1	HOUSE BILL 785
2	44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999
3	INTRODUCED BY
4	J. "Andy" Kissner
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10	AN ACT
11	RELATING TO SMALL BREWERS; PERMITTING COMMON FACILITIES FOR
12	SALE OF PRODUCTS OF MULTIPLE SMALL BREWERS; AMENDING A SECTION
13	OF THE LIQUOR CONTROL ACT.
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15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
16	Section 1. Section 60-6A-26.1 NMSA 1978 (being Laws
17	1985, Chapter 217, Section 5, as amended) is amended to read:
18	"60-6A-26.1. SMALL BREWER'S LICENSE
19	A. In any local option district, a person
20	qualified under the provisions of the Liquor Control Act,
21	except as otherwise provided in the Domestic Winery and Small
22	Brewery Act, may apply for and be issued a small brewer's
23	license.
24	B. A small brewer's license authorizes the person
25	to whom it is issued to:
	. 127326. 1

<u>underscored material = new</u> [bracketed material] = delete

1 (1) become a manufacturer or producer of 2 beer: package, label and export beer, whether 3 (2) manufactured, bottled or produced by him or any other person; 4 (3) sell only beer that is packaged by or for 5 him to a person holding a wholesaler's license or a small 6 7 brewer's license; deal in warehouse receipts for beer; (4) 8 9 (5) conduct beer tastings and sell for 10 consumption on or off premises, but not for resale, beer produced and bottled by, or produced and packaged for, the 11 12 licensee on the small brewer's premises; 13 be deemed a manufacturer for purposes of (6) 14 the Gross Receipts and Compensating Tax Act; at public celebrations off the small 15 (7) brewer's premises, after the small brewer has paid the 16 17 applicable fee for a small brewer's public celebration permit, 18 conduct tastings and sell by the glass or in unbroken 19 packages, but not for resale, beer produced and bottled by or 20 for the small brewer: at no more than two other locations off 21 (8) the small brewer's premises, after the small brewer has paid 22 23 the applicable fee for a small brewer's off-premises permit, 24 after the director has determined that the off-premises 25 locations meet the requirements of the Liquor Control Act and . 127326. 1 - 2 -

underscored naterial = new [bracketed naterial] = delete department regulations for new liquor license locations and after the director has issued a small brewer's off-premises permit for each off-premises location, conduct beer tastings and sell by the glass or in unbroken packages for consumption off the small brewer's off-premises location, but not for resale, beer produced and bottled by or for the small brewer; [and]

8 (9) allow members of the public, on the 9 licensed premises and under the direct supervision of the 10 licensee, to manufacture beer for personal consumption and not 11 for resale using the licensee's equipment and ingredients; and 12 (10) apply to the department for a permit to 13 join with other licensed small brewers to sell beer produced by or for small brewers at a common facility at which there 14 may be products of two or more licensed small brewers offered 15 16 for tasting or sale by the glass or in unbroken packages for 17 consumption off premises but not for resale. Liability and 18 other risks and obligations associated with the business of 19 selling beer in a common facility pursuant to a permit issued 20 by the director shall be clearly set forth in detail in a contract entered into by all of the licensed small brewers 21 22 participating in sales from the common facility. A copy of 23 the contract shall be submitted to and approved by the 24 director prior to issuance of the permit for the common 25 facility. . 127326. 1

