

Liquor Control Act Task Force Recommendations

Before the Economic and Rural Development Committee July 8, 2014

Public Safety & Enforcement Subcommittee Recommendations

1. Introduce strategies to prevent/discourage discount or predatory pricing.

Passed Yes 28 No 3

2. Expand definition of alcohol under the LCA to include powdered or frozen alcohol.
Current liquor law applies only to liquid alcohol.

Passed Yes 27 No 4

Current Quota Liquor License Holders Subcommittee Recommendations

1. Amend the Liquor Control Act to ease the fingerprint restrictions on corporate stockholders who do not have active participation in the operation of a liquor license. This would change the current requirement that all officers and those holding 10% or greater ownership in the entity provide disclosure and a criminal background check. This measure is aimed primarily at large entities whose officers, directors and major stockholders may be several corporate or trust levels up and may reside in other states or countries.

Passed Yes 24 No 7

2. Amend Section 60-6B-12 by removing 60-6B-12A(1). This would allow "stranded" licenses to transfer out of under quota Local Option Districts. Under current law, a license in an under quota LOD cannot transfer out of that LOD.

Passed Yes 30 No 1

3. Amend Section 60-6B-12 by eliminating 60-6B-12A(4). This would allow licenses to transfer into LODs which are over quota. Currently, licenses cannot transfer into Local Option Districts which are under quota.

Passed Yes 21 No 10

4. Allow for a Local Option Election in non-Class A counties to authorize a Rural County Lottery License for each of those counties under quota. In any calendar year, only 5 of these lottery licenses would be issued.

Passed **Yes** 28 **No** 3

5. Make changes to the Special Dispenser's Permits authorized by current law, allowing them to be issued on a county wide basis. The SDPs would be subject to appropriately enhanced administrative penalties independent of the permit holder's primary license, including suspension and revocation of the permit. A third violation within the period of one year would operate as a citation against the primary license of the permit holder.

Passed **Yes** 26 **No** 5

Economic Development Subcommittee Recommendations

Manufacturers Section

1. Allow for parity among craft manufacturers (brewers, winegrowers, distillers), including but not limited to such items as allowing each craft manufacturer 3 off-site tasting rooms. For instance, current law allows winegrowers to have 3 off-site tasting rooms but brewers and distillers are limited to 2.

Passed **Yes** 23 **No** 8

2. Allow for alternating proprietorship of licensed production facilities. Alternating proprietorships are authorized by the Federal Tax & Trade Bureau as well as a majority of states. They allow bona fide craft manufacturers the ability to "rent" excess capacity (space & equipment) to small or start-up entities.

Passed **Yes** 25 **No** 6

3. Adopt statutory "growler" language as approved packaging for the sale of beer and cider. Growlers must be appropriately cleaned, filled and sealed by the licensee selling the product for off-site consumption. Growlers are authorized by the Federal Tax and Trade Bureau and are approved for bottling and consumer sale purposes in virtually every state. Currently, the AGD authorizes growler "bottling" and refills by policy so this would place it in statute instead.

Passed **Yes** 26 **No** 5

Rural Economic Development Section

1. Allow the rural dispenser liquor licenses to be able to transfer county-wide.
Passed **Yes** 25 **No** 6
2. Create a new state license classified as a “rural replacement dispenser license” to replace quota dispenser licenses transferred out of a rural location. Availability would be by lottery. This license would be non-transferable.
Passed **Yes** 19 **No** 12
3. Extend restaurant beer & wine license hours until midnight on Friday and Saturday nights. Current law requires alcohol sales to cease at 11pm.
Passed **Yes** 18 **No** 13

Trade Practices Subcommittee Recommendations

1. Address when returns of purchased alcohol become consignment sales by defining “commercially reasonable” reasons for returns, including breakage issues and allowances to return product that is close to code (near spoilage).
Passed **Yes** 30 **No** 1
2. Make changes to the Tasting Permit authorized by current law to be conducted on a licensed premise. The Tasting Permit would be subject to appropriately enhanced administrative penalties independent of the permit holder’s primary license, including suspension and revocation of the permit. A third violation within the period of one year would operate as a citation against the primary license of the permit holder.
Passed **Yes** 24 **No** 7
3. Authorize the establishment of purchasing co-ops/ad groups/pools for independent retailers.
Passed **Yes** 23 **No** 8
4. Prohibit predatory pricing/below cost sales.
Passed **Yes** 28 **No** 3

