

A JOINT MEMORIAL

REQUESTING THE CREATION OF A TASK FORCE TO STUDY THE EFFECTS OF ALCOHOL ADVERTISEMENTS ON YOUTH AND TO RECOMMEND CONSTITUTIONALLY VALID METHODS OF RESTRICTING YOUTH EXPOSURE TO ALCOHOL ADVERTISEMENTS.

WHEREAS, each day, three teens in the United States die from drinking and driving and at least six more die from other alcohol-related causes; and

WHEREAS, each day, more than seven thousand children in the United States under age sixteen take their first drink; and

WHEREAS, underage drinking costs the United States fifty-three billion dollars (\$53,000,000,000) a year in medical care, lost productivity and pain and suffering of young drinkers; and

WHEREAS, approximately one-third of high school seniors engage in heavy episodic or binge drinking, making them vulnerable to alcohol-induced brain damage and an increased likelihood of alcohol dependence later in life; and

WHEREAS, youths who drink alcohol are more likely to experience educational, social and legal problems and are at a higher risk for suicide and homicide; and

WHEREAS, a *USA Today* survey found that teens say alcohol ads have a greater influence on the desire to drink in general

than the desire to buy a particular brand; and

WHEREAS, a study published in the *Journal of the American Medical Association* found that the number of beer and distilled spirits ads tended to increase with a magazine's youth readership; and

WHEREAS, a study of children ages nine to eleven found that children were more familiar with Budweiser's television frogs than Kellogg's Tony the Tiger, the Mighty Morphin' Power Rangers or Smokey Bear; and

WHEREAS, the institute of medicine has called for reforms on the alcohol industry's advertising to audiences known to include a significant number of children or teens; and

WHEREAS, the institute of medicine has called on the United States department of health and human services to monitor alcohol advertising and report its findings to congress and the public; and

WHEREAS, the center on alcohol marketing and youth at Georgetown university has documented widespread exposure of underage youth to alcohol advertisements on television, radio, the internet and in magazines; and

WHEREAS, the city of Philadelphia unanimously passed an ordinance banning future alcohol advertising on city-owned property, including public transit bus shelters used by many school children; and

WHEREAS, the state of Ohio adopted a rule prohibiting alcohol advertising on billboards within five hundred feet of schools, parks and churches; and

WHEREAS, the national association of attorneys general created the youth access to alcohol task force to reduce underage drinking, to study youth exposure to alcohol advertising and to educate state attorneys general on ways to reduce access to alcohol by youth and change social norms about underage drinking;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the director of the alcohol and gaming division of the regulation and licensing department be requested to assemble and chair a task force to study the relationship between youth exposure to alcohol advertising and youth access to and consumption of alcohol and to recommend methods of restricting youth exposure to alcohol advertising; and

BE IT FURTHER RESOLVED that the task force include a member of the children's cabinet and representatives from the attorney general's office, the department of health, the children, youth and families department, the public education department, the commission on higher education, the New Mexico parent teacher association, mothers against drunk driving and other relevant and interested groups; and

BE IT FURTHER RESOLVED that the task force study other

states' alcohol advertising laws and their current status, model policies and best practices and recommend ways of applying best practices in New Mexico; and

BE IT FURTHER RESOLVED that the task force examine the alcohol industry's sponsorship of community events where children are present and suggest constitutionally valid methods of restricting alcohol industry sponsorship and signage at community events; and

BE IT FURTHER RESOLVED that the task force study and recommend constitutionally defensible restrictions on alcohol advertising and sponsorship in state publications and on state-owned and state-leased lands, including state universities, college campuses, state parks, public buildings and state-sponsored civic events; and

BE IT FURTHER RESOLVED that the task force study and recommend regulation of billboard and other forms of outdoor advertising of alcoholic beverages; and

BE IT FURTHER RESOLVED that the task force analyze and determine what authority state governments may have to protect youth by restricting the placement of alcohol advertising in media with disproportionately large youth audiences; and

BE IT FURTHER RESOLVED that the director of alcohol and gaming report to the interim legislative health and human services committee no later than November 2007 on the study and recommendations of the task force for implementing best

practices in New Mexico, limiting alcohol advertising to youth and curbing the harmful effects of such advertising; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the director of the alcohol and gaming division of the regulation and licensing department.