

RESOLUTION NO. XXX-XX-XX  
(Tribe)

WHEREAS, the (tribe) of (state) is an unincorporated Tribe of Indians, having accepted the provisions of the Act of June 18, 1934 (48 Stat. 984); and

WHEREAS, the Tribe, in order to establish its tribal organization; to conserve its tribal property; to develop its common resources; and to promote the general welfare of its people, has ordained and established a Constitution and By-laws; and

WHEREAS, the (tribal council) is committed to improving the Health and Welfare of all tribal members, and to promote a healthy environment; and

WHEREAS, smoking has been identified by the U.S. Surgeon General as the nation's single most important preventable cause of disease and premature death; and

WHEREAS, statistics prove that smoking during pregnancy has a significant adverse effect upon the well-being of the fetus and the health of the newborn; and

WHEREAS, children of parents who smoke have an increased prevalence of respiratory symptoms, bronchitis and pneumonia; and

WHEREAS, the U.S. Surgeon General's 2006 Report confirms an increase in lung cancer, heart disease and hypertension due to smoking; and

WHEREAS, this amendment has repealed and omitted any and all references to "designated smoking areas" mentioned in previously approved resolutions, policies, ordinances, and

WHEREAS, the (tribe) Tribal Council at the recommendation of the (health) Committee does hereby adopt the following:

- I. No person may smoke tobacco or carry any lighted tobacco product in the following places:
  - A. Any hospital or medical or dental clinic,
  - B. Any office of any (tribe) Tribal Program,
  - C. Any nursing facility,
  - D. Any public library, museum or indoor theater,
  - E. Any elementary or secondary school building,
  - F. Any public conveyance,
  - G. Any jury room,
  - H. Any elevator,

- I. Any registered or unregistered day care program, day care center, day care cooperative or family day care home governed by the Child Welfare Act, during the time in which children who are not family members of the day care provider are receiving care.
- II. This section allows for the smoking of tobacco products in buildings such as bingo halls or casinos only if, that area, designated for smoking, is clearly enclosed as to prohibit the exposure of environmental tobacco smoke to the population at large.
- III. This section does not prohibit the use of tobacco for ceremonial purposes.
- IV. Sign are required to be posted in all tribal buildings to advise persons of the “No Smoking” policy.

The following terms used in this resolution have the following meanings unless the context clearly indicates otherwise:

*Ceremonial purposes* means when in a formal setting an individual or individuals offer tobacco to carry the message of prayer.

And,

WHEREAS, there is a need to protect the health of employees and Tribal members; now

THEREFORE BE IT RESOLVED, that in view of the findings of adverse health effects and the decreased well being of individuals exposed to environmental tobacco smoke, the (tribe) Council supports the enforcement of the ban of smoking in all Tribal offices and buildings aforementioned.

BE IT FURTHER RESOLVED, that the smoke-free building policy shall go into the (tribe) Tribal Personnel Policies & Procedures Manual, and offenses shall read as follows:

For (tribe) Tribal Personnel:

<u>Offense</u>	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>	<u>4 OR MORE</u>
Smoking in any tribal building or smoking in any facility for personal rather than ceremonial purposes.	Verbal warning	written warning	1-10 day suspension Without pay	2 week suspension Without Pay

For the General Public:      Verbal                  Removal  
   directive                  from  
   to leave                  facility.  
   facility,

BE IT FURTHER RESOLVED, that the (Tribe) Tribal Council Sergeant-at-Arms, Security Guards and District Building Security and Tribal Police shall enforce this resolution.

CERTIFICATION

I, the undersigned, as Secretary of the (Tribe), certify that the Tribal Council is composed of (X) members, of whom (X), constituting a quorum were present at a meeting, duly and regularly called, noticed, convened and held this (day and year) Regular Session; and that the foregoing resolution was duly adopted at such meeting by an affirmative vote of (X) for, (X) against, (X) not voting and (X) absent.

\_\_\_\_\_  
Tribe/ Chairman

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Tribe/ Secretary