New Mexico Liquor Control Act Task Force
Prevention Members Report on
Task Force Recommendations

July 7, 2014

Prevention Members of the Liquor Control Act Task Force:

Ben Lewinger, Mothers Against Drunk Driving

Linda Atkinson, DWI Resource Center

Jolene Aguliar, Partnership for Community Action

Shelley Mann-Lev, Santa Fe Prevention Alliance

Problematic Recommendations:

These comments are being provided by the prevention organizations named to the LCA Task Force to bring to light the concerns regarding the most recent recommendations that have emerged from the Task Force formed by 2013 SM77 for the current NM Liquor Control Act (LCA). The additional concerns of the Task Force composition and the lack of transparency of the subcommittees' activities, resulting in heavily skewed recommendations favoring the currently established liquor industry with disregard to negative consequences for public safety and rural economic development are addressed later in this document.

Below are the specific recommendations that are significantly troubling to the public health, safety and welfare community. The potential detrimental results to public health in the following areas, increase of availability of alcohol, increase in alcohol outlet density and relaxation of the current safeguards to prevent the sales of alcohol to minors and to intoxicated persons, will be significant if the following recommendations are moved forward in their current wording.

The items are broken down by subcommittee as they appeared on the June 4, 2014 ballot. Appendix 2 shows the final results of the vote of all recommendations provided to the full Task Force.

Current Quota Liquor License Holders Subcommittee Recommendations

3. Amend Section 60-6B-12 by eliminating 60-6B-12A(4). This would allow licenses to transfer into LODs which are over quota.

Passed Yes 21 No 10

5. Make changes to the Special Dispenser's Permits authorized by current law, allowing them to be issued on a county wide basis. The SDPs would be subject to appropriately enhanced administrative penalties independent of the permit holder's primary license, including suspension and revocation of the permit. A third violation within the period of one year would operate as a citation against the primary license of the permit holder.

Passed Yes 26 No 5

Economic Development Subcommittee Recommendations

Rural Economic Development Section

1. Extend restaurant beer & wine license hours until midnight on Friday and Saturday nights. *Current law requires alcohol sales to cease at 11pm.*

Passed Yes 18 No 13

Trade Practices Subcommittee Recommendations

2. Make changes to the Tasting Permit authorized by current law to be conducted on a licensed premise. The Tasting Permit would be subject to appropriately enhanced administrative penalties independent of the permit holder's primary license, including suspension and revocation of the permit. A third violation within the period of one year would operate as a citation against the primary license of the permit holder.

Passed Yes 24 No 7

Why these recommendations are so problematic:

I. Current Quota Liquor License Holders Subcommittee Recommendation #3 of allowing the transfer of liquor licenses into over quota local option districts is problematic on several fronts.

- A. This change to the LCA will increase the demand for licenses, making them even more costly and prohibitive to small local business. It will quash rural development, as licenses move from rural Local Option Districts (LOD) into the heavily saturated or over quota areas of Santa Fe, Albuquerque and Las Cruces. Public health literature shows that poverty and depressed economic conditions are related to poor health outcomes and increased alcohol consumption. Such a change has great potential to negatively impact in both the LOD that loses the license and the one that receives it.

“The challenge for New Mexico rural policy makers, local officials, and residents is to provide the infrastructure and services that the increasingly educated rural population and workforce will need to establish new businesses, create jobs, and build communities. Adding to the task is the reality that the remoteness of most New Mexico counties from the state's urban centers and low population density pose real challenges for providing basic infrastructure and affordable services. Regional approaches need to be evaluated for providing infrastructure and services as well as promoting entrepreneurship (new

business start-ups) and achieving business expansions and business attraction in New Mexico's rural areas" (Rupasingha & Patrick, 2010, pp.19).

