

Rules of the Osage Nation Congress



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2 **RULES OF PROCEDURE**

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4 **STATEMENT OF AUTHORIZATION**

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6 Pursuant and under the authority of Article VI, Section 11 of the
7 Osage Nation Constitution, the Osage Nation Congress adopts the
8 following Rules to govern its operations and procedures in conducting the
9 business of the Congress. The provisions of these rules shall be deemed
10 the only requirements binding upon the Congress under Article VI,
11 Section 11, of the Osage Constitution, notwithstanding any other
12 requirements expressed in statute.

13
14 **RULE ONE**
15 **ELECTION OF OFFICERS**

16
17 **1.1 Officers to be Elected**

- 18
19 1. The Congress shall nominate from the floor and elect by
20 majority vote, one office at a time, the following officers on the
21 last regular day of the Hun-Kah Session, except in election
22 years in which case it shall be done during Special Session by
23 the new Congress:

24
25 **Speaker**
26 **Second Speaker**
27 **Four Members of Congressional Affairs Committee**
28 **Chairperson of Congressional Rules and Ethics Committee**
29 **Two Members of Congressional Rules and Ethics Committee**
30 **Chairperson of Congressional Appropriations Committee**
31 **Chairperson of the Membership Committee**
32 **Two Members of the Membership Committee**

- 33
34 2. No member may hold more than two officer positions. The
35 Speaker may not hold the 2nd Speaker position.
36
37 3. An affirmative vote of a majority of members present will be
38 required to elect officers and establish the members of each
39 committee for the coming year. In the event of a tie, the vote
40 shall be taken again.

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4. All nominations for an office will be considered at one time with each member allowed one vote. Voting will be done by a show of hands which will be recorded and announced by the Clerk of the Congress.
5. Before the ballot is taken, each person so nominated may make a public statement to the Congress indicating what the Congress may expect from her or him in the area of the responsibility of such office.
6. The officer positions shall hold office until the next officer elections. The Speaker and Second Speaker shall not hold those officer positions for more than two consecutive terms.
7. Upon the resignation or death of the Speaker or Member of a Select Committee during a session, the position shall be immediately nominated from the floor and elected by secret ballot for the balance of the term. Should the position become vacant during the interim, the position shall remain vacant until the next regular or special session of the Congress is convened, at which time a new Speaker or Member of the Congressional Affairs Committee will be elected for the remainder of the term.
8. Any Chairperson vacancy created will be filled for the remainder of the term by the Vice Chairperson of that respective Committee previously elected by the members of that Committee in accordance with the Rules applicable to committees.

81 **RULE TWO**

82 **DUTIES AND RIGHTS OF PRESIDING OFFICERS**

83 **2.1 Speaker to Conduct Business on Behalf of Congress**

- 84
- 85 1. The Speaker shall have the authority to conduct business on
- 86 behalf of the Congress as set forth in Osage law and these
- 87 Rules of Procedures.
- 88
- 89 2. The Speaker shall represent the Congress and conduct
- 90 business at intertribal and intra-governmental functions.
- 91
- 92 3. The Speaker shall serve as the public relations lead between
- 93 the Executive and Legislative Branches.
- 94
- 95 4. The Speaker establishes deadlines for the legislative process.
- 96
- 97 5. The Speaker shall set priorities of the Legislative Services
- 98 Division for drafting of all proposed legislation.
- 99
- 100 6. The Speaker shall communicate with the congressional staff
- 101 and/or any committee chair as often as necessary to ensure
- 102 efficient flow of legislation.
- 103
- 104 7. The Speaker may delegate to the Second Speaker the
- 105 authorities and duties of the Speaker as set forth by law and
- 106 these Rules.
- 107
- 108
- 109

110 **2.2 Speaker to Preside**

- 111
- 112 1. The Speaker shall preside over all Sessions of Congress.
- 113
- 114 2. The Speaker shall take the Chair each day at the hour to
- 115 which the Congress has adjourned, call the Congress to order
- 116 and, except in the absence of a quorum, proceed under the
- 117 agenda established in accordance with these Rules.
- 118
- 119 3. The Speaker may postpone reconvening Congress up to
- 120 forty-eight hours for such reasons as inclement weather or

121 other emergency, anticipated lack of quorum or when a
122 quorum cannot be assembled within one half hour after
123 convening.

124

125 **2.3 Speaker to Set and Report Priorities of Session and**
126 **Action Taken by Congress**

127

128 1. In accordance with Article VI, Section 20, of the Osage Nation
129 Constitution, after consultation with the Members, the Speaker
130 at the beginning of each session of Congress shall report the
131 legislative priorities of the Session. The Speaker may enforce
132 the order of priorities with any method sanctioned by these
133 rules.

134

135 2. The Speaker shall meet with the Appropriations Chair;
136 Membership Chair; Rules, Ethics and Engrossment Chair and
137 all standing committee chairs prior to sessions and formulate
138 a committee meeting schedule of the entire session; which
139 contemplates legislative assignments and shall be noticed
140 prior to session.

141

142 3. During each Tzi-Zho Session, the Speaker shall instruct the
143 committee chairs to prioritize bills which contain annual
144 operating funds for each branch of government.

145

146 4. The agenda chosen by the Speaker will be final unless
147 challenged in accordance with the procedure established for
148 points of order. An affirmative vote of two-thirds of the
149 Congress members present shall be required to change the
150 order of bills and resolutions presented for consideration.

151

152 5. The Speaker shall prepare a daily legislative agenda and shall
153 make every effort to disseminate the agenda to the Members
154 of Congress not less than twelve hours prior to the Session for
155 which the agenda was prepared.

156

157 **2.4 Speaker to Maintain Order and Decorum in Regard to**
158 **Congress Members' Conduct**

159

- 160 1. The Speaker shall ensure that Members conduct themselves
161 in such a manner so as to bring honor and dignity to the
162 position for which the Osage citizens have elected them. A
163 Member must not disrupt the decorum of the Congress
164 sessions.
165
- 166 2. While in the chamber, the Speaker shall preserve order and
167 decorum, shall prevent personal reflections or the impugning
168 of the motive of any Member, and shall limit Members in
169 debate to the question under discussion.
170
- 171 3. The Speaker may decide a Member is out of order who:
172
- 173 a. Directly addresses another Congress Member instead of
174 the Speaker;
 - 175
 - 176 b. Fails to limit remarks to the merits of the motion;
177
 - 178 c. Engages in disruptive activity;
179
 - 180 d. Speaks before being recognized by the Speaker;
181
 - 182 e. Slanders another;
183
 - 184 g. Conducts themselves in a less than respectful manner;
185
 - 186 h. Excuses themselves from any meeting without notifying the
187 Speaker.
188
- 189 4. The Speaker may choose to remove a Member of Congress
190 from a meeting for disorderly conduct.
191
- 192 5. When two (2) or more Members seek recognition at the same
193 time, the Speaker shall name the one entitled to the floor.
194
- 195 6. On all questions relative to the transgression of these Rules,
196 the Speaker shall call the Members to order.
197

198 **2.5 Ruling on Points of Order**

199

- 200 1. The Speaker shall decide or rule on “points of order.”
201
202 2. The Speaker may speak to a point of order in preference to
203 the members, and shall decide the questions of order, subject
204 to challenge by a Member of the Congress.
205
206 3. In the event of challenge on a point of order, the
207 parliamentarian may be consulted and each member may be
208 allowed to speak no more than one minute on the point of
209 order and no more than once. Following discussion, the
210 Speaker shall restate the ruling and inquire “Shall the Speaker
211 be overruled?” at which time a vote will be taken.
212
213 4. An affirmative vote of 2/3 of the majority of Congress
214 Members present shall be required to overrule the Speaker on
215 a point of order.
216
217 5. When a point of order is called, no Member shall approach the
218 Speaker or the Clerk of the Congress until after the Speaker
219 has ruled.
220

221 **2.6 Speaker to Assign Proposed Legislation**

222

223 The Speaker shall review and assign all proposed legislation to a
224 Standing or Select Committee or to General Order.
225

226 **2.7 Speaker to Return Proposed Legislation**

227

228 The Speaker shall return proposed legislation not received in
229 proper form and procedure to any Member initiating such
230 legislation. The Speaker shall state the reasons for the return and
231 may make such recommendations as he/she deems appropriate.
232

233 **2.8 Speaker’s Signature Authority**

234

- 235 1. The Speaker shall sign all bills or resolutions passed by the
236 Congress. Such certifications shall be made while the
237 Congress is in session and shall be made a matter of record
238 in the Congressional Journal.
239

240 2. The Speaker shall have the authority to sign all acts,
241 resolutions, laws, writs, warrants and subpoenas of or
242 approved by order of the Congress, contracts binding upon
243 the Congress, or other papers issued by the Congress.
244

245 **2.9 Speaker to Review and Authorize Outgoing**
246 **Correspondence**

247
248 1. The Speaker shall review and authorize all outgoing
249 correspondence representing the entire Congress.
250

251 2. The Speaker shall distribute such correspondence to all
252 Members.
253

254
255 **2.10 Speaker May Direct Counsel in Lawsuits Affecting the**
256 **Congress**

257
258 1. The Speaker may direct counsel previously approved by the
259 Congressional Affairs Committee advocate positions in any
260 lawsuit on behalf of the Congress, a committee of the
261 Congress, a Member or former Member of the Congress in his
262 or her legal capacity as a Member or an officer, employee or
263 agent of the Congress in their official capacity.
264

265 2. Expenses incurred for legal services in such proceedings,
266 once previously approved by the Congress through an
267 appropriations process, and authorized by the Congressional
268 Affairs Committee, may be paid upon approval of the
269 Speaker. The Speaker shall ensure the fees and expenses
270 incurred do not exceed the amount approved for expenditure
271 by the Congressional Affairs Committee and shall notify the
272 Congressional Affairs Committee in writing immediately upon
273 learning the amount approved for fees may be exceeded prior
274 to the conclusion of the litigation.
275

276 **2.11 Speaker to Approve Final Journal**
277

278 Any Session Journal not approved by the Congress at the end of
279 any Session shall be approved and signed by the Speaker following
280 review.

281 282 **2.12 Speaker's Voting Rights**

283
284 The Speaker shall have the same right as other members to vote.

285 286 **2.13 Second Speaker Serves As Chief Administrative Officer** 287 **of the Congressional Office**

- 288
289 1. The Second Speaker shall serve as the Chairperson of the
290 Congressional Affairs Committee.
- 291
292 2. The Second Speaker shall manage internal congressional
293 operations.
- 294
295 3. The Second Speaker shall assign, direct, monitor, and guide
296 the day-to-day operations of the congressional staff and
297 office, The Second Speaker shall ensure the congressional
298 support staff complete their tasks in a timely manner.
- 299
300 4. The Second Speaker shall be responsible for setting and
301 noticing Congressional Affairs committee meetings and
302 setting the agenda of such meetings.
- 303
304 5. The Second Speaker shall be the initial contact for requests to
305 contract professionals. The Second Speaker shall be the
306 initial contact for hiring legal representation or referring
307 matters approved by the Congressional Affairs Committee to
308 current legal representation of the Congress.
- 309
310 6. The Second Speaker shall have authority, subject to fiscal
311 limitations, to sign for all expenditures, including but not
312 limited to: travel authorizations, office expenditures, purchase
313 requisitions, authorization for payment and reimbursement
314 vouchers.
- 315

- 316 7. The Second Speaker shall ensure the Legislative Branch
317 Policies and Procedures Manual is scheduled for updating as
318 necessary.
319
- 320 8. At the discretion of the Speaker, the Second Speaker may be
321 detailed to represent the Congress at any outside official
322 function on behalf of the Osage Nation Congress.
323

324 **2.14 Second Speaker Duties as Chief Personnel Officer of the**
325 **Legislative Branch**
326

- 327 1. The Second Speaker Acts as the Chief Personnel Official of
328 the Legislative Branch. Duties as the primary personnel officer
329 include the following:
330
- 331 a. Supervise and direct the Congressional Staff in adherence
332 to policies and procedures approved by the Congressional
333 Affairs Committee.
334
 - 335 b. Ensure each Member of Congress is provided fair and
336 equitable access to staff services.
337
 - 338 c. Sign all necessary personnel documents and complete and
339 provide an evaluation of the Congressional Staff to the
340 Congress and Human Resources Department no less than
341 once a year in accordance with merit laws.
342
 - 343 d. Ensure the Office of Fiscal and Performance Review
344 completes and submits all documents required by Osage
345 law and other Osage Nation Legislative Branch policies
346 and procedures.
347

348 **2.15 The Second Speaker's Duties as the Chief Fiscal Officer**
349 **of the Legislative Branch**
350

- 351 1. The Second Speaker Acts as the chief fiscal officer of the
352 Legislative Branch. Duties as the chief fiscal officer include
353 the following:
354

- 355 a. Approving spending authorizations of any type up to
356 \$1000.00 (one thousand) dollars.
- 357
- 358 b. Monitoring spending and procurements.
- 359
- 360 c. Approving and signing all necessary documents for
361 expenditures necessary for the Congressional Offices,
362 personnel, and the Osage Nation Congress.
- 363
- 364 d. Acting as initial contact for and resolving internal matters,
365 grievances, compliments or complaints of congressional
366 staff.
- 367
- 368 e. Meeting with the Speaker on a regular basis in order to
369 communicate and coordinate Legislative fiscal operations
370 and internal congressional operations.

