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HOUSE MEMORIAL 18

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Ray Begaye

A MEMORIAL

REQUESTING THAT THE GOVERNOR'S DWI COORDINATOR APPOINT A TASK
FORCE TO ADDRESS ISSUES RELATED TO THE CONSISTENCY AND
ENFORCEMENT OF STATE AND TRIBAL LAWS ON ALCOHOL CONSUMPTION.

WHEREAS, the state and the tribes within New Mexico
continue to experience problems related to the consumption of
alcohol, including an excessive rate of motor vehicle accidents
and deaths that involve driving while under the influence of
alcohol; and

WHEREAS, the state and tribal entities have laws regarding
the regulation of alcohol that may not be in complete accord,
and uniformity in such laws would assist in their enforcement;
and

WHEREAS, the state statute enacted in 2003 regarding the
exchange of information between the state and tribes on motor

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1 vehicle offense convictions has not been fully implemented; and

2 WHEREAS, there may be additional changes to state law and
3 tribal ordinances that could reduce alcohol-related motor
4 vehicle accidents and deaths or reduce the adverse effects of
5 alcohol abuse on the health and welfare of communities; and

6 WHEREAS, education programs offered by the state to
7 alcohol servers might also benefit those who serve alcohol on
8 tribal lands; and

9 WHEREAS, state and tribal law enforcement officials,
10 purveyors of alcohol, alcoholic prevention and treatment
11 personnel and other health professionals can best resolve the
12 problem of alcohol-related motor vehicle accidents and deaths
13 and reduce the adverse, health-related effects of alcohol abuse
14 only through communication and the implementation of
15 cooperative projects in state and Indian communities;

16 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
17 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the governor's
18 DWI coordinator be requested to create a task force to
19 undertake the following tasks during the 2006 interim:

20 A. review federal, state and tribal laws regarding
21 the sale and consumption of alcohol and driving motor vehicles
22 while under the influence of alcohol to determine if those laws
23 conflict or may be better coordinated;

24 B. determine how state law and resources may assist
25 in the appropriate regulation of alcohol consumption in

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1 tribally operated facilities, reduce alcohol-related motor
2 vehicle accidents and deaths and reduce the adverse effects of
3 alcohol abuse in tribal and other communities within the state;

4 C. determine how state and tribal law enforcement
5 officials might work more cooperatively to enforce laws related
6 to driving motor vehicles while under the influence of alcohol;
7 and

8 D. make recommendations to the appropriate
9 legislative interim committees no later than October 1, 2006
10 for legislative initiatives that address the findings of the
11 task force; and

12 BE IT FURTHER RESOLVED that the task force include
13 representatives from the alcohol and gaming division of the
14 regulation and licensing department, the special investigations
15 division of the department of public safety, the public health
16 division of the department of health, the Indian affairs
17 department, the gaming control board, the Navajo Nation, the
18 Jicarilla Apache Nation, the Mescalero Apache Tribe, the eight
19 northern Indian pueblos council, the ten southern Indian
20 pueblos council, the New Mexico sheriffs' and police
21 association, the independent petroleum marketers association,
22 the New Mexico Indian gaming association and mothers against
23 drunk driving; and

24 BE IT FURTHER RESOLVED that the task force report to the
25 appropriate interim legislative committee on its findings and

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1 recommend legislation to address problems that the task force
2 discovers in the course of its meetings; and

3 BE IT FURTHER RESOLVED that copies of this memorial be
4 transmitted to the governor, the president of the Navajo
5 Nation, the speaker of the Navajo Nation council, the president
6 of the Mescalero Apache Tribe, the president of the Jicarilla
7 Apache Nation and the governors of the nineteen Indian pueblos.

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