

HOUSE No. 3394

By Mrs. Canavan of Brockton, petition of Christine E. Canavan and Thomas P. Kennedy for legislation to increase Indian representation and expanding the membership of the Commission on Indian Affairs. Tourism, Arts and Cultural Development.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO IMPROVE INDIAN REPRESENTATION WITHIN THE COMMISSION ON 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 Chapter 6A of the General Laws, as appearing in the 2000 Offi-
2 cial Edition, is hereby amended by striking out in its entirety Section
3 8A and inserting in place thereof the following new section:—

4 Section 8A. There shall be in the department of housing and com-
5 munity development a commission on indian affairs. The commis-
6 sion, appointed by the governor, shall consist of eleven members all
7 of whom shall be of American Indian descent. Of the eleven mem-
8 bers, so appointed, six shall be a member of and represent one of the
9 American Indian major tribal groups of Massachusetts listed herein.
10 The remaining membership of said commission shall be made up of
11 five members, selected at large, each of whom shall represent one of
12 the Indian groups other than the six major tribal groups aforemen-
13 tioned, based on the Massachusetts Indian population as documented
14 by the most recent United State Census. Each member of said com-
15 mission shall serve for a term of three years.

16 In order to insure equitable representation on said commission for
17 all residents of the Commonwealth who are of American Indian
18 descent, no one American Indian tribe, group, subgroup, or organi-
19 zation, shall be granted more than one appointment to, or hold posi-
20 tion on, said commission. Of the five commission members at-large,
21 no more than one commission member shall reside in the same
22 county as, nor represent, any one of the six tribal groups as
23 described in this act.

24 This Commonwealth recognizes the following American Indian
25 major tribal groups as being located within the Commonwealth as on
26 record with the United States Interior Department-Bureau of Indian
27 Affairs (BIA):—

28 Mashpee Wampanoag (BIA#15); Nipmuck Nation-Hassanamisco
29 Band (BIA #69a); Nipmuck Nation-Chaubunagungamaud Band
30 (BIA #69b); Wampanoag Tribal Council of Gay Head (BIA #76);
31 Cowasuck Band- Pennacook/Abenaki People (BIA #151); and
32 Pocasset Wampanoag Indian Tribe (BIA #153).

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

38 The commission shall investigate problems common to American
39 Indian residents of the Commonwealth and to all residents of Amer-
40 ican Indian descent. It shall assist tribal councils, American Indian
41 organizations and individuals in their dealing with agencies of state
42 and local government, assist with social services, education, employ-
43 ment opportunities, health, housing problems, civil rights, legal aid,
44 treaties, taking of census of American Indian residents, and any
45 other rights or services concerning American Indian residents of the
46 Commonwealth.

47 The commission may make recommendations to the secretary of
48 administration and finance concerning programs and policies that
49 will best serve the interest of the American Indian residents of the
50 Commonwealth and shall make an annual report of its activities to
51 said secretary and file a copy thereof with the clerks of the senate
52 and the house of representatives on or before the last Wednesday in
53 January each year.

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