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RULE THREE
CONGRESSIONAL STAFF

3.1 Duties and Responsibilities of Congressional Staff

Organization, supervision, duties and responsibilities of the Congressional Staff are set forth in the Congressional Policies and Procedures Manual. Any amendments thereto shall be approved by recorded vote of the Congressional Affairs Committee, incorporated upon passage by the Clerk of the Congress, and an official copy filed of record.

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RULE FOUR
CONGRESS MEMBERS

4.1 Member Defined

“Member”, as used in these Rules, means person(s) elected to the Osage Nation Congress.

4.2 Overall Duties and Responsibilities

1. Every member shall diligently attend each session day including the committee(s) to which they were elected, in person or utilize one (1) day authorized by electronic means. A Member must submit a reason for being absent from Session, in writing at least 24 hours in advance, except in the case of an emergency, to the Clerk of the Congress and to the Committee Chair in the case of committee meetings. The Clerk of Congress shall compile a list of members attendance, including absences at any point, for all sessions and committee meetings and the compiled list shall be a public document. The Clerk shall reflect those members who have notified the Speaker or Committee Chair of anticipated absences.
2. Members may attend any interim congressional committee meetings via electronic means which shall constitute presence at the meeting.
3. The chair of a committee shall not preside over the meeting via electronic means and shall retain the voting rights as a member.

- 475 4. Members may attend seven (7) days of session, whether
476 regular or special, per calendar year by electronic means.
477 Members are prohibited from attending sessions or committee
478 meetings as a committee member during session by
479 electronic means after they have exercised their seven (7)
480 allotted days. Members are prohibited from using the
481 electronic means days of another member. Presiding over a
482 Session of the full body of Congress by electronic means is
483 prohibited.
484
- 485 5. Every member of Congress present during scheduled
486 meetings shall vote on each question put, unless they abstain
487 in accordance with Osage law.
488
- 489 6. No Member rising to debate, to give notice, to make a motion,
490 or to present a paper of any kind shall proceed until the
491 Member has addressed the Speaker and has been
492 recognized by the Speaker as entitled to the floor.
493
- 494 7. While a member is speaking, no other Member shall enter into
495 any private conversation. The Presiding Officer may enforce
496 the provisions stated in the Congressional Policy Manual.
497
- 498 8. Every Member is eligible to introduce and/or sponsor any
499 legislative action.
500
- 501 9. When Congress is in session, all members shall, while in the
502 Chamber or being present via electronic means, be
503 professionally dressed and shall conduct themselves
504 appropriately as a Member of the Osage Nation Congress.
505

506 **4.3 Chamber “Floor” Privileges limited to Members**

507

508 No person shall be entitled to privileges of the “floor” area
509 when the Congress is in session, except Members of the
510 Congress, the Principal Chief, and Assistant Principal Chief,
511 employees of the Congress designated by the Speaker, or
512 upon formal invitation by a majority of the Congress.
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514 **4.4 Correspondence**

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1. Correspondence received by the Clerk from the Executive Branch, Judicial Branch or Minerals Council shall be disseminated by the Clerk to all members of Congress.
 2. Correspondence received by the Clerk from a third party pertaining to any pending bill or resolution shall be disseminated by the Clerk to all members of Congress.
 3. All other correspondence received by the Clerk shall be submitted to the Speaker and Second Speaker, and together with the advice of the Legislative Council, they will determine how to address it.
 4. Correspondence disseminated by individual Members shall indicate the views expressed are that members' individual opinion.

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534

4.5 Adherence to Code of Ethics

535 All Members of Congress shall adhere to the Code of Ethics
536 set forth in Article X of the Osage Constitution and the Osage
537 Nation Ethics Law.
538

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540

4.6 Disclosure of Personal or Private Interest

541 Pursuant to Article VI, Section 16, of the Osage Nation
542 Constitution, a Member who has a personal or private interest
543 in any measure or bill, proposed or pending before the
544 legislature, shall disclose the fact and shall not vote thereon.
545

546
547

4.7 Compensation

548 Pursuant to Article VI, Section 7, of the Osage Nation
549 Constitution, the annual salary and expense allowance of
550 Members of the Osage Congress shall be fixed by Osage
551 law.
552

553
554

4.8 Travel and Reimbursement

- 555 1. Each member shall be reimbursed for travel through
556 submission to the Congressional Affairs Committee in
557 accordance with appropriation for the fiscal year.
558
- 559 2. Legislative Branch Officials and Employees may be
560 accompanied by nonemployees on official travel, provided
561 neither the Legislative Branch nor the Nation incurs any
562 additional cost as a result.
563
- 564 3. Expense for travel and per diem for attendance at training
565 sessions, seminars, orientations, symposiums, or other official
566 tribal functions shall be reimbursed according to Osage
567 Congress travel policies. The rate shall be consistent with the
568 established rate of the Osage Nation.
569
570

571 **RULE FIVE**
572 **SESSIONS**
573

574 **5.1 Session Titles**
575

- 576 1. Regular sessions shall be named the Hun-kah and the Tzi-
577 zho sessions in accordance with the Osage Nation
578 Constitution. Regular sessions shall also identify the fiscal
579 year(s). Special Sessions shall be numbered consecutively
580 and designated by the Congress under which it convened.
581

582 Each Congress begins on the date of the first Session after
583 inauguration in even numbered years and ends when
584 successors are duly elected and installed.
585

586
587 **5.2 Quorum**
588

- 589 1. Pursuant to Article VI, Section 9, of the Osage Nation
590 Constitution, the presence of at least two-thirds (2/3) of the
591 whole number of the members of the Congress via in person
592 or electronic means shall be necessary to constitute a
593 meeting of the Congress for the exercise of its powers.
594

595 2. If, at any time during the daily sessions of the Congress the
596 Speaker determines the absence of a quorum he/she shall
597 announce a recess until a quorum is re-established.
598

599 **5.3 Motions**

600
601 1. Before a Member can make a motion, he/she shall be
602 recognized by the Speaker.
603

604 2. Each motion should receive a second and the Member
605 making the second shall be identified by the Speaker. When
606 a motion fails to receive a second, the Speaker shall declare
607 "The motion dies due to a lack of a second."
608

609 3. After obtaining the floor, a Member cannot be interrupted by
610 calls for the question or by any other motion.
611

612 4. Points of Order or Inquiry regarding motions will be resolved
613 in accordance with Rule 11.2.
614

615 **5.4 Precedence of Motions**

616
617 1. When a question is under consideration, no other motion is in
618 order except those listed below. The allowable motions are
619 listed in order of precedence, and shall be amendable or not
620 amendable, and debatable or not debatable, as indicated:
621

622 a. To adjourn to a time certain (amendable - debatable)
623

624 b. To adjourn (not amendable - not debatable)
625

626 c. To recess (amendable - not debatable)
627

628 d. To recess to the call of the Speaker (not amendable - not
629 debatable)
630

631 e. To table (not amendable - not debatable)
632

633 f. To order the Previous Question put (not amendable - not
634 debatable)

- 635
- 636 g. To advance from General Order (not amendable - not
- 637 debatable)
- 638
- 639 h. To postpone to a time certain (amendable - debatable)
- 640
- 641 i. To adopt a committee report as Congressional intent (not
- 642 amendable - debatable)
- 643
- 644 j. To commit with instructions (amendable - debatable)
- 645
- 646 k. To commit without instructions (not amendable - not
- 647 debatable)
- 648
- 649 l. To amend (amendable - debatable)
- 650
- 651 m. To postpone indefinitely (not amendable - debatable)
- 652

653 **5.5 Incidental Motions**

- 654
- 655 1. The following motions are incidental in nature and may be
- 656 made at any time as an incident to the consideration of the
- 657 subject before the Congress. Such motions shall be
- 658 amendable or not amendable, debatable or not debatable, as
- 659 set forth below:
- 660
- 661 a. Appeals (not amendable - not debatable)
- 662
- 663 b. Points of order (not amendable - not debatable)
- 664
- 665 c. Question of Quorum (not amendable - not debatable)
- 666
- 667 d. Reading of papers (not amendable - debatable)
- 668
- 669 e. Suspension of the Rules (not amendable - not debatable)
- 670
- 671 f. Withdrawal of Motion (not amendable - not debatable)
- 672

673 **5.6 Motions in Writing**

674

675 Every motion shall be in writing if the Speaker desires it,
676 which may be read by the Clerk before debate or vote. Oral
677 motions shall be put by the Speaker before debate or vote.
678

679 **5.7 Withdrawal of Motions**

680 Any motion may be withdrawn by the movant prior to vote.
681
682

683 **5.8 General Debate**

684
685 The Speaker shall restrict debate to the motion on the floor.
686 The Speaker may impose a three (3) minute time limit on
687 debate for all Members of Congress as necessary and shall
688 announce such limits.
689
690

691 **5.9 Voting Procedures**

- 692
693 1. All votes taken to adopt legislation shall be conducted by roll
694 call vote. The Speaker or any Member may call for a roll call
695 vote on any other matter.
696
- 697 2. The names of Members voting and the recorded vote shall be
698 entered in the resolution or bill and in the Congressional
699 journal.
700
- 701 3. After the question has been put, but before the vote
702 commences, any Member may call for a statement of the
703 question.
704
- 705 4. The Speaker shall then instruct the Clerk to record the vote.
706
- 707 5. No Member may vote on behalf of another member.
708
- 709 6. While a vote is in progress, no Member shall be recognized
710 and no other business shall be transacted.
711
- 712 7. No explanation of any vote shall be permitted while a vote is
713 in progress or after a vote has been cast.
714

715 8. No Member, Congress employee or other person shall visit or
716 remain by the Clerk while a vote is in progress.

717
718 9. A bill requires a concurrence of a majority of the entire
719 membership of the Osage Nation Congress to pass. A
720 Resolution requires an affirmative majority of those members
721 of the Osage Nation Congress present at a properly convened
722 session as specified by the Osage Nation Constitution and
723 pursuant to Osage Law to pass.

724
725 10. When the vote is completely recorded, the Clerk shall advise
726 the Speaker of the result. The Speaker shall announce the
727 result to the Congress. No vote may be changed after it has
728 been announced.

729
730

731 **5.11 Committee of the Whole**

732
733 1. A Committee of the Whole is made up of every Member of
734 Congress and the Assistant Principal Chief. The procedure for
735 acting as a Committee of the Whole shall be as follows:

736
737 a. In order for the Congress to meet as a Committee of the
738 Whole, a motion shall be made and seconded, with a
739 majority of members present voting in the affirmative.

740
741 b. The motion shall state the purpose of convening a
742 Committee of the Whole.

743
744 c. The Speaker may engage in the debate.

745
746 d. Any action taken in the Committee of the Whole shall
747 not be final but shall be considered a
748 recommendation.

749
750 **5.12 Special Sessions**

751
752 1. Pursuant to Article VI, Section 10, of the Osage Nation
753 Constitution, the Speaker shall convene the Congress in
754 special session at the written request of two-thirds (2/3) of the

755 Members. The Principal Chief may convene the Congress in
756 special session. Special sessions shall be limited to a period
757 of ten (10) days. Any session may be extended a total of not
758 more than three (3) days.

