SENATE JOINT MEMORIAL 58

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE CREATION OF A TASK FORCE TO STUDY THE EFFECTS OF
ALCOHOL ADVERTISEMENTS ON YOUTH AND TO RECOMMEND
CONSTITUTIONALLY VALID METHODS OF RESTRICTING YOUTH EXPOSURE TO
ALCOHOL ADVERTISEMENTS.

WHEREAS, each day, three teens in the United States die
from drinking and driving and at least six more die from other
alcohol-related causes; and

WHEREAS, each day, more than seven thousand children in
the United States under age sixteen take their first drink; and

WHEREAS, underage drinking costs the United States fifty-
three billion dollars ($53,000,000,000) a year in medical care,
lost productivity and pain and suffering of young drinkers; and

WHEREAS, approximately one-third of high school seniors
engage in heavy episodic or binge drinking, making them

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1   vulnerable to alcohol-induced brain damage and an increased

2   likelihood of alcohol dependence later in life; and

3   WHEREAS, youths who drink alcohol are more likely to

4   experience educational, social and legal problems and are at a

5   higher risk for suicide and homicide; and

6   WHEREAS, a *USA Today* survey found that teens say alcohol

7   ads have a greater influence on the desire to drink in general

8   than the desire to buy a particular brand; and

9   WHEREAS, a study published in the *Journal of the American

10   Medical Association* found that the number of beer and distilled

11   spirits ads tended to increase with a magazine's youth

12   readership; and

13   WHEREAS, a study of children ages nine to eleven found

14   that children were more familiar with Budweiser's television

15   frogs than Kellogg's Tony the Tiger, the Mighty Morphin' Power

16   Rangers or Smokey Bear; and

17   WHEREAS, the institute of medicine has called for reforms

18   on the alcohol industry's advertising to audiences known to

19   include a significant number of children or teens; and

20   WHEREAS, the institute of medicine has called on the

21   United States department of health and human services to

22   monitor alcohol advertising and report its findings to congress

23   and the public; and

24   WHEREAS, the center on alcohol marketing and youth at

25   Georgetown university has documented widespread exposure of

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underage youth to alcohol advertisements on television, radio, the internet and in magazines; and

WHEREAS, the city of Philadelphia unanimously passed an ordinance banning future alcohol advertising on city-owned property, including public transit bus shelters used by many school children; and

WHEREAS, the state of Ohio adopted a rule prohibiting alcohol advertising on billboards within five hundred feet of schools, parks and churches; and

WHEREAS, the national association of attorneys general created the youth access to alcohol task force to reduce underage drinking, to study youth exposure to alcohol advertising and to educate state attorneys general on ways to reduce access to alcohol by youth and change social norms about underage drinking;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the director of the alcohol and gaming division of the regulation and licensing department be requested to assemble and chair a task force to study the relationship between youth exposure to alcohol advertising and youth access to and consumption of alcohol and to recommend methods of restricting youth exposure to alcohol advertising; and

BE IT FURTHER RESOLVED that the task force include a member of the children's cabinet and representatives from the

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1   attorney general's office, the department of health, the

2   children, youth and families department, the public education

3   department, the commission on higher education, the New Mexico

4   parent teacher association, mothers against drunk driving and

5   other relevant and interested groups; and

6   BE IT FURTHER RESOLVED that the task force study other

7   states' alcohol advertising laws and their current status,

8   model policies and best practices and recommend ways of

9   applying best practices in New Mexico; and

10   BE IT FURTHER RESOLVED that the task force examine the

11 alcohol industry's sponsorship of community events where

12 children are present and suggest constitutionally valid methods

13 of restricting alcohol industry sponsorship and signage at

14 community events; and

15   BE IT FURTHER RESOLVED that the task force study and

16 recommend constitutionally defensible restrictions on alcohol

17 advertising and sponsorship in state publications and on state-

18 owned and state-leased lands, including state universities,

19 college campuses, state parks, public buildings and state-

20 sponsored civic events; and

21   BE IT FURTHER RESOLVED that the task force study and

22 recommend regulation of billboard and other forms of outdoor

23 advertising of alcoholic beverages; and

24   BE IT FURTHER RESOLVED that the task force analyze and

25 determine what authority state governments may have to protect

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youth by restricting the placement of alcohol advertising in

media with disproportionately large youth audiences; and

BE IT FURTHER RESOLVED that the director of alcohol and

gaming report to the interim legislative health and human

services committee no later than November 2007 on the study and

recommendations of the task force for implementing best

practices in New Mexico, limiting alcohol advertising to youth

and curbing the harmful effects of such advertising; and

BE IT FURTHER RESOLVED that copies of this memorial be

transmitted to the director of the alcohol and gaming division

of the regulation and licensing department.

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