

Underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 1017

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

WILLIAM F. DAVIS

AN ACT

RELATING TO STATE LICENSES; AMENDING A SECTION OF THE NMSA 1978  
TO ALLOW GOVERNMENTAL LICENSE PROVISIONS REGARDING THE SALE OF  
ALCOHOLIC BEVERAGES TO APPLY TO CERTAIN COUNTY OR STATE FAIRS.

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

Section 1. Section 60-6A-10 NMSA 1978 (being Laws 1981,  
Chapter 39, Section 27, as amended) is amended to read:

"60-6A-10. GOVERNMENTAL LICENSE. --

A. Except as provided in Subsection G of this  
section, a governmental entity may sell alcoholic beverages  
directly or through its lessee at a governmental facility if the  
governing body applies to the director for a governmental  
license. The governmental entity and its lessee shall be  
subject to all state laws and regulations governing dispensers.

B. A governmental license may be leased to a

Underscored material = new  
[bracketed material] = delete

1 qualified lessee and may only be used by the lessee for his  
2 operation during events authorized by the governmental entity at  
3 the governmental facility designated on the governmental  
4 license. The governmental entity and its lessee shall not sell  
5 alcoholic beverages for consumption off the licensed premises.

6 C. Each governmental entity holding a governmental  
7 license shall annually and not less than sixty days prior to the  
8 date for renewal of its license submit to the director  
9 documentary proof that its lessee is fully qualified to be a  
10 lessee of a governmental license. If the director finds that  
11 the lessee is qualified to lease a governmental license, the  
12 director shall renew the license for an additional period of one  
13 year. If the director determines that the proof is inadequate,  
14 he shall notify the governing body of his decision and shall  
15 conduct a hearing as provided by law. If the director finds  
16 that the lessee does not qualify and the governmental entity  
17 does not change its lessee, the director shall revoke the  
18 license.

19 D. The provisions of Section 60-6A-18 NMSA 1978  
20 shall not apply to governmental licenses.

21 E. For the purposes of this section:

22 (1) "governmental entity" means a municipality,  
23 a county or state fair [which is held for less than ten days per  
24 year] or a state university;

25 (2) "governmental facility" means locations on

Underscored material = new  
[bracketed material] = delete

1 property owned or operated by a governmental entity and includes  
2 county fairs, state fairs, [~~held for less than ten days per~~  
3 ~~year~~] convention centers, airports, civic centers, auditoriums,  
4 facilities used for athletic competitions, golf courses,  
5 including golf courses required to be used for municipal  
6 purposes notwithstanding that there may be an existing club  
7 license at the same location operated by the same club licensee,  
8 and other facilities used for cultural or artistic performances,  
9 but the term does not include tennis facilities; and

10 (3) "lessee" means any individual, corporation,  
11 partnership, firm or association if it fulfills the requirements  
12 set forth in Subsections A through D of Section 60-6B-2 NMSA  
13 1978.

14 F. The provisions of Section 60-6B-10 NMSA 1978 [~~as~~  
15 ~~regards~~] with regard to golf courses owned by a governmental  
16 entity and civic centers owned and operated by a governmental  
17 entity shall not apply to governmental licenses.

18 G. A governmental entity that sells alcoholic  
19 beverages directly or indirectly through a lessee at a  
20 governmental facility that is a golf course required to be used  
21 for municipal purposes may only sell beer and wine. "

1 FORTY-THIRD LEGISLATURE

2 FIRST SESSION, 1997

3  
4  
5  
6 March 10, 1997

7  
8 Mr. President:

9  
10 Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

11  
12 SENATE BILL 1017

13  
14  
15 has had it under consideration and reports same WITHOUT  
16 RECOMMENDATION.

17  
18 Respectfully submitted,

19  
20  
21  
22 \_\_\_\_\_  
23 Shannon Robinson, Chairman

24  
25 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

FORTY- SECOND LEGI SLATURE  
SECOND SESSI ON

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

KEYBOARD(TYPE SLUGS)

Page 5

(Chi ef Clerk)

(Chi ef Clerk)

Date \_\_\_\_\_

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Adair, Garcia, Smith

Absent: None

S1017PA1

Underscored material = new  
[bracketed material] = delete