- 759
- 760 2. A Congressional Proclamation for a special session must be
761 signed and filed with the Clerk of Congress and distributed to
762 the Members at least ten (10) business days before the first
763 day of the special session. Procedures for and limitations on
764 Special Sessions are governed by 15 ONC § 1-102 through §
765 1-105.
766
 - 767 3. Once the Proclamation of the Congress or the Principal Chief
768 is filed with the Clerk of Congress, it may only be amended up
769 to seventy two (72) hours before the first day of the special
770 session. Amendments to the Proclamation by Congress
771 require a written request of two-thirds (2/3) of the Members.
772
 - 773 4. Only legislation listed on the Proclamation, or if the legislation
774 is not specified by Act or Resolution number, then legislation
775 containing only the subject matter listed on the Proclamation
776 may be considered during the special session.
777

778 **5.13 Open Sessions and Meetings**

- 779
- 780 1. All meetings of Congress, Congressional Committees,
781 subcommittees, or task forces at which official actions are to
782 be taken or discussed, or hearings held, are declared to be
783 public meetings.
784
 - 785 2. Congress, committees, sub-committees, or task forces shall
786 not hold meetings at any facility or location that may restrict
787 public access.
788

789 **5.14 Executive Session**

- 790
- 791 1. An Executive Session is a portion of a meeting or session in
792 which only Members and invited persons are in attendance.
793
 - 794 2. Before a motion to enter into Executive Session can be made,

- 795 the reason for the Executive session must be posted on the
796 meeting agenda.
797
- 798 3. If subjects permitted in Section 4 of this section are to be
799 discussed at a meeting in Executive Session, the meeting
800 must first be convened as a public meeting.
801
- 802 4. A motion must be made to enter into Executive Session and
803 must acquire a second.
804
- 805 5. The motion to convene in Executive Session must clearly and
806 with specificity describe the subject of the proposed Executive
807 Session without defeating the purpose of addressing the
808 subject in private.
809
- 810 6. The motion must pass by a majority vote of the members
811 present - Congress Members if in session or committee
812 members if in a committee meeting.
813
- 814 7. Reference to the motion and the stated purpose for the
815 Executive Session shall be included in the minutes.
816
- 817 8. An Executive Session may be held for discussion of a matter:
818
- 819 a. that tends to prejudice the reputation and character of a
820 person;
 - 821
 - 822 b. that is, by law, required to be confidential;
823
 - 824 c. involving consideration of government records that by law
825 are not subject to public disclosure;
826
 - 827 d. that is confidential as a privileged communication between
828 an attorney and client; the Congress may, in Executive
829 Session, decide on and give instructions to an attorney
830 representing the Congress or the Osage Nation on issues
831 arising out of or related to the representation.
832

- 833 9. Only the reason stated by the Chair or Speaker before
834 entering Executive Session shall be discussed while in
835 Executive Session.
836
- 837 10. At the conclusion of the Executive Session, the Chair shall
838 announce the resuming of the meeting.
839
- 840 11. The only motion and vote that can occur while in Executive
841 Session, is a motion to end the Executive Session.
842
- 843 12. Other than the one motion stated above in sub-section seven
844 (7), no contract, motion or other action adopted, passed or
845 agreed to in Executive Session shall become effective unless
846 the Congress, subcommittee or other committee thereof,
847 following the executive session, reconvenes in open meeting
848 and takes a vote on such contract, motion or other action
849 which shall have its substance reasonably identified in the
850 open meeting.
851
- 852 13. In Executive Session no official votes are to be taken.
853 Communications made while in Executive Session are not to
854 be discussed outside the closed assembly.
855
- 856 14. A recording of every Executive Session shall be made and
857 kept under seal in the Clerk's Office. Recordings of Executive
858 Sessions shall not be subject to opens records requests and
859 will only be released to the public upon Osage Nation Court
860 order.
861

862 **5.15 Adjournment**

863

864 A Congress Session is officially adjourned with or without a
865 motion to adjourn, after all of the business on the agenda has
866 been considered. The Speaker maintains a quorum and if a
867 quorum no longer exists, the Speaker may call for a motion to
868 adjourn.
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RULE SIX LEGISLATION

6.1 Definition of the Term “Bill”

The term “bill,” as used in these Rules, shall mean proposed legislation which must pass through the Congress according to the procedures established by the Osage Constitution, Article VI Sections 12-15 and Osage law, including consideration by the Principal Chief. The term shall include proposed bills of a general nature and those proposed in Special Sessions. The procedures of these Rules applicable to the introduction and passage of bills shall also apply to the introduction and passage of resolutions excepting the number of votes required for passage as specified in Rule 5.9.

6.2 Definition of the Term “Resolution”

The term “resolution” as used in these rules shall mean a formal expression of an opinion, intention, or decision by the Osage Nation Congress. It does not have the force of law. Pursuant to the Osage Constitution, Article VI, Section 14, and Article XX, Section 3, each order or resolution, except those related to the business or adjournment of the legislature or those that propose constitutional amendments, shall be

913 presented to the Principal Chief and subject to a veto with an
914 override provision.

915
916

917 **6.3 Drafting and Presenting Proposed Legislation**

918

919 1. All proposed legislation must have a Congressional member
920 sponsor who must request in writing any assistance needed
921 from the Legislative Writer. Self- drafted legislation must also
922 be submitted to the legislative writer to be placed in proper
923 form. Members shall submit all final proposed legislation to
924 the Legislative Writer. The Legislative Writer shall certify on
925 the front page of the legislation that it has been received by
926 the Legislative Services Division and is in proper form and
927 return the legislation to the Member.

928

929 2. The Sponsor of any proposed legislation shall submit the
930 legislation either electronically or in person to the Clerk of the
931 Congress to be filed via paper document and in electronic
932 “Word” form. The Clerk shall assign the legislation a number
933 and confirm the date and time the legislation is received in
934 writing to the Sponsor.

935

936 3. A resolution affecting the legislature and its internal
937 procedure, shall state it does not require presentation to the
938 Principal Chief.

939

940 4. In order for legislation to appear on the next day’s agenda on
941 First Reading, the legislation should be filed as set forth above
942 prior to 3:00 p.m. on the previous legislative day.

943

944 5. All filed bills or resolutions shall have a Sponsor listed and
945 shall have a title stating the subject matter contained therein,
946 and the proposed dollar amount of any appropriation and shall
947 include the bill or resolution number assigned to it by the Clerk
948 of the Congress. If there are any Co-Sponsors, they should
949 also be listed on the bill or resolution.

950

951 6. One (1) Member shall be designated as the Sponsor and shall
952 be listed on the bill or resolution by name only. All others will

953 be listed as Co-Sponsors. The Sponsor or Co- Sponsor of any
954 bill or resolution must personally present the legislation to the
955 assigned Committee or the Congress on General Order.

956
957 7. Co-Sponsors of bills and resolutions added after introduction
958 shall be listed in the order received. Co- Sponsors can be
959 added up until the time the bill or resolution is engrossed.

960
961 8. The Sponsor has sole authority to amend and/or change the
962 proposed legislation prior to the numbered bill or resolution
963 being introduced.

964
965 9. The Speaker may assign the numbered bill or resolution to a
966 Select Committee or Standing Committee with jurisdiction
967 over the matter.

968
969 10. The Committee Chair shall place the numbered bill or
970 resolution on the committee agenda for consideration.

971
972 11. The Sponsor or a Co-Sponsor of legislation must attend the
973 appropriate Committee meeting where first discussion on the
974 Sponsor's legislation will occur. The Sponsor of legislation
975 must be timely notified by the committee chair that legislation
976 has been placed on a committee agenda.

977
978 12. If the Sponsor or Co-Sponsor of legislation does not attend
979 the committee meeting where the bill or resolution is
980 scheduled to be considered, it shall be tabled to the call of the
981 chair.

982
983 13. All legislation forwarded to the entire Congress from a
984 committee should be accompanied by a committee report.
985 Such reports should reference any hearings and provide the
986 legislative intent of such legislation. The Committee of
987 Jurisdiction Chair is responsible for ensuring the report is in
988 correct form and complete in content.

989
990 14. After legislation is reported out of committee, a Sponsor may
991 withdraw his/her Sponsorship or move to withdraw the bill.
992 Should the Sponsor withdraw, and no Member succeed to

993 Sponsorship, the Speaker shall declare the legislation
994 withdrawn.

995
996 15. Any Co-Sponsor may withdraw sponsorship at any time by
997 notifying the Clerk of the Congress in writing. Subsequent
998 versions of the bill shall record any withdrawal(s).
999

1000 **6.4 Bill, Resolution Designation and Codification**
1001

1002 1. Each bill or resolution shall be designated according to the
1003 Fiscal Year when filed followed by a hyphen (-) then followed
1004 by the sequence in which the bill was introduced.
1005

1006 2. Bills and resolutions introduced in subsequent sessions of the
1007 Congress shall be numbered consecutively with the last bill
1008 and resolution, respectively, introduced in the last Regular or
1009 Special Session of the same Congress.
1010

1011 3. Once signed into law, all statutes, except those of a temporary
1012 nature or those that are appropriations, shall be placed with
1013 the Osage Nation Code by title and section.
1014

1015 4. All laws shall be maintained by the Clerk of the Congress in a
1016 manner that includes reference to the date of first passage
1017 and any subsequent amendments.
1018

1019 **6.5 “Reading” Defined**
1020

1021 A Reading means a stage of consideration of a bill or
1022 resolution where the title is read or published sufficient for
1023 identification by the Members, Congressional Staff and public.
1024 Each bill or resolution shall receive three readings.
1025

1026 **6.6 First Reading**
1027

1028 1. The recitation of a bill or resolution by its title and bill number
1029 and a brief explanation by the Sponsor or the Speaker shall
1030 satisfy the requirements of a reading.
1031

- 1032 2. After the First Reading of a bill or resolution, the bill or
1033 resolution shall be referred by the Speaker to an appropriate
1034 committee or directly to General Order.
1035
1036 3. No bill or resolution on First Reading shall be subject to
1037 amendment or debate.
1038
1039 4. A Member may move to appeal the decision made by the
1040 Speaker concerning the assignment of the bill or resolution
1041 and shall state in the motion the desired placement. A 2/3
1042 vote of the Members of Congress is required to approve the
1043 appeal.
1044

1045 **6.7 General Order**
1046

- 1047 1. After a bill or resolution is on First Reading, if referred to
1048 General Order, or reported on the floor from Committee, the
1049 bill or resolution is placed on General Order Day 1 on the next
1050 legislative day.
1051
1052 2. The first day the bill or resolution is on General Order it shall
1053 be read by title, or read and considered by sections, unless
1054 otherwise ordered by the Speaker. This shall constitute
1055 "Second Reading."
1056
1057 3. The Sponsor or Co-Sponsor presenting a bill or resolution on
1058 General Order shall be allowed a reasonable length of time in
1059 which to explain same.
1060
1061 4. A list of bills or resolutions on General Order shall be posted
1062 by the Clerk of the Congress on the legislative website and
1063 Congressional legislative tracker as soon as possible.
1064
1065 5. Amendments may be proposed to a bill or resolution on
1066 General Order Day 2.
1067
1068 6. On General Order Day 3, seconded amendments to bills or
1069 resolutions may be further amended with a second and all
1070 proposed amendments are voted on.
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6.8 Advancing a Resolution

A resolution may be advanced from First Reading or from General Order to Third Reading by 2/3 majority of the elected members of Congress.

6.9 General Order Amendments

1. All bills and resolutions on General Order shall be subject to amendment as provided in this rule.
2. All proposed amendments, numbered and referencing the page and line of the last read version of the bill, shall be submitted to the clerk in writing.
3. On General Order Day 2, amendments to bills and resolutions can be made on the floor and must receive a second. If no second is received, then the amendment is not considered.
4. No debate or discussion of amendments will occur on General Order Day 2.
5. The day after the amendment(s) to legislation is proposed, the Speaker will present the amendments, one by one, in the order they were presented. After an amendment is read and presented, the Speaker will open the floor for debate and a vote will be in order.
6. If a motion and a second are received for an amendment to an amendment (secondary), then the secondary amendment will be debated and voted upon first.
7. If the secondary amendment is approved, then the primary amendment, now including the secondary amendment, will be debated and voted upon.
8. If the secondary amendment is not passed, then the primary amendment will be debated and voted upon.

