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Lottery bill proceeds through committee

Confusion generated over amendment language

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A New Mexico Lottery-backed bill to change how its contributions to the state's lottery scholarship fund are calculated moved forward Wednesday morning with support from some of its earliest critics.

But those new advocates could re-evaluate their stance again.

The Associated Students of the University of New Mexico say they did not realize exactly how the bill had changed when speaking in its behalf during the House Education Committee hearing. The language in the amended version the committee passed 11-2 differed from what ASUNM leaders say they had seen previously. They want to meet with sponsor Rep. Jim Smith, R-Tijeras, before the bill goes before the House Finance and Appropriations Committee.

After voicing his support for House Bill 147 during the hearing, ASUNM President Noah Brooks said he now characterizes himself as "neutral," but expressed confidence that a positive resolution was still possible.

"There are things I want changed, and I would be more likely to oppose the bill if it stands exactly as it is now, because

the amendments that I saw are different than what was presented (Wednesday)," he said.

Smith said he thought the students had seen the most up-to-date changes but said it's possible a "little bit" changed during proofing or they misunderstood something. He acknowledged that some parts were confusing — even for him. He said he would meet with the students, calling it part of the normal legislative negotiation process.

ASUNM was among the bill's vocal critics from the get-go, but the group met several times with Smith to change it. One of the group's requests — that all unclaimed lottery prize money go into the scholarship pot — was included in the amended version Wednesday.

But the amendment also puts an expiration on the bill's built-in safeguard.

The state currently requires the lottery to put at least 30 percent of gross sales into scholarships. Smith's bill would instead require the lottery to turn over all net proceeds. As originally written, the 30 percent mandate would resume if the lottery's annual contribution ever dipped

below \$38 million. But the amendment would limit the safeguard trigger to the 2019-2023 fiscal years, which Brooks said did not match the version he had seen.

The lottery wants the 30 percent mandate removed, saying it hurts sales by limiting available prize money. Lottery officials argue that removal of the mandate would improve revenue and that would ultimately benefit the Legislative Lottery Scholarship. The program currently funds an average of 60 percent of tuition for more than 25,000 students around New Mexico, but it has decreased in value amid growing demand and rising tuition.

Critics of the bill, including Think New Mexico, say that the lottery has put more money into scholarships since the mandate's 2008 introduction than any year before and that removing the requirement would let the authority accelerate spending on administration and third-party vendors.

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