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H.897

Introduced by Representatives Cina of Burlington, Colston of Winooski,
Gonzalez of Winooski, and Ralph of Hartland

Referred to Committee on

Date:

Subject: Native American Indian people; land repatriation

Statement of purpose of bill as introduced: This bill proposes to form the Land
Repatriation Task Force to develop a proposal to allow for the voluntary
repatriation of land to Vermont's Abenaki tribes.

An act relating to the repatriation of traditional Abenaki lands

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LAND REPATRIATION TASK FORCE; REPORT

(a) Creation. There is created the Land Repatriation Task Force to examine
the creation of a process for repatriating land to the Abenaki peoples of
Vermont.

(b) Membership. The Task Force shall be composed of the following
members:

(1) one current member of the House of Representatives, appointed by
the Speaker of the House;

1 (2) one current member of the Senate, appointed by the Committee on
2 Committees;

3 (3) one member of the Elnu Abenaki tribe, appointed by the leadership
4 of the tribe;

5 (4) one member of the Nulhegan Band of the Coosuk Abenaki Nation,
6 appointed by the leadership of the Band;

7 (5) one member of the Koasek Abenaki of the Koas, appointed by the
8 leadership of the Band;

9 (6) one member of the Missisquoi, St. Francis-Sokoki Band, appointed
10 by the leadership of the Band; and

11 (7) one member of the Vermont Commission on Native American
12 Affairs who is not a member of a Native American Indian tribe recognized by
13 Vermont, appointed by the members of the Commission.

14 (c) Powers and duties. The Task Force shall examine the creation of a
15 process for repatriating land to the Abenaki peoples of Vermont, including the
16 following issues:

17 (1) the currently available means by which land can be set aside or
18 conserved for the use of the Abenaki peoples of Vermont, including:

19 (A) identifying lands that have been set aside or conserved for the use
20 of the Abenaki peoples of Vermont and how those lands were set aside or
21 conserved; and

1 (B) any challenges and shortcomings associated with the currently
2 available means for setting aside or conserving lands for the use of the Abenaki
3 peoples of Vermont;

4 (2) processes employed by other states and countries for repatriating
5 land to indigenous peoples, including any benefits, challenges, and
6 shortcomings related to each identified process;

7 (3) recent studies of innovative approaches for repatriating land to
8 indigenous peoples;

9 (4) traditional Abenaki laws and governance patterns related to land;
10 and

11 (5) potential changes to Vermont's laws related to repatriating land to
12 Vermont's Abenaki tribes, including:

13 (A) potential methods for simplifying land transfers;

14 (B) innovative models for land transfer and ownership; and

15 (C) other means of creating a voluntary land repatriation process that
16 respects traditional Abenaki laws and governance patterns related to land.

17 (d) Assistance. The Task Force shall have the administrative, technical,
18 and legal assistance of the Office of Legislative Council.

19 (e) Report. On or before November 15, 2021, the Task Force shall submit
20 a written report to the House Committee on General, Housing, and Military
21 Affairs and the Senate Committee on Economic Development, Housing and

1 General Affairs with its findings, a proposal for an improved process for
2 repatriating land to the Abenaki peoples of Vermont, and any
3 recommendations for legislative action necessary to implement the proposal.

4 (f) Meetings.

5 (1) The member appointed by the Vermont Commission on Native
6 American Affairs shall call the first meeting of the Task Force to occur on or
7 before September 15, 2020.

8 (2) The Committee shall select a chair from among its members at the
9 first meeting.

10 (3) A majority of the membership shall constitute a quorum.

11 (4) The Task Force shall cease to exist on November 30, 2021.

12 (g) Compensation and reimbursement.

13 (1) For attendance at meetings during adjournment of the General
14 Assembly, a legislative member of the Task Force serving in his or her
15 capacity as a legislator shall be entitled to per diem compensation and
16 reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than
17 10 meetings. These payments shall be made from monies appropriated to the
18 General Assembly.

19 (2) Other members of the Task Force shall be entitled to per diem
20 compensation and reimbursement of expenses as permitted under 32 V.S.A.

1 § 1010 for not more than 10 meetings. These payments shall be made from
2 monies appropriated to the General Assembly.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2020.