- 1111 9. Only one amendment (secondary) to the amendment
1112 (primary) is in order per amendment.
1113
- 1114 10. Amendments shall be voted on in the order filed. A 2/3
1115 majority of the Congress may upon motion combine or
1116 separate the amendments.
1117

1118 **6.10 Germaneness of Amendments**

1119

- 1120 1. The Congress shall not consider any proposed amendment
1121 that is not germane to the subject of the original bill or
1122 resolution. It shall be the duty of the Speaker to enforce this
1123 rule, regardless of whether or not a point of order is raised by
1124 a Member.
1125
- 1126 2. An amendment of an amendment must be germane to both
1127 the main amendment and the measure which it purports to
1128 amend.
1129

1130 **6.11 Reconsideration**

1131

1132 A motion to reconsider any vote on the adoption or rejection of
1133 an amendment, or the adoption or rejection of a section of any
1134 bill or resolution, may be made by any Member prior to the
1135 advancement of such bill or resolution from General Order,
1136 which motion shall be subject to debate.
1137

1138 **6.12 Motion to Commit**

1139

1140 A motion may be made during the reading or consideration of
1141 any bill or resolution on General Order to commit the bill to a
1142 standing or select committee. A majority vote of the Congress
1143 is needed for approval. All properly submitted General Order
1144 amendments offered for a bill or resolution prior to the Motion
1145 to commit shall accompany the bill or resolution to Committee
1146 and be subject to Committee consideration and action.
1147

1148 **6.13 Motion to Advance from General Order**

1149

1150 A motion to advance a bill or resolution from General Order
1151 shall be in order if no amendments are proposed. The
1152 Speaker may advance the legislation without motion upon
1153 announcement without objection.
1154

1155 **6.14 Engrossment**

1156
1157 1. An engrossment is a proofreading and verification that the bill
1158 before the body is identical to the original bill as introduced,
1159 with all the adopted committee and floor amendments
1160 correctly inserted.

1161
1162 2. All bills or resolutions must be engrossed prior to Third
1163 Reading.
1164

1165 3. A bill or resolution, when advanced from General Order,
1166 together with the amendments thereto, shall be delivered by
1167 the Clerk of the Congress to the Legislative Writer for
1168 Engrossment.
1169

1170 4. The Legislative Writer shall have the authority to make limited
1171 changes on proposed legislation including clerical corrections,
1172 mathematical corrections, grammatical, spelling and
1173 punctuation corrections, conforming changes and changing
1174 titles of bills to reflect changes in the body or appropriation
1175 amount of bills and resolutions.
1176

1177 5. The engrossed bill or resolution shall be reviewed by the
1178 Congressional Rules, Ethics and Engrossment Committee.
1179 Before review, the bill or resolution shall be reprinted in a
1180 manner that omits the means by which amendments were
1181 indicated. Exceptions shall be made for the bills and
1182 resolutions amending legislation where such indications are
1183 necessary.
1184

1185 6. When reported by the Rules, Ethics and Engrossment
1186 Committee as correctly engrossed, the engrossed copy is
1187 substituted in public record prior to Third Reading.
1188

- 1189 7. The bill or resolution shall then be placed on the following
1190 day's agenda under the heading "Bills and Resolutions on
1191 Third Reading". The Speaker may for cause hold a bill or
1192 resolution prior to Third Reading for no more than one
1193 legislative day without Motion.
1194
- 1195 8. Congress may upon motion consider a bill or resolution
1196 advanced from General Order on Third Reading during the
1197 same Session day upon suspension of the Rules and
1198 modification of the agenda. Upon passage of such a Motion,
1199 the Congress shall recess for the purposes of engrossment.
1200

1201 **6.15 Fiscal and Actuarial Analysis of Bills and Resolutions**

1202

- 1203 1. All bills or resolutions, or the amendments to them, whose
1204 adoption will have a fiscal impact, including the affecting of
1205 revenues, expenditures, or fiscal liability, shall not be
1206 scheduled for floor consideration unless accompanied by a
1207 written fiscal analysis.
1208
- 1209 2. Fiscal analyses shall state in dollars the estimated increase or
1210 decrease in revenues or expenditures and the present and
1211 future fiscal implications of passage of the bill, resolution or
1212 amendments to them, including the demographics and
1213 number of probable Osage members served if the legislation
1214 is enacted.
1215
- 1216 3. The fiscal analysis shall not express comment or opinion
1217 relative to the merits of the legislation proposed, but should
1218 point out technical or mechanical defects.
1219
- 1220 4. If any bill or resolution of the type delineated in paragraph
1221 number 1 of this subsection is scheduled for floor
1222 consideration on Third Reading without a fiscal or actuarial
1223 analysis having been prepared, it shall be the right of any
1224 Member to raise a point of order on the floor and the Speaker
1225 shall order return of the bill to the appropriate committee. The
1226 accuracy of a fiscal or actuarial analysis shall not be a basis
1227 for a point of order under these Rules.
1228

1229 **6.16 Bills on Third Reading - Consideration and Debate**
1230

- 1231 1. On Third Reading of a bill or resolution, before the vote is
1232 ordered, such question shall be subject to debate. Debate
1233 shall be limited to sixty-three (63) minutes. No Member may
1234 speak for more than five (5) minutes except the Sponsor who
1235 is allowed a total of eight (8) minutes to be divided between
1236 the opening and closing of debate at his or her discretion.
1237
- 1238 2. Once debate has completed, the question shall be put, by the
1239 Speaker, in the following manner: "The Question is, shall the
1240 Bill or Resolution Pass?" Such question shall be decided by
1241 recorded vote after the announcement of the question by the
1242 Speaker.
1243

1244 **6.17 Amendments on Third Reading**
1245

1246 No bill or resolution on Third Reading shall be subject to
1247 amendment.
1248

1249 **6.18 Consideration of Alternate Effective Date**
1250

1251 When any bill or resolution is being considered on Third
1252 Reading, and such a bill or resolution contains an alternate
1253 effective date, the alternate effective date shall constitute a
1254 separate question, and shall be subject to debate.
1255

1256 **6.19 Carry-over Bills and Resolutions**
1257

- 1258 1. Any bill or resolution pending in the Congress at the
1259 adjournment of any Regular Session of a Congress shall
1260 carry over to the next Regular Session with the same status
1261 as if there had been no adjournment, and any bill or resolution
1262 may carry over to a special session if it is placed on the
1263 Proclamation for the special session.
1264
- 1265 2. Bills or resolutions pending at the time of sine die adjournment
1266 shall not carry over and may be refiled in the subsequent
1267 Congress.
1268

6.20 Vetoed Legislation/Veto Message

1. Pursuant to Article VII, Section 11, of the Osage Nation Constitution, the Principal Chief may veto bills by the Osage Nation Congress. The Principal Chief may, by veto, strike or reduce items in appropriation bills. The Principal Chief shall return any vetoed bills, with a statement of the objection(s), to the Congress.
2. A veto message of the Principal Chief shall be delivered to the Congress office by the Executive Branch. The Congress Clerk or designee shall specify the time and date the “Veto Message” was received. Objections shall be entered into the journal noting the date and time of receipt.
3. Copies of the veto message shall be made available upon receipt to all Members.
4. When a bill or resolution is returned to the Congress because of a veto by the Principal Chief, a motion to vote to override the veto shall be in order at any time.
5. Any Member, other than the Speaker, may make a motion that the veto be overridden and the legislation adopted as law. Such motion shall be in order only at the meeting where the veto message was read aloud.
6. A motion to vote to override a veto by the Principal Chief is debatable. No member shall speak more than once, nor for more than 5 minutes.
7. If at least three-fourths (3/4) or nine (9) members of Congress vote to pass the bill, it shall become law.
8. If a motion to override and adopt the vetoed legislation is not made prior to the close of the then current Session, an override of the vetoed legislation may not be considered.

6.21 Reconsideration

- 1309 1. The final vote on Third Reading on any bill or resolution, or on
1310 the Alternate Effective Date thereof, may be reconsidered only
1311 if a Member presents a motion to reconsider the final vote.
1312 The Speaker shall afford any Member such opportunity prior
1313 to proceeding to consideration of any other business.
1314
- 1315 2. The motion to reconsider a final vote shall be presented and
1316 considered on the same day that such final vote was taken.
1317 The motion must have a second. No such motion is in order
1318 thereafter.
1319
- 1320 3. For adoption, a motion to reconsider the final vote on a bill,
1321 resolution, or Alternate Effective Date must receive a vote of
1322 2/3 Members of the Congress.
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RULE SEVEN
CONGRESSIONAL COMMITTEES

7.1 Committee Formation

1. At the appointed time, Congress shall meet and caucus on the subject of committee membership.
2. The committees shall be comprised in total of no less than three members and no more than six members.
3. When the Speaker determines that a general consensus has been reached on committee membership, the Speaker shall submit a complete list of committee assignments to the Congress for approval. An affirmative vote of at least seven members of Congress is required to confirm the members in each committee for the coming year.
4. Select and Standing committees shall meet immediately after selection and elect a Chair and Vice Chair.

7.2 Select Committees

1. The Select Committees are:
 - a. Congressional Affairs Committee
 - b. Congressional Rules, Ethics and Engrossment Committee
 - c. Membership Committee
 - d. Appropriations Committee

7.3 Congressional Affairs Committee

1. The duties and responsibilities of the Congressional Affairs Committee include the following:

- 1389
- 1390 a. Review and mediate member disputes between
- 1391 members and staff and among staff as referred by the
- 1392 Second Speaker.
- 1393
- 1394 b. Review and approve all job descriptions, hiring
- 1395 decisions and termination of Legislative Branch Staff.
- 1396
- 1397 c. Review and complete annual Legislative Branch staff
- 1398 evaluations and make any required merit
- 1399 recommendations.
- 1400
- 1401 d. Set salaries, bonuses and leave policies for all
- 1402 Legislative Branch employees.
- 1403
- 1404 e. Review and annually approve the Legislative Branch
- 1405 Policies and Procedure Manual.
- 1406
- 1407 f. Initiate and approve the proposed annual Legislative
- 1408 Branch budget for filing on or before July 15 of each
- 1409 year.
- 1410
- 1411 g. Approve expenditures over \$1,000 (one thousand
- 1412 dollars).
- 1413
- 1414 h. Review and approve professional contracts.
- 1415
- 1416 i. Monitor the Legislative Branch budget for compliance
- 1417 with appropriations law and propose any modifications
- 1418 and amendments to annual Legislative Branch
- 1419 appropriations.
- 1420
- 1421 j. Consider and approve all conferenced, conventions,
- 1422 special events and meetings when hosted in whole or in
- 1423 part by Congress, including but not limited to; trainings,
- 1424 retreats, conferences, workshops, special events and
- 1425 inaugural events. With the exception of Rule 7.17 and
- 1426 7.18 regarding hearings.
- 1427
- 1428 k. Plan and conduct new member orientation.

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2. The Congressional Affairs Committee shall undertake such additional duties as may hereafter be prescribed by these Rules or referred to the Committee by a vote of the majority of the Members of Congress.

3. During Sessions, meetings of the Congressional Affairs Committee are considered emergency meetings approved by the Speaker, and may meet without 48 hours' notice at the call of the Second Speaker to approve invoices, requests for professional fees and travel, and to address employment and operations issues.

7.4 Congressional Rules, Ethics and Engrossment Committee

1. Duties and Responsibilities of the Committee include the following:
 - a. Initiate, research and propose amendments and new additions to the Rules of the Osage Nation Congress.
 - b. Engross all bills referred by the Speaker for Engrossment.
 - c. Ensure legislative compliance with Article X of the Osage Nation and any ethics rules of the Osage Nation Congress and laws of the Nation.
 - d. Recommend policies and procedures changes of the Legislative Branch to the Congressional Affairs Committee.”

7.5 Appropriations Committee

1. The members of the Appropriations Committee shall be comprised of one member elected by each of the Standing Committees upon annual formation of the committees.

2. The Duties and Responsibilities of the Congressional Appropriations Committee include the following:

- 1469
- 1470 a. Monitor all appropriation legislation filed in the Congress.
- 1471
- 1472 b. Review financial reports circulated by the Treasurer, and
- 1473 Enterprises and report regularly on the fiscal status of the
- 1474 Nation to the Osage Congress.
- 1475
- 1476 c. In cooperation with the Budget Analyst, review proposed
- 1477 legislation and provide reports to the members of no less
- 1478 than weekly during legislative sessions on the current
- 1479 status of the Nation's revenues and appropriations.
- 1480
- 1481 d. Meet and make revenue and appropriation status reports
- 1482 available to the Members of Congress at least quarterly
- 1483 when Congress is not in session.
- 1484
- 1485 e. Determine, report and revise Annual Projected Revenue in
- 1486 accordance with Osage Law and these Rules.
- 1487
- 1488 f. Report through the Chair to Congress any time the amount
- 1489 of enacted and pending appropriations for the fiscal year
- 1490 exceeds 95% of annual projected revenue.
- 1491
- 1492 g. Report a hold on the advancement of any bills containing
- 1493 appropriations for no more than 24 hours to allow the
- 1494 Appropriations committee to meet on the subject of the
- 1495 hold and formulate and present recommendations to the
- 1496 Congress.
- 1497
- 1498 h. Sponsor through the Committee Chair or Vice Chair during
- 1499 the Tzi-zho Session all annual appropriation bills that
- 1500 provide operating funds to the branches of government.
- 1501
- 1502 i. Review and make recommendations concerning the
- 1503 balance and funding needs of any established Revolving
- 1504 Fund.
- 1505
- 1506 j. Review the approved Indirect Cost Rate as of April 15, of
- 1507 each fiscal year utilized in proposed general appropriations
- 1508 legislation.

