

**MINUTES
of the
THIRD MEETING
of the
TOBACCO SETTLEMENT REVENUE OVERSIGHT COMMITTEE**

**September 6, 2023
Isleta Eagle Golf Course
4001 NM-47
Albuquerque**

The third meeting of the Tobacco Settlement Revenue Oversight Committee was called to order by Representative Joanne J. Ferrary, chair, on September 6, 2023 at 9:09 a.m. at the Isleta Eagle Golf Course in Albuquerque.

Present

Rep. Joanne J. Ferrary, Chair
Sen. Martin Hickey, Vice Chair
Sen. Linda M. Lopez
Rep. Elizabeth "Liz" Thomson

Absent

Sen. Gregg Schmedes
Rep. James G. Townsend

Advisory Members

Rep. Gail Chasey
Rep. Luis M. Terrazas

Sen. Shannon D. Pinto

Staff

Erika Falance, Interim Committee Coordinator, Legislative Council Service (LCS)
Rebecca Griego, Records Officer, LCS
Andrea Lazarow, Bill Drafter, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting.

Wednesday, September 6

Welcome and Introductions (9:09 a.m.)

Representative Ferrary and Senator Hickey welcomed members of the committee and the public and invited committee members to introduce themselves.

Approval of Minutes (9:11 a.m.)

On a motion made, seconded and duly passed, the minutes of the July 20, 2023 meeting were approved.

Welcome and Overview of the Isleta Pueblo Casino Indoor Smoking Ban (9:12 a.m.)

Eugene Jiron, first lieutenant governor, Pueblo of Isleta; Diana Howard, chief financial officer, Isleta Resort and Casino; Charles Walter, chief human resources officer, Isleta Resort and Casino; and Karl Waitner, chief executive officer, Isleta Resort and Casino, provided a presentation on the indoor smoking ban at the Isleta Resort and Casino, including statistics and data on the positive impacts of the ban.

Tobacco Settlement Fund: Fiscal Update (9:58 a.m.)

Eric Chenier, principal analyst, Legislative Finance Committee (LFC), and Kelly Klundt, principal analyst, LFC, discussed the current state of the Tobacco Settlement Fund, as well as projections for the future and ways to ensure the stability of the fund. The presentation can be found here:

<https://www.nmlegis.gov/handouts/TSROC%20090623%20Item%202%20Tobacco%20Fund%20Fiscal%20Update.pdf>.

Motion (11:05 a.m.)

On a motion made, seconded and duly passed, the committee voted to write a letter to the governor and the LFC requesting that the Tobacco Settlement Permanent Fund be made whole again, as money removed in 2016 has not been replenished.

EXECUTIVE SESSION (Closed Meeting): Tobacco Settlement Fund: Legal Update (11:13 a.m.)

Department of Health (DOH) Nicotine Use Prevention and Control (NUPAC) Program (1:15 p.m.)

Pat Allen, secretary, DOH; LeAnn Allison, program director, NUPAC Program Population and Community Health Bureau, Public Health Division, DOH; and Esther Hoang, program manager, NUPAC Program Population and Community Health Bureau, Public Health Division, DOH, presented information about the NUPAC program and its goals, as well as New Mexico nicotine-use statistics. The presentation can be found here:

<https://www.nmlegis.gov/handouts/TSROC%20090623%20Item%204%20NUPAC%20Update.pdf>.

Medicaid Cessation and Prevention Programs (2:33 p.m.)

Alanna Dancis, D.N.P., chief medical officer, Medical Assistance Division, Health Care Authority Department (HCA), provided a presentation about the different programs that the HCA offers for tobacco prevention and cessation. The presentation can be found here:

<https://www.nmlegis.gov/handouts/TSROC%20090623%20Item%205%20Medicaid%20Update.pdf>.

People Experiencing Poverty and Behavioral Health Work (3:08 p.m.)

Erin Marshall, Esq., chief executive officer and owner, Constellation Consulting, LLC, and Suzanne Lawson, M.B.A., R.W.J.F.F., C.F.R.E., chief operations officer, Constellation Consulting, LLC, provided a presentation on their collaborative efforts with the NUPAC program and opportunities they see for future nicotine-related issues in New Mexico. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=TSROC&Date=9/6/2023&ItemNumber=6>.

Public Comment (3:39 p.m.)

A list of individuals making public comment is available in the meeting file.

Adjournment

There being no further business before the committee, the meeting adjourned at 3:49 p.m.