

An Act

Legislative Act 18-09

AN ACT REQUIRING ESTABLISHMENT OF A “REDUCE, REUSE AND RECYCLE” PROGRAM FOR THE CHEROKEE NATION

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title

This Act shall be known as the “Reduce, Reuse and Recycle Act of 2009.”

Section 2. Purpose

The Cherokee Nation, as a global partner in the recycling effort and to supplement other green initiatives will establish a “Reduce, Reuse and Recycling” program for all branches of the Cherokee Nation Government. Such an effort will be the first step in formalizing overall conservation and energy efficiency policies for the Nation.

Section 3. Definitions

For the purposes of this Act:

Cherokee Nation means the Cherokee Nation government and all of its entities, including businesses wholly owned by the Cherokee Nation.

Section 4. New provisions of Law

A. Establishment of Policies

By January 1, 2010 policies will be developed and implemented requiring the following:

- (a) Water conserving toilets and fixtures upon new construction or replacement;
- (b) Cell phone reuse program;
- (c) Eyeglass frame reuse program;
- (d) Recycling of televisions, computers and other electronics as appropriate;
- (e) Energy consumption reduction;
- (f) Assessment of energy efficient options for new construction and remodeling.

B. Paper/cardboard recycling system

(1) The Cherokee Nation shall establish and implement a paper/cardboard recycling system to recycle wastepaper/cardboard products that are recyclable and for which there is an accessible and available market. The recycling system shall include the recyclable wastepaper/cardboard products generated in the offices and other facilities of the Nation. The Cherokee Nation may hire private contractors to establish or implement all or a portion of the recycling system under this Act. The paper/cardboard recycling system established by the Nation shall provide for the recycling of wastepaper/cardboard in the offices and facilities that participate in that system, in accord with the following schedule:

- (a) January 1, 2010.....40% or more.
- (b) January 1, 2012.....50% or more.
- (c) January 1, 2014.....60% or more.
- (d) January 1, 2016.....85% or more.

(2) The paper/cardboard recycling system established by the Cherokee Nation shall provide for the expansion and improvement of any wastepaper/cardboard recycling system that exists on the effective date of this Act:

- (a) An aggressive program to locate and develop, if necessary, markets for recyclable wastepaper/cardboard products.
- (b) An education program to assure that employees who participate in the recycling system are knowledgeable about both of the following:
 - (i) The importance of recycling paper/cardboard
 - (ii) The importance of reducing paper by use of electronics
 - (iii) The importance of double-sided printing to conserve the use of paper
 - (iv) The components of the paper/cardboard recycling system and how the system will impact each employee.
- (c) The recovery of all wastepaper/cardboard for which a market is available and accessible.
- (d) The separation of the recyclable wastepaper/cardboard by the generator in close proximity to the point at which the paper product enters the waste stream.
- (e) A central collection system within each building or office of facility that is participating in the recycling system.
- (f) The compiling of information and the preparation of an annual written report detailing the

implementation and operation of the recycling system; the level of participation in the recycling system of offices, facilities, and agencies within each branch of government.

C. Aluminum, glass and plastic recycling system

The Cherokee Nation shall establish and implement an aluminum, glass and plastic recycling system to recycle aluminum, glass and plastic products that are recyclable and for which there is an accessible and available market. The recycling system shall include the recyclable aluminum, glass and plastic products generated in the offices and other facilities of the Nation. The Cherokee Nation may hire private contractors to establish or implement all or a portion of the recycling system under this Act. The system shall be implemented by January 1, 2010.

The aluminum, glass and plastic recycling system established by the Cherokee Nation shall provide for the expansion and improvement of any aluminum, glass and plastic recycling system that exists on the effective date of this Act:

- (a) An aggressive program to locate and develop, if necessary, markets for recyclable aluminum, glass and plastic products.
- (b) An education program to assure that employees who participate in the recycling system are knowledgeable about both of the following:
 - (i) The importance of recycling aluminum, glass and plastic
 - (ii) The components of the aluminum, glass and plastic recycling system and how the system will impact each employee.
- (c) The recovery of all aluminum, glass and plastic for which a market is available and accessible.
- (d) The separation of the recyclable aluminum, glass and plastic by the generator in close proximity to the point at which the aluminum, glass and plastic product enters the waste stream.
- (e) A central collection system within each building or office of facility that is participating in the recycling system.
- (f) The compiling of information and the preparation of an annual written report detailing the implementation and operation of the recycling system; the level of participation in the system of offices, facilities, and agencies within each branch of government.

D. Cost Effectiveness

Implementation of any provisions of this Act is subject to a cost-benefit analysis. Such analysis will consider short and long term costs and benefits, including intangible costs and benefits of each mandate required herein. The fact that a mandate will result in net financial

cost to the Nation shall not preclude its implementation, however. Should the Nation find any mandate infeasible due to cost-benefit analysis, such determination and supporting information shall be publicized as soon as practicable thereafter via a public notice in the Cherokee Phoenix and reported to the appropriate committee of the Council of the Cherokee Nation. Such public notice shall be conducted no later than the implementation deadlines set herein.

Section 5. Provisions as cumulative

The provisions of this Act shall be cumulative to existing law.

Section 6. Severability

The provisions of this act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.


Section 7. Self-Help Contributions

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.


Enacted by the Council of the Cherokee Nation on the 13th day of July, 2009.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation


ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17th day of July, 2009.


Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:


Melanie Knight, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Tina Glory Jordan	<u>Yea</u>	Meredith A. Frailey	<u>Yea</u>
Bill John Baker	<u>Yea</u>	Chris Soap	<u>Yea</u>
Joe Crittenden	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
Jodie Fishinghawk	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Janelle Lattimore Fullbright	<u>Yea</u>	Bradley Cobb	<u>Absent</u>
David W. Thornton, Sr.	<u>Absent</u>	Charles Hoskin, Jr.	<u>Absent</u>
Don Garvin	<u>Yea</u>	Julia Coates	<u>Yea</u>
Harley L. Buzzard	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis G. Snell	<u>Yea</u>		

ADMINISTRATIVE CLEARANCE:

Program/Project Manager:

Signature _____ Date _____

Department Director:

Signature _____ Date _____

Group Leader:

Signature _____ Date _____

Finance Approval (if needed):

Signature _____ Date _____

Government Resources Group:

Signature _____ Date _____

Administration Approval:

Signature _____ Date _____

Melanie Knight 4/13/09

LEGISLATIVE CLEARANCE

Legislative Aide:

Signature/Initial _____ Date _____

Standing Committee:

Resource

4-13-09

Next Meeting Date

Chairperson:

Signature/Initial _____ Date _____

Returned to Presenter: _____
Date

**Cherokee Nation
Act/Resolution Proposal Form**



Act



Resolution

TITLE: AN ACT REQUIRING ESTABLISHMENT OF A
"REDUCE, REUSE AND RECYCLE" PROGRAM
FOR THE CHEROKEE NATION

Department Contact: Melanie Knight

Resolution Presenter: Melanie Knight

Council Sponsor: Cara Cowan Watts, Brad Cobb,
Harley Buzzard, Buel Anglen, Julia
Coates

NARRATIVE:

(See Attached Outline for Information Needed)

The Cherokee Nation, as a global partner in the recycling effort and to supplement other green initiatives will establish a "Reduce, Reuse and Recycling" program for all branches of the Cherokee Nation Government. Such an effort will be the first step in formalizing overall conservation and energy efficiency policies for the Nation.

---FOR DISCUSSION ONLY---

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