

LFC Requester:	Ginger Anderson
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 1/22/2024

Bill No: HB160

Sponsor: Marting R. Zamora
Short Title: Expanding Employment History that Candidate for Executive Director of GCB May Have AND Increasing ED's Potential Annual Salary

Agency Name and Code NM Gaming Control Board 465
Number: _____
Person Writing Angela M. Armstrong
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
4,841.7	4,777.5	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
4,841.7	4,777.5	4,777.5	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0.00	250.2 – 295.1	211.3 – 304.0	416.5 – 599.1	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Presented as a range, as an exact salary has not been determined.

Estimate reflects salary and benefits category only.

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Expands the employment history that a candidate for executive director of the Gaming Control Board may have and increases the Executive Director’s potential annual salary.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

Will require an increase in the agency budget. The proposed change to salary allows the Board a greater applicant pool while also potentially making it possible for persons holding that position to be able to at least take the legislative increases that are awarded by the legislature.

SIGNIFICANT ISSUES

Could potentially increase the applicant pool for the Executive Director position. Puts the salary range comparable to other similarly sized agencies in New Mexico and significantly lower than agencies in other states.

PERFORMANCE IMPLICATIONS

Makes the salary range actually available to someone in the position. Giving them the ability to take salary increases implemented by the legislature rather than limit them to the actual salary taken by the Governor.

ADMINISTRATIVE IMPLICATIONS

It will require an increase to the agency budget.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

The salary and hiring of the Executive Director, by Statute, is done by the Board. The Board is strictly limited to considering applicants by strict criteria which was established more than 20 years ago. Gaming in some capacity exists in all but 2 of the United States of America and a territory. The industry has grown and candidates for the Executive Director position are severely limited by the existing statute. Candidates from out of state or private sector are non-existent because of the salary limits and employment history requirements. The last Executive Director was not able to take the legislative increases because the Governor did not take the salary increase awarded by the legislature.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The status quo will remain. The Board will continue to have an exceptionally small candidate pool from which to fill the position.

AMENDMENTS