SENATE BILL 203

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

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AN ACT

RELATING TO THE STATE FAIR; REQUIRING THE STATE FAIR TO COMPLY
WITH ALBUQUERQUE LIGHTING AND NOISE ORDINANCES.

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

SECTION 1. Section 16-6-4 NMSA 1978 (being Laws 1913,
Chapter 46, Section 4, as amended) is amended to read:

"16-6-4. POWERS AND DUTIES OF COMMISSION--ANNUAL FAIR--
EXHIBITS--PREMIUMS.--

A. The state fair commission shall have power and
authority to hold annually on suitable grounds a state fair at
which shall be exhibited livestock, poultry, vegetables,
fruits, grains, grasses and other farm products, minerals, ores
and other mining exhibits, mining machinery and farm implements
and all other things [which] that the commissioners or a
majority thereof deem consonant with the purposes of a state

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1 fair for the purposes of advancing the agricultural,

2 horticultural and stock raising, mining, mechanical and

3 industrial pursuits of the state and shall have the care of its

4 property and be entrusted with the entire direction of its

5 business and its financial affairs consistent with the

6 provisions of Sections 16-6-15 and 16-6-16 NMSA 1978.

7   B.   The state fair commission, among other duties,

8 shall prepare, adopt, publish and enforce all necessary rules

9 for the management of the New Mexico state fair, its meetings

10 and exhibitions and for the guidance of its officers, employees

11 and exhibitors. The state fair commission shall prepare,

12 adopt, publish and enforce all necessary rules for the New

13 Mexico state fair to comply with the Albuquerque area lighting

14 regulations pursuant to Section 14-16-3-9 of the Comprehensive

15 City Zoning Code of the City of Albuquerque and the noise

16 control ordinance pursuant to Sections 9-9-1 et seq. of the

17 city of Albuquerque code at all times other than during the

18 dates when the New Mexico state fair is held. The commission

19 shall determine the duties, compensation and tenure of office

20 of all of its officers and employees and may remove from office

21 or discharge any person appointed or employed by it at will and

22 shall have the power to appoint all necessary fairgrounds

23 police to keep order on the grounds and in the buildings of the

24 state fair. The fairgrounds police so appointed shall be

25 vested with the same authority for such purposes as peace

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1   officers. The commission shall have the power to charge

2   entrance fees and admissions and lease stalls, stand and

3   restaurant sites, give prizes and premiums, arrange

4   entertainments and do all things [which] that by the commission

5   may be considered proper for the conduct of the state fair not

6   otherwise prohibited by law. The commission shall prohibit the

7   sale or consumption of alcoholic beverages on the grounds of

8   the state fair except in controlled access areas within the

9   licensed premises. The commission or its designees shall meet

10   with the director of the alcohol and gaming division of the

11   [department of] regulation and licensing department and other

12   parties in interest to designate the controlled access areas on

13   which the sale and consumption of alcoholic beverages may be

14   permitted. As used in this subsection, "alcoholic beverages"

15   means distilled or rectified spirits, potable alcohol, brandy,

16   whiskey, rum, gin and aromatic bitters bearing the federal

17   internal revenue strip stamps or any similar alcoholic

18   beverage, including blended or fermented beverages, dilutions

19   or mixtures of one or more of the foregoing containing more

20   than one-half of one percent alcohol, but excluding medicinal

21   bitters."

22   SECTION 2. EFFECTIVE DATE.--The effective date of the

23   provisions of this act is July 1, 2017.

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