

OSAGE NATION CONGRESS

3rd Special Session of the 1st Legislature (2007)

BILL NUMBER ONCA 07-15

ENROLLED

AUTHOR: Archie Mason by Request

An Act

Appropriating to the Osage Nation Gaming Enterprise Board of Directors; Declaring an emergency; and Setting an effective date.

Be it enacted by the Congress of the Osage Nation:

SECTION 1. APPROPRIATION

There is hereby appropriated the total amount of \$(insert total amount) to the Osage Nation Gaming Enterprise Board from the Osage Nation Treasury Account, for the fiscal year beginning October 1, 2006 and ending September 30, 2007 the following funds in the following categories and amounts:

SECTION 2. EMPLOYEE COMPENSATION

The Osage Nation Gaming Enterprise Board of Directors shall establish the duties of the employees. The employee salaries and benefits for the fiscal year ending September 30, 2007 shall be subject to the following budgetary limitations:

CATEGORY

<u>PERSONNEL</u>	<u>MAXIMUM SALARY</u>
Administrative Assistant	\$ 30,000
Secretary	\$ 22,400
Board Chair	\$ 20,400
Board Members (4)	\$ 57,600

PERSONNEL BENEFITS

FICA, SUTA, Retirement, Workers Comp, Medical Ins	\$ 32,466
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TOTAL EMPLOYEE COSTS \$ 162,866

SECTION 3. EXPENSES

Bank fees	\$ 500
Commercial Travel	\$ 25,000
Contract Labor	\$ 25,000
Equipment Expenses	\$ 25,000
Food Expense	\$ 1,500
Dues & Subscriptions	\$ 15,000
Legal Fees & Expenses	\$550,000
Meeting-Mileage	\$ 8,500
Miscellaneous	\$ 10,000
Postage	\$ 1,500
Board Insurance/Bonding	\$ 8,000
Reproduction Equipment	\$ 20,000
Office Supplies	\$ 5,500
Telephones	\$ 12,000
Training – Staff & Board	\$ 35,000
Travel – Per Diem	\$ 16,800
Travel – Mileage	\$ 2,500
Space Costs & Meeting	\$ 25,000
TOTAL EXPENSES	\$786,800

~~After all amendments have been adopted, reduce each budgeted line item by 17 percent (to reflect a budget for the remaining 10 months).~~

SECTION 4. FEDERAL AND MATCHING FUNDS

All funds appropriated by this act may be used and expended in conjunction or cooperation with any federal or state funding or agency, or non tribal funding source under such terms and conditions considered appropriate or necessary to obtain grants or assistance. Funds appropriated by this act shall be available for utilization in matching any federal, state, or other funds which may be available for the purpose set out in this act.

SECTION 5. FISCAL YEAR LIMITATIONS- LAPSE DATE

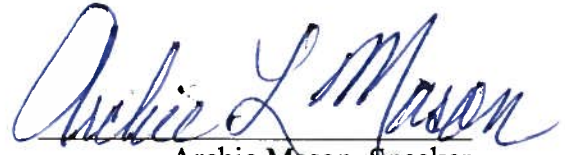
The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through September 30, 2007. All funds appropriated that are unexpended at the end of the term shall lapse and be unencumbered for future appropriations.

SECTION 6. DECLARATION OF EMERGENCY AND EFFECTIVE DATE

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

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

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



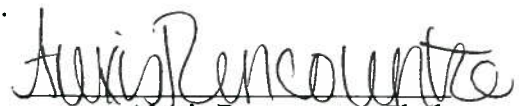
Archie Mason, Speaker
Osage Nation Congress

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 11 members attending this meeting on the 26th day of December, 2006, and that the above is in conformity with the provisions therein adopted by a vote of 8 in favor, 3 against, 0 abstentions, and 1 absent.