- 1509
- 1510 k. Recommend appropriation priorities after the Tzi-zho
- 1511 Session for the remainder of the fiscal year.
- 1512
- 1513 l. Process bills assigned by the Speaker including but not
- 1514 limited to annual operating funds bills for the Office of the
- 1515 Chiefs, the Attorney General, the Legislative Branch and
- 1516 the Judicial Branch.
- 1517
- 1518 m. Approve the Auditor for the Nation’s annual audit as
- 1519 required by the Constitution. A subcommittee may be
- 1520 established for this purpose.
- 1521
- 1522 n. Take action regarding any bill committed to it in
- 1523 accordance with these Rules.
- 1524
- 1525 o. Review annual audits of the Nation.
- 1526
- 1527 p. Oversee financial reporting deadlines.
- 1528
- 1529 q. Make recommendations to the Office of Fiscal and
- 1530 Performance Review for its annual audit plan.
- 1531

1532 **7.6 Membership Committee**

1533

- 1534 1. The duties and responsibilities of the Membership Committee
- 1535 include:
- 1536
- 1537 a. Ensure the Osage Nation membership roll is properly
- 1538 maintained in the Membership Office and with the Clerk of
- 1539 the Congress.
- 1540
- 1541 b. Develop safety measures and means for keeping the roll
- 1542 and membership records protected and methods for
- 1543 enrollment and maintaining records up to date.
- 1544
- 1545 c. Meet with the Membership Director on a regular basis to
- 1546 discuss budgetary and staffing needs of the Office.
- 1547

1548 d. Recommend rules and regulations to the Osage Nation
1549 Congress as necessary to regulate membership and
1550 maintain a correct roll of all Osages enrolled as members
1551 of the Osage Nation.
1552

1553 **7.7 Standing Committees**

1554
1555 1. The Standing Committees of the Osage Nation Congress shall
1556 be titled as follows:

- 1557
- 1558 a. Education
- 1559 b. Culture
- 1560 c. Commerce, Gaming and Land
- 1561 d. Government Operations
- 1562 e. Health and Social Services
- 1563

1564 2. The jurisdiction of the Standing Committees of Osage Nation
1565 Congress shall align with the composition of Executive
1566 Branch.

1567
1568 3. Each committee of the Congress is authorized to hold such
1569 meetings and to sit and act at such times and places during
1570 sessions, recesses and adjourned periods as it deems
1571 advisable.

1572
1573 4. A Committee's subject matter jurisdiction extends to all
1574 matters reasonably comprehended in the name of the
1575 committee. A committee's particular jurisdiction extends to
1576 any bill, resolution, confirmation or other measure referred to it
1577 by the Congress, including review of the budgets of the
1578 agencies, boards and commissions reasonably encompassed
1579 in its subject matter jurisdiction.

1580
1581 5. No committee may exercise any power in a manner excessive
1582 or contrary to the Rules of the Congress.

1583 **7.8 Standing Committee Oversight Responsibilities**

1584
1585
1586 1. Committees are authorized:
1587

- 1588 a. To maintain a continuous review of the work of the
1589 government agencies and offices concerned with their
1590 subject areas and the performance of the functions of
1591 government within each subject area.
1592
1593 b. To invite public officials, public employees and private
1594 individuals to appear before the committees to submit
1595 information.
1596
- 1597 2. In order to carry out the duties of the committee, the Chair of
1598 each committee with approval of the Speaker may issue
1599 subpoenas duces tecum and other necessary process to
1600 compel the attendance of witnesses either before the
1601 committee or at deposition and the production of any books,
1602 letters or other documentary evidence required by such
1603 committee.
1604
- 1605 3. The Chair, Vice-Chair, or a member designated by the Chair or
1606 Vice-Chair may administer all oaths and affirmations to
1607 witnesses who appear before such committees to testify in any
1608 matter requiring evidence.
1609
- 1610 4. To request reports from departments and agencies performing
1611 functions reasonably related to the committees' jurisdictions
1612
- 1613 a. Each committee has the reasonable right and authority to
1614 inspect and investigate the books, records, papers,
1615 documents, data, operation and physical plant of any
1616 department of this Nation.
1617
- 1618 5. To complete the interim projects assigned by the Speaker or
1619 the Congressional Affairs Committee
1620

1621 **7.9 Sub-Committees**

1622

- 1623 1. The committee Chair may establish subcommittees with a
1624 majority affirmative vote of the committee.
1625

- 1626 2. Persons not present at the formation of the subcommittee must
1627 be notified by the committee Chair and must consent to be
1628 considered as a member of a subcommittee..
1629
- 1630 3. Sub-committees may be made up of Members of the
1631 Committee, Members of Congress or other persons deemed
1632 necessary by the Chair or in accordance with Osage Law.
1633

1634 **7.10 Committee Staff**

- 1635
- 1636 1. The Congressional Affairs Committee shall make staff
1637 assignments to the Standing Committees.
1638
- 1639 2. The Chair of each committee shall be the only person directing
1640 Congress Staff to perform secretarial duties necessary to fulfill the
1641 needs of the Committee. Any request for information of other
1642 issues shall be directed through the respective committee chair.
1643

1644 **7.11 Notice of Meetings**

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- 1646
- 1647 1. During Session, all committees shall provide at least forty-eight
1648 (48) hours' notice of a meeting. At a minimum, notice of the
1649 meeting shall be posted both outside the Congress chamber
1650 and on the Congress website. In case of emergency, with the
1651 approval of the Speaker, a meeting may be held with notice
1652 appropriate to the circumstances. The Speaker shall announce
1653 and describe the emergency.
1654
- 1655 2. A notice shall state the date, time and place of a meeting and
1656 shall include a listing and sufficient title for identification of any
1657 and all bills or resolutions to be considered by the committee or
1658 subcommittee holding the meeting. The bill author and the
1659 members of the committee or subcommittee shall be provided
1660 separate notice.
1661
- 1662 3. If a committee or subcommittee is scheduled for a regular
1663 meeting, but does not plan to meet, a cancellation notice shall
1664 be posted.

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4. The Rules and Ethics Committee may meet during Session without notice at the direction of the Speaker or the call of the Chairperson for the purpose of engrossing bills and resolutions.
5. The Appropriations Oversight Committee may meet during Session without notice at the direction of the Speaker or the call of the Chairperson for the purpose of referring legislation to other Committees of Jurisdiction.

7.12 Timing of Committee Meetings

1. Committees shall meet at the call of the Chair within the dates, times and locations designated by the Speaker.
2. The Speaker shall meet with the Appropriations Chair; Membership Chair; Rules, Ethics and Engrossment Chair and all standing committee chairs prior to sessions and formulate a committee meeting schedule of the entire session; which contemplates legislative assignments and shall be noticed prior to session.
3. No committee shall sit during a floor session of the Congress without special leave from the Speaker.

7.13 Authority of the Chair

1. Except as otherwise provided in these Rules, the Chair has all authority necessary to ensure an efficient operation of the committee, including, but not limited to, presiding over the committee, preparing the agenda for the committee, recognition of members or presenters, deciding all questions of order in committee and determining the order in which matters are considered in committee.
2. The Chair shall require all persons attending a committee meeting to silence all telephones and other audible electronic equipment.

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3. In case of a Chair’s absence, the Vice-Chair shall assume all duties of the Chair until the Chair’s return or replacement.
4. Visitors, guests and fellow Members may speak only if recognized by the Chair.

7.14 Open Meetings

1. Committee meetings shall remain “open” to the public except when entering into “Executive Session.” Procedures and requirements for committees entering into Executive Session are listed under 5.14 of these rules.

7.15 Committee Meetings Procedure

1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Committees in all cases to which they are applicable and in which they are not inconsistent with these Rules.
2. Every member of the Committee in attendance shall be eligible to vote on any measure or matter before the Committee and on any amendment or motion pertaining thereto.
3. A committee may only take up bills or resolutions for consideration if a quorum of the committee is present. A quorum is a majority of the members of the committee. In order to establish a quorum, committee members shall be present in person or via electronic means.
4. If neither the chairperson nor vice-chairperson of a Committee is present, the secretary shall call the meeting to order, and the committee shall immediately elect a chairperson pro tem to preside during that meeting. Such office is terminated at the end of the meeting or by the entrance of the chairperson or vice-chairperson.

- 1742 5. The Chair shall arrange for the taking of recorded minutes,
1743 including the recording of which members were in attendance,
1744 tardy, or absent.
1745
- 1746 6. No person shall address the committee unless first recognized
1747 by the Chair for that purpose.
1748
- 1749 7. When legislation is taken up for consideration, the sponsor or
1750 co-sponsor shall be recognized for explanation.
1751
- 1752 8. The Sponsor of legislation shall ensure all support
1753 documentation is filed with the Clerk of Congress and
1754 distributed to each member of Congress prior to committee or
1755 floor consideration. When documentation is presented in
1756 committee, the committee chair shall ensure such
1757 documentation is filed with the committee secretary and
1758 distributed to all members of Congress.
1759
- 1760 9. The Congress author shall be given the opportunity to answer
1761 questions put by members of the committee or other persons
1762 recognized by the Chair.
1763
- 1764 10. The Chair shall provide opportunity for presentation of
1765 amendments to the bill or resolution by the Congress author,
1766 any member of the committee, or any other Member of the
1767 Congress. Any amendment must be seconded to receive
1768 further consideration.
1769
- 1770 11. Amendments shall be considered in the order they appear in
1771 the bill or resolution, or in the order they are presented to the
1772 committee. The Chair shall resolve any conflict resulting from
1773 claimed priority of presentation.
1774
- 1775 12. The author of an amendment shall explain the amendment and
1776 be afforded the opportunity to answer questions about the
1777 amendment put by members of the committee, the author of the
1778 bill or resolution, Members of the Congress or other persons
1779 recognized by the Chair.
1780

- 1781 13. The Chair may recognize any person for comment on the
1782 proposed legislation or amendments thereto. The Chair may
1783 limit the amount of time for any such comment.
1784
- 1785 14. Except for legislation containing appropriations, all legislation
1786 originating in the Congress which is recommended by a
1787 committee to the full Congress shall contain a complete Title
1788 and an Enacting or Resolving Clause.
1789

1790 **7.16 Amendments**

- 1791
- 1792 1. Committees may only consider amendments presented in final
1793 written form, to the assigned committee staff member, prior to
1794 adoption. This may be waived at the discretion of the committee
1795 Chair.
1796
- 1797 2. Any Member of the Congress may offer an amendment to any
1798 bill or resolution being considered by any committee or
1799 subcommittee and shall be recognized to introduce the
1800 amendment. If not a member of the committee or
1801 subcommittee, a Member who offers an amendment must
1802 comply with the amendment filing deadline of this Rule and be
1803 present at the meeting at which the amendment is considered.
1804 If the Member is not present, the amendment may only be
1805 considered if taken up and offered by a member of the
1806 committee.
1807
- 1808 3. Any Member offering an amendment, including a member of
1809 the committee, must submit the proposed amendment in writing
1810 to the Chair before the meeting of the committee or
1811 subcommittee.
1812
- 1813 4. The Chair may, at his or her discretion, waive or set a later
1814 deadline than contained in this rule for amendments.
1815
- 1816 5. Amendments to any bill or resolution under consideration by a
1817 committee shall be germane to the subject of the original bill or
1818 resolution and as approved by any committee shall be

1819 incorporated into the printed bill or resolution the same as if
1820 included in the original bill or resolution.