- B. If the LCA is changed to accommodate this recommendation made it will increase the density of alcohol outlets in already over quota areas. Increasing alcohol outlet density increase a wide range of social harms such as prostitution, illicit drug sales/use, loitering, violence, child neglect, underage drinking, domestic violence and DWI.

"A review of 88 studies on alcohol outlet density and public health by Campbell et al (7) concluded that greater outlet density was associated with a variety of public health and safety concerns, including increased alcohol consumption, alcohol-impaired driving, injury, crime, violence, neighborhood disruption, and other harms" (Jernigan, Sparks, Yang & Schwartz, 2013, p. 2).

II. Current Quota Liquor License Holders Subcommittee recommendation #5 for a change in the Special Dispenser's Permits authorized by current law, allowing them to be issued on a county wide basis. The SDPs would be subject to appropriately enhanced administrative penalties independent of the permit holder's primary liquor license, including suspension and revocation of the permit.

Trade Practices Subcommittee Recommendation #2 to change the Wine Tasting Permit guidelines to appropriately enhanced administrative penalties independent of the permit holder's primary license.

- A. Allowing for county wide permits will be problematic. Currently in New Mexico there are counties with more than one local option district. Adopting this recommendation would undermine the authority of local governing bodies.
- B. This will separate the server and license owner even further than the current situation. The burden of the penalties will be placed on servers, who are among the lowest paid employees in the alcohol supply / sales chain. Conversely the license owner profits from potentially risky sales practices.
- C. This would significantly reduce the legislature's current ability to have strong penalties to for sales to minors and sales to intoxicated persons by circumventing the current State statutes by shifting the burden from the license holder to the server.
- D. This removes a strong tool to administratively address license holders who repeatedly avoid safe server practices which keep our youth safer and reduce DWI.

III. Economic Development Subcommittee Recommendations: Rural Economic Development Section to extend restaurant beer & wine license hours until midnight on Friday and Saturday nights. *Current law requires alcohol sales to cease at 11pm.*

- A. Best practices to reduce alcohol harms indicate that limiting hours of alcohol service reduces community impact. This provision ignores best practice and potentially increases negative Public Health and safety impacts on local communities.

“One strategy to prevent excessive alcohol consumption and related harms is to limit access by regulating the hours during which alcohol can legally be sold. Approaches may include:

- Maintaining existing limits in response to efforts to expand hours of sale
- Expanding current limits on hours of sale

Policies limiting hours of sale may apply to outlets that sell alcohol for consumption at the place of purchase (on-premises outlets, such as bars or restaurants) or elsewhere (off-premises outlets, such as liquor stores). In the United States, policies may be made at the state level and, where not prohibited, by state pre-emption laws at local levels (Guide to Community Prevention Services, 2009, pp1).

B. In New Mexico there is a higher incidence of DWI and alcohol related crashes as alcohol service continues later into the evening.

Introduction:

2013 Senate Memorial 77, formed a Task Force to study the current NM Liquor Control Act (LCA) governing the production, distribution, and sales of alcohol and distilled spirits. The focus of the task force was to completely review New Mexico’s LCA and to provide recommendations to the State Legislature by November 2014.

The public health advocates support strong economic development in our State. The quickest means to improve health in our communities is to raise the socio-economic status of people. However, our State has relied heavily on commerce such as Alcohol sales that have significant social, health and negative financial impacts have been quantified, the 2006 data indicates it costs every New Mexican approximately \$1000 tax dollars annually to offset these public health impacts.

Alcohol production, supply and sales are significantly regulated due to the known impact on the public health, safety and welfare. These detrimental impacts are demonstrated in the State’s high rates of drinking while driving, early onset consumption of alcohol products, fetal alcohol syndrome, and thus leading the Nation in deaths related to alcohol consumption.

