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**Prairie Island Indian Community
(A Tribal Government)**

RESOLUTION 17-03-08-35

WHEREAS, the Prairie Island Indian Community in the State of Minnesota (also known as the Prairie Island Mdewakanton Dakota Community) is a federally recognized tribe organized under 25 U.S.C. § 476, and is governed under the terms of a Constitution and Bylaws adopted by tribal members on May 23, 1936, and approved by the Secretary of the Interior on June 20, 1936, as amended (the "Constitution and Bylaws"); and

WHEREAS, the Constitution and Bylaws provide in Article IV, Section 1 that the Community Council (sometimes referred to as the Tribal Council) shall be the governing body for the Prairie Island Indian Community; and

WHEREAS, the Tribal Council has the authority under the Constitution and Bylaws to promulgate ordinances, resolutions, and regulations, and consider various legal matters that fall within the authority of a federally recognized Indian tribe; and

WHEREAS, the Tribal Council has the authority under the Constitution and Bylaws to promote the general welfare of the Community by regulating the conduct of trade and the use and disposition of property upon the Reservation; and

WHEREAS, the Tribal Council is the duly elected body and the only entity authorized to act or speak on behalf of the Prairie Island Indian Community; and

WHEREAS, the Tribal Council and Prairie Island Indian Community recognizes that traditional sacred tobacco is used for prayer, spiritual guidance, discipline, and protection; and

WHEREAS, the Tribal Council supports upholding the teachings and practices related to traditional sacred tobacco use; and

WHEREAS, the Tribal Council acknowledges that harmful commercial tobacco, or any product containing, made or derived from tobacco, including e-cigarettes, that is intended for human consumption, (not including traditional sacred tobacco) is a leading cause of preventable death and disease for American Indians; and

WHEREAS, secondhand cigarette smoke exposure is another leading cause of preventable death, which causes disease in healthy nonusers; and

WHEREAS, the Tribal Council recognizes that cigarette butts leach toxic chemicals into the ground – including arsenic, cadmium, and lead – which pollute the environment and harm local ecosystems; and

WHEREAS, the Tribal Council recognizes that the health of the people is of utmost importance and it is the responsibility of the Tribal Council to create healthy social norms for the community, especially youth, and to act as good stewards of the earth by preserving environmental resources; and

WHEREAS, the Tribal Council has reviewed and approves the Prairie Island Indian Community Healthier Environments Tobacco Policy, attached to this Resolution as Exhibit A.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council approves the Prairie Island Indian Community Healthier Environments Tobacco Policy attached to this Resolution as Exhibit A; and

BE IT FURTHER RESOLVED, that the Tribal Council Secretary shall work with Community staff to notify Community members and employees about this Policy through appropriate channels of communication such as the Tinta Wita newsletter, the employee handbook, and/or clear signage at non-commercial Community buildings.

Exhibit A

**Prairie Island Indian Community
Healthier Environments Tobacco Policy
Promoting Traditional Use of Sacred Tobacco
and Protecting Community Members from Commercial Tobacco Harms
Effective date: 3-8-17**

SECTION 1. TITLE:

This policy shall be known as the Prairie Island Indian Community Healthier Environments Tobacco Policy.

SECTION 2. FINDINGS AND PURPOSE:

1. Commercial tobacco use is the leading cause of preventable death and disease in the U.S and across Native Nations. Exposure to secondhand smoke has negative health impacts and the U.S. Surgeon General has determined there is no risk-free level of exposure to secondhand smoke.
2. American Indian/Alaska Native people have been found to have a higher prevalence of harmful commercial tobacco use; 59% of American Indian/Alaska Native adults in Minnesota are current smokers compared to 14.4% of the general Minnesota population and 71% of American Indian/Alaska Native people in Minnesota are exposed to secondhand smoke at community locations on a regular basis.
3. American Indian/Alaska Native people have disproportionately higher health disparities in American Indian/Alaska Native populations compared to all non-Indian populations, including higher rates of cancer, diabetes and cardiovascular disease.
4. Dakota people have a special relationship with tobacco. Tobacco is a traditional medicine and is to be respected as such by Dakota people. This policy is specific to commercial tobacco and does not include the sacred use of traditional tobacco for prayer, ceremony or memorial.
5. The Prairie Island Indian Community has been working to engage community members by raising awareness of the harmful effects of commercial tobacco use and promoting youth commercial tobacco prevention.
6. The Prairie Island Indian Community has conducted a tribal policy scan and found that there is a lack of robust tribal community policy related to commercial tobacco control. Implementing policies that promote safe commercial tobacco free areas in

community buildings and playgrounds is important for role modeling healthy commercial tobacco-free behaviors to children, youth and their families. Commercial tobacco-free tribal entities will protect our children, grandchildren, families and community members from second hand smoke, reduce commercial tobacco use overall, support healthy lifestyles, model healthy behaviors and support quit attempts.

7. Cigarettes consumed in outdoor public places are often discarded on the ground presenting an environmental hazard, diminishing the beauty of tribal property, requiring additional maintenance expenses to clean up, and posing a fire risk as well as risk to human and animal health through potential ingestion and contamination of water sources.

SECTION 3. DEFINITIONS:

Unless otherwise required by the context, the following words and phrases shall have the following designated meanings:

1. Commercial Tobacco, shall mean any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco; but does not include cigarettes as defined in this section. Tobacco products excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.
2. Traditional Sacred Tobacco, commonly known as Cansasa, shall mean tobacco that is used for prayer, for spiritual guidance, discipline, and protection and that tobacco is offered to the Creator to express gratitude for land, Indigenous foods, water, and way of life; this gift should be respected and used in the proper way for health and to promote generational well-being of the people. Traditional tobacco is not inhaled, is natural, not addictive and has no additives, unlike commercial tobacco.
3. Electronic Cigarettes, shall mean any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distribute, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under and other product name or descriptor.

SECTION 4. POLICY:

1. Harmful, non-ceremonial use of commercial tobacco use of any kind, including electronic cigarettes or devices shall be prohibited within all non-commercial buildings and entities owned by the Prairie Island Indian Community and all outdoor areas within 50 feet of entrances, exits, and windows that open to all non-commercial buildings owned by the Prairie Island Indian Community. The Tribal Council of the Prairie Island Indian Community, in its discretion, may approve an exemption of this prohibition for certain events.
2. Harmful, non-ceremonial use of commercial tobacco use of any kind, including electronic cigarettes or devices shall be prohibited within the Prairie Island Indian Community playgrounds and outdoor recreational areas. No person shall use any form of commercial tobacco at or on any playground or outdoor recreational area owned by the Prairie Island Indian Community. Sacred traditional tobacco use for prayer, ceremony and memorial is allowed, promoted and supported.
3. Sacred traditional tobacco use for prayer, ceremony and memorial is allowed, promoted and supported on all Community property and in all Community buildings.

SECTION 5: ENFORCEMENT:

1. Signage will be posted clearly in every building or other area where harmful, non-ceremonial commercial tobacco use is prohibited by this article to inform the community about the policy. Every public place where commercial tobacco use is prohibited shall have posted at every entrance a conspicuous sign stating that smoking is prohibited.
2. Prairie Island Indian Community members and employees will be notified about this policy through appropriate channels of communication such as the community website or social media, Tinta Wita newsletter, employee handbook, local police authorities, and/or clear signage.
3. The success of this policy depends on the consideration and cooperation of all. Enforcement of the policy is a shared responsibility of the community members and employees of the Prairie Island Indian Community.
4. Any individual found violating this policy will be reminded and asked to comply and offered referral to culturally relevant cessation services.

SECTION 6: EFFECTIVE DATE

This policy statement is effective immediately upon the date of adoption, which is March 8, 2017.