HB 390 - AS INTRODUCED

2023 SESSION

23-0684
08/04

HOUSE BILL ***390***

AN ACT revising the membership and structure of the New Hampshire commission on Native American affairs.

SPONSORS: Rep. S. Gould, Merr. 8; Rep. Nagel, Belk. 6; Rep. Wolf, Merr. 7; Rep. Ebel, Merr. 7; Rep. Horrigan, Straf. 10; Sen. Ward, Dist 8; Sen. Prentiss, Dist 5; Sen. Whitley, Dist 15

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill revises the membership and structure of the New Hampshire commission on Native American affairs.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 390 - AS INTRODUCED

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT revising the membership and structure of the New Hampshire commission on Native American affairs.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Hampshire Commission on Native American Affairs. RSA 12-A:14-a is repealed and reenacted to read as follows:

12-A:14-a New Hampshire Commission on Native American Affairs Established.

I. In order to recognize the historic and cultural contributions of Native Americans to New Hampshire, to promote and strengthen their own heritage, and to further their needs through state policy and programs, there is hereby established the New Hampshire commission on Native American affairs.

II. The commission shall consist of the following members who derive from geographically diverse areas of the state and are representative of the diverse groups, organizations, and individuals knowledgeable about Native American history, culture, and affairs as follows:

(a) Five members who are enrolled tribal citizens who reside in New Hampshire appointed by the chiefs of 4 Vermont State Recognized Abenaki Tribes with historic and contemporary connections and populations in Vermont and New Hampshire; the Elnu Abenaki Tribe, the Koasek Band of the Koas Abenaki Nation, the Abenaki Nation Of Missisquoi and the Nulhegan Band of the Coosuk Abenaki Nation. The appointments shall be agreed upon by the chiefs. Notification of initial appointments shall be made in writing to the first appointees named under this subparagraph. Initial appointments shall be staggered for one, 2, and 3 year terms.

(b) One member who is a Native American living in the state appointed by the president of Dartmouth College, or designee, with an initial appointment for a term of 3 years.

(c) One member who is a Native American living in the state appointed by the president of the university of New Hampshire, or designee, with an initial appointment for 2 years.

(d) One member appointed by the New Hampshire Intertribal Council appointed from the Native American community at large, who is also a resident in New Hampshire, including consideration of members of non-recognized Abenaki Bands in New Hampshire, with an initial appointment 3 years.

(e) One member appointed by the Mt. Kearsarge Indian Museum appointed from the Native American community at large, who is also resident in New Hampshire, including consideration of members of non-recognized Abenaki Bands in New Hampshire, with an initial appointment for 2 years.

III. After the initial staggered appointments, commission members shall be appointed in writing to the elected chairman of the commission and each member of the commission shall serve a 3-year term, and no member shall serve more than 2 consecutive terms. A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment was made but for the unexpired term only. Members of the commission shall serve without compensation. Chiefs and their parent, child, sibling, or spouse shall not be eligible to serve in order to avoid a conflict of interest.

IV. For voting purposes a quorum shall be 7 members.

V. The first meeting shall be called by the first member appointed in subparagraph II(a) within 45 days after the completion of the naming of the commission members. Members of the commission shall elect a chairman, secretary, and treasurer. Officers shall be elected for a one-year term but may serve an additional term. All officers of the commission shall be elected by a majority vote of the members present. Members shall in public meeting approve rules governing member conduct necessary to remain on the commission.

VI. The commission shall:

(a) Review and study local, state, and Federal issues common to Native Americans and persons of Native American descent who are residing in this state.

(b) Develop recommendations to assist state agencies with the preservation and protection of Native American artifacts and burial grounds under the Native American Graves Protection and Repatriation Act of 1990, P.L. 101-601.

(c) Assist Native American groups, organizations, and individuals in New Hampshire with:

(1) Securing social services, education, employment opportunities, health care, housing, cultural opportunities, and census information as available at both the state and Federal levels, including assistance in determining eligibility for the Indian Child Welfare Act of 1978, 25 U.S.C. section 1902 et seq.