1821

1822 **7.17 Committee Hearings Procedure**

1823

1824 1. Each standing committee is authorized to hold such hearings,
1825 to sit and act at such times and places during the sessions,
1826 recesses, and interim periods of the Congress, to require by
1827 subpoena or otherwise the attendance of such witnesses and
1828 the production of such correspondence, books, papers, and
1829 documents, and to take testimony. Each such committee may
1830 make investigations into any matter within its jurisdiction, and
1831 may report and publish the findings of such hearings upon an
1832 affirmative vote of the majority of the members of such
1833 committee.

1834

1835 2. Each committee shall provide at least forty-eight (48) hours'
1836 notice of a hearing. At a minimum, notice of the hearing shall
1837 be posted both outside the Congress chamber and on the
1838 Congress website. In case of emergency, with the approval of
1839 the Speaker, a hearing may be held with notice appropriate to
1840 the circumstances. The Speaker shall announce and describe
1841 the emergency.

1842

1843 3. A notice shall state the date, time, place and subject matter of
1844 the hearing.

1845

1846 4. If a committee is scheduled for a hearing, but does not plan to
1847 hold the hearing, a cancellation notice shall be posted.

1848

1849 5. The Chair of each committee shall have the authority to invite
1850 witnesses for a hearing and the Chair shall invite any witness
1851 requested by at least two (2) members of such committee.

1852

1853 6. Witnesses and the production of such correspondence, books,
1854 papers, and documents may be subpoenaed in accordance
1855 with the congressional subpoena law.

1856

- 1857 7. Each committee may require each witness who is to appear
1858 before the committee in any hearing to file with the clerk of the
1859 committee, at least one day before the date of the appearance
1860 of that witness, a written statement of his or her proposed
1861 testimony. If the committee does require a witness to file a
1862 written statement of testimony, the witness shall be notified in
1863 writing of such requirement. If so requested by the Committee
1864 Chair, the committee staff shall prepare a copy of each witness'
1865 testimony statement for the use of the members of the
1866 committee prior to the committee hearing.
1867
- 1868 8. A quorum of the members of the Committee is required for the
1869 purpose of taking sworn testimony.
1870
- 1871 9. Invitations to witnesses who are not employees of the Osage
1872 Nation shall be sent by certified mail, return receipt with delivery
1873 restricted to the invitee. The return mail address on the return
1874 receipt shall be the mailing address of the Clerk of Congress.
1875
- 1876 10. Invitations to witnesses who are employees of the Osage
1877 Nation shall be hand carried with a communication receipt to
1878 the office designated for receiving communications on behalf of
1879 that employee. The executed communication receipt shall be
1880 returned to the Clerk of Congress.
1881
- 1882 11. Invitations to witnesses shall include the information including
1883 all correspondence, books, papers, and documents sought by
1884 the committee conducting the hearing, and the subject matter of
1885 any testimony sought by the committee.
1886
- 1887 12. Invitations to witnesses shall also request the invitee to contact
1888 the clerk of the committee to state whether they accept or
1889 decline the invitation.
1890
- 1891 13. Witnesses to all hearings may attend personally, or with an
1892 attorney. When a witness is represented by an attorney, all
1893 notices and communications shall be sent to that attorney
1894 unless the witness requests otherwise in writing.
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- 14. A witness shall not be compelled to incriminate himself or herself.

- 15. Any documents subpoenaed by a committee for the purpose of a hearing which are marked as confidential or identified as non-public records by law may be made a part of the record of the hearing, subject to the provisions of this section.
 - a. The body of Congress may reclassify as public any document marked as confidential or non-public after providing notice and an opportunity to be heard to interested parties in executive session and upon an affirmative vote of the majority of the Members in a regular or special session.

 - b. The committee may recommend reclassification of a document or a part(s) of a document as public to Congress that are marked as classified, privileged, or otherwise private.

 - c. The Congress shall give effect to the attorney-client privilege, the doctor-patient privilege, the marital confidences privilege and the spousal testimonial privilege recognized in United States law, unless the privilege is waived or an exception applies. The Congress shall also give effect to the Executive Privilege recognized by Osage law specifically limited to the Principal Chief and the Assistant Principal Chief.

 - d. In determining whether a given document shall be reclassified, the Congress shall balance the confidentiality claim against the public interest to access the information and the importance of the information to the matter(s) before the committee or Congress. The Congress may also consider the facts and circumstances relevant to the situation in making its determination.

- 16. Only current Members of Congress may sit on committees conducting investigative, oversight or confirmation hearings.

1935 17. This committee hearing procedure shall apply to legislative
1936 hearings, oversight hearings, investigative hearings and
1937 confirmation hearings. This hearing procedure shall not apply
1938 to public hearings which allow any citizen to speak and offer his
1939 or her views on a legislative subject as described in rule 7.16.

1940
1941 **7.18 Public Hearings**

1942
1943 1. A public meeting of a legislative committee on a particular
1944 subject at which any citizen may speak and offer his or her
1945 views on the subject.

1946
1947 2. At least one half of the members of a committee, with the
1948 principal author, may force a bill to be considered in public
1949 hearing.

1950
1951 3. The notice of the date and time of such hearing shall be publicly
1952 announced by the Chair. Such time and date shall not be less
1953 than three (3) legislative days from the date such request was
1954 received by the Chair, unless such time and date would prohibit
1955 consideration of the bill or resolution.

1956
1957 **7.19 Voting**

1958
1959 1. All votes in committees shall be conducted in open public
1960 meetings of that committee.

1961
1962 2. The vote on a recommendation for final passage out of
1963 committee to the Congress, concerning a bill or resolution, shall
1964 be by a recorded vote and shall require a majority of those
1965 voting.

1966
1967 3. Only those members present may vote on any matter.

1968
1969 **7.20 Committee Recommendations**

1970
1971 1. "Do Pass." When any committee returns a bill or resolution with
1972 the recommendation of "Do Pass," the same shall be printed

1973 and placed on the Calendar in numerical order by bill or
1974 resolution number under the proper heading.

1975
1976 2. "Do pass with Amendments." When any committee returns a bill
1977 or resolution with a recommendation of "Do Pass with
1978 Amendments," the same shall be printed and placed on the
1979 Calendar in numerical order by bill or resolution number under
1980 the proper heading.

1981
1982 3. "No Recommendation." When any committee returns a bill or
1983 resolution with "No recommendation", the same shall be printed
1984 and placed on the Calendar in numerical order by bill or
1985 resolution number under the proper heading.

1986
1987 4. "Do Not Pass." When any committee returns a bill or resolution
1988 with the recommendation of "Do Not Pass," the same shall be
1989 printed and placed on the Calendar in numerical order by bill or
1990 resolution number under the proper heading.

1991
1992 5. If a committee does not return a bill or resolution with the
1993 recommendation of either "Do Pass", "Do Pass with
1994 Amendments", "No Recommendation" or "Do Not Pass," the bill
1995 or resolution remains the property of the committee, unless the
1996 bill or resolution is discharged.

1997
1998 **7.21 Committee Reports**

1999
2000 1. Bills and resolutions recommended by the committee shall be
2001 reported by the Chairperson to the Congress.

2002
2003 2. Prior to the reading of the Committee Report, Congress
2004 Members shall receive a copy of the filed report, or if an
2005 appropriation bill being reported to the Appropriations
2006 Committee, the Appropriations Committee Members shall
2007 receive a copy of the filed report.

2008
2009 3. A committee report shall be considered by the Congress only
2010 when a majority of the members of the committee have signed

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the report. The Congress shall consider the report only if it is limited to matters germane to the bill or resolution.

- 4. The chairperson of each committee shall, when reporting a bill, submit with such bill a committee statement which shall contain the following information:
 - a. the title and number of the bill;
 - b. a roll call vote of final committee action taken on the bill;
 - c. the date of the public hearing on the bill, if any;
 - d. a list of all individuals testifying for and against the bill and any organization they represent;
 - e. a summary of the bill's purpose;
 - f. if committee amendments are to be introduced, a copy of the amendments and an explanation thereof.
 - g. whether the substance of a Bill or the amount appropriated has changed so that staff should revise the title.

7.22 Discharge from Committee

- 1. Any bill or resolution may be discharged from any committee of the Congress upon a written request signed by two-thirds (2/3) of the Members of the Congress.
- 2. The written request for discharge of a bill or resolution shall be submitted to the Clerk of the Congress. The Clerk shall determine if the written request contains the necessary signatures as required by this section. If the written request contains the necessary signatures, the Clerk shall forward the written request to the Speaker who shall place the bill or resolution on the appropriate Calendar. The Clerk shall publish the signatures on the Congress website.

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7.23 Publication of Records

1. All records required by the provisions of this Rule shall be made available on the Congress website at least for the duration of the Session.

RULE EIGHT
GENERAL PROVISIONS

8.1 Call of the Congress

1. Call of the Congress may be moved at any time by any Member, but must be seconded. If such motion prevails, the business pending shall be suspended, the roll shall be taken, and the names of the absentees ascertained. The Sergeant at Arms shall then be directed by the Speaker to compel the attendance of the absent Members.
2. In all cases where an absent Member shall be sent for and fails to attend in obedience to the summons, the Sergeant at Arms report shall be entered in the Journal.

8.2 Confirmation of Appointees

Whenever the Osage Constitution or law requires the Congress to consider the nomination of an individual for service as an appointee of the Osage Nation, the following process will be followed:

- a. The Clerk of the Congress shall file written notification of the Chief’s nomination and Congress’s appointments and provide each member a copy of the notification document.
- b. Thereafter, the Clerk of the Congress will request contact information of the nominee(s) and the Speaker will forward a letter requesting the following:
 - i. a resume from the nominee, and

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- ii. a completed questionnaire found in Appendix “T” of the Congressional Policies and Procedures Manual.
- c. The Speaker’s letter will establish a reasonable deadline for receiving the information, which shall be no less than ten business days prior to the end of the regular session where the nomination or re-nomination will expire.
- d. If the information requested is not received, the nomination will not be considered and the nominee will be deemed to be rejected.
- e. At the same time, the Speaker shall assign review of the nominee’s credentials, qualifications and any barriers to confirmation to the appropriate Congressional Standing Committee and notify the Chair in writing of the assignment.
- f. The Committee Chair shall be responsible for accomplishing committee study of the nomination to ensure the nominee is qualified, confirming matters that need verification, and producing a Committee Report to the Congress which makes one of the following recommendations:
 - i. the candidate is qualified by education/experience and there are no ethical or legal barriers to service; or
 - ii. the candidate is qualified by education/experience but has ethical or legal conflicts which may call into question the effectiveness of the person nominated; or
 - iii. the candidate is not recommended due to constitutional infirmities or lack of qualification under Osage law.
- g. Once reported, any member of Congress may move during the “Motions” portion of a Session for a nominee interview to be

2128 placed on the agenda, or alternatively may move for
2129 confirmation consideration of the nominee to be placed on an
2130 agenda. The motion is subject to amendment, and requires an
2131 affirmative majority vote of the members present to pass.
2132 Should either of the motions fail, the motion may be reasserted
2133 any day until the day before the last regular day of Session.

2134
2135 h. Should either motion pass made pursuant to “G”, the Speaker
2136 shall place the interview or the confirmation consideration on a
2137 day certain and list the item on the Session Agenda.

2138
2139 i. The Speaker will not place either the interview or the
2140 confirmation vote on the agenda without an affirmative vote of
2141 Congress. The Congress will not consider a nominee for
2142 confirmation that is not listed on the agenda.

2143
2144 j. As provided in the Constitution, the Congress may decline to
2145 consider a nomination or a re-nomination by failing to move the
2146 nomination forward for consideration by the day before the last
2147 day of the regular session prior to which the nomination was
2148 made. If this occurs, the nomination is deemed rejected, and
2149 the provisions of the constitution and laws regarding failure of
2150 the Congress to confirm an appointee apply.”

2151
2152 **8.3 Lobbying**

2153
2154 1. All lobbying activities directed at the Congress shall be
2155 governed by Article X of the Osage Constitution and such
2156 applicable rules lawfully promulgated by the Osage Nation
2157 Congress.