Composition of the Task Force:

Due to the directives of SM77, see Appendix 1, the composition of the Task Force heavily weighted toward the alcohol industry. The task force consists of 44 members from a wide variety of interests related to the alcohol sales and service practices. Representation from the following entities are included; 1 department of public safety (SID) representative, 4 prevention specialist and DWI specialists, 1 department of health representative, 1 traffic safety division

representative, 1 member from the attorney general's office. The remaining members of the Task Force include numerous industry members such as; producers, sellers, distributors, license brokers, wholesalers, current license holders, hospitality industry representatives. With the vast number of the representatives being from the alcohol industry, the majority rule voting process was unbalanced regarding the interests of public health.

There were no treatment providers, medical providers, insurance companies, emergency responders, local law enforcement, county law enforcement or state law enforcement, beyond the Department of Public Safety included as task force members.

Process

In November of 2013, the New Mexico Alcohol & Gaming Division Director issued letters to individuals and groups, who had expressed an interest in being involved, to formally serve on the Task Force. 42 letters were sent notifying them of the organizational meeting on December 16, 2013.

December 16, 2013, the first meeting of the LCA task force was convened at the Alcohol & Gaming Board lead by Division Director Jennifer Anderson. At this meeting she stated that those who were in attendance were members of the Task Force and no additional parties could join in the future. Also, at this meeting a schedule for the next several months was determined and presented. The Task force would have monthly meetings. Four subcommittees were created Public Safety and Enforcement, Current Liquor License Holder, Trade Practices and finally Economic Development. Additionally, the Director informed the group that she would be leaving the agency before the next meeting of the Task Force. Unfortunately, there was no discussion as a group on the adoption of an alternative decision making process to majority rule, when clearly diverse interests were not equally reflected by membership number.

March 5, 2014, Full Task Force Meeting: Organizational meeting with new AGD Director, Mary Kay Root. It was at this meeting when a new timeline was determined to have the Task Force work through a subcommittee process, convening regularly as a full Task Force, to determine recommendations as per SM77.

April 2, 2014, Full Task Force Meeting: Presentations were made by each subcommittee to describe the impact of the LCA on their respective area of focus.

April 30, 2014 Deadline: Subcommittee recommendations submitted to AGD.

May 2, 2014 Deadline: AGD forwarded the compiled subcommittee recommendations to entire Task Force for review.

May 7, 2014 Full task force meeting: Presentations and discussion of recommendations by the individual subcommittees.

May 22, 2014, Full task force meeting: Presentation and discussion of recommendations by the individual subcommittees.

June 4, 2014, Full task force meeting: Voting to determine final recommendations.

Conclusion:

Alcohol sales generate significant profits for those who are in the sales and supply chain. If not, those in the sales and supply chain would more than likely choose different products to sell. The Public Health measures, such as those discussed in this report, are data driven. The Task Force recommendations discussed in this report have potential to detrimentally impact public health in the following areas: increase of availability of alcohol, increase in alcohol outlet density and relaxation of the current safeguards to prevent the sales of alcohol to minors and to intoxicated persons. Relaxation of the current State statutes constitutes a step backward for our State in the areas of public health and safety especially for children and underage youth.

The prevention organizations of the Task Force request the legislature maintain our current regulations for hours of operation, not softening the effective tools of penalties for sales to minors and sales to intoxicated persons. We also ask that local option districts retain the ability to deny license requests for liquor establishments if the LOD is already at or above quota.

References

Community Prevention Services Task Force. (2009) *Guide to community preventive services: Preventing excessive alcohol consumption: maintaining limits on hours of sale*. Centers of Disease Control. www.thecommunityguide.org/alcohol/limitinghourssale.html.

Jernigan DH, Sparks M, Yang E, Schwartz R. Using Public Health and Community Partnerships to Reduce Density of Alcohol Outlets. *Prev Chronic Dis* 2013;10:120090.
DOI:<http://dx.doi.org/10.5888/pcd10.120090>

Rupasingha, A& J.M. Patrick (2010). *Rural Economic Conditions & Trends*. Las Cruces, NM. NMSU. Retrieved from: http://aces.nmsu.edu/pubs/_circulars/cr-651/welcome.html

APPENDIX 1

2013 Senate Memorial 77

A MEMORIAL

REQUESTING THE REGULATION AND LICENSING DEPARTMENT TO CONVENE A TASK FORCE TO ASSESS AND MAKE RECOMMENDATIONS FOR UPDATING THE LIQUOR CONTROL ACT.