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1	C. Sales and tastings of beer authorized in this
2	section shall be permitted during the hours set forth in
3	Subsection A of Section 60-7A-1 NMSA 1978 and between the
4	hours of noon and midnight on Sunday and shall conform to the
5	limitations regarding Christmas and voting-day sales found in
6	Section 60-7A-1 NMSA 1978 and the expansion of Sunday sales
7	hours to 2:00 a.m. on January 1, when December 31 falls on a
8	Sunday. "
9	Section 2. EFFECTIVE DATEThe effective date of the
10	provisions of this act is July 1, 1999.
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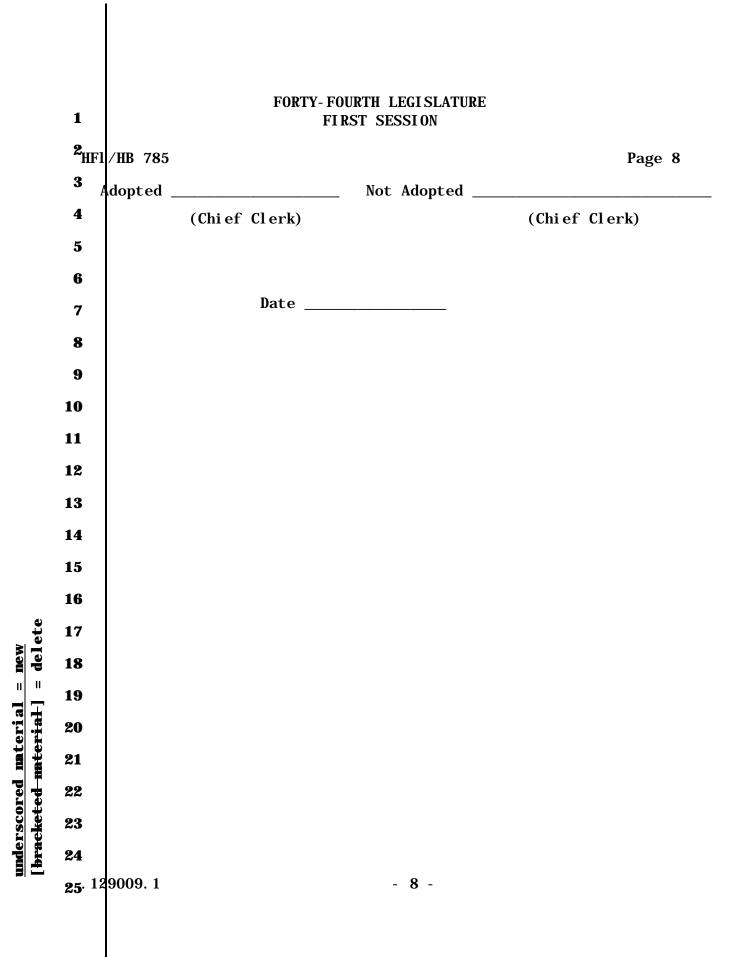
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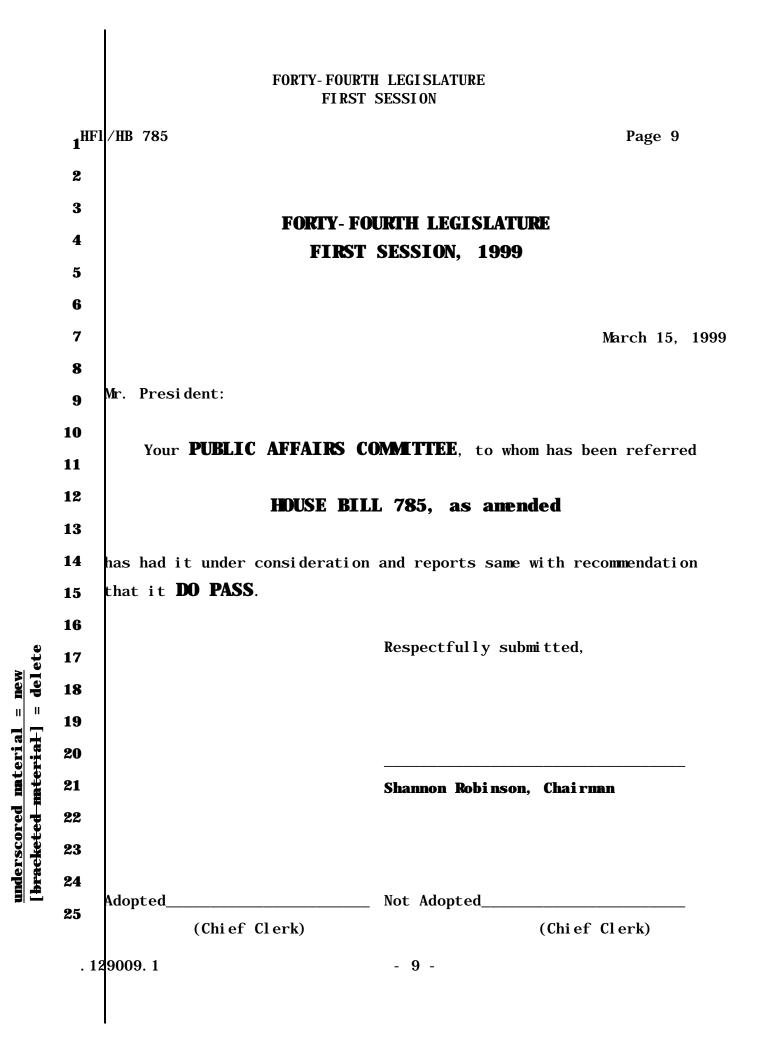
	1	FORTY- FOURTH LEGI SLATURE	
	2	FIRST SESSION, 1999	
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	5		
	6	March 9, 1999	
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	8		
	9	Mr. Speaker:	
	10	Your BUSINESS AND INDUSTRY COMMITTEE , to whom has	
	11	been referred	
	12		
	13	HOUSE BILL 785	
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	15	has had it under consideration and reports same with	
	16	recommendation that it DO PASS.	
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new	18	Respectfully submitted,	
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	1 2 0HB)	FORTY-FOURTH LEGISLATURE FIRST SESSION, 1999 IC/HB 785		Page 6
	3 ^{11D)} 4 5	Adopted Not Adopted		-
	5 6 7	(Chief Clerk)	(Chief Clerk)	
	8 9	Date		
	10 11	Fhe roll call vote was <u>10</u> For <u>0</u> Against Yes: 10 Excused: None		
	12 13 14	Absent: Mohorovic, T. Taylor		
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			FORTY-FOURTH LEGI SLATURE
		1	FIRST SESSION
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		4	March 12, 1999
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		6	OUSE FLOOR AMENDMENT number to HOUSE BILL 785
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		8	mendment sponsored by Representative Andy Kissner
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		10	
		11	1. On page 3, line 17, after the period strike the remainder of
			he line and strike lines 18 through 25 in their entirety.
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