(2) Establishing and/or continuing programs concerning Native American history, culture, and affairs, including those offered through the United States Department of Education, Office on Indian Education pursuant to Title VII of the Elementary and Secondary Education Act established in 1972.

(3) Promoting and strengthening the creation, display, and sale of Native American arts and crafts, and providing educational information to artisans and marketing outlets promoting the legal labeling of such products as Indian or Native American produced, as provided in 18 U.S.C. section 1159(c)(3)(B) and 25 U.S.C. section 305e(d), as well as determining eligibility for the Indian Arts and Crafts Act of 1990, P.L. 101-644, and receiving assistance and support from the Indian Arts and Crafts Board, as provided in 25 U.S.C. section 305 et seq.

VII. The commission shall meet at least 4 times a year and at any other times at the request of the chairperson or by 7 members of the commission. Notice of all meetings and minutes of such meetings shall be posted on the New Hampshire department of natural and cultural resources website. Given the geographic diversity of Native Americans living in New Hampshire, the commission may meet electronically.

VIII. The commission may accept any gifts, grants, or donations from any public or private source, provided that such gifts, grants, or donations shall be used exclusively to advance the commission's purpose and duties. Information concerning the receipt of any gifts, grants, or donations shall be posted on the department of cultural resources website.

IX. Beginning November 1, 2023, and each year thereafter, the commission shall submit an annual report of its activities, findings, and recommendations to the governor, the speaker of the house of representatives, the senate president, the commissioner of the department of natural and cultural resources, and the state library. The annual report shall be approved by a majority vote of the commission and shall be posted on the department of natural and cultural resources website.

X. The commission shall be administratively attached to the department of natural and cultural resources.

XI. Nothing in the purposes and duties of the commission shall be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents. The authority to grant state tribal status or recognition under section 104 of the Indian Arts and Crafts Act of 1990, 18 U.S.C. section 1159(c)(3)(B), is reserved solely to the New Hampshire general court.

2 Effective Date. This act shall take effect 60 days after its passage.

REGULAR CALENDAR

March 15, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 390,

AN ACT revising the membership and structure of the New Hampshire commission on Native American affairs. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Jaci Grote

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Executive Departments and Administration**
Bill Number:	**HB 390**
Title:	**revising the membership and structure of the New Hampshire commission on Native American affairs.**
Date:	**March 15, 2023**
Consent Calendar:	**REGULAR**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

This bill revises the structure and membership of the New Hampshire Commission on Native American affairs. During the hearing, there was testimony from the indigenous community that was opposed to the bill. It is the position of the committee that the NH General Court is not the place to address significant differences between those testifying. An amendment was offered to convert the bill to a study committee but the committee did not feel that this was a viable method to resolve the differences exposed during the hearing.

Vote 16-3.

Rep. Jaci Grote
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Executive Departments and Administration

HB 390, revising the membership and structure of the New Hampshire commission on Native American affairs. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill revises the structure and membership of the New Hampshire Commission on Native American affairs. During the hearing, there was testimony from the indigenous community that was opposed to the bill. It is the position of the committee that the NH General Court is not the place to address significant differences between those testifying. An amendment was offered to convert the bill to a study committee but the committee did not feel that this was a viable method to resolve the differences exposed during the hearing. **Vote 16-3.**

Original: House Clerk
Cc: Committee Bill File

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB390 Date: 3/15/23

Committee: ED&A

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro	Con
Rod Simms	9 Sargent St. Belmont	603-290-1429	Self		X
Melinda Simms	9 Sargent St. Belmont	603-496-5661	Self		X
Kathleen Blake	16 Redden St Dover, NH	603-231-0011	"		X
Fawn Gaudet	Rumney NH	603-960-2872	self		X
State Rep Maria Perez	Milford				X
Ann Podlipny	98 Birch Rd Chester		self		X
Todd Warfield	86 Chamberlain	Rochester NH	self		X
Rev. Zachary Harmon	9 Spring St. Goffstown, NH 03045	603-748-0501	self		X
Catherine M Corkery	NH Sierra Club				X
Darryl A. Reesley	Contoocook NH			X	

