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SENATE BILL 399

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

STUART INGLE

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE.

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

Underscored material = new
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 February 14, 1998
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8 Mr. President:
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10 Your FINANCE COMMITTEE, to whom has been referred
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12 SENATE BILL 399
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14 has had it under consideration and reports same with
15 recommendation that it DO NOT PASS, but that
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17
18 SENATE FINANCE COMMITTEE SUBSTITUTE FOR
19 SENATE BILL 399
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21 DO PASS, and thence referred to the COMMITTEES' COMMITTEE.
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23 Respectfully submitted,
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Ben D. Altamirano, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against
Yes: 6
No: None
Excused: Eisenstadt, Ingle, Lyhons, McKibben, Smith
Absent: None

S0399FC1

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 399

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
PROHIBITING SALE FROM DRIVE-UP WINDOWS OF ICE OR ANY ALCOHOLIC
BEVERAGE THAT HAS BEEN REFRIGERATED.

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

Section 1. Section 60-7A-11 NMSA 1978 (being Laws 1981,
Chapter 39, Section 77, as amended) is amended to read:

"60-7A-11. OFFENSES BY RETAILERS. --It is a violation of
the Liquor Control Act for any retailer to:

- A. allow or permit any alcoholic beverages to be
consumed on his licensed premises;
- B. maintain or keep in close proximity to the
licensed premises any place for the consumption of alcoholic
beverages purchased from him;
- C. sell any alcoholic beverages at any place other

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than his licensed premises;

D. sell, possess for the purpose of sale or to have, possess or keep on his licensed premises alcoholic beverages not contained in the unopened, original package;

E. buy or receive any alcoholic beverages from any person other than a duly licensed New Mexico wholesaler or wine wholesaler for the purpose of or with the intent of reselling the alcoholic beverages; [~~or~~]

F. directly, indirectly or through any subterfuge own, operate or control any interest in any wholesale liquor establishment or liquor manufacturing or wine bottling firm; provided that this subsection shall not prevent a retailer from owning stock in any corporation [~~which~~] that wholesales, manufactures or bottles alcoholic beverages when he owns the stock for investment purposes only; or

G. sell or supply ice or any alcoholic beverage from a drive-up window that has been refrigerated, cooled or frozen in any manner. "

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SFC/SB 399

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

February 15, 1998

Mr. President:

Your COMMITTEES' COMMITTEE, to whom has been referred

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 399

has had it under consideration and finds same to be GERMANE, in
accordance with constitutional provisions, and further recommends
that it now be referred to the PUBLIC AFFAIRS COMMITTEE.

Respectfully submitted,

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Manny M. Aragon, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

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