

1 SENATE JOINT MEMORIAL 33

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Cisco McSorley

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10 A JOINT MEMORIAL

11 REQUESTING THE DEPARTMENT OF PUBLIC SAFETY, COUNTIES AND
12 MUNICIPALITIES IN NEW MEXICO TO STUDY THE POSSIBILITY OF
13 TRANSFERRING LIQUOR LICENSE ENFORCEMENT RESPONSIBILITIES FROM
14 THE ALCOHOL AND GAMING DIVISION OF THE REGULATION AND LICENSING
15 DEPARTMENT TO MUNICIPALITIES.

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17 WHEREAS, New Mexico's alarming incidence of alcohol-
18 related motor vehicle deaths and injuries is among the highest
19 in the nation; and

20 WHEREAS, alcohol-related incidents and illnesses are the
21 leading cause of death in many Native American communities in
22 New Mexico; and

23 WHEREAS, the public safety departments of municipal and
24 county governments are well-qualified to determine the wishes
25 of their constituents; and

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1 WHEREAS, the special investigations division of the
2 department of public safety enforces criminal violations of the
3 Liquor Control Act; and

4 WHEREAS, because the alcohol and gaming division of the
5 regulation and licensing department is currently responsible
6 for laws relating to the sale and transfer of alcohol and for
7 administrative enforcement of laws relating to liquor licenses,
8 the effectiveness of enforcement of liquor licensing laws is
9 compromised;

10 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
11 STATE OF NEW MEXICO that representatives from the department of
12 public safety and municipal and county governments be requested
13 to study the possible transfer of liquor license enforcement
14 responsibilities from the alcohol and gaming division of the
15 regulation and licensing department to counties and
16 municipalities with liquor control laws that are equivalent or
17 more stringent than the state's Liquor Control Act; and

18 BE IT FURTHER RESOLVED that those representatives report
19 the findings of their study to the appropriate legislative
20 interim committee by October 2013; and

21 BE IT FURTHER RESOLVED that a copy of this memorial be
22 transmitted to the secretary of public safety.