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SENATE BILL 2

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Michael S. Sanchez

AN ACT

RELATING TO THE STATE FAIR; PROVIDING FOR QUARTERLY MEETINGS;
PROVIDING AN ADDITIONAL POWER FOR STATE FAIR COMMISSIONERS.

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 AND
COMMISSIONERS--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 commission shall determine the duties,
12 compensation and tenure of office of all of its officers and
13 employees and may remove from office or discharge any person
14 appointed or employed by it at will and shall have the power to
15 appoint all necessary fairgrounds police to keep order on the
16 grounds and in the buildings of the state fair. The
17 fairgrounds police so appointed shall be vested with the same
18 authority for such purposes as peace officers. The commission
19 shall have the power to charge entrance fees and admissions and
20 lease stalls, stand and restaurant sites, give prizes and
21 premiums, arrange entertainments and do all things which by the
22 commission may be considered proper for the conduct of the
23 state fair not otherwise prohibited by law. The commission
24 shall prohibit the sale or consumption of alcoholic beverages
25 on the grounds of the state fair except in controlled access

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1 areas within the licensed premises. The commission or its
2 designees shall meet with the director of the alcohol and
3 gaming division of the [~~department of~~] regulation and licensing
4 department and other parties in interest to designate the
5 controlled access areas on which the sale and consumption of
6 alcoholic beverages may be permitted. As used in this
7 subsection, "alcoholic beverages" means distilled or rectified
8 spirits, potable alcohol, brandy, whiskey, rum, gin and
9 aromatic bitters bearing the federal internal revenue strip
10 stamps or any similar alcoholic beverage, including blended or
11 fermented beverages, dilutions or mixtures of one or more of
12 the foregoing containing more than one-half of one percent
13 alcohol, but excluding medicinal bitters.

14 C. The commission or an individual commission
15 member may request and shall receive public records of the
16 state fair, without resort to another law, rule or procedure;
17 without paying a fee; and without stating a reason for a
18 request. For the purpose of this section, "public records" has
19 the same meaning as provided in the Inspection of Public
20 Records Act. The state fair, its officers, employees and
21 exhibitioners shall provide requested public records within
22 three days of the receipt of a written request for state fair
23 public records from the commission or an individual commission
24 member. For the purpose of this section, "written request"
25 includes an electronic communication, including email or

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1 facsimile, that identifies the records sought with reasonable
2 particularity."

3 SECTION 2. Section 16-6-6 NMSA 1978 (being Laws 1913,
4 Chapter 46, Section 5, as amended) is amended to read:

5 "16-6-6. ~~[ANNUAL MEETING]~~ QUARTERLY MEETINGS OF
6 COMMISSION--BUSINESS--ELECTION--REPORT TO GOVERNOR.--[SEC. 5.]

7 The state fair commission shall hold ~~[annual]~~ quarterly
8 meetings on the first Monday in January, April, July and August
9 of each year, at which ~~[meeting the chairman and the secretary~~
10 ~~and treasurer shall be selected and such other]~~ meetings
11 business shall be transacted as the interests of ~~[said]~~ the
12 state fair ~~[shall]~~ require. At the January meeting each year,
13 the commission shall elect a commission chair, secretary and
14 treasurer. On the first Monday in January in each year after
15 ~~[said]~~ the fair is held, the state fair commission shall
16 prepare and transmit to the governor ~~[of the state]~~ a full
17 financial statement, signed by each member of the commission,
18 showing all funds received and disbursed and all assets and
19 liabilities, being a full and detailed account of its
20 transactions and containing such statistics and information as
21 may be of value to the various industries of the state."