 RECOMMENDATION, and thence placed on the President's
15 Table.
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17 Respectfully submitted,
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22 Manny M. Aragon, Chairman
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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

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The roll call vote was by voice vote

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