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 390

BILL TITLE: **revising the membership and structure of the New Hampshire commission on Native American affairs.**

DATE: **March 15, 2023**

LOB ROOM: **306-308** **Time Public Hearing Called to Order:** **2:35 p.m.**

Time Adjourned: **3:28 p.m.**

Committee Members: Reps. C. McGuire, Simon, Sirois, T. Lekas, Bailey, Santonastaso, True, T. Dolan, Abare, Gerhard, Grote, P. Schmidt, Goley, Schuett, O'Brien, F. Davis, Fitzpatrick and S. Gould

Bill Sponsors:

Rep. S. Gould	**Rep. Nagel**	**Rep. Wolf**
Rep. Ebel	**Rep. Horrigan**	**Sen. Ward**
Sen. Prentiss	**Sen. Whitley**	

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

- Rep. Gould
  - Merrimack 8
  - Sponsor of HB390.
- Melinda Simms
  - Self
  - Opposes HB390. She is an Abenaki and disabled veteran. "This bill is designed to silence voices. This bill does not help indigenous people or taxpayers."
- Carlos Cardona
  - Self
  - Opposes HB390.
- *Kathleen Blake*
  - Self
  - Opposes HB 390. Has written testimony.
- Todd Warfield
  - Self
  - Opposes HB390
- *Fawn Gaudet*
  - Self
  - Opposes HB390. Feels the commission is working fine. Feels the bill puts some ahead of others.
- Denise & Paul Pouliot
  - Cowasuck Band of the Pennacook Abenaki
  - Opposes HB390. People stated here are not qualified. We need qualified professionals. There is no indigenous consultation within the amendment. They want ITL for this bill and warns about several things if the bill were to be retained to be worked on.

- Rod Simms
  - Self
  - Opposes HB390. Wants to ITL the bill and not wasted taxpayers' money to come up with something that nobody would be accepted anyways.
- Darryl Peasley
  - Self
  - Supports HB390 and the amendment. Wants all Abenaki to be recognized.
- Rev. Zachary Harmon
  - Self
  - Opposes HB390. Says that it prioritizes Abenaki tribe.

Respectfully Submitted,

Rep Shane Sirois, Clerk

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB390 on 2

Support: 11 Oppose: 135 Neutral: 1 Total to Testify: 0

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Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane
Francis, David	Salem, NH tamunobletamu@gmail.comI	A Member of the Public	Myself	Oppose	No	No
Roy, Melanie	Red Lake, MN healingmyheartagain@gmail.com	A Member of the Public	Myself	Oppose	No	No
Ward, Senator Ruth	Stoddard, NH Ruth.Ward@leg.state.nh.us	An Elected Official	Myself	Support	No	No
Fournier, Mark	Manchester, NH icanhuntcanu@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Gilfoy, Matthew	Merrimack, NH MatthewGilfoy@aol.com	A Member of the Public	Myself	Support	No	No
Beach, Amber	Littleton, CO amberrbeach@gmail.com	A Member of the Public	Myself	Support	No	No
Gould, Bill	Warner, NH billgould@tds.net	A Member of the Public	Myself	Support	No	No
Hunt, John	Underhill, VT sampetra@hotmail.com	A Member of the Public	Myself	Support	No	No
Weed, Janice	Wilmington, MA janiceweed@verizon.net	A Member of the Public	Myself	Oppose	No	No
Pelletier, Albert	Fitzwilliam, NH albertpelletier3@gmail.com	A Member of the Public	Myself	Oppose	No	No
Hodges, Nancy	Buckland, MA babysniffles154@gmail.com	A Member of the Public	Myself	Oppose	No	No
Ouellet, Monique	Concord, NH mouellet@hotmail.com	A Member of the Public	Myself	Oppose	No	No
Poitras Jones, Francine	Hertford, NC dancingbluewolf@gmail.com	A Member of the Public	Myself	Support	No	No
Archambeault, Christopher	Caribou, ME xcouchpetx@gmail.com	A Member of the Public	Myself	Oppose	No	No
Corkery, Catherine	Concord, NH catherine.corkery@sierraclub.org	A Lobbyist	NH Sierra Club	Oppose	No	No
Gagne, Alicia	Hampton, NH pnthr9379@comcast.net	A Member of the Public	Myself	Oppose	No	No
weinstein, michael	stoughton, MA mweinstein888a@gmail.com	A Member of the Public	Myself	Oppose	No	No
Weinstein, Janet	Stoughton, MA janetplanet_4@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Gaudet, Fawn	Rumney, NH fawngaudet@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Besaw, Rhonda	Whitefield, NH Rhondalbesaw@gmail.com	A Member of the Public	Myself	Oppose	No	No
Evankow, Abby	Gorham, NH abbyaustin89@gmail.com	An Elected Official	Myself	Oppose	No	No
Michael, Glen	Rye, NH glitterjunkie33@gmail.com	A Member of the Public	Myself	Oppose	No	No

