



## The Navajo Nation Council - Office of the Speaker

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# Historic vote snuffs out use of tobacco in public areas

*Navajo Nation Council could make Navajo casinos smoke-free gaming establishments*

*"We understand at this time the legislation is not for today, but for tomorrow and the future. That's why we are here today is to address our children and our future," said Council Delegate Amos Johnson (Black Mesa/Rough Rock/Forest Lake).*

**WINDOW ROCK, Ariz.** — Smoking in public places on the Navajo Nation has been snuffed out by the 21<sup>st</sup> Navajo Nation Council in a historic vote that leads the way as the largest land-based Indian nation to prohibit smoking in public places.

The bill points out that the ceremonial use of tobacco for bona fide traditional or religious ceremonies remain an appropriate use of tobacco and will not be restricted under the law if enacted.

Civil penalties will be imposed on individuals or businesses who violate the smoking ban. A fine not exceeding \$100 or 20 hours of community service could be imposed for first time offenders of the smoking ban. A fine not exceeding \$200 or 40 hours of community service for a second violation in 12 months or a fine not exceeding \$500 for a third violation or 100 hours of community services.

"Each day on which a violation of this Act occurs shall be considered a separate and distinct violation," the bill reads.

Council Delegate Raymond Joe (Tachee/Blue Gap/Whippoorwill) motioned to add an amendment that would have made exceptions for casinos, bingo halls, resorts, golf courses and other gaming-related facilities. The amendment caused debate on both sides of the issues as some delegates were concerned that revenues for the casino could be much less if a ban on commercial tobacco was enacted.

"We understand at this time the legislation is not for today, but for tomorrow and the future. That's why we are here today is to address our children and our future," Johnson told council members. "There are some people that don't want to be in an environment where people smoke."

Patricia Nez-Henderson, of the Black Hills Center for American Indian Health, presented the bill alongside the bill's sponsor, Thomas Walker Jr. (Birdsprings/Leupp/Tolani Lake), as his agent.

"When the smoke gets to nonsmokers nearby it is still deadly; it causes cancer. There's no question that the information given to you is wrong. It's empirical. It's absolutely the right information," Nez-Henderson told the Council.

Council Delegate Leonard Tsosie (Whitehorse Lake/Pueblo Pintado/Torreón) immediately voiced his support for the



legislation and told his colleagues that a balance between public and safety and economic development needed to be considered.

Johnson said the Navajo Nation should be proud to open up a casino that is smoke free. He told his fellow council members that the discussions they were having was "muddying up this whole legislation" and that its purpose would be lost. He motioned for a cease debate, which was granted by a 53-10 vote.

Joe's amendment to have exceptions amended to the smoking ban was rejected by a 36-30 vote. The Council then voted to pass the legislation in its original form.

The legislation passed by a 42-27 vote.

"I was so ecstatic when it passed, I had to pinch myself to see if it was real," Nez-Henderson said.

The legislation has been forwarded to President Joe Shirley Jr. for his consideration. He has 10 days to either veto or sign the Act into law.

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