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SENATE BILL 129

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

ROMAN M. MAES III

AN ACT

RELATING TO LIQUOR LICENSE FEES; IMPOSING A FEE FOR A SMALL
BREWER'S OFF-PREMISES PERMIT; CREATING AN OFF-PREMISES PERMIT;
DECLARING AN EMERGENCY.

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

Section 1. Section 60-6A-26.1 NMSA 1978 (being Laws
1985, Chapter 217, Section 5, as amended) is amended to read:

"60-6A-26.1. SMALL BREWER'S LICENSE. --

A. In any local option district, a person
qualified under the provisions of the Liquor Control Act,
except as otherwise provided in the Domestic Winery and Small
Brewery Act, may apply for and be issued a small brewer's
license.

B. A small brewer's license authorizes the person
to whom it is issued to:

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- 1 (1) become a manufacturer or producer of
2 beer;
- 3 (2) package, label and export beer, whether
4 manufactured, bottled or produced by him or any other person;
- 5 (3) sell only beer that is packaged by or for
6 him to a person holding a wholesaler's license or a small
7 brewer's license;
- 8 (4) deal in warehouse receipts for beer;
- 9 (5) conduct beer tastings and sell for
10 consumption on or off premises, but not for resale, beer
11 produced and bottled by, or produced and packaged for, the
12 licensee on the small brewer's premises;
- 13 (6) be deemed a manufacturer for purposes of
14 the Gross Receipts and Compensating Tax Act; [and]
- 15 (7) at public celebrations off the small
16 brewer's premises, after the small brewer has paid the
17 applicable fee for a small brewer's public celebration permit,
18 conduct tastings and sell by the glass or in unbroken
19 packages, but not for resale, beer produced and bottled by or
20 for the small brewer;
- 21 (8) at no more than two other locations off
22 the small brewer's premises, after the small brewer has paid
23 the applicable fee for a small brewer's off-premises permit,
24 after the director has determined that the off-premises
25 locations meet the requirements of the Liquor Control Act and

. 121521. 1

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1 department regulations for new liquor license locations and
2 after the director has issued a small brewer's off-premises
3 permit for each off-premises location, conduct beer tastings
4 and sell by the glass or in unbroken packages for consumption
5 off the small brewer's off-premises location, but not for
6 resale, beer produced and bottled by or for the small brewer;
7 and

8 (9) allow members of the public, on the
9 licensed premises and under the direct supervision of the
10 licensee, to manufacture beer for personal consumption and not
11 for resale using the licensee's equipment and ingredients .

12 C. Sales and tastings of beer authorized in this
13 section shall be permitted during the hours set forth in
14 Subsection A of Section 60-7A-1 NMSA 1978 and between the
15 hours of noon and midnight on Sunday and shall conform to the
16 limitations regarding Christmas and voting-day sales found in
17 Section 60-7A-1 NMSA 1978 and the expansion of Sunday sales
18 hours to 2:00 a.m. on January 1, when December 31 falls on a
19 Sunday. "

20 Section 2. Section 60-6A-27 NMSA 1978 (being Laws 1983,
21 Chapter 280, Section 8, as amended) is amended to read:

22 "60-6A-27. LICENSE FEES. --Every application for the
23 issuance or annual renewal of the following licenses and
24 permits shall be accompanied by a license fee or permit fee in
25 the following specified amounts:

. 121521. 1

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 January 28, 1998
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8 Mr. President:
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10 Your COMMITTEES' COMMITTEE, to whom has been referred
11

12 SENATE BILL 129
13

14 has had it under consideration and finds same to be GERMANE, in
15 accordance with constitutional provisions, and thence referred to the
16 CORPORATIONS & TRANSPORTATION COMMITTEE.
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19 Respectfully submitted,
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25 _____
Manny M. Aragon, Chairman

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(Chief Clerk)

(Chief Clerk)

Date _____

S0129CC1

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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4
5 February 6, 1998

6
7 Mr. President:

8
9 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to whom
10 has been referred

11
12 SENATE BILL 129

13
14 has had it under consideration and reports same with recommendation
15 that it DO PASS, and thence referred to the WAYS & MEANS
16 COMMITTEE.

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18 Respectfully submitted,

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24 Roman M. Maes, III, Chairman
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(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Fidel, Robinson, Maloof

Absent: None

S0129CT1

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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5
6 February 11, 1998

7
8 Mr. President:

9
10 Your WAYS AND MEANS COMMITTEE, to whom has been referred

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12 SENATE BILL 129

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

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18 Respectfully submitted,

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23 Carlos R. Cisneros, Chairman
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Adopted _____ Not Adopted _____
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Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Duran, Kidd, Leavell, Nava

Absent: None

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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
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6 February 17, 1998
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8 Mr. Speaker:
9

10 Your BUSINESS AND INDUSTRY COMMITTEE, to whom has been
11 referred

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13 SENATE BILL 129
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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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21 _____
22 Fred Luna, Chairman
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1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 HBIC/SB 129

Page 12

4 Adopted _____ Not Adopted _____
5 (Chief Clerk) (Chief Clerk)

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7 Date _____

8
9 The roll call vote was 9 For 0 Against

10 Yes: 9

11 Excused: Corley, Lutz, Varela

12 Absent: Getty

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