Reed, Barbara	North Swanzey, NH BDReed74@gmail.com	A Member of the Public	Myself	Support	No	No	
Prost, Christopher	Croydon, NH chris.prost@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Clifford, Tahcawin	Hanover, NH duckmansgirl@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Blake, Kathleen	Dover, NH kmett@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Simms, Melinda	Belmont, NH Msimms.nh@sekur.com	A Member of the Public	Myself	Oppose	No	No	
Simms, Rodney	Belmont, NH Rodsims.rcm@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Dostie, Deborah	Bristol, NH denebeader@gmail.com	A Member of the Public	Myself	Support	No	No	
Blanchard, Vicki	Hillsborough, NH vblanchardhome@gmail.com	A Member of the Public	Myself	Support	No	No	
Brooks, Teresa	Portsmouth, NH hope2inspireu@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Van de Poll, Rick	Center Sandwich, NH rickvdp@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Blake, Rod	Dover, NH crem1@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Duddy, Susan	North Hampto, NH 4sr@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Lovett, Sam	Concord, NH samuelovett@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Perkins-Howland, Janet	Durham, NH thehowl@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Page, Courtney	Manchester, NH courtney.a.castro@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Swartz, Haley	RYE, NH hmassa01@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Walker, Deborah Klein	Meredith, NH deb.publichealth@gmail.com	A Member of the Public	Boston University School of Public Health	Oppose	No	No	
Bouchard, Faith	Salisbury, NH fbouchard@jsi.com	A Member of the Public	Myself	Oppose	No	No	
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Oppose	No	No	
Devore, Gary	Pembroke, NH torin_asheron@yahoo.com	A Member of the Public	Myself	Oppose	No	No	
Daube, Rachel	Manchester, NH rachdaube@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Howey, Meghan	Durham, NH mclhowey@gmail.com	A Member of the Public	Myself	Oppose	No	No	
DeMark, Harriet	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Oppose	No	No	
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Oppose	No	No	
LaBombard, Jone	Hollis, NH jlabombard@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Burns, John	Exeter, NH jtburns5244@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Vecchiotti, Dorothea	Peterborough, NH div@ocs-oe.com	A Member of the Public	Myself	Oppose	No	No	

