

APRIL 2002 CROW TRIBAL LEGISLATURE

LEGISLATIVE RESOLUTION NO. LR0215

INTRODUCED BY: Angela Russell

LEGISLATIVE RESOLUTION OF THE CROW TRIBAL LEGISLATURE
APPROVING AND ADOPTING A SMOKE FREE ENVIRONMENT POLICY FOR
THE CROW TRIBAL LEGISLATURE

WHEREAS, the Crow Tribal Legislature is authorized to adopt resolutions, regulations and guidelines for the governance of the Crow Tribe of Indians, pursuant to Article V, Section 2(a) of the Constitution and Bylaws of the Crow Tribe of Indians, approved by the Secretary of Interior on July 14, 2001; and

WHEREAS, the Crow Tribal Legislature is further authorized to adopt rules of conduct to govern the conduct of Legislative sessions, pursuant to Article V, Section 3 of the Crow Constitution; and

WHEREAS, the Crow Tribal Legislature recognizes that smoking is dangerous to the health of smokers and may create a health hazard to non-smokers through "second hand smoke"; and

WHEREAS, the Crow Tribal Legislature finds it to be in the best interest of the Crow Tribe to approve and adopt the attached Smoke Free Environment Policy for the Crow Tribal Legislature.

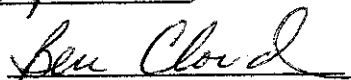
NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE:

THAT, the Crow Tribal Legislature hereby approves and adopts the Smoke Free Environment Policy for the Crow Tribal Legislature, attached hereto as Exhibit A.

FINALLY, the Crow Tribal Legislature directs that the attached Policy shall be effective upon approval by majority vote of the Crow Tribal Legislature.

CERTIFICATION

I hereby certify that this Legislative Resolution was duly approved by the Crow Tribal Legislature with a vote of 7 in favor, 6 opposed, and 0 abstained and that a quorum was present on this 17 day of MAY, 2002.


Speaker
Crow Tribal Legislature

MAY 17 2002

Bill or resolution number LR02-15 Introduced by Angela Russell Date of Vote _____

| Representative | Yes | No | Abstain | No Vote |
|--------------------------|----------|----------|---------|---------|
| Bull Tail | — | — | — | — |
| Costa | — | ✓ | — | — |
| Crooked Arm | — | ✓ | — | — |
| Little Light | — | ✓ | — | — |
| Plain Feather | — | — | — | — |
| Stewart | — | ✓ | — | — |
| Not Afraid | ✓ | — | — | — |
| Goes Ahead | — | — | — | — |
| Hogan | — | ✓ | — | — |
| Old Elk | — | ✓ | — | — |
| Passes | — | — | — | — |
| Pease | ✓ | — | — | — |
| Medicine Horse | ✓ | — | — | — |
| Russell | ✓ | — | — | — |
| Real Bird | ✓ | — | — | — |
| Black Hawk | — | — | — | — |
| Stone | ✓ | — | — | — |
| Cloud | ✓ | — | — | — |
| Results (If tie vote) | — | — | — | — |
| Vice Chair Goes Ahead | — | — | — | — |
| Results | <u>7</u> | <u>6</u> | — | — |

Result of vote: Passed Not Passed Tabled Veto Override

Signature of Officer: _____ Date: _____

**SMOKE FREE ENVIRONMENT POLICY
OF THE CROW TRIBAL LEGISLATURE**

Findings

The Crow Tribal Legislature finds that smoking is dangerous to the health of smokers; that smoke in a confined area creates a health hazard to nonsmokers, especially those suffering from heart disease, respiratory disease or allergies related to tobacco smoke; and that "side seam" or "second hand" smoke is a health hazard to healthy non-smokers and violates their right to breath air free from tobacco smoke contamination.

As such, the Crow Tribal Legislature finds that it is in the best interest of the Crow Tribe and the Legislature Branch to provide an environment reasonably free from tobacco smoke contamination through the implementation of this Policy.

Purposes

This Policy is hereby established to protect the health of non-smokers by providing a smoke free environment through the prohibition of smoking within the Crow Tribal Legislature building.

The Crow Tribal Legislature recognizes that individuals have the right to make the personal choice as to whether or not they smoke tobacco. However, because the Legislature recognizes that smoking endangers life and property and causes discomfort and annoyance to non-smokers, the Legislature supports a smoke free environment.

Policy

1. All smoking must occur outside of the Crow Tribal Legislature building.
2. Smoking shall not be permitted in any tribal vehicles.

Enforcement

The Speaker of the Legislature and all elected Legislative members are authorized to enforce this Policy as follows:

1. A copy of this Policy shall be distributed to each elected Legislative member and to all employees within the Legislative Branch.
2. All vacancy announcements for employee positions within the Legislative Branch shall contain a statement that compliance with the Legislature's Smoke Free Environment Policy is a condition of employment.
3. Visible "No-Smoking" signs shall be posted in a conspicuous manner at all entrances to the Crow Tribal Legislature building.
4. The Speaker of the Legislature shall inform all Legislative employees that violation of any aspect of this Policy may result in disciplinary action, in compliance with the Table of Penalties set forth in the Personnel Policy applicable to the Crow Legislative Branch. Until such time as the Personnel Policy is duly adopted, the following disciplinary action may result:

- a. For a first offense, the employee may receive a written warning and/or written reprimand.
- b. For a second offense, the employee may receive a written reprimand and/or suspension without pay for five working days.
- c. For a third offense, the employee may receive suspension without pay for up to ten working days or possible termination.

Amendment

This policy may be amended from time to time by the Crow Tribal Legislature by Legislative Resolution, approved by majority vote of the Legislative members casting a vote.

Any and all future amendments to this Legislative Policy may not be more lenient than the general Tribal Policy established by the Crow Tribe regarding a Smoke Free Environment.

Implementation

This policy shall be effective immediately upon approval by the Crow Tribal Legislature by majority vote.