

First Day – May 22, 2009

Legislative Journal

**First Legislature
Eighteenth Special Session**

First Day

Osage Nation Chambers, Pawhuska, Oklahoma
Friday, May 22, 2009

Welcome and Call to Order

The Session was called to order by Speaker Mason at 10:10 a.m.

Prayer

The opening prayer was given by Congressman Shackelford.

Roll Call

The roll was called and the following members were present:

Congresswoman Anderson
Congresswoman Branstetter
Congressman Freeman
Congresswoman Atterberry
Congressman Red Corn
Congressman Red Eagle
Congressman Revard
Congressman Shackelford
Congressman Simms
Congressman Supernaw
Speaker Mason

Assistant Chief Red Eagle

The following member was absent:

Congresswoman Edwards

Pursuant to Article VI, Section 9 of the Constitution of the Osage Nation, presence of at least two-thirds (2/3) of the whole number of the members of the Congress shall be necessary to constitute a meeting of the congressional house for the exercise of its powers. Speaker Mason established a Quorum.

Journal Statement

Executive Message

Principal Chief Jim Roan Gray gave the following opening address:

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

Good Morning Speaker Mason, Assistant Chief Red Eagle, Members of Congress, and to the people of the Osage Nation; Thank you for giving me the opportunity to address you at the opening of our special session today.

In this session, I believe we all know we are here to address some unfinished business that has carried over from the last session. We also have some new and pressing developments that require our attention. Believe me, I would have been more than happy to let this sit until next session in the fall but these issues require our attention and our action.

In the past few days I have had some frank conversations with some of you about the whole notion of scheduling a special session, the topic of the special session and even the whole concept of special sessions. These were healthy discussions, and I welcome more healthy conversations with all of you. But as far as why we are here, I don't think there is anything on the agenda that should come as a surprise to any of you. We all know the last session left everyone with a sense that it wasn't our best work.

We can do better. We should be giving the Osage people our best every time, but recognize that we are human, and occasionally falter. But let us focus on our best efforts, and not the missteps. We have, unfortunately, begun to define each other by our differences and by our disagreements. I have seen us prove in more than one case, that we can have big disagreements; we have tested our personal limits, as well as the constitution in order to make our points. We have demonstrated in many cases that only the Judicial Branch can sort out our disagreements, because we will not. We have sunk so low at times as to make personal charges to discredit our opponents. We have in many cases decided to support or oppose an idea just because of our personal relationship with the individual who was advancing it. We have in some cases fought against an idea just because it wasn't our own, or chose to worry more about who gets credit for an idea than the merit of the idea alone. We are engulfed in politics, and its tribal politics.

Yes, I'm aware that some divisions may be permanent and may never be fixed in our lifetimes. I'm also aware that if this trend is allowed to continue, we are putting artificial constraints on what we could be doing for our people, and it is a shame.

Let me be clear, I am not just talking Congress. I'm talking about the Executive Branch too. No one is right one hundred percent of the time and no one is wrong one hundred percent of the time. There are people of good will on both sides and only by checking

our personal animosities at the door, and making ourselves accountable for the merit of our ideas, can we bring about the positive work that we are capable of achieving; that the Osage people deserve.

So, now that we have clearly demonstrated our ability to disagree in a big way, let us use this session to prove that we can agree and compromise; show ourselves we can do some wonderful things for our people; things, that can only be achieved by working together.

I heard someone say, “It’s never too late to do the right thing.” Let’s face it, we tried all the other ways. Let’s all do our part to try to work through a session the right way, and give the Osage people the best that exists in all of us.

Legislative Message

Speaker Mason gave the following Legislative message:

I would like to welcome each of you for this Special Day, as each day is a very special day. We have been called and have responded this day. We are here to fulfill our obligation and have done so by setting aside convenience, setting aside personal and family plans, business and domestic responsibilities. I commend you for those decisions on your part to be here today.

We are here to exercise our congressional duties once again. We stand here to fulfill our legislative duties.

May God be with us as we take care of the tasks at hand for our Osage Nation.

Motion-To Amend. Congressman Supernaw made a motion to amend the agenda to include the reading of the veto message for Bill ONCA 09-07. Motion was seconded and passed with 8 yeas and 3 nays.

Congresswoman Anderson	yes
Congresswoman Branstetter	yes
Congresswoman Edwards	absent
Congressman Freeman	no
Congresswoman Atterberry	no
Congressman Red Corn	no
Congressman Red Eagle	yes
Congressman Revard	yes
Congressman Shackelford	yes
Congressman Simms	yes
Congressman Supernaw	yes
Speaker Mason	yes

Executive Veto Message

Bill ONCA 09-07, An act to amend the "Fiscal Year 2009 Government Operations Departments and Programs Appropriation Act", ONCA 08-43, to Provide an Appropriation Modification to the Education Department in the amount of eight hundred sixty one thousand six hundred thirty five dollars (\$861,635). Speaker Mason read the Executive Veto message for Bill ONCA 09-07.