Bissex, Hannah	Rindge, NH berardi.h@gmail.com	A Member of the Public	Myself	Oppose	No	No
Aytur, Semra	Durham, NH S_aytur@unh.edu	A Member of the Public	Myself	Oppose	No	No
Murray, Adelaide	Newmarket, NH amurray814@gmail.com	A Member of the Public	Myself	Oppose	No	No
Hamer, John	Bow, NH mhamerc@comcast.net	A Member of the Public	Myself	Oppose	No	No
Merlone, Lynn	Rindge, NH prulone@gmail.com	A Member of the Public	Myself	Oppose	No	No
Thomas, Anne	Rindge, NH annekerosie@gmail.com	A Member of the Public	Myself	Oppose	No	No
Moore, Susan	Franconia, NH susan.moore.franconia@gmail.com	A Member of the Public	Myself	Oppose	No	No
Warfield, Todd	Rochester, NH pennacook@gmail.com	A Member of the Public	Myself	Oppose	No	No
Purslow, Stacey	Rochester, NH purs2@metrocast.net	A Member of the Public	Myself	Oppose	No	No
Davis, Christie	Contoocook, NH christie.davis@unh.edu	A Member of the Public	Myself	Oppose	No	No
Furey, Nathaniel	Nottingham, NH n.b.furey@gmail.com	A Member of the Public	Myself	Oppose	No	No
Liebowitz, Susan	Plainfield, NH supawali@hotmail.com	A Member of the Public	Myself	Oppose	No	No
Podlipny, Ann	Chester, NH apodlipny57@comcast.net	A Member of the Public	Myself	Oppose	No	No
Peshkova, Svetlana	Portsmouth, NH speshko@gmail.com	A Member of the Public	Myself	Oppose	No	No
Mann, Ryn	Rindge, NH nusgw.getipnewinu@gmail.com	A Member of the Public	Myself	Oppose	No	No
Duderstadt, Katharine	Durham, NH duderstadtk@gmail.com	A Member of the Public	Myself	Oppose	No	No
Littlecreek, Cecelia	Bemidji, MN cecelialittlecreek@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Mitchell, Amanda	Plymouth, NH mana11185@gmail.com	A Member of the Public	Myself	Oppose	No	No
Hershey, Jane	Rindge, NH janelhershey@gmail.com	A Member of the Public	Myself	Oppose	No	No
Palmer, Grace	Concord, NH gracemcgillpalmer@gmail.com	A Member of the Public	Myself	Oppose	No	No
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	A Member of the Public	Myself	Oppose	No	No
Fogarty, Maggie	Dover, NH mfogarty@afsc.org	A Lobbyist	American Friends Service Committee - NH Program	Oppose	No	No
Tucker, Jane	East Falmouth, MA janejttucker@gmail.com	A Member of the Public	Myself	Oppose	No	No
Quisumbing-King, Cora	Dover, NH CoraQ@comcast.net	A Member of the Public	Myself	Oppose	No	No
Phillips, Betsey	Bethlehem, NH bphill36@gmail.com	A Member of the Public	Myself	Oppose	No	No
Gray, Caitlin	Dover, NH caitlineringray@gmail.com	A Member of the Public	Myself	Oppose	No	No
Niven, Ruth	Franklin, NH ruthniven@hotmail.com	A Member of the Public	Myself	Oppose	No	No

