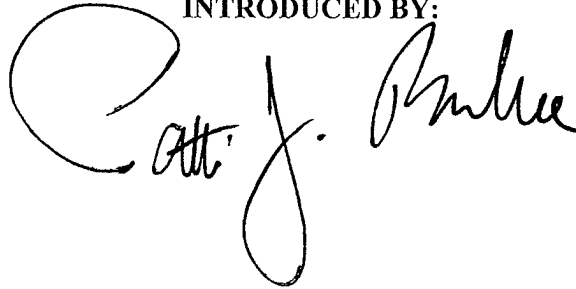


1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2011-65

3 INTRODUCED BY:

4  Cathy J. Ambler

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10 A RESOLUTION

11 JOINING SANTA FE COUNTY TO STRONGLY URGE THE NEW MEXICO STATE
12 LEGISLATURE TO AMEND THE LOCAL LIQUOR EXCISE TAX ACT TO INCLUDE
13 NEW MEXICO COUNTIES WITH A POPULATION AND NET TAXABLE VALUE
14 SIMILAR TO SANTA FE COUNTY THE OPTION TO IMPOSE A LOCAL LIQUOR
15 EXCISE TAX, UPON APPROVAL BY SANTA FE COUNTY VOTERS; AND TO
16 AUTHORIZE THE USE OF THE TAX PROCEEDS TO FUND SOCIAL SERVICE
17 PROGRAMS TO SERVE PERSONS IMPACTED BY ALCOHOL AND DRUG ABUSE.

18
19 WHEREAS, in 2002, 2003, 2008 and 2009, the Governing Body of the City of Santa Fe
20 adopted resolutions requesting that the New Mexico state legislature amend the Local Liquor
21 Excise Tax Act, §§7-24-8 through 7-24-16 NMSA 1978 (the "Act"); and

22 WHEREAS, such amendments would have allowed all counties in New Mexico to
23 impose a local liquor tax upon approval of the local voters and authorize the use of the tax
24 proceeds to fund social service programs serving persons impacted by alcohol and drug abuse;
25 and

1 **WHEREAS**, according to *The Economic Cost of Alcohol Abuse in New Mexico* report
2 prepared by the New Mexico Department of Health, the economic costs associated with alcohol
3 abuse in New Mexico in 2007 amounted to an estimated \$2.8 billion or more than \$1,400 for
4 every person in the state; and

5 **WHEREAS**, the Act currently allows counties having a population of more than fifty-six
6 thousand but less than seventy-five thousand, and having a net taxable value of more than
7 \$500,000,000 but less than \$700,000,000 to enact an ordinance imposing on a retailer an excise
8 tax in an amount not to exceed 5%, upon approval of the voters of the county; and

9 **WHEREAS**, the Act currently allows such counties to dedicate the use of the revenue
10 from the excise tax to fund educational programs and prevention and treatment of alcoholism and
11 drug abuse within a county; and

12 **WHEREAS**, according to the Act, prior to the adoption of the ordinance, a county shall
13 enter into a joint powers agreement with the governing body of the most populated municipality
14 and the governing bodies of any other municipalities in the county that choose to be parties to the
15 agreement to provide for the use and administration of the tax proceeds; and

16 **WHEREAS**, in an effort to combat DWI in New Mexico, the New Mexico Attorney
17 General's Office has also lobbied the legislature to expand the Act to allow for more New Mexico
18 counties to have the option to impose a local liquor excise tax; and

19 **WHEREAS**, McKinley County is the only county in New Mexico that has imposed the
20 excise tax; and

21 **WHEREAS**, the Local Liquor Excise Tax Act should be amended to authorize counties
22 with a population and net taxable value similar to Santa Fe County the option to impose the tax
23 and authority to use the tax proceeds to fund social service programs serving persons affected by
24 alcohol and drug abuse; and

25 **WHEREAS**, if the Local Liquor Excise Tax Act is amended, the City and County

1 would, in accordance with the Act, enter into a joint powers agreement and establish a
2 City/County committee that would oversee the use of the tax proceeds in accordance with
3 the needs and priorities of the residents of Santa Fe.

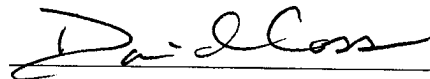
4 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
5 **CITY OF SANTA FE that** the City of Santa Fe joins Santa Fe County to strongly urge the New
6 Mexico State Legislature to amend the Local Liquor Excise Tax Act to:

7 (1) Authorize counties with a population and net taxable value similar to Santa Fe
8 County the option to impose a local liquor tax upon approval of the local voters; and

9 (2) Authorize the use of the tax proceeds to fund social service programs serving
10 persons impacted by alcohol and drug abuse.

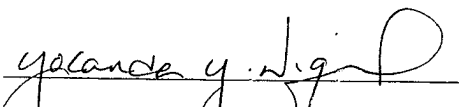
11 **BE IT FURTHER RESOLVED** that staff is directed to send copies of this resolution to
12 the Board of County Commissioners of Santa Fe County, Santa Fe's state legislative delegation,
13 the governor and the city's lobbyist.

14 PASSED, APPROVED, and ADOPTED this 30th day of November, 2011.

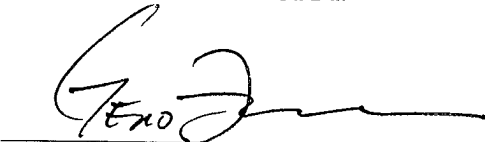
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17 DAVID COSS, MAYOR

18 ATTEST:

19 
20 YOLANDA Y. VIGIL, CITY CLERK

21 APPROVED AS TO FORM:

22 

23
24 GENO ZAMORA, CITY ATTORNEY

25 *M/melissa/2011 res/ local option liquor excise tax*