

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

OSAGE NATION CONGRESS

4th Session of the 1st Congress

BILL NUMBER ONCA 08-01

ENROLLED

April 15, 2008

SPONSOR: Anthony Shackelford

An Act

To establish a Legislative Commission to study the economic benefit and viability of partially funding the statue project known as "The American" as offered by Gray Deere The American Project, LLC.

Be it enacted by the Congress of the Osage Nation:

SECTION 1. SHORT TITLE

This Act may be cited as the "The American Project Study Commission Act."

SECTION 2. FINDINGS; PURPOSES

- A. The Osage Nation Congress finds it is in the interest of the Osage Nation to investigate the economic advantages or disadvantages posed by the statue project known as "The American" in which, as proposed, a statue of a Native American will be erected on Osage Nation land for the economic benefit of the investors of the project including the Osage Nation.
- B. The Osage Nation Congress further finds that the establishment of a Legislative Commission to study and report its findings on the economic benefits and disadvantages of the project known as "The American" is in the best interest of the Osage Nation.

SECTION 3. DEFINITIONS

- A. "Employee" means a person in the service of the Osage Nation under any contract of hire to include at-will employment, express or implied, oral or written, where the employer has the power or right to control and direct the employee in the material details of how the work is to be performed.
- B. "Congress" means Osage Nation Congress.
- C. "Nation" means the Osage Nation.

47 D. "Executive" means the Osage Nation Executive Branch unless otherwise
48 specified.

49

50 **SECTION 4. THE AMERICAN PROJECT STUDY COMMISSION**

51

52 An American Project Study Commission (hereinafter "Commission") is
53 established to study, report its findings and make recommendations on the economic
54 benefits, disadvantages and viability of partially funding the statue project "The
55 American" for the Osage Nation.

56

57 A. The Commission shall consist of five (5) members as follows:

58

- 59 1. one (1) representative of the Osage Nation Executive;
60
61 2. one (1) representative of the Osage Nation Congress;
62
63 3. three (3) members of the public-at-large who are not employees of
64 the Osage Nation or any other business entity owned or affiliated
65 with the Osage Nation, but may include:

66

67 a. current and former contractors and subcontractors of the
68 Osage Nation and its business entities; and

69

70 b. former employees of the Osage Nation.

71

72 B. The Commission members representing the Osage Nation Executive
73 Branch, and the Osage Nation Congress shall be nominated by their
74 respective branch, and approved by the Osage Nation Congress. If a
75 nominee for Commission member is not approved for any reason by the
76 Osage Nation Congress, the branch or department that submitted the
77 nominee will submit another nominee for Commission member.

78

79 C. The Commission members representing the public-at-large shall be
80 nominated by the Osage Nation congressional committee having
81 jurisdiction over economic development, and approved by the Osage
82 Nation Congress.

83

84 D. The Osage Nation Congress delegates the duty of oversight of the
85 Commission to the Osage Nation congressional committee having
86 jurisdiction over economic development.

87

88 E. The Commission nominees shall be submitted for nomination to the Osage
89 Nation Congress at the earliest available date, but no later than April 14th
90 2008. If a nominee is not approved pursuant to paragraph (B) of this
91 section, a replacement nominee will be submitted within three (3) business
92 days upon notice that the nominee is not approved.

93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138

- F. The Commission nominees submitted to the Osage Nation Congress shall be promptly approved or rejected at the earliest available date, but no later than April 17th 2008, but if a nominee is not approved then the Osage Nation Congress will consider the subsequent nominee within five (5) business days after submission.

- G. The Commission members shall have the following rights and powers:
 - 1. to determine by election of a simple majority (more than 50% of quorum) the chairperson of the Commission;
 - 2. to set the date, time, place and manner of meetings;
 - 3. to submit questions and requests for clarification to the Osage Nation congressional committee having jurisdiction over economic development;
 - 4. to meet, organize and act to accomplish “The American” project study and report of the Commission set forth in the first paragraph of this section.

- H. The Commission shall report in writing to the Osage Nation Congress its final report and recommendations on the “The American” project on or before July 1, 2008.

- I. The Commission shall remain in effect until it is dissolved in writing by the Speaker of the Osage Nation Congress, at the recommendation of the Osage Nation congressional committee having jurisdiction over economic development.

- J. The Commission may make expenditures from its budget allowance for the following:
 - 1. clerical supplies to include, but not limited to, paper, pens, pencils, binders, staplers, staples, tape, page marking flags, and highlighters.
 - 2. all paper copies whether for Commission members or members of the Osage Nation Congress.
 - 3. automobile mileage for Commission meeting or study purposes at the rate of \$0.505 per mile for each member of the Commission.
 - 4. Any other expenses must be approved by the Osage Nation Congressional Affairs Committee before they will be paid. Said expenses not to exceed \$5000.

139 **SECTION 5. AUTHORIZATION OF APPROPRIATION**

140

141 To carry out the purposes of this Act, funds will be appropriated out of the Osage
142 Nation Congressional budget.

143

144 **SECTION 6. SEVERABILITY**

145

146 If any provision of this Act or the application of such provision to any person,
147 firm, association, corporation, or circumstance is found to be unenforceable by a court of
148 competent jurisdiction, such provision shall be of no force or effect; but the remainder of
149 the Act shall continue in full force and effect.

150

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

152

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

156

157

158

159 ENACTED by the Osage Nation Congress on this 15TH day of April, 2008.

160

161

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

164

165


166

167

168

169

170


Archie Mason, Speaker
Osage Nation Congress

171

172

173

174

175

176

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 15TH day of April, 2008, and that the above is in conformity with the provisions
therein adopted by a vote of 11 in favor, 0 against, and 1 absent.

177

178

179

180

181

182

183

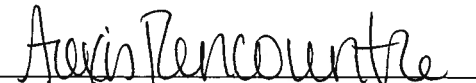
184

Faren Revard Anderson	yes
Jerri Jean Branstetter	yes
Shannon Edwards	absent
Mark Freeman	yes
Debra Atterberry	yes
Archie Mason	yes
Raymond Red Corn	yes
Eddy Red Eagle, Jr.	yes

185	Doug Revard	yes
186	Anthony Shackelford	yes
187	Mark Simms	yes
188	William Supernaw	yes

189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230


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 11 in favor, 0 against, and 1 absent.

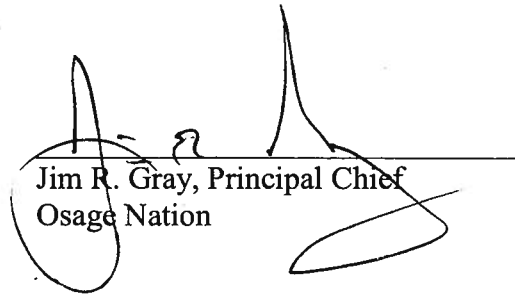
Faren Revard Anderson	yes
Jerri Jean Branstetter	yes
Shannon Edwards	absent
Mark Freeman	yes
Debra Atterberry	yes
Archie Mason	yes
Raymond Red Corn	yes
Eddy Red Eagle, Jr.	yes
Doug Revard	yes
Anthony Shackelford	yes
Mark Simms	yes
William Supernaw	yes


Alexis Rencountre, Clerk
Osage Nation Congress

231
232
233
234
235
236
237
238
239
240
241
242

APPROVAL

I, the Principal Chief of the Osage Nation, hereby affix my signature this 17 day of April, 2008, to the above Bill No. ONCA 08-01 authorizing it to become a law under the Constitution of the Osage Nation.



Jim R. Gray, Principal Chief
Osage Nation