2158
2159 **8.4 Legislative Records**

2160
2161 1. Official Legislative Records include:
2162 a. The Osage Nation Membership Roll;
2163 b. All Congressional Journals with any attachments thereto;
2164 c. Filed Bills, Resolutions, Committee Substitutes, and any filed
2165 amendments thereto;

- 2166 d. Documentation with a Clerk of Congress Stamp and/or
2167 Clerk's Office communication numbers;
2168 e. Committee Reports;
2169 f. Approved meeting minutes;
2170 g. Office of Fiscal and Performance Review Reports;
2171 h. Fiscal Analysis Reports;
2172 i. Any document declared official by recorded majority vote of
2173 the Congress;
2174 j. Official communication from the Osage Nation Executive or
2175 Judicial Branches, the Attorney General's Office and the
2176 official communications from other governments or their
2177 agencies.
2178
- 2179 2. The Congressional Journal shall include, as an attachment, all
2180 Executive Messages, Legislative Messages, and the Speaker's
2181 closing report presented at each Congressional Session.
2182
- 2183 3. Records that are required to be created by these Rules that are
2184 of vital, permanent or archival value shall be maintained in the
2185 Office of the Clerk. Whenever necessary, but no more often
2186 than annually or less often than biennially, records required to
2187 be maintained shall be archived.
2188
- 2189 4. Confidential documents shall be labeled as such and shall be
2190 maintained, disseminated and archived in accordance with
2191 Legislative Policy and Procedure.
2192
- 2193
- 2194 5. Other records that are no longer needed for any purpose and
2195 that do not have sufficient administrative, legal or fiscal
2196 significance to warrant their retention shall be disposed of.
2197
- 2198 6. A digital recording shall be made of each day's session by the
2199 Clerk which shall be compiled and stored on a digital device
2200 suitable for archival purposes.
2201
2202

2203 7. The committee staff assigned to each existing committee shall
2204 ensure compliance with this Rule for all records created or
2205 received by the committee.

2206
2207 8. All Congressional Staff and the Speaker shall ensure
2208 compliance with this Rule for all records created.

2209
2210 **8.5 Convening Restriction**

2211
2212 1. No legislative day shall begin between the hours of 10:00 p.m.
2213 and 8:00 a.m. on any calendar day.

2214
2215 **8.6 Authority to Release Membership Roll**

2216
2217 Pursuant to Section 3-305 (D) of ONCA 06-05, as amended,
2218 the Office of Fiscal Performance and Review (OFPR) may obtain a
2219 copy of the membership roll from the Office of the Clerk of
2220 Congress for the sole purpose of using the membership roll
2221 as a resource in its auditing functions. Any other use of
2222 membership roll for any purpose by the OFPR is prohibited.

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RULE NINE
ADJOURNMENT OR RECESS

9.1 Motion to Adjourn or Recess

1. When a motion to adjourn or recess is adopted, no Member or Congressional Staff member shall leave said Member's or staff's place until the adjournment or recess shall be declared by the Speaker.
2. When the Congress adjourns it shall be to 10:00 a.m. of the succeeding legislative day unless another day and/or hour be specifically named, which day and/or hour shall be entered in the Journal.
4. When a vote is being taken, a motion to adjourn or recess shall not be in order. When it is apparent to the Speaker that the motion to adjourn or recess is being made for the purpose of delay and such motion has been voted in the negative, within the next ten (10) minutes, the Speaker, in his/her discretion, may rule the motion out of order as being dilatory.
5. A legislative day shall be adjourned no later than 12:00 midnight of the calendar day that it began.

9.2 Sine Die Adjournment

2280 1. The date and time of sine die adjournment of the Congress
2281 shall be fixed by motion or resolution. Once the fixed date and
2282 time has arrived, no further business shall be conducted by the
2283 Congress and the Speaker shall declare the Congress
2284 adjourned sine die.

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2292 **RULE TEN**
2293 **INTERIM STUDIES**
2294

2295 **10.1 Interim Studies**
2296

- 2297 1. When the Congress is not in session, the Speaker shall have
2298 the authority to direct committees to make interim studies for
2299 such purposes as the Speaker may designate.
2300
- 2301 2. The Speaker shall provide to the Clerk a copy of interim
2302 charges made to a standing or select committee.
2303
- 2304 3. The committees shall meet as often as necessary to transact
2305 effectively the business assigned to them and may continue to
2306 exercise the oversight and investigatory powers granted by
2307 these Rules and the Constitution.
2308
- 2309 4. All requests for interim study shall be submitted on request
2310 forms available to any Member in the office of the Clerk of the
2311 Congress.
2312
- 2313 5. Committee meetings during the interim must be posted with an
2314 agenda at least 48 hours prior to the meeting.
2315
- 2316 6. During a legislative interim, notice in writing of any interim
2317 committee meeting shall be given to the committee members at
2318 least seven (7) days prior to the meeting. It shall be the

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responsibility of the Chair to submit the Committee Meeting Request Form to the Clerk with sufficient time to allow the Clerks of Congress to prepare and send meeting notices out to the members.

RULE ELEVEN
RULES

11.1 Suspension or Amendment of Rules

1. Before a vote shall occur on a rule change, it must first be considered by the Congressional Rules and Ethics Committee.
2. These Rules may be amended by a two-thirds (2/3) vote of those elected to and constituting the Congress.
3. Two-thirds (2/3) of the Members elected to and constituting the Congress may suspend the Rules, or a portion thereof, but a motion for that purpose shall be decided without debate.

11.2 Parliamentary Hierarchy

1. Any parliamentary questions shall be resolved by the following references in the order listed:
 - a. The Osage Nation Constitution
 - b. Statutes of the Osage Nation
 - c. Osage Nation Congress Rules
 - d. Current Edition of Robert’s Rules of Order Newly Revised
 - e. Mason’s Manual of Legislative Procedure
2. Any parliamentary question not specifically provided for by the above, shall be governed by the ruling of the Speaker. The

2358 Speaker shall publish these substantive rulings in a volume of
2359 precedents. In making the ruling, the Speaker may rely upon,
2360 but is not bound by, these published rulings.

2361

2362 3. The Clerk shall serve as parliamentarian for the Congress.

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RULE TWELVE
Special Counsel Investigations

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12. Special Counsel Investigations

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1. Authorizing Special Counsel

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a. A Member of the Osage Nation Congress may circulate an authorization to retain Special Counsel if they have reason to believe that an elected or appointed official has committed an act or failed to act in a manner that would constitute grounds for removal pursuant to Article XII of the Osage Nation Constitution.

2383

b. An Authorization to retain Special Counsel shall:

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- i. Be in writing;
 - ii. Set forth allegations that, if true, would constitute grounds for removal;
 - iii. Contain a total budget for Special Counsel; and
 - iv. Have a signature line for each Member of Congress.
- c. An authorization to retain Special Counsel shall require the written approval of a majority of the Members of

2397 Congress as evidenced by their signatures on the
2398 authorization or an electronic mail approval of the
2399 authorization.

2400
2401 d. If the required signatures are obtained to retain Special
2402 Counsel, the Clerk shall certify the authorization and
2403 notify the Legislative Counsel and Speaker of the Osage
2404 Nation Congress.

2405
2406 **2. Hiring Special Counsel**

2407
2408 a. Legislative Counsel shall contact prospective attorneys
2409 and determine one attorney to act as Special Counsel
2410 who has the appropriate experience and will conduct the
2411 investigation in a responsible manner;

2412
2413 b. Legislative Counsel shall negotiate the terms of the
2414 engagement with Special Counsel;

2415
2416 c. The Speaker shall have the sole authority to execute the
2417 Special Counsel engagement agreement and authorize
2418 payment of the Special Counsel invoices, except in the
2419 instance that the Speaker is the subject of the
2420 investigation, then the Second Speaker shall have the
2421 sole authority to approve the Special Counsel
2422 engagement agreement and authorize payment of the
2423 Special Counsel invoices. These rules on retaining
2424 Special Counsel supersede any other rules regarding
2425 hiring an attorney and paying attorney invoices; and

2426
2427 d. Additional funding for Special Counsel may be authorized
2428 by the written approval of a majority of the Members of
2429 Congress as evidenced by their signatures on the
2430 authorization or an electronic mail approval of the
2431 authorization.

2432
2433 **3. Authority of Special Counsel**

2434

- 2435 a. Special Counsel shall conduct a comprehensive
2436 investigation limited to the allegations listed in the
2437 authorization to retain Special Counsel;
2438
 - 2439 b. Special Counsel may utilize the services of support
2440 personnel and a court reporter who shall be authorized to
2441 participate in the investigation as designated by the
2442 Special Counsel;
2443
 - 2444 c. Special Counsel investigations may take place at any
2445 time without limitation by Legislative Sessions;
2446
 - 2447 d. Special Counsel shall have the power to gather evidence,
2448 interview witnesses, take testimony under oath and to
2449 take any legal action in furtherance of the investigation;
2450
 - 2451 e. The Osage Nation Congress may subpoena testimony
2452 and documents as prescribed by Osage law to support
2453 the investigation of its Special Counsel;
2454
 - 2455 f. Special Counsel shall submit a report to the Osage Nation
2456 Congress which shall specify the evidence in support of
2457 the original allegation and evidence discovered during the
2458 inquiry that qualifies as grounds for removal. The report
2459 shall also specify a lack of evidence to support any
2460 allegation; and
2461
 - 2462 g. The completed Special Counsel investigative report to the
2463 Osage Nation Congress shall be public information upon
2464 submission.
2465
- 2466 4. Independence of Special Counsel
- 2467
 - 2468 a. Members of Congress shall not contact Special Counsel
2469 directly;
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 - 2471 b. If a Member of Congress believes they have information
2472 pertinent to an investigation of Special Counsel, they shall

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submit it through Legislative Counsel who will then submit it to Special Counsel;

- c. Special Counsel may contact Members of Congress when it is in furtherance of the investigation;
- d. Special Counsel shall refrain from giving any type of substantive updates to Members of Congress or to any other person until the final report is complete;
- e. Special Counsel may update Legislative Counsel pertaining to the progress, schedule and cost of the investigation;
- f. Attorneys shall not be allowed to accompany witnesses when giving testimony, except the person who is the subject of the investigation may be accompanied by legal counsel when giving testimony;
- g. Special Counsel investigative proceedings shall be confidential, closed to outside parties and the person who is the subject of the investigation, except as otherwise stated in this Rule 12.

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RULE THIRTEEN
REMOVAL

13. Removal

1. Motion for Removal of Elected and Appointed Officers

- a. Any Motion for Removal of elected or appointed officers of the Osage Nation may only be made during a regular session of Congress or during any special session called for that purpose. Such a motion shall satisfy all of the following requirements:
 - i. It shall be in writing;
 - ii. It shall state the name of the member making the motion;
 - iii. It shall state the name of the elected or appointed official who is the subject of the removal motion;
 - iv. It shall set forth only those allegations found to be supported by evidence as reported by the Special Counsel that, if true, would constitute grounds for removal as defined by subsection (b) of this section;

- 2551 v. It shall state the approximate date(s) of the actions
2552 or inactions alleged to be grounds for removal. No
2553 actions or inactions alleged to have occurred more
2554 than 36 months prior to the making of the motion
2555 shall be considered, with exception made for a
2556 crime of moral turpitude, provided the conviction for
2557 the crime occurs in a court of competent jurisdiction
2558 and within the 36 month limit.
2559
- 2560 vi. It shall include documentation from the report of the
2561 Special Counsel in support of the allegations.
2562 False statements made under oath or falsification of
2563 submitted documents shall constitute perjury.
2564
- 2565 b. The motion shall be based on removal for cause, which
2566 shall include one or more of the following charges: willful
2567 neglect of duty, malfeasance in office, habitual abuse of
2568 alcohol or drugs, inability to meet the qualifications to
2569 serve, conviction of a felony or conviction of a
2570 misdemeanor involving moral turpitude while in office,
2571 undermining the integrity of the office, disregard of
2572 constitutional duties and oath of office, arrogation of
2573 power, or abuse of the government process.
2574
- 2575 c. If the motion is made less than 90 days prior to an
2576 election at which the subject of the motion is a candidate
2577 for elective office, the motion is out of order and may be
2578 re-filed following the election, within the period of time for
2579 filing set forth in subsection (a) (v) extended for 120 days.
2580
- 2581 d. The motion shall be reviewed by the Clerk of the
2582 Congress to ensure all material requirements of
2583 subsection (a) of this section are met. The Clerk may
2584 consult with the Legislative Counsel to make that
2585 determination. The Clerk shall then declare the motion in
2586 order, or declare the motion out of order, returning the
2587 motion to the movant and citing deficiencies in writing.
2588

2589 e. On the next legislative day following the motion, the
2590 motion shall be placed on the agenda by the Speaker.
2591 The motion shall require eight (8) affirmative votes to
2592 pass, and shall not be debated, but may be amended.
2593 Amendments shall require eight (8) affirmative votes to
2594 pass, and may be debated.
2595

2596 4. General Provisions
2597

2598 a. Upon a successful motion to hold a removal trial, the
2599 Speaker shall notify the Chief Justice of the Supreme
2600 Court and solicit the signatures necessary to hold a
2601 Special Session solely for that purpose. Such a session
2602 shall not be held less than thirty (30) calendar days after a
2603 successful vote to hold the removal trial.
2604

2605 b. The removal trial shall be public.
2606

2607 c. The presiding judge shall be an Osage Nation Supreme
2608 Court Justice, designated by the Supreme Court.
2609

2610 d. Allegations heard at the trial shall be limited to those
2611 allegations found in the motion for removal and shall be
2612 termed Articles of Removal.
2613

2614 e. Any judgment of removal shall require an affirmative
2615 majority of 5/6th of the Members of the Osage Nation
2616 Congress. Such a vote shall occur on the next legislative
2617 day following the completion of the removal trial.
2618

2619 f. The Osage Nation Congress shall reach a judgment for
2620 removal only when the evidence indicates that
2621 misconduct resulted in injury to the Nation.
2622

2623 i. The Congress shall consider first whether any of the
2624 evidence, standing alone, rises to the level of
2625 impeachable conduct. If an individual act warrants
2626 removal, members may rely on that evidence
2627 without regard to a pattern of conduct.