WHEREAS, over three decades have passed since the Liquor Control Act underwent a major review and reformation; and

WHEREAS, the public's needs have changed over the past three decades with the advent of the electronic age, modernized business practices and changes in social norms, and an increase in alcohol awareness; and

WHEREAS, alcoholism and driving under the influence of alcohol continue to threaten the state's health, safety, welfare and morals; and

WHEREAS, promoting economic development while still ensuring the public's health, safety, welfare and morals is of the utmost importance for the legislature; and

WHEREAS, the alcohol and gaming division of the regulation and licensing department is responsible for administering the laws related to the issuance, sale and transfer of new liquor licenses and alcohol server permits in the state; and

WHEREAS, the special investigations division of the department of public safety is currently responsible for enforcing the complex laws related to the sale and service of alcohol in the state; and

WHEREAS, law enforcement is intimately aware of the issues related to the state's high rate of convictions for driving under the influence;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the regulation and licensing department be requested to convene a task force to undertake a comprehensive review of the Liquor Control Act and make recommendations to the legislature regarding amendments to update the Liquor Control Act to better meet the needs of the public; and

BE IT FURTHER RESOLVED that the task force include representatives from industries covered by the Liquor Control Act, including but not limited to hospitality, tourism, restaurants, retailers, petroleum retailers, grocers, brewers and distillers, wineries and wholesalers; and

BE IT FURTHER RESOLVED that the task force include representatives from any other groups that may have an interest in amending the Liquor Control Act, including the DWI resource center, mothers against drunk driving, the New Mexico municipal league and the New Mexico association of counties, as well as representatives from law enforcement, the special investigations division of the department of public safety, the alcohol and gaming division of the regulation and licensing department, organizations involved with alcohol abuse prevention and underage drinking prevention and interested citizens; and

BE IT FURTHER RESOLVED that the task force be geographically diverse to ensure that voices are heard from around the state; and BE IT FURTHER RESOLVED that the task force be requested to report its findings and recommendations to the appropriate legislative interim committees by November 1, 2014; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the superintendent of regulation and licensing, for distribution to members of the task force, and to the co-chairs of the New Mexico legislative council.

APPENDIX 2

Liquor Control Act Task Force Recommendations Ballot

Public Safety & Enforcement Subcommittee Recommendations

1. Amend NMSA section 60-6B-4 D (1) to require 30 days' notice of a license hearing in newspapers and on the LOD's website. *Current law requires 15 days' notice in a newspaper of general circulation.*

Failed Yes 13 No 18

2. Add language to NMSA section 60-6B-4 F to allow LODs to disapprove the issuance or transfer of a license based on factors such as type of license, proximity to other licenses, occupancy load/square footage of licensed premises, pricing, service of food, etc. *Current law allows LODs to disapprove license applications under LCA guidelines, but case law obligates the AGD Director to disregard LOD disapprovals that are not supported by substantial evidence.*

Failed Yes 10 No 21

3. Expand SID's scope of authority to allow SID to partner with community organizations.

Failed Yes 14 No 17

4. Introduce strategies to prevent/discourage discount or predatory pricing.

Passed Yes 28 No 3

5. Expand definition of alcohol under the LCA to include powdered or frozen alcohol. *Current liquor law applies only to liquid alcohol.*

Passed Yes 27 No 4

Current Quota Liquor License Holders Subcommittee Recommendations

1. Amend the Liquor Control Act to ease the fingerprint restrictions on corporate stockholders who do not have active participation in the operation of a liquor license.

Passed Yes 24 No 7

2. Amend Section 60-6B-12 by removing 60-6B-12A(1). This would allow "stranded" licenses to transfer out of under quota LODs.

Passed Yes 30 No 1

3. Amend Section 60-6B-12 by eliminating 60-6B-12A(4). This would allow licenses to transfer into LODs which are over quota.