Faren Revard Anderson	YES
Jerri Jean Branstetter	YES
Shannon Edwards	NO
Mark Freeman	YES
Debra Littleton	NO
Archie Mason	YES
Raymond Red Corn	NO
Eddy Red Eagle, Jr.	ABSENT
Doug Revard	YES
Anthony Shackelford	YES
Mark Simms	YES
William Supernaw	YES

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.

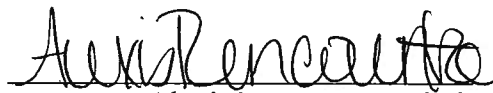


Alexis Rencountre, Clerk
Osage Nation Congress

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. This provision was adopted by a vote of 9 in favor, 2 against, 0 abstentions, and 1 absent.

Faren Revard Anderson	YES
Jerri Jean Branstetter	YES
Shannon Edwards	NO
Mark Freeman	YES
Debra Littleton	NO
Archie Mason	YES
Raymond Red Corn	YES
Eddy Red Eagle, Jr.	ABSENT
Doug Revard	YES
Anthony Shackelford	YES
Mark Simms	YES
William Supernaw	YES


Alexis Rencountre, Clerk
Osage Nation Congress

APPROVAL

I, the Principal Chief of the Osage Nation, hereby affix my signature this ___ day of December, 2006, to the above Bill No. ONCA 07-15 authorizing it to become a law under the Constitution of the Osage Nation.

Jim R. Gray, Principal Chief
Osage Nation

Office of the Principal Chief
Osage Nation

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Jim Gray
Principal Chief



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John D. Red Eagle
Assistant Principal Chief

EXECUTIVE VETO MESSAGE

December 28, 2006

The Honorable Archie Mason, Speaker of the Osage Nation Congress
Members of the 1st Osage Nation Congress

Dear Mr. Speaker and Members of the 1st Osage Nation Congress:

I hereby transmit pursuant to the provisions of Section 11 of Article VII and Section 13 of Article VI of the Osage Nation Constitution, a statement of items to which I object and which I do not approve, contained in Bill ONCA 07-15, entitled:

“An Act Appropriating to the Osage Nation Gaming Enterprise Board of Directors; Declaring an Emergency; and Setting an effective date.”

Osage Nation Gaming Enterprise Board of Directors Budget, Page 1, Section 2 under Personnel, “Secretary”. Exclusive to the position title in the line only.

My reason for vetoing this section is as follows:

Section Employee Compensation, first column of Line 37, of Osage Nation Congress Budget

The title of Receptionist/Clerical was changed to “Secretary” in this line item unilaterally by Congress during the appropriations process. I have vetoed this section because employment related decisions are clearly within the realm of the individuals charged with the management of the department or enterprise, not a function of legislative appropriations.

Osage Nation Gaming Enterprise Board of Directors Budget, Page 2, Section 3 under Total Expenses, “After all amendments have been adopted, reduce each budgeted line item by 17 percent (to reflect a budget for the remaining 10 months.” Inclusive.

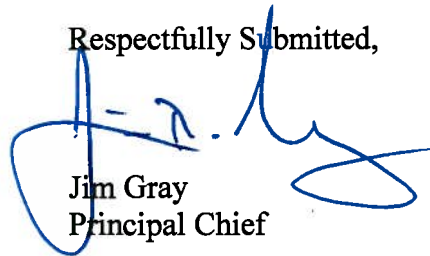
My reason for vetoing this section is as follows:

Section Expenses, Line 69 and 70 of Osage Nation Congress Budget

I have vetoed all of lines 69 and 70 because this section mandates an across the board reduction of 17 percent without proper fiscal analysis and justification. I am opposed to across the board cuts and believe such action to be irresponsible.

With the exceptions of Section Employee Compensation, Page 1, first column of Line 37, of Osage Nation Gaming Enterprise Board of Directors Budget and Section Expenses, Page 2, Lines 69 and 70 of Osage Nation Gaming Enterprise Board of Directors Budget, as specified above, Enrolled ONCA 07-15 is approved.

Respectfully Submitted,



Jim Gray
Principal Chief