

SENATE RULES COMMITTEE SUBSTITUTE FOR
SENATE BILL 359

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

AN ACT

RELATING TO THE STATE FAIR; PROVIDING FOR NOTICE OF COMMISSION
MEETINGS AND ACTIONS; CREATING THE STATE FAIR ADVISORY
COMMITTEE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 16-6-4 NMSA 1978 (being Laws 1913,
Chapter 46, Section 4, as amended) is amended to read:

"16-6-4. POWERS AND DUTIES OF COMMISSION--ANNUAL FAIR--
EXHIBITS--PREMIUMS.--

A. The state fair commission shall have power and
authority to hold annually on suitable grounds a state fair at
which shall be exhibited livestock, poultry, vegetables,
fruits, grains, grasses and other farm products, minerals, ores
and other mining exhibits, mining machinery and farm implements
and all other things ~~which~~ that the commissioners or a

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underscored material = new
[bracketed material] = delete

1 majority thereof deem consonant with the purposes of a state
2 fair for the purposes of advancing the agricultural,
3 horticultural and stock raising, mining, mechanical and
4 industrial pursuits of the state and shall have the care of its
5 property and be entrusted with the entire direction of its
6 business and its financial affairs consistent with the
7 provisions of Sections 16-6-15 and 16-6-16 NMSA 1978.

8 B. The state fair commission, among other duties,
9 shall prepare, adopt, publish and enforce all necessary rules
10 for the management of the New Mexico state fair, its meetings
11 and exhibitions and for the guidance of its officers, employees
12 and exhibitors. The commission shall determine the duties,
13 compensation and tenure of office of all of its officers and
14 employees and may remove from office or discharge any person
15 appointed or employed by it at will and shall have the power to
16 appoint all necessary fairgrounds police to keep order on the
17 grounds and in the buildings of the state fair. The
18 fairgrounds police so appointed shall be vested with the same
19 authority for such purposes as peace officers. The commission
20 shall have the power to charge entrance fees and admissions and
21 lease stalls, stand and restaurant sites, give prizes and
22 premiums, arrange entertainments and do all things ~~[which]~~ that
23 by the commission may be considered proper for the conduct of
24 the state fair not otherwise prohibited by law. The commission
25 shall prohibit the sale or consumption of alcoholic beverages

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1 on the grounds of the state fair except in controlled access
2 areas within the licensed premises. The commission or its
3 designees shall meet with the director of the alcohol and
4 gaming division of the [~~department of~~] regulation and licensing
5 department and other parties in interest to designate the
6 controlled access areas on which the sale and consumption of
7 alcoholic beverages may be permitted. As used in this
8 subsection, "alcoholic beverages" means distilled or rectified
9 spirits, potable alcohol, brandy, whiskey, rum, gin and
10 aromatic bitters bearing the federal internal revenue strip
11 stamps or any similar alcoholic beverage, including blended or
12 fermented beverages, dilutions or mixtures of one or more of
13 the foregoing containing more than one-half of one percent
14 alcohol, but excluding medicinal bitters.

15 C. The state fair commission shall give written
16 notice of its meetings to all neighborhood associations,
17 recognized pursuant to the city of Albuquerque's Neighborhood
18 Association Recognition Ordinance, that share a border with the
19 state fairgrounds. The notice shall be mailed by first class
20 mail to the authorized representative of each neighborhood
21 association at least seven calendar days prior to the meeting.
22 In the event of an emergency meeting of the commission, the
23 notice may be given telephonically at least six hours prior to
24 the scheduled starting time of the meeting.

25 D. The state fair commission shall give written

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1 notice of actions taken at its meetings to all neighborhood
2 associations, recognized pursuant to the city of Albuquerque's
3 Neighborhood Association Recognition Ordinance, that share a
4 border with the state fairgrounds. The notice shall be mailed
5 by first class mail to the authorized representative of each
6 neighborhood association within forty-eight hours of the vote
7 of the commission authorizing those actions."

8 SECTION 2. A new section of Chapter 16, Article 6 NMSA
9 1978 is enacted to read:

10 "[~~NEW MATERIAL~~] STATE FAIR ADVISORY COMMITTEE.--

11 A. The "state fair advisory committee" is created.
12 The committee shall consist of members representing the
13 neighborhood associations, recognized pursuant to the city of
14 Albuquerque's Neighborhood Association Recognition Ordinance,
15 that share a border with the state fairgrounds, including Fair
16 Heights neighborhood association, Fair West neighborhood
17 association, Frederick Fare neighborhood association, Jerry
18 Cline neighborhood association, La Mesa neighborhood
19 association, South San Pedro neighborhood association and
20 Trumbull Village neighborhood association.

21 B. The Bernalillo county commission shall be the
22 appointing authority for three members of the state fair
23 advisory committee; the mayor of the city of Albuquerque shall
24 be the appointing authority for the remaining members of the
25 state fair advisory committee. The county commission and the

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1 mayor shall determine by lot the neighborhood associations for
2 which they shall make the initial appointments. Thereafter,
3 the appointing authority for each neighborhood association
4 shall alternate for each successive term. Members shall serve
5 at the pleasure of their respective appointing authorities.

6 C. The initial seven members of the state fair
7 advisory committee shall determine by lot which three members
8 shall serve an initial one-year term. All other terms,
9 including terms after the initial terms, shall be for two
10 years. Members shall serve until their successors are
11 appointed. Vacancies shall be filled in the same manner in
12 which the former member was appointed. A member who is
13 appointed to fill a vacancy shall serve the remainder of the
14 unexpired term of the former member.

15 D. The state fair advisory committee shall elect
16 annually a chairperson and other officers that the committee
17 determines to be appropriate and shall establish procedures,
18 practices and policies governing the committee's activities.

19 E. The tourism department shall provide
20 administrative and financial support to the state fair advisory
21 committee.

22 F. The state fair advisory committee shall advise
23 the state fair commission on issues related to the state fair
24 and the use of the state fairgrounds.

25 G. The state fair advisory committee shall cease to

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1 exist if the state fairgrounds are moved to a different
2 location."

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