

**OSAGE NATION CONGRESS**

1<sup>st</sup> Session of the 1<sup>st</sup> Legislature (2006)

**BILL NUMBER ONCA – 06-05**

AS INTRODUCED

**September 5, 2006**

INTRODUCED BY: Congresswoman Shannon L. Edwards

SPONSOR(S): Congresswoman Jerri Jean Branstetter, Congresswoman Shannon L. Edwards, Congressman Mark Freeman, Congressman Eddy Red Eagle, Jr., Congressman Mark J. Simms, Congressman Douglas C. Revard

**An Act**

To provide for Establishing Qualifications for Membership; Establishing the Department of Membership; Requiring the maintenance of a correct roll of all enrolled members of the Osage Nation; Declaring Emergency and Establishing an Effective Date.

*Be it enacted by the Congress of the Osage Nation:*

**SECTION 1. SHORT TITLE**

This Act may be cited as the “Osage Nation Membership Act.”

**SECTION 2. DECLARATION OF POLICY**

SECTION 2-201

It is the policy of the Osage Nation and Osage Nation Congress, in accordance with Article III of the Constitution of the Osage Nation, to regulate membership and establish and maintain a correct roll of all enrolled members of the Osage Nation through the establishment of a membership department.

**SECTION 3. ESTABLISHMENT OF BASE MEMBERSHIP ROLL AND QUALIFICATIONS FOR MEMBERSHIP**

SECTION 3-301. ESTABLISHMENT OF BASE MEMBERSHIP ROLL.

In accordance with Article III, Section 1 of the Constitution of the Osage Nation, the base membership of the Osage Nation shall consist of those persons whose names appear on the final roll of the Osage Tribe of Indians pursuant to the Act of June 28, 1906 (34 Stat. 539). This document shall be known as “the Base Membership Roll.”

SECTION 3-302. QUALIFICATIONS FOR MEMBERSHIP.

All lineal descendants of those Osages listed on the Base Membership Roll are eligible for membership in the Osage Nation, and those enrolled members shall constitute the Citizenry of the Osage Nation.

SECTION 3-303. RATIFICATION OF CURRENT MEMBERSHIP ROLL.

In accordance with the Constitution of the Osage Nation , Article XXII, the membership roll of the Osage Nation established pursuant to Tribal Council Resolution No. 31-1533 as of the effective date of this law is ratified by law as the Membership Roll of the Osage Nation and those enrolled members shall constitute the current Citizenry of the Osage Nation, with no requirement to re-enroll.

SECTION 3-304. LOSS OF MEMBERSHIP.

No person legally enrolled in the Osage Nation shall be subject to loss of membership.

SECTION 3-305. **RESERVED**

**SECTION 4. ESTABLISHMENT OF MEMBERSHIP DEPARTMENT.**

In accordance with the Constitution of the Osage Nation, Article III, Section 4, The Department of Membership is hereby created and established as a Department of

the Executive Branch with attendant powers subordinate to the Executive Branch and the Osage Nation Congress under the terms of this chapter.

**SECTION 4-401. FUNCTION OF MEMBERSHIP DEPARTMENT EMPLOYEES.**

The employees of the Membership Department are charged with enrolling new members into the Osage Nation and with maintaining a current and accurate membership roll. The employees of the Membership Department are employees of the Osage Nation and are governed by the Osage Nation Merit Employment System, and its rules for employment, discipline and termination.

**SECTION 4-402. RULES AND REGULATIONS.**

The Osage Nation Congress delegates to the Membership Department the responsibility for establishing rules and regulations governing the membership application process and membership card issuance process, subject to the approval of the Osage Nation Congress. The Membership Director shall submit his or her regulations in that regard for the approval of the Osage Nation Congress, and thereafter any proposed amendments thereto, by the fifteenth legislative day of the each regular session of Congress.

**SECTION 5. JURISDICTION.**

This subchapter and all circumstances and events arising under, pursuant to or in conflict with this subchapter are declared within the jurisdiction of the courts of the Osage Nation.

**SECTION 5—501. TRIBAL COURT JURISDICTION OVER DEPARTMENT OF MEMBERSHIP AND DISPUTES ARISING FROM MEMBERSHIP ISSUES.**

The courts of the Osage Nation shall have jurisdiction over any action brought by or on behalf of the Nation against any person arising from questions of membership in

the Osage Nation or by any person against the Nation, the Membership Department or any Membership Department employee for same or any criminal or civil act while acting in the scope of and/or in connection with employment by the Osage Nation Membership Department.

