

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO CREATE THE INTERIM "LIQUOR LICENSING LAWS REVIEW COMMITTEE".

WHEREAS, it is the purpose of the Liquor Control Act to license, regulate and control the sale, service and public consumption of alcoholic beverages in order to protect the public health, safety and morals of every community in the state; and

WHEREAS, the Liquor Control Act is the result of a comprehensive review of New Mexico's liquor laws that occurred in 1981, but there has been no similar comprehensive review for twenty-six years; and

WHEREAS, New Mexico has a quota system of one license for each two thousand inhabitants in municipalities and unincorporated areas of counties for full-service liquor licenses; and

WHEREAS, in some municipalities and counties there are more licenses than the quota system would otherwise permit, but these licenses have been permitted by the Liquor Control Act; and

WHEREAS, a consequence of the quota system and additional permitted licenses is that few if any new full-service licenses can be issued in the foreseeable future; and

WHEREAS, one goal of the Liquor Control Act was to

eliminate the concept of vested property rights in liquor licenses, but because full-service licenses can be transferred as to ownership and location, they have gained or retained inherent value, in some cases selling for thousands of dollars; and

WHEREAS, the cost of a full-service liquor license, to the extent one is available on the open market, is beyond the economic means of some hospitality businesses that would otherwise create economic development projects in New Mexico; and

WHEREAS, the Liquor Control Act created the restaurant license, which permits the sale and service of beer and wine with meals, to address the economic development issue for restaurants, but that license does not serve the needs of some restaurants, hotels, destination resorts and similar large-scale developments; and

WHEREAS, each legislative session, there are bills introduced to provide additional full-service licenses, but these bills do not address the issue in a comprehensive manner;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico legislative council be requested to appoint an interim "liquor licensing laws review committee" to receive testimony; to study liquor licensing issues, including the quota system, the

ownership and location transfer of licenses, whether more licenses would encourage economic development, the marketing of liquor licenses and the impact of additional licenses on the health, safety and morals of New Mexicans; and to recommend appropriate actions needed to address relevant issues identified from testimony and the study process; and

BE IT FURTHER RESOLVED that the New Mexico legislative council be requested to appoint twenty members to the interim liquor licensing laws review committee with political party affiliation proportionate to that in the New Mexico legislature; and

BE IT FURTHER RESOLVED that the liquor licensing laws review committee report its findings and make its recommendations to the legislature by January 1, 2008; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the co-chairs of the New Mexico legislative council.