

OSAGE NATION CONGRESS

1st Session of the 1st Legislature (2006)

BILL NUMBER ONCA – 06-06

AS INTRODUCED

September 5, 2006

INTRODUCED BY: Congressman William Supernaw

SPONSOR(S): Congressman William Supernaw, Congressman Mark Simms,
Congressman Anthony Shackelford, Congresswoman Faren Revard Anderson,
Congresswoman Jerri Jena Branstetter, and Congressman Eddy Red Eagle, Jr.

An Act

To establish a legislative commission to provide for research and recommendations when enacting law relating to membership in compliance with Article III, Section 4 of the Osage Nation Constitution.

Be it enacted by the Congress of the Osage Nation:

SECTION 1. MEMBERSHIP COMMISSION

There shall be a legislative commission established by the Osage Nation Congress comprised of five members of the Osage Nation to research and make recommendations to the Osage Nation Congress for consideration when enacting law(s) to comply with Art III, Sec. 4 of the Osage Nation Constitution. This commission shall be composed of two members of Congress, one member of the Osage Nation Minerals Council, one member of the Osage Shareholders Association and one member of the Osage Nation selected at large by the first four members.

Recommendations of the commission shall be delivered to the Congress before the next regular session of Congress.

ENACTED by the Osage Nation Congress on this 27 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

Office of the Principal Chief
Osage Nation

JA HO KA
Jim Gray
Principal Chief



KA HO KA O WA DZA
John D. Red Eagle
Assistant Principal Chief

EXECUTIVE VETO MESSAGE

September 29, 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 06-06, entitled:

“An Act To establish a legislative commission to provide for research and recommendations when enacting law relating to membership in compliance with Article III, Section 4 of the Osage Nation Constitution”
Inclusive

My reason for vetoing this bill is as follows:

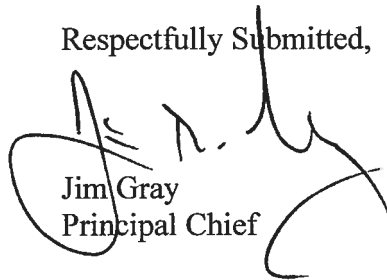
The Osage Nation Congress, through language in this bill, creates and tasks a legislative commission to conduct research and make recommendations to the Osage Nation Congress when enacting law relating to membership in compliance with Article III, Section 4 of the Osage Nation Constitution. However, The Osage Nation Congress just passed legislation, Bill Number ONCA 06-05, which establishes qualifications for membership, ratifies the current membership roll, governs loss of membership, establishes an appeals procedure, and establishes a department of membership in the Executive Branch charged with enrolling new members, maintaining a current and accurate membership roll, and establishing rules and regulations governing the membership application process and membership card issuance process. I signed this bill into law on September 28, 2006 which goes into effect immediately due to a declaration of emergency declared by the Congress. All items, excepting the adoption of members, conveyed in Article III, Section 4 of the Osage Nation Constitution have been addressed in ONCA 06-05.

I am returning Bill ONCA 06-06 without my signature as it remains unclear whether or not the legislative commission created by this bill is being tasked with researching

and making recommendations on enacting legislation that has already been enacted. If so, then the legislative commission is unnecessary.

If the legislative commission created by this bill is being tasked with researching and making recommendations on enacting legislation that has not yet been enacted, it is critical that the Executive Branch be included in such a commission as it is charged with faithfully executing, administering and enforcing any and all membership law. The legislative commission's composition in ONCA 06-06 does not include any member of the Executive Branch which excludes the Membership Department itself. The Membership Department must be allowed to exercise its duty and responsibility as outlined in ONCA 06-05 and the Director or their designee should be recognized as a member of any governmental commission on membership.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jim Gray", is written over the typed name and title. The signature is stylized and somewhat cursive.

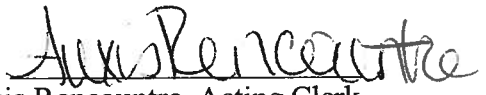
Jim Gray
Principal Chief

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 13 members attending this meeting on the 27 day of Sept., 2006, and that the above is in conformity with the provisions therein adopted by a vote of 8 in favor, 4 against, 0 abstentions.

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

APPROVAL

I, the Principal Chief of the Osage Nation, hereby affix my signature this day _____ of _____, 2006, to the above Bill No. ONCA – 06-06 authorizing it to become a law under the Constitution of the Osage Nation.

Jim R. Gray, Principal Chief
Osage Nation