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## FISCAL IMPACT REPORT

SPONSOR: Begaye DATE TYPED: 02/23/03 HB 620

SHORT TITLE: Native Americans on Gaming Control Board SB \_\_\_\_\_

ANALYST: Gonzales

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	None				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Gaming Control Board

### SUMMARY

#### Synopsis of Bill

House Bill 620 requires that one of the five members on the Gaming Control Board be a member of a tribe. Tribe is defined as “an Indian nation, tribe or pueblo that is fully or partially contained in the state.”

### OTHER SUBSTANTIVE ISSUES

The gaming control board currently is comprised of five members: four appointed by the Governor and confirmed by the Senate and one ex-officio member, the chairman of the State Racing Commission. Three of the appointed positions each require specific qualifications; one member with experience in law enforcement, one who is a certified public accountant and one who is an attorney.

Nothing in the Act’s qualifications for Gaming Control Board members prohibits a person with non-pecuniary ties to racetracks, nonprofit organizations, or tribal gaming entities from serving on the Board. However, the Gaming Control Board states that requiring, rather than allowing, a Board member to also be a member of a tribe (or for that matter, associated with a racetrack or

nonprofit organization) assumes that the member will be a person with ties to the gaming industry. Such a requirement could erode public confidence in the integrity of gaming if it creates the perception that the Board is biased in favor of the industry and will put industry demands ahead of the Board's obligations to protect the integrity of gaming and the public welfare.

**JMG/yr**