Passed **Yes** 21 **No** 10

4. Allow for a Local Option Election in non-Class A counties to authorize a Rural County Lottery License for each of those counties under quota. In any calendar year, only 5 of these lottery licenses would be issued.

Passed **Yes** 28 **No** 3

5. Make changes to the Special Dispenser's Permits authorized by current law, allowing them to be issued on a county wide basis. The SDPs would be subject to appropriately enhanced administrative penalties independent of the permit holder's primary license, including suspension and revocation of the permit. A third violation within the period of one year would operate as a citation against the primary license of the permit holder.

Passed **Yes** 26 **No** 5

Economic Development Subcommittee Recommendations

Manufacturers Section

1. Allow for parity among craft manufacturers (brewers, winegrowers, distillers), including but not limited to such items as allowing each craft manufacturer 3 off-site tasting rooms. *For instance, current law allows winegrowers to have 3 off-site tasting rooms but brewers and distillers are limited to 2.*

Passed **Yes** 23 **No** 8

2. Allow for alternating proprietorship of licensed production facilities. Alternating proprietorships are authorized by the Federal Tax & Trade Bureau as well as a majority of states. They allow bona fide craft manufacturers the ability to "rent" excess capacity (space & equipment) to small or start-up entities.

Passed **Yes** 25 **No** 6

3. Adopt statutory "growler" language as approved packaging for the sale of beer and cider. Growlers must be appropriately cleaned, filled and sealed by the licensee selling the product for off-site consumption. Growlers are authorized by the Federal Tax and Trade Bureau and are approved for bottling and consumer sale purposes in virtually

every state. *Currently, the AGD authorizes growler "bottling" and refills by policy so this would place it in statute instead.*

Passed **Yes** 26 **No** 5

Rural Economic Development Section

1. Allow the rural dispenser liquor licenses to be able to transfer county-wide.

Passed **Yes** 25 **No** 6

2. Create a new state license classified as a "rural replacement dispenser license" to replace quota dispenser licenses transferred out of a rural location. Availability would be by lottery. This license would be non-transferable.

Passed **Yes** 19 **No** 12

3. Extend restaurant beer & wine license hours until midnight on Friday and Saturday nights. *Current law requires alcohol sales to cease at 11pm.*

Passed **Yes** 18 **No** 13

4. Create a new state license classified as a "wine bar" that allows the license holder to serve wine only (no beer or spirits) and has an occupancy limit. This license would be non-transferable.

Failed **Yes** 13 **No** 18

5. Create a new state license classified as a "tavern license" that allows for on-site consumption and package sales of craft beer, wine & spirits. This license would be non-transferable.

Failed **Yes** 12 **No** 19

6. Create a new state license classified as a "limited spirits license", available outside of Class A counties in Historic/Cultural District so designated by the local governing body. It would allow the service of limited distilled spirits, such as any combination of 12 distilled spirits and 6 liqueurs. This license would be non-transferable, have a maximum building occupancy requirement and would require 60% of sales to be food.

Failed **Yes** 10 **No** 21

Trade Practices Subcommittee Recommendations

1. Address when returns of purchased alcohol become consignment sales by defining “commercially reasonable” reasons for returns, including breakage issues and allowances to return product that is close to code (near spoilage).

Passed **Yes** 30 **No** 1

2. Make changes to the Tasting Permit authorized by current law to be conducted on a licensed premise. The Tasting Permit would be subject to appropriately enhanced administrative penalties independent of the permit holder’s primary license, including suspension and revocation of the permit. A third violation within the period of one year would operate as a citation against the primary license of the permit holder.

Passed **Yes** 24 **No** 7

3. Authorize the establishment of purchasing co-ops/ad groups/pools for independent retailers.

Passed **Yes** 23 **No** 8

4. Prohibit predatory pricing/below cost sales.

Passed **Yes** 28 **No** 3

5. Allow for home delivery of alcohol, making sure to check IDs at the time of delivery and include other specific language to deal with underage issues.

