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OSAGE NATION CONGRESS

8th Session of the 1st Congress

RESOLUTION NUMBER ONCR 10-13

AS INTRODUCED

March 19, 2010

SPONSOR: William Supernaw

SIGNATURE: 

A Resolution

To provide for an election to amend Articles III, VI, VII, VIII, XIII and XV of the Constitution of the Osage Nation to change "membership" to "citizenship", and to change "eligibility for membership" to "right to citizenship."

Be it resolved by the Congress of the Osage Nation:

WHEREAS,

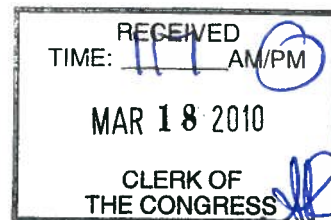
1. Article XX, Section 1 of the Constitution of the Osage Nation provides for proposed amendments to the Constitution to be initiated by the Osage Nation Congress; and
2. Article XX, Section 1 further provides that proposed amendments to the Constitution, upon approval by the Congress, shall be put before the Osage People for their approval or rejection at the next general election, except when the legislature shall order a special election for that purpose.

NOW, THEREFORE, BE IT RESOLVED,

1. That the Osage Nation Congress puts before the Osage People, for their approval or rejection at the next general election, the following amendment to the Constitution of the Osage Nation:
 - A. Article III shall be amended to read:

ARTICLE III - CITIZENSHIP

Section 1. Base Citizenship Roll: The base citizenship 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).



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Section 2. Qualifications for Citizenship: All lineal descendants of those Osages listed on the 1906 Roll have the right to citizenship in the Osage Nation, and those enrolled citizens shall constitute the citizenry subject to the provisions of this Constitution and to the laws enacted and regulations approved pursuant to this Constitution.

Section 3. Dual Enrollment: An enrolled citizen of the Osage Nation can choose to be dually enrolled as a citizen or member of another Indian tribe without forfeiting Osage citizenship.

Section 4. Citizenship Laws: The Osage Nation Congress shall have the power and is required to regulate citizenship and maintain a correct roll of all Osages enrolled as citizens of the Osage Nation. The Osage Nation Congress shall enact laws, not inconsistent with this Constitution, prescribing rules and regulations governing citizenship, including application and appeal procedures, loss of citizenship, and the adoption of citizens.

B. Article VI, Section 4 shall be amended to read:

Section 4. Qualifications: Enrolled citizens of the Osage Nation, who are at least twenty-five (25) years of age on that date of the election, who have never been convicted of a felony, are eligible to serve as members of the Osage Nation Congress.

C. Article VII, Section 3 shall be amended to read:

Section 3. Qualifications: Enrolled citizens of the Osage Nation, who are at least thirty-five (35) years of age on that date of the election, who have never been convicted of a felony, are eligible to become a candidate for the office of Principal Chief of the Osage Nation.

D. Article VIII, Section 3 shall be amended to read:

Section 3. Composition of Supreme Court; Qualifications: The Supreme Court shall consist of one Chief Justice and two Associate Justices. Any citizen of the Osage Nation, who is at least forty (40) years of age and duly licensed to practice law for no less than ten (10) years, is eligible for the office of Chief Justice. Anyone duly licensed to practice law for no less than five (5) years, is eligible for the office of Associate Justice. The Justices shall serve until their successors are duly appointed and installed.

E. Article VIII, Section 6 shall be amended to read:

95 **Section 6. Composition of Trial Court; Qualifications:** The Trial
96 Court shall consist of one Chief Judge and, as deemed necessary
97 and appropriate, additional Associate Judges. Any citizen of the
98 Osage Nation, duly licensed to practice law for no less than five
99 (5) years, is eligible for the office of Chief Judge.

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101 F. Article XIII, Section 1 shall be amended to read:

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103 **Section 1. Qualified Voters:** All enrolled citizens of the Osage
104 Nation who shall have attained the age of eighteen 18 years and are
105 registered to vote as provided by Osage law shall be qualified to
106 vote under the authority of this Constitution.

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108 G. Article XV, Section 4 shall be amended to read:

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110 **Section 4. Management of the Osage Mineral Estate:** The mineral
111 estate of the Osage Reservation is reserved to the Osage Nation.
112 The government of the Osage Nation shall have the perpetual
113 obligation to ensure the preservation of the Osage Mineral Estate.
114 The government shall further ensure that the rights of citizens of
115 the Osage Nation to income derived from that mineral estate are
116 protected.

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118 To discharge those obligations, the Osage Nation hereby creates a
119 minerals management agency, designated the Osage Minerals
120 Council, consisting of citizens of the Osage Nation who are
121 entitled to receive mineral royalty income from the Osage Mineral
122 Estate, as provided by federal law. Only Osage mineral royalty
123 interest holders shall be entitled to vote in electing the Osage
124 Minerals Council.

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126 The Osage Minerals Council is recognized by the Osage Nation
127 government as an independent agency within the Osage Nation
128 established for the sole purpose of continuing its previous duties to
129 administer and develop the Osage Mineral Estate in accordance
130 with the Osage Allotment Act of June 28, 1906, as amended, with
131 no legislative authority for the Osage Nation government.

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133 As an independent agency within the Osage Nation, the Osage
134 Minerals Council may promulgate its own rules and regulations as
135 long as such rules and regulations are not inconsistent with the
136 laws neither of the Osage Nation nor with the rules and regulations
137 established by the United States Congress in the 1906 Allotment
138 Act.
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The Osage Minerals Council shall have the power to consider and approve leases and to propose other forms of development of the Osage Mineral Estate. Mineral leases approved and executed by the Council shall be deemed approved by the Osage Nation unless, within five (5) working days, written objection is received from the Office of the Principal Chief that the executed lease or other development activity violates Osage law or regulation. Any dispute that arises through this process may be heard before the Supreme Court of the Osage Nation Judiciary.

All leases or other forms of agreement for development of the Osage Mineral Estate shall comply with applicable federal law and all laws and regulations of the Osage Nation. The Osage Minerals Council shall exercise the administrative authority delegated under this Constitution, the laws of the Osage Nation, and as permitted by federal law.