

LUMBEE TRIBE OF NORTH CAROLINA

CLLO-2008-1016-01

DATE: OCTOBER 16, 2008

“TOBACCO FREE PREMISES ORDINANCE”

WHEREAS, the Tribal Council is committed to the health of the Lumbee tribal staff, members and visitors; and,

WHEREAS, the Lumbee Tribal Council is responsible for providing healthcare oversight on behalf of its tribal members; and,

WHEREAS, the Tribal Council acknowledges that numerous studies have found that tobacco smoke is the third leading cause of preventable death and disease, and causes cancer, heart conditions, respiratory problems, and aggravates asthma in both children and adults. At particular risk are children, elders, tribal members with cardiovascular disease, diabetes, and individuals with impaired respiratory function, including asthmatics and those with chronic obstructive pulmonary disease who utilize the tribal facilities and gather in public meeting places; and

WHEREAS, it has been documented that nearly 40% of all deaths among American Indians and Alaska Natives can be attributed to commercial tobacco use, and that lung cancer is the leading cause of cancer death, making exposure to commercial tobacco a significant risk for the health of our community and future generations; and,

WHEREAS, there is no threshold for safe exposure to secondhand smoke, which has been classified by the Environmental Protection Agency as a substance that is “known to cause cancer in humans,” the highest level of warning given to known carcinogens; and,

WHEREAS, it is the responsibility of the tribe to create healthy social norms for the future generations, thereby sending a clear message to young people that it is not acceptable to participate in this life threatening activity; and,

WHEREAS, currently there are no commercial tobacco policies to adequately protect tribal members from the health risks associated with secondhand cigarette smoke,

THEREFORE, BE IT RESOLVED, that the Tribal Council hereby adopts the following policy: As of October 1, 2008, the use of commercial tobacco products will not be permitted inside or outside buildings, facilities or vehicles owned or leased by the Lumbee Tribe of North Carolina. This policy is not intended to ban any traditional or sacred tobacco use.

BE IT FURTHER RESOLVED, Directors responsible for overseeing activities at each tribal building are responsible for identifying and enforcing this change in policy.

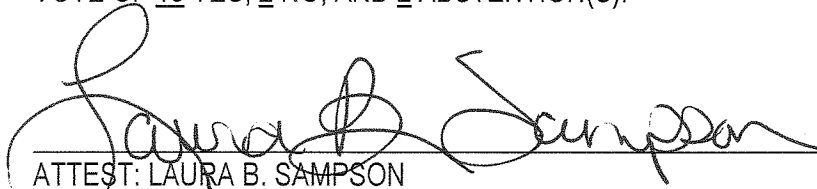
BE IT FURTHER RESOLVED, that “No Smoking” signs or the international “no smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across the cigarette) shall be clearly, sufficiently, and conspicuously posted in every building or other area where smoking is prohibited by this article.

BE IT FURTHER RESOLVED, that the Lumbee Tribal Council will impose a fine of \$50.00 for commercial tobacco use inside or outside buildings, facilities, or vehicles owned or leased by the Lumbee Tribe, following a one time verbal warning. Any controversy, questions, or complaints regarding this policy should be directed to the Tribal Administrator for final determination.

DEFINITION: Commercial Tobacco Products: The use of commercially produced cigarettes, bidis, cheroots, stogies, cigars, pipe and other smoking tobacco, snuff, snuff flour, cavandish, plug and twist tobacco, smokeless, spit, chew, fine cut and other chewing tobacco, shorts, and other kinds and forms of tobacco, prepared in such a manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking are all subject to policy. Because smokless tobacco is just as addictive as cigarettes and causes cancer of the throat and mouth, all forms of smokeless tobacco are also restricted by this policy. This policy is not intended to restrict the use of traditional, sacred tobacco.

CERTIFICATION

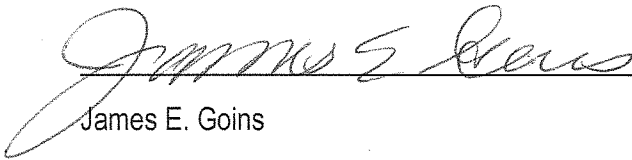
THIS "**TOBACCO FREE PREMISES ORDINANCE**" CLL0-2008-1016-01, ADOPTED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 21 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 16TH DAY OF OCTOBER, 2008, BY A VOTE OF 13 YES, 2 NO, AND 2 ABSTENTION(S).



ATTEST: LAURA B. SAMPSON
Speaker, Tribal Council of the Lumbee Tribe of North Carolina



ATTEST: FRANCES CHAVIS
Secretary, Tribal Council of the Lumbee Tribe of North Carolina



James E. Goins
Chairman, Lumbee Tribe of North Carolina

Date

POSTING

This "**TOBACCO FREE PREMISES ORDINANCE**" CLL0-2008-1016-01, duly posted on this the 9 day of ~~October, 2008.~~ March, 2009.



Ruth B. Locklear
Tribal Clerk, Lumbee Tribe of North Carolina

ROLL CALL VOTE RESULTS TO ADOPT
"TOBACCO FREE PREMISES ORDINANCE", CLLO-2008-1016-01
13 YES, 2 NO, 2 ABSTENSION(S)

District 1:	Audrey Revels Hunt	YES
District 2:	Sharon Hunt	YES
	Larmari Louise Mitchell	YES
District 3:	Laura B. Sampson	YES
	Pam Spaulding	YES
District 4:	Helen H. Locklear	YES
District 5:	Kernice Lee Locklear	ABSENT FOR VOTE
	John Lowery	ABSENT FOR VOTE
District 6:	Frances Chavis	ABSENT FOR VOTE
	Larry Anthony Chavis	YES
District 7:	Ray Littleturtle	ABSTENSION
	James Harold Locklear	ABSTENSION
	Wendy Moore-Graham	YES
District 8:	Steve Sampson	YES
District 9:	James Taft Smith	NO
District 10:	Bradley McMillian	YES
District 11:	Richard Locklear	ABSENT FOR VOTE
District 12:	Furnie Lambert Jr.	YES
	Shelley Strickland	YES
District 13:	Ricky Burnett	YES
District 14:	Welford Clark	NO