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HOUSE BILL 442

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Delores C. Wright

AN ACT

RELATING TO ALCOHOL; AMENDING A SECTION OF THE NMSA 1978 TO
ALLOW SALES OF ALCOHOLIC BEVERAGES IN STATE MUSEUMS.

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

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

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

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

22 E. For the purposes of this section:

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

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(2) "governmental facility" means locations on property owned or operated by a governmental entity and includes county fairs, state fairs held for less than ten days per year, convention centers, airports, civic centers, auditoriums, facilities used for athletic competitions, golf courses, including golf courses required to be used for municipal purposes notwithstanding that there may be an existing club license at the same location operated by the same club licensee, and other facilities used for cultural or artistic performances, but the term does not include tennis facilities; and

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

F. The provisions of Section 60-6B-10 NMSA 1978 as regards to golf courses owned by a governmental entity and civic centers owned and operated by a governmental entity shall not apply to governmental licenses.

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

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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8 Mr. Speaker:
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10 Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to
11 whom has been referred

12
13 HOUSE BILL 442
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15 has had it under consideration and reports same with
16 recommendation that it DO PASS.

17 Respectfully submitted,
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22 _____
23 James G. Taylor, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HGUAC/HB 442

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

Excused: Sandel

Absent: None

J: \99BillSWP\H0442

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1 FORTY- FOURTH LEGISLATURE
2 FIRST SESSION, 1999

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4 February 27, 1999

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7 Mr. Speaker:

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9 Your JUDICIARY COMMITTEE, to whom has been referred

10 HOUSE BILL 442

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12 has had it under consideration and reports same with
13 recommendation that it DO PASS.

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15 Respectfully submitted,

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20 R. David Pederson, Chairman
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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999

3 HJC/HB 442

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4 Adopted _____ Not Adopted _____

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6 (Chief Clerk)

(Chief Clerk)

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8 Date _____

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10 The roll call vote was 8 For 1 Against

11 Yes: 8

12 No: Garcia

13 Excused: Luna, Stewart, T. Taylor

14 Absent: None

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16 J:\99BillsWP\H0442

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

1 HJC/HB 442

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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March 8, 1999

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Mr. President:

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Your PUBLIC AFFAIRS COMMITTEE, to whom has been

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referred

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HOUSE BILL 442

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has had it under consideration and reports same with
recommendation that it DO PASS.

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Respectfully submitted,

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Shannon Robinson, Chairman

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not

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Adopted _____

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(Chief Clerk)

(Chief Clerk)

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Date _____

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The roll call vote was 7 For 0 Against

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Yes: 7

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No: 0

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Excused: Stockard

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Absent: None

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Abstains: Garcia

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FIRST SESSION, 1999

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March 10, 1999

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Mr. President:

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Your CORPORATIONS & TRANSPORTATION COMMITTEE, to

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whom has been referred

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SENATE BILL 442, as amended

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has had it under consideration and reports same with

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recommendation that it DO PASS.

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Respectfully submitted,

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Roman M. Maes, Chairman

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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The roll call vote was 7 For 0 Against

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Yes: 7

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No: 0

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Excused: Aragon, Kidd, Robinson

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Absent: None

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