Failed **Yes** 12 **No** 19

APPENDIX 3

List of Individuals who were sent certified letters to join the Task Force: 42 total

Prudy & John Abeln	Florent Lescombes
Robert J. Archuleta	Ben Lewinger
Linda Atkinson	Brian Locke
Ruben Baca	Ben Lewinger
William Baldwin	Brian Locke
Maurice Bonal	Shelly Mann-Lev
Greg Brown	Diana McWilliams
Dora Dominguez	Demesia Padilla
William Fulginiti	Adrian Pedroza
Chris Goblet	Bridget Salopek
Gilbert Gomez	Raymond Sanchez
Leland Gould	Greg Templeton
Charlie Gray	Laura Tomedi
Monique Jacobson	Gene Valdez
Tim Johnson	Art Waskey
Pete Kassetas	Ricard & Suzanne Weber
Colin Keegan	Carol Wight
Gary King	Rich Williams
John Kemiato	Thomas Wolinski
Steve Kopelman	W. Gill Woodall
Min Lee	Michael Zircher

APPENDIX 4

Alcohol & Gaming Division Master List

Liquor Control Act Task Force		
Name	Email	Organization
Jolene Aguilar	jolenea@forcommunityaction.org	Partnership for Community Action
Oscar Andrade	oaLaandrade@netscape.net	Pic-Quik Stores
Linda Atkinson	latkinson@dwire.org	DWI Resource Center Inc.
Ruben Baca	nmpetrol@comcast.net	State Executive, NM Petroleum Marketers Assoc.
William Baldwin	billybaldwin1@comcast.net	Stone Face Tavern
Maurice Bonal	mbonal@msn.com	Proxy/voting for Gilbert Gomez
Greg Brown	greg.brown@admiralbeverage.com	Admiral Beverage Corporation
Roger Burton	roger.burton@wnr.com	Western Refining
Dora Dominguez	dora.dominguez@state.nm.us	NMEDD Office of Business Advocacy
Joy Esparsen	jseparsen@nmcountries.org	NM Association of Counties
Michael Espiritu	dir@alamogordo.com	Otero County ETC
John Foust	jfoustnm@gmail.com	Distil
Franklin Garcia	franklin.garcia@state.nm.us	NM Department of Transportation
Chris Goblet	beerambassador@gmail.com	NM Brewers Guild
Gilbert Gomez	gilbertlgom6.@gmail.com	
Leland Gould	leland.gould@wnr.com	Western Refining
Justin Greene	contactjustin@yahoo.com	Dashing Delivery
Tom Hennessy	thennessy@breweroil.com	Director, Retail Operations Brewer
Tim Johnson	tim.johnson@state.nm.us	Director, Dept. of Public Safety, SID
Colin Keegan	colin@stantafespirits.com	Santa Fe Spirits
Ben Lewinger	ben.lewinger@madd.org	State Executive Director, MADD
Alex Ocheltree	Alex@billythekidbbq.com	Billy's Barbeque
Shelly Man-Lev	SMANN@sfps.info	Proxy/voting for M.C. Voorhees
R. David Pederson	dpederson@nmag.gov	NM Attorney General's Office
Mark Rhodes	mmr@rspcnm.com	
Bridget Salopek	execdirector@nmwine.com	Exec. Dir., NM Wine Growers Assoc.
Raymond Sanchez	rgsanchez@smdlegal.com	Sanchez, Mowrer & Desiderio P.C.
Rick Sharp	sharpri@yahoo.com	
Greg Templeton	gtempleton@SOUTHERNWINES.com	Southern Wine & Spirits of NM
Michael Thomas	michael.thomas@NATDISTCO.com	National Distribution
John Thompson	john@santafespirits.com	
Laura Tomedi, PhD, MPH	laura.tomedi@state.nm.us	NM Dept. of Health, Epidemiology /Response Div.
Gene Valdez	nmga@aol.com	Exec. Dir., NM Grocers Assoc.
Marie Claire Voorhees	Mclaire.voorhees@gmail.com	Santa Fe Prevention Alliance
Carol Wight	carol@nmrestaurants.org	Chief Exec. Dir., NM Restaurant Assoc.
Darren White	thehighsherriff@comcast.com	
Thomas Wolinski	tom@fiascowine.com	Fiasco Fine Wine
Michael Zercher	mike@santafehardcider.com	Santa Fe Hard Cider, LLC