Martin, Alexandra	Dover, NH gogo.alix@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Gruttemeyer, Pat	Hopkinton, NH phgruttemeyer@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Forrestall, Maggie	Alstead, NH forrestall.margaret@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Stewart, Catherine	Portsmouth, NH miss.c.stewart@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Bunnell, Chief Paul	Alstead, NH Bunnellloyalist@aol.com	A Member of the Public	Myself	Oppose	No	No	
Arsenian, Aimee	Nashua, NH margarita122@hotmail.com	A Member of the Public	Myself	Oppose	No	No	
Demello, Denise	Alstead, NH dtdemello@live.com	A Member of the Public	Me	Oppose	No	No	
Helms, Terri	Wakefield, KS helmterri@yahoo.com	A Member of the Public	Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation	Oppose	No	No	
DeForge, Sandra	Alstead, NH smcgrath13@outlook.com	A Member of the Public	Myself	Oppose	No	No	
Moreau, Alyssa	Sudbury, MA amoreau1026@gmail.com	A Member of the Public	Myself	Oppose	No	No	
michaud, patrick	preston, CT patrickmichaud03@yahoo.com	A Member of the Public	Myself	Oppose	No	No	
Vincent, Michele	Manchester, NH footloosenfancyfi@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Corell, Elizabeth	Concord, NH Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Kritzer, Jacob	Durham, NH jake.kritzer@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Robbins, Roanne	Durham, NH roannerobbins@me.com	A Member of the Public	Myself	Oppose	No	No	
Mathur, Anita	Durham, NH anita_mathur@yahoo.com	A Member of the Public	Myself	Oppose	No	No	
Paine, Katie	Durham, NH kdpaine@painepublishing.com	A Member of the Public	Myself	Oppose	No	No	
Herrera, Bridget	Hanover, NH bridget.a.herrera@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Peasley, Darryl	CONTOOCOOK, NH peasleyd@comcast.net	A Member of the Public	Myself	Support	No	No	
Waring, Cynthia	Greenfield, MA cynthiawaring@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Monsein, Marilyn	Sugar Hill, NH msquared3@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Mckibben, Jason	Durham, NH j_mckib@yahoo.com	A Member of the Public	Myself	Oppose	No	No	
Sterndale, Amy	Durham, NH asterndale@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Wood, Sharon	Claremont, NH sharon_wood@pobox.com	A Member of the Public	Myself	Oppose	No	No	
Waters, Jacob	Cotton, MN yaakov@infionline.net	A Lobbyist	Myself	Oppose	No	No	
Mayotte, Dom	Union, NH Herbalturtle51@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Stevens-Mayotte, Alice	Wakefield, NH awasos3@yahoo.com	A Member of the Public	Myself	Oppose	No	No	

Casino, Joanne	Concord, NH joannecasino@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Lessard, Gary	Schenectady, NY lessardgary@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Murillo-Brakeville, GiGi	Vancouver, NH snoopy8u@yahoo.com	A Member of the Public	Ko'asek Traditional Band of the Sovereign Abenaki Nation	Oppose	No	No	
Menard, Rene	Kingston, NH Rgmnsons@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Jennison, Charles	Lee, NH charles.jennison@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Doonan, Mary	ko'asek Tribe of NH, MA marybethmulvaney@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Cahill, Michael	Newarket, NH michael.cahill@leg.state.n.us	An Elected Official	Rockingham 10 Newfields, Newmarket	Oppose	No	No	
Espitia, Manuel	Nashua, NH manuel.espitia11@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Hocke, Bridgette	River Ridge, LA bridgettej.hocke@gmail.com	A Member of the Public	Myself and the Ko'asek (Co'wasuck)Traditional Band of the Sovereign Abenaki Nation	Oppose	No	No	
Hall, Stormy	Alstead, NH stormydavis1@hotmail.com	A Member of the Public	Myself	Oppose	No	No	
Hook, Chief Shirly	W. Braintree, VT shirly480@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Godreau, Carol	Bristol, CT Imaquilter2@msn.com	A Member of the Public	Myself	Oppose	No	No	
Styles, Theresa	McDonough, GA estylesconsulting@yahoo.com	A Member of the Public	Estylesconsulting	Oppose	No	No	
Allyn, Cathy	New Durham, NH prosody@hotmail.com	A Member of the Public	Myself	Oppose	No	No	
Lessard, Donna	Schenectady, NY dmlgardener@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Rawson, Kimberly	Waterville Valley, NH kimlovesnh@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Campbell, KY	Epsom, NH kkcampbell43@yahoo.com	A Member of the Public	Myself	Oppose	No	No	
Pease, Robert	El Dorado, CA robertpease9@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Stetz, Hunter	Hampton Falls, NH hstetz@bu.edu	A Member of the Public	Myself	Oppose	No	No	
Jennison, Anne	Lee, NE jennison.anne@gmail.com	A Member of the Public	Myself and the NH Commission on Native American Affairs	Oppose	No	No	
Perencevich, Ruth	Concord, NH rperence@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Willing, Maura	Concord, NH maura.willing@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Crompton, Misty	New Boston, NH m.crompton.snhu@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Neely, John	Sandwich, NH j0n33ly@yahoo.com	A Member of the Public	Myself	Oppose	No	No	
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Support	No	No	
Carpinone, Diana	Dover, NH d.carpinone@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Kerman, Kate	Marlborough, NH kkerman@phoenixfarm.org	A Member of the Public	Myself	Neutral	No	No	