**SECTION 5—502. APPEALABLE DECISIONS.**

A signed written document indicating decision of the Osage Nation Membership Department Director on an issue of membership in the Osage Nation shall be considered final administrative action immediately appealable to the courts of the Osage Nation.

**SECTION 6. CODIFICATION.**


This Act shall be codified in the Osage Statutes in accordance with the numbering system hereinafter established.

**SECTION 7. DECLARATION OF EMERGENCY AND EFFECTIVE DATE.**

An emergency exists. This law is effective upon signature of the Principal Chief of the Osage Nation or upon the signature of the Speaker of the Osage Nation Congress following legislative override.

ENACTED by the Osage Nation Congress on this 26 day of Sep, 2006.

IN WITNESS WHEREOF, the Speaker of the Osage Nation Congress has hereto attached his signature.

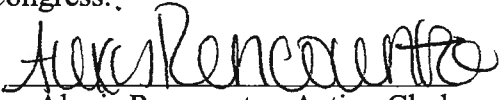
  
Archie Mason, Speaker  
Osage Nation Congress

**CERTIFICATION**

I, THE UNDERSIGNED, CERTIFY THAT THE FOREGOING IS A TRUE EXTRACT FROM THE MINUTES OF THE Osage Nation Congress comprised of twelve members and one ex-officio member with 12 members attending this meeting on the 26 day of Sept., 2006, and that the above is in conformity with the provisions therein adopted by a vote of 8 in favor, 3 against, 0 abstentions.

Faren Revard Anderson	<u>no</u>
Jerri Jean Branstetter	<u>yes</u>
Shannon Edwards	<u>yes</u>
Mark Freeman	<u>yes</u>
Debra Littleton	<u>yes</u>
Archie Mason	<u>yes</u>
Raymond Red Corn	<u>yes</u>
Eddy Red Eagle, Jr.	<u>yes</u>
Doug Revard	<u>yes</u>
Anthony Shackelford	<u>no</u>
Mark Simms	<u>absent</u>
William Supernaw	<u>no</u>

Said Bill has not been rescinded or amended in any way and the above is the signature of the Speaker of the Osage Nation Congress.

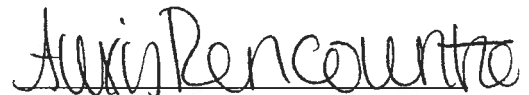
  
Alexis Rencountre, Acting Clerk  
Osage Nation Congress

**EFFECTIVE DATE CERTIFICATION**

I, THE UNDERSIGNED, CERTIFY THAT THE FOREGOING EFFECTIVE DATE was approved by a two-thirds vote of the Osage Nation Congress in accordance with the Constitution of the Osage Nation Article VI, Section 13. The provision was adopted by a vote of 11 in favor, 0 against, 0 abstentions.

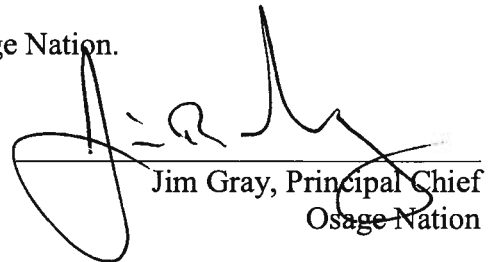
Faren Revard Anderson  
Jerri Jean Branstetter  
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Debra Littleton  
Archie Mason  
Raymond Red Corn  
Eddy Red Eagle, Jr.  
Doug Revard  
Anthony Shackelford  
Mark Simms  
William Supernaw

YES  
YES  
YES  
YES  
YES  
YES  
YES  
YES  
YES  
YES  
absent  
YES

  
Alexis Rencountre, Acting Clerk  
Osage Nation Congress

**APPROVAL**

I, the Principal Chief of the Osage Nation, hereby affix my signature this 28<sup>th</sup> day of Sept., 2006, to the above Bill ONCA-06-05 authorizing it to become a law under the Constitution of the Osage Nation.

  
Jim Gray, Principal Chief  
Osage Nation