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Geoffrey M. Standing Bear
Principal Chief

Osage Nation

Office of the Principal Chief



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Raymond Red Corn
Assistant Principal Chief

EXECUTIVE VETO MESSAGE

April 15, 2016

To the Honorable Maria Whitehorn, Speaker of the Osage Nation Congress and Members of the 4th Osage Nation Congress:

I hereby transmit pursuant to the provisions of Section 11 of Article VII and Section 14 of Article VI of the Osage Nation Constitution my objections to ONCA 16-30, a bill entitled:

“An Act to amend the Open Meetings Act at 15 ONC § 7-107, to require executive sessions to be recorded by the body and made accessible to elected officials on a limited basis; and to establish an alternate effective date.”

Since the passage of this Act on April 11, 2016, the Chair of the Osage Minerals Council, the Chair of the Osage Gaming Commission, and members of three of the Osage Enterprise Boards have expressed to me their strong objections to ONCA 16-30 becoming law and have urged a veto. I have heard their requests and agree. I hereby veto ONCA 16-30.

Once again, the Congress follows a path to interference in the business of our Osage Boards and Commissions and improperly encroaches into the authority of the Executive Branch. Now the Osage Congress seeks to include our Osage Minerals Council in a law where Congress involves itself in the business of others in violation of our Constitution.

The reasons for Executive Sessions have long been recognized as valid and are necessary for the conduct of business of a board or commission, and the Osage Minerals Council. There are matters which must be kept confidential such as: to discuss personnel issues, to protect information from competition, to discuss legal issues, and to work on other matters which need to be confidential.

ONCA 16-30 continues the practice of the Fourth Osage Congress of working in relative isolation to expand its authority over day-to-day matters of the Executive Branch or Osage Enterprises and other entities. For what reason would the Congress want to know about the confidential business of an Osage Board or

Commission? Why does this new law compel our Gaming Commission to record their confidential discussions on granting, denying, or modifying a gaming license to an individual or company? Why does this new law treat the Osage Congress Executive Sessions differently by keeping Congress Executive Sessions secret from the Executive Branch but every other public body of the Osage Nation must record their Executive Sessions and make the recordings available to elected officials?

The Chairman of our Osage Minerals Council has shared with me the opinion of David McCullough, an attorney for the Minerals Council on his view ONCA 16-30 violates the Osage Constitution and is an attempt to assert Congress authority over the Osage Minerals Council.

I have already shared with the Osage Congress the legal opinion of Dean Luthey for the Osage Nation Gaming Enterprise Board that he too is of the opinion ONCA 16-30 violates the Osage Constitution.

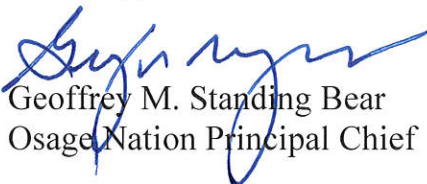
Passage of this bill invites more lawsuits. This time, according to the Chair of the Osage Gaming Commission and the Chair of the Gaming Enterprise Board, the lawsuits will be from those public bodies. It is possible they will be joined by our other enterprises and our Osage Minerals Council. These will be the public bodies which will be seeking justice from our Osage Supreme Court.

I will direct the Executive Branch to support their efforts to compel the Osage Congress to seek reason and limit itself to the making of good laws and appropriations as mandated by our Osage Constitution.

I ask those Members of the Osage Congress to heed the advice of the many attorneys and Osage leaders who reject legislation such as ONCA 16-30.

Based upon these objections and justifications, I hereby veto this bill.

Sincerely,



Geoffrey M. Standing Bear
Osage Nation Principal Chief

GMS/sld

183 I, the Principal Chief of the Osage Nation, hereby affix my signature this _____
184 day of _____, 2016, to the above Bill No. ONCA 16-30 authorizing it to
185 become a law under the Constitution of the Osage Nation.
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Geoffrey M. Standing Bear, Principal Chief
Osage Nation

VETO

On this 15th Day of April, 2016
I hereby VETO this bill
See my Executive Veto Message