Cote, Lois	Manchester, NH, NH lcote06@outlook.com	A Member of the Public	Myself	Oppose	No	No	
Petrakis, Sandra	Raymond, NH spetsideacct1@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Horrigan, Timothy	Durham, NH timothy.horrigan@leg.state.nh.us	An Elected Official	Strafford 10	Oppose	No	No	
Martinez, Amanda	Nashua, NH Amanda_martinez@hotmail.com	A Member of the Public	Myself	Oppose	No	No	
Pinkerton, Phillip	Nashua, NH Ptpinker@tds.net	A Member of the Public	Myself	Oppose	No	No	
Nepveu, David	Hyde Park, VT 8da.adwani@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Pouliot, Denise	Alton, NH Tigerly@tds.net	A Member of the Public	Myself	Oppose	No	No	
Pouliot, Paul	Alton, NH Cowasuck@tds.net	A Member of the Public	Myself	Oppose	No	No	
Hughes, Megan	Walpole, NH mhughes1wbc@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Sellarole, Jana	Walpole, NH jgsellarole@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Potter, Stacey	Lyndeborough, NH staceypotts2@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Hatch, sally	Concord, NH sallyhatch@comcast.net	A Member of the Public	Myself	Oppose	No	No	
Buffalo, Gino "Roaming"	Haverhill, MA ginoroamingbuffalo@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Harmon, Zachary	Goffsotwn, NH vicarstchristophers@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Gill, Miranda	Lebanon, NH miranda.k.gill@gmail.com	A Member of the Public	Myself	Oppose	No	No	
Hoover, Sharon	Alta, CA roseeposee1@yahoo.com	A Member of the Public	Myself	Oppose	No	No	
Johnson, Dale	Portola, CA runningball@yahoo.com	A Member of the Public	Myself	Oppose	No	No	

Melinda Simms

March 15, 2023

Committee: House Executive Departments and Administration Bill Number: HB390
Who you represent: Myself

RE: I OPPOSE and request ITL of HB390 and its Amendment

Honorable Chair and Members of the Committee:

I come to you today as a concerned constituent with Native American heritage and a Disabled Veteran.

HB 390 is a bill that essentially rewrites the already established statute that authorized the New Hampshire Commission on Native American Affairs (NHCNAA).
It is NOT a simple bill, It is a bill of Deception!

- This honorable committee is being deceived. When HCR 7 was recently tabled, Ms. Gould combined the bill with HB 390 and added a new amendment. By combining these bills, she will achieve the intent of HCR 7 and erase the voice of most NH Indigenous people and put Ms. Gould and/or her allies in the driver seat.

- This trickery will also remove the states positions of Oversight and the governor's ability to appoint commission members, it will eliminate the NH Commission on Native American Affairs.

- We know this to be true as seventeen years ago, Sherry Gould and her allies dismantled the Vermont Commission and stacked it with like-minded people. This is the very same thing she proposes with HB390 and its amendment now!

- I understand the committee is possibly bewildered by what's going on here, and are trying to make sense of what this is all about. Perhaps you believe this is a *Family squabble*, I assure you, this is a personal power struggle for control of the state being waged by Sherry Gould and her allies against Paul & Denise Pouliot.

- This is evident in section III of HB 390, it states, "Chiefs and their parent, child, sibling, or spouse shall not be eligible to serve in order to avoid a conflict of interest." The only people that this caveat applies to are the Chief Speakers of the Pennacook. That is how this bill is designed to remove their voices. This clause would also make the Pennacook Speakers ineligible for a seat as affiliate faculty at UNH. This bill is an overt attempt to silence them!