Motion-To Override. Congressman Supernaw made a motion to override the veto of Bill ONCA 09-07 of Section Administrative Expenses, Lines 62-80. Motion was seconded and failed with 8 yeas and 3 nays.

Congresswoman Anderson	yes
Congresswoman Branstetter	yes
Congresswoman Edwards	absent
Congressman Freeman	no
Congresswoman Atterberry	no
Congressman Red Corn	no
Congressman Red Eagle	yes
Congressman Revard	yes
Congressman Shackelford	yes
Congressman Simms	yes
Congressman Supernaw	yes
Speaker Mason	yes

Motion-To Override. Congressman Supernaw made a motion to override the veto of Bill ONCA 09-07 of Section Non-Administrative Expenses, Lines 82-95. Motion was seconded and failed with 7 yeas and 4 nays.

Congresswoman Anderson	yes
Congresswoman Branstetter	yes
Congresswoman Edwards	absent
Congressman Freeman	no
Congresswoman Atterberry	no
Congressman Red Corn	no
Congressman Red Eagle	yes
Congressman Revard	no
Congressman Shackelford	yes
Congressman Simms	yes
Congressman Supernaw	yes
Speaker Mason	yes

Introduction of Bills and Resolutions

(None)

Bills and Resolutions on First Reading

Bill ONCA 09-45, An act to amend the “Fiscal Year 2009 Government Operations Departments and Programs Appropriation Act”, ONCA 08-43, to Provide an appropriation modification and supplemental appropriation to the Education Department in the amount of one million eighteen thousand fifty dollars (\$1,018,050). The Sponsor Congresswoman Atterberry read the Bill into record.

Speaker Mason referred Bill ONCA 09-45 to General Order.

Motion-To Enter. Congressman Red Corn made a motion for the Congress to enter into general discussion on the merits and demerits of this Bill going to committee due to timeliness. Motion was seconded and failed with 0 yeas and 11 nays.

Congresswoman Anderson	no
Congresswoman Branstetter	no
Congresswoman Edwards	absent
Congressman Freeman	no
Congresswoman Atterberry	no
Congressman Red Corn	no
Congressman Red Eagle	no
Congressman Revard	no
Congressman Shackelford	no
Congressman Simms	no
Congressman Supernaw	no
Speaker Mason	no

Motion-To Appeal. Congresswoman Anderson made a motion to appeal the Speakers decision to refer Bill ONCA 09-45 to General Order and refer this Bill to the Osage Nation Congressional Committee on Appropriations. Motion was seconded and passed with 11 yeas and 0 nays.

Congresswoman Anderson	yes
Congresswoman Branstetter	yes
Congresswoman Edwards	absent
Congressman Freeman	yes
Congresswoman Atterberry	yes
Congressman Red Corn	yes
Congressman Red Eagle	yes
Congressman Revard	yes
Congressman Shackelford	yes
Congressman Simms	yes
Congressman Supernaw	yes
Speaker Mason	yes

Speaker Mason referred Bill ONCA 09-45 to the Osage Nation Congressional Committee on Appropriations.

Bills and Resolutions on General Order

Bill ONCA 08-35, The Osage College Study Commission Act.

Motion-To Commit. Congressman Simms made a motion to commit Bill ONCA 08-35 to the Osage Nation Congressional Committee on Education. Motion was seconded and passed with 11 yeas and 0 nays.

Congresswoman Anderson	yes
Congresswoman Branstetter	yes
Congresswoman Edwards	absent
Congressman Freeman	yes
Congresswoman Atterberry	yes
Congressman Red Corn	yes
Congressman Red Eagle	yes
Congressman Revard	yes
Congressman Shackelford	yes
Congressman Simms	yes
Congressman Supernaw	yes
Speaker Mason	yes

Speaker Mason referred Bill ONCA 08-35 to the Osage Nation Congressional Committee on Education.

Motions and Notices

Congresswoman Anderson requested Speaker Mason to do a follow up to the Executive Branch to see if the nominees for the Osage Nation Election Board are forthcoming.

Congressman Revard announced that there will be a meeting of the Osage Nation Congressional Committee on Education on Tuesday, May 26, at 9:00 a.m.

Speaker Mason granted permission for a Congressional Committee on Education meeting for Tuesday, May 26, 2009 at 9:00 a.m.

Congresswoman Anderson requested an emergency meeting of the Osage Nation Congressional Committee on Appropriations immediately following session.

Speaker Mason granted permission for an Emergency Congressional Committee on Appropriations meeting immediately following session.

Adjournment

MOTION-To Adjourn. Congressman Revard made a motion to adjourn until 2:00 p.m., Tuesday, May 26, 2009. Motion was seconded and passed with 11 yeas and 0 nays.

Speaker Mason adjourned the Session at 11:53 a.m.