

SENATE No. 1707

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas P. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to improve Indian representation within the Commission of Indian Affairs.

PETITION OF:

NAME:

Thomas P. Kennedy

DISTRICT/ADDRESS:

SENATE No. 1707

By Mr. Kennedy, petition (accompanied by bill, Senate, No. 1707) of Kennedy for legislation to improve Indian representation within the Commission of Indian Affairs [Joint Committee on Tourism, Arts and Cultural Development].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1871 OF 2009-2010.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act to improve Indian representation within the Commission of Indian Affairs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6A of the General Laws, as appearing in the 2000 Official Edition,
2 is hereby amended by striking out in its entirety section 8A and inserting in place thereof the
3 following new section:—

4 Section 8A. There shall be in the department of housing and community development a
5 commission on Indian affairs. The commission, appointed by the governor, shall consist of
6 eleven members all of whom shall be of American Indian descent. Of the eleven members, so
7 appointed, six shall be a member of and represent one of the American Indian major tribal
8 groups of Massachusetts listed herein. The remaining membership of said commission shall be
9 made up of five members, selected at large, each of whom shall represent one of the Indian
10 groups other than the six major tribal groups aforementioned, based on the Massachusetts Indian

11 population as documented by the most recent United State Census. Each member of said
12 commission shall serve for a term of three years.

13 In order to insure equitable representation on said commission for all residents of the
14 commonwealth who are of American Indian descent, no one American Indian tribe, group,
15 subgroup, or organization, shall be granted more than one appointment to, or hold position on,
16 said commission. Of the five commission members at-large, no more than one commission
17 member shall reside in the same county as, nor represent, any one of the six tribal groups as
18 described in this act.

19 This commonwealth recognizes the following American Indian major tribal groups as
20 being located within the commonwealth as on record with the United States Interior Department-
21 Bureau of Indian Affairs (BIA): Mashpee Wampanoag (BIA#15); Nipmuck Nation-
22 Hassanamisco Band (BIA #69a); Nipmuck Nation-ChaubunagungamaudBand (BIA #69b);
23 Wampanoag Tribal Council of Gay Head (BIA #76); Cowasuck Band- Pennacook/Abenaki
24 People (BIA #151); and Pocasset Wampanoag Indian Tribe (BIA #153).

25 Said commission shall meet at least four times annually, but may meet as often as it
26 deems necessary for the proper conduct of its affairs, and may elect from its membership a
27 chairman and such other officers as required. The chairman and each officer shall serve for a
28 term of one year.

29 The commission shall investigate problems common to American Indian residents of the
30 commonwealth and to all residents of American Indian descent. It shall assist tribal councils,
31 American Indian organizations and individuals in their dealing with agencies of state and local
32 government, assist with social services, education, employment opportunities, health, housing

33 problems, civil rights, legal aid, treaties, taking of census of American Indian residents, and any
34 other rights or services concerning American Indian residents of the commonwealth.

35 The commission may make recommendations to the secretary of administration and
36 finance concerning programs and policies that will best serve the interest of the American Indian
37 residents of the commonwealth and shall make an annual report of its activities to said secretary
38 and file a copy thereof with the clerks of the senate and the house of representatives on or before
39 the last Wednesday in January each year.

40 Said commission shall provide for the burial expenses, up to three hundred dollars, for
41 the remains of any person whose previously unknown grave has been disturbed, forcing its
42 relocation, and whose identity has been determined by the state archaeologist to be an American
43 Indian.