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ii. If the individual acts standing alone do not rise about the threshold for removal, then the cumulative weight of the evidence and the existence of an overall pattern may be considered. Members shall consider whether a series of repeated acts are mistakes or accidents, or are intentional and therefore more serious.

5. Removal Trial

- a. Upon a successful motion for removal, the Speaker of Congress shall issue the oath to the Supreme Court Justice designated by the Judicial Branch to preside over the trial for removal. The designated Supreme Court Justice shall preside over the Congress during the consideration of the Articles of Removal and the trial for removal.
- b. The Supreme Court Justice, as the Presiding Officer, shall have the power to make and issue, by himself or herself, or by the Clerk of the Congress, all orders, mandates, writs, and precepts authorized by these rules or by the Congress, and to make and enforce such other regulations and orders in the premises as the Congress may authorize and provide.
- c. The Congress shall have the power to compel the attendance of witnesses, to enforce obedience in its orders, mandates, writs, precepts, and judgments, to preserve order, and to punish in a summary way contempt of, and disobedience to, its authority, orders, mandates, writs, precepts, or judgments, and to make all lawful orders, rules, and regulations which it may deem essential or conducive to the ends of justice.
- d. The Supreme Court Justice, as the Presiding Officer, shall direct all necessary preparations in the

2667 Congressional chamber, and as the Presiding Officer on
2668 the trial, shall direct all forms of proceedings while the
2669 Congress is sitting for the purpose of trying an Official for
2670 removal, and all forms during the trial not otherwise
2671 specially provided for.

2672
2673 e. The Supreme Court Justice, as the Presiding Officer, may
2674 rule on all questions of evidence including, but not limited
2675 to, questions of relevancy, materiality, and redundancy of
2676 evidence and incidental questions, which ruling shall
2677 stand as the judgment of the Congress.

2678
2679 f. Upon a successful motion for removal, the Clerk of the
2680 Congress shall issue a summons to the person subject to
2681 removal, reciting the allegations, and notifying him to
2682 appear before the Congress upon a day and at a place to
2683 be fixed by the Congress, and named in the summons,
2684 and file his answer to the allegations for removal, and to
2685 stand and abide the orders and judgments of the
2686 Congress upon the Articles of Removal.

2687
2688 g. The summons shall be served by an Osage Nation Police
2689 Officer or other person as shall be named in the precept
2690 thereof, at least fifteen (15) days prior to the trial date to
2691 the person who is subject to removal, or if personal
2692 service may not conveniently be executed, then by
2693 leaving a copy at the last known address of the person
2694 subject to removal, or at his usual place of business in
2695 some conspicuous place therein; or if such service shall
2696 be, in the judgment of the Congress, impracticable, notice
2697 to the person subject to removal shall be given by
2698 publication or in other such manner prescribed and shall
2699 be deemed just.

2700
2701 h. If a summons shall fail of service in the manner stated
2702 above, the proceedings shall not thereby abate, but
2703 further service may be made in such manner as the
2704 Congress shall direct.
2705

- 2706 i. If the person subject to removal, after service, shall fail to
2707 appear either in person or by attorney, on the day fixed
2708 and stated in the summons, the trial shall proceed,
2709 nevertheless, as upon a plea of not guilty. If a plea of
2710 guilty be entered, judgment may be entered thereon
2711 without further proceedings.
2712
- 2713 j. If the person subject to removal, after service, shall
2714 appear either in person or by attorney, on the day fixed
2715 and stated in the summons, but fail to file his answer to
2716 the Articles of Removal, the trial shall proceed,
2717 nevertheless, as upon a plea of not guilty. If a plea of
2718 guilty be entered, judgment may be entered thereon
2719 without further proceedings.
2720
- 2721 k. Once the date and time for the removal trial has arrived,
2722 the Supreme Court Justice, as the Presiding Officer, shall
2723 issue the oath to the Members of Congress.
2724
- 2725 l. After the oath has been given to the Members, the Clerk
2726 of the Congress shall read to the Congress, on the
2727 record, the return of service for the summons issued to
2728 the person subject to removal.
2729
- 2730 m. The person subject to removal shall then be called to
2731 appear and answer to the Articles for Removal against
2732 him or her. If the person subject to removal appears or
2733 any person or agent on his or her behalf, the
2734 appearance(s) shall be recorded naming the appearing
2735 and the capacity in which he or she appears. If the
2736 person subject to removal does not appear, either
2737 personally, or by agent or attorney, the failure to appear
2738 shall be recorded.
2739
- 2740 n. During a trial for removal, the legislative business of the
2741 Congress shall be suspended until the completion of the
2742 trial.
2743

- 2744 o. The trial for removal shall be open to the public, though
2745 attendance may be limited by the Presiding Officer when
2746 the physical constraints of the trial chamber require it.
2747
- 2748 p. The Clerk of the Congress shall record the proceedings in
2749 cases for removal as in the case of legislative
2750 proceedings.
2751
- 2752 q. Counsel for the parties shall be admitted to appear and
2753 be heard in a trial for removal.
2754
- 2755 r. All motions, objections, requests, or applications whether
2756 relating to the procedure of the Congress or relating
2757 immediately to the trial, including questions regarding
2758 admission of evidence or other questions arising during
2759 the trial, made by parties or their counsel shall be
2760 addressed to the Presiding Officer only, and if the
2761 Presiding Officer, or any Member of Congress, shall
2762 require it, they shall be committed to writing and read by
2763 the Clerk of the Congress.
2764
- 2765 s. Witnesses shall be examined by one person on behalf of
2766 the party producing them, and then cross-examined by
2767 one person on the other side.
2768
- 2769 t. If a Member of Congress is called as a witness, he or she
2770 shall be sworn, and give testimony sitting in his or her
2771 place. Testimony by a Member of Congress shall in no
2772 way preclude the Member from participating in the final
2773 vote on the Articles of Removal.
2774
- 2775 u. All argument on preliminary or interlocutory questions and
2776 all motions shall be limited to one hour, unless the
2777 Congress orders otherwise by motion and affirmative
2778 majority vote.
2779
- 2780 v. The case, on each side, shall be opened by one person
2781 limited to fifteen (15) minutes per side. The final

2782 argument, on each side, may be made by two persons
2783 and is limited to fifteen (15) minutes per side.

2784
2785 w. The case shall be prosecuted in the name of the Osage
2786 Nation by Counsel designated by the Osage Nation
2787 Congress. The arguments shall be opened and closed by
2788 the party prosecuting the case.

2789
2790 x. Adjournment of the trial shall not operate as an
2791 adjournment of the legislative session.

2792
2793 6. The Vote on Removal

2794
2795 a. The vote on removal shall occur on the next legislative
2796 day following the completion of the removal trial. Any
2797 judgment of removal shall require an affirmative majority
2798 vote of 5/6 of the Members of the Osage Nation
2799 Congress.

2800
2801 b. The Articles of Removal shall not be divisible for the
2802 purpose of voting thereon at any time during the trial.
2803 Once voting has commenced on an Article of Removal,
2804 voting shall be continued until voting has been completed
2805 on all Articles of Removal unless the Congress adjourns
2806 for a period not to exceed one day.

2807
2808 c. On the final question whether the removal is sustained,
2809 each Article of Removal shall be addressed individually.
2810 If the removal shall not, upon any of the articles
2811 presented, be sustained by the votes of 5/6 of the
2812 Members of Congress, a judgment of acquittal shall be
2813 entered. If the person subject to removal shall be
2814 convicted upon any such article by the votes of 5/6 of the
2815 Members of Congress, the Congress shall proceed to the
2816 consideration of such other matters as may be
2817 determined to be appropriate prior to pronouncing the
2818 judgment. A motion to reconsider the vote by which any
2819 article of removal is sustained or rejected shall not be in
2820 order.

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- d. Upon pronouncing judgment, the judgment shall be filed with the Clerk of the Congress, and a certified copy of the judgment shall be deposited with the Secretary of the Nation, if the position of Secretary of the Nation exists.
- e. The form of putting the question on each Article of Removal is that the Presiding Officer shall first state the question: Shall Article number _____ be sustained? Thereafter each Member, as his or her name is called, answer: guilty or not guilty.
- f. Each Member of Congress shall be limited to fifteen (15) minutes of time in total for debate on the Articles of Removal. Each Article of Removal shall be debated individually.

7. Form of Oaths, Subpoenas and Summons

- a. Witnesses shall be sworn in the following form: *“Do you swear that the evidence you shall give in the case now pending between the Osage Nation and _____, shall be the truth , the whole truth, and nothing but the truth: So help you God.”*
- b. The oath to be administered to the Members of Congress and the Supreme Court Justice as the Presiding Officer shall be: *“I solemnly swear that in all things appertaining to the trial on the removal of _____, now pending, I will do impartial justice according to the Constitution and laws of the Osage Nation: So help me God.”*
- c. The form of a subpoena to be issued on the application of Counsel for either party or by the party subject to removal shall be:

“To _____, Greeting:

2860 You and each of you are hereby commanded to appear before the
2861 Osage Nation Congress, on the ____ day of _____, at
2862 the Congressional Chamber at 100 W. Main Street, Pawhuska,
2863 Oklahoma, then and there to testify your knowledge in the
2864 cause which is before the Congress on the removal of _____
2865 _____.

2866 Fail Not.

2867 Given under my hand, by authority vested in me by the Osage
2868 Nation, on this ____ day of _____, in the year of our Lord
2869 _____.

2870 _____,
2871 _____,
2872 Presiding Officer of the Congress.”
2873

2874 d. The form of summons to be issued and served upon the
2875 person subject to removal shall be:

2876 “The Osage Nation, ss:
2877 The Congress of the Osage Nation to _____ _____,
2878 Greeting:
2879

2880
2881 Whereas a Motion for Removal has been sustained against
2882 you, the said _____ _____, by the Osage Nation Congress
2883 in the words following:
2884

2885 [Insert the Articles of Removal Here]
2886

2887 And demand that you should be put to answer the accusations
2888 as set forth in said articles, and that such proceedings,
2889 examinations, trials, and judgments might be thereupon had as
2890 are agreeable to law and justice.
2891

2892 You, the said _____ _____, are therefore hereby
2893 summoned to be and appear before the Osage Nation
2894 Congress, at the Congressional Chamber at 100 W. Main
2895 Street, Pawhuska, Oklahoma, on the ____ day of _____,
2896 at ____ o'clock _____, then and there to answer to the said
2897 articles of removal, and then and there abide by, obey, and
2898 perform such orders, directions, and judgments as the Osage

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Nation Congress shall make in the premises according to the Constitution and laws of the Osage Nation. Hereof fail not. Given under my hand, by authority vested in me by the Osage Nation, on this ____ day of _____, in the year of our Lord _____.

_____,
Presiding Officer of the Congress.”

- 8. If the Osage Nation Congress shall at any time fail to sit for the consideration of the Articles of Removal on the day and hour fixed therefore, the Congress may, by an order to be adopted without debate, fix a day and hour for resuming such consideration. The Sergeant at Arms shall notify the person subject to removal and any pending witnesses of the date and hour set for resuming consideration of the Articles of Removal.