APPENDIX 5

List of Task Force Members Who Voted on the Recommendations Ballot: 31 total

Alex Ocheltree	Justin Greene
Ben Lewinger	Laura Tomedi
Blake Moore	Maurice Bonal
Brian Ashburn	Michael Espiritu
Carol Wight	Tim Johnson
Christopher Goblet	Michael Zercher
Colin Keegan	Oscar Andrade
Franklin Garcia	R. David Pederson
Gene Valdez	Michael Thomas
Gilbert Gomez	Roger Burton
Greg Brown	Ruben Baca
Greg Templeton	Shelly Mann-Lev
John Foust	Thomas Wolinski
John Thompson	Tom Hennessy
Jolene Aguilar	William Baldwin
Joy Esparsen	

APPENDIX 6

Liquor Control Act Task Force Calendar

2013 legislative session

NM Senate passes Senate Memorial 77, requesting that the Alcohol & Gaming Division of RLD convene a task force to assess and present its findings and to make recommendations to the legislature for statutory changes to the Liquor Control Act

November 25, 2013

Director Anderson prepared invitations to prospective members of the Task Force asking each if they wished to be appointed to serve on the Liquor Control Act Task Force. The letters were sent via certified mail to all persons and groups named in SM 77. Responses were received with many invitees designating a person to serve on their behalf. A full list was compiled and an organizational meeting set for December.

December 16, 2013

Organizational meeting for the Liquor Control Act Task Force, chaired by Director Jennifer Anderson. Four subcommittees were created and subcommittee chairs were named: Current Quota Liquor License Holders (Ruben Baca, Chair), Public Safety & Enforcement (Laura Tomedi, Chair), Economic Development (Chris Goblet & John Thompson, co-chairs) and Trade Practices (Gene Valdez, Chair). Dates were set for upcoming Task Force meetings to follow the 2014 legislative session: March 5, April 2, May 7 and June 4, 2014. Subcommittees were encouraged to meet prior to March 5th.

January meetings

January 10, 2014

Subcommittee meeting: Public Safety & Enforcement

January 28, 2014

Subcommittee meeting: Economic Development

February meetings

February 24, 2014

Subcommittee meeting: Economic Development

February 25, 2014

Subcommittee meeting: Quota Liquor License Holders

February 27, 2014

Subcommittee meeting: Public Safety & Enforcement

March meetings

March 5, 2014

Full Task Force meeting, chaired by Director Mary Kay Root. The schedule for the development of recommendations was adopted.

March 20, 2014

Subcommittee meeting: Public Safety & Enforcement

March 25, 2014

Subcommittee meeting: Quota Liquor License Holders

March 26, 2014

Subcommittee meeting: Trade Practices

April meetings

April 2, 2014

Full Task Force meeting: Presentations by Subcommittees

10 -12

Presentation by Public Safety & Enforcement Subcommittee

1:30 -4:00 pm

Presentation by Economic Development, Trade Practices & Quota License Holders Subcommittees

April schedule:

Subcommittees met and developed several proposed initiatives/recommendations to bring to the entire Task Force

April 9, 2014

Subcommittee meeting: Public Safety & Enforcement

April 28, 2014

Subcommittee meeting: Trade Practices

April 30, 2014

Subcommittees submitted written recommendations to AGD

May schedule

May 2, 2014

AGD emailed out the compiled recommendations to Task Force members so that they could review each subcommittee's recommendations before the next meeting

May 7, 2014

Full Task Force met to hear Recommendations by Subcommittees

10 – 12

Recommendations by Subcommittees with Q & A for clarification

1:30 – 4:30 pm

Roundtable discussion

June schedule

June 4, 2014

Full Task Force met to Vote on Recommendations

10 – 12

Voting and Announcement of Final Recommendation to be presented to the Legislature

June- Sept schedule

AGD presents to Rural & Economic Development Interim Committee accompanied by Subcommittee Chairs

November schedule

Final Report of findings and recommendations to the Legislature