

**PRO-ACTIVE PROPOSAL  
HIRING DISCRIMINATION**

**NEW MEXICO**

**LEGISLATIVE ACTION**                      September 25, 1990

**STATE/LOCALITY:**                      New Mexico

**ISSUE:**                                      Employment Discrimination

**SUMMARY:**                                Secure enactment of legislation prohibiting employers from refusing to hire, discharging or otherwise disciplining an employee for the use of tobacco products outside the course of employment.

**LEGISLATIVE STATUS:**                  Anticipated 1991 legislative action

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**INDUSTRY ACTION**

Institute legislative consultant Bob Barberousse is working with other industry lobbyists to identify a viable sponsor for legislation of this nature. The Colorado law, passed during the 1990 session will be used as a model for the New Mexico legislation. Before the New Mexico legislature convenes in mid-January 1991, our lobbyist will have met with key members of the leadership and arranged for a favorable committee referral. Alternatively, such a bill maybe offered as an amendment to a related bill if more appropriate.

**RESOURCES NEEDED?**                      YES/NO                      DATE NEEDED

**ECONOMIC ANALYSIS/FACTSHEET?**NO                      N/A

**LEGAL MEMORANDUM?**                      YES                              1/1/91

Legal considerations in discrimination against smokers to be shared with lawmakers.

**EXPERT WITNESSES?**                      YES                              1st Qtr 1991

Testimony on legal considerations may be necessary, as will one-on-one briefings with lawmakers.

**COALITION ALLIES?**                      YES                              1st Qtr 1991

Support will be sought from organized labor in addition to traditional allies such as the vendors and wholesalers.

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**TI GRASSROOTS MOBILIZATION?**                      **YES**                      **1st Qtr 1991**

Targeted key legislators will receive telephone calls and letters from TAN activists.

**COMPANY RESOURCES?**                      **YES**                      **1st Qtr 1991**

Close cooperation with other industry lobbyists will be needed in the direct lobbying effort. Member company activist lists may be needed to generate grassroots contacts with legislators.

**PUBLIC AFFAIRS/MEDIA RESOURCES?**    **NO**                      **N/A**

Possible assistance in identifying labor allies and support.

**ADDITIONAL NEEDS?**                      **NO**                      **N/A**