- Are you aware that the Cowasuck Band of the Pennacook-Abenaki People, already have an inclusive tribal community with two head speakers - Denise and Paul Pouliot. We have a NH Commission on Native American Affairs (NHCNAA), a tribal consultation office at the University of NH, which is foundational in establishing the UNH Native American and Indigenous Studies Program, and our head speakers have implemented a 501(c)3 organization to assist our community. **We are a thriving and giving community that does not have its hand out to the state and we are not in need of other entities speaking for us or changing what is already here!**

CONTINUED

- Allowing this bill and amendment to pass, you are not at all helping the Indigenous community or taxpayers of New Hampshire instead, you will open pandoras box. I hold before you 140 bills brought before the Vermont legislature by the Nulhegan band between 2009 and 2023. Each bill costs the state money, lots of money and this is most likely to happen to the New Hampshire taxpayers too if this is bill and amendment is passed.

- Just like in Vermont, Ms. Gould and her allies are attempting to take over the already quite thriving, NH Indigenous Community and instead, she wants to stack the deck with her allies to get additional funding from New Hampshire and be the only recipient of federal funds or grants, AND glean from the fruits of Vermont!

- If you give Ms. Gould and her cronies an inch and they'll take a mile; they will not stop here, they'll bleed this state dry with their never-ending bills for monies and benefits like what they've done, and are still doing, to the state of Vermont. (*See attached list of the Passed Vermont Legislative Bills on the request of the Nulhegan band*)

- Our Head Speakers, Paul & Denise Pouliot don't cause problems for New Hampshire, they don't have their hand out to New Hampshire, they actually solve problems. They have a great repour with the State of New Hampshire and through numerous wonderful projects, spear-headed by our speakers, they provide **revenue** to our great state!

- I respectfully urge you to vote **ITL**, HB390 and its amendment(s).

I would like to thank the Committee for your time today.

Melinda Simms 9 Sargent St., Belmont, NH 03220

ATTACHMENTS:

1. **Vermont Legislative Session Indigenous Bills 2009-2022**
2. **2022 NH Revised Statutes / 12-A:14-a New Hampshire Commission on Native American Affairs Established.**
3. **Sampling of projects initiated by Denise and Paul Pouliot on behalf of the Cowasuck Band of the Pennacook-Abenaki People.**
4. **Concord Monitor Newspaper; Opinion: Defend the Commission on Native American Affairs**
5. **Testimonies: HCR 7 & HB 390**

*2010 NH Statute the NH Commission on Native American Affairs

2022 New Hampshire Revised Statutes Title I - The State and Its Government Title 12-A - Department of Natural and Cultural Resources Section 12-A:14-a - New Hampshire Commission on Native American Affairs Established.

12-A:14-a New Hampshire Commission on Native American Affairs Established. –

I. In order to recognize the historic and cultural contributions of Native Americans to New Hampshire, to promote and strengthen their own heritage, and to further their needs through state policy and programs, there is hereby established the New Hampshire commission on Native American affairs.

II. The commission shall consist of 15 members who derive from geographically diverse areas of the state and are representative of the diverse groups, organizations, and individuals knowledgeable about Native American history, culture, and affairs as follows:

(a) The director or designee of the division of travel and tourism development, department of business and economic affairs.

(b) The director or designee of the Native American Program at Dartmouth College.

(c) An archaeologist appointed by the director of the division of historical resources.

(d) The director or designee of the state council on the arts.

(e) Eleven members from the public at large, who shall be representatives from the Native American community, appointed by the governor from recommendations prepared by the director of the division of historical resources. All interested individuals shall submit a letter to the director of the division of historical resources stating why they wish to be considered and their qualifications accompanied by 3 letters of recommendation.

III. Each member of the commission shall serve a 3-year term, and no member shall serve more than 2 consecutive terms. A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment was made but for the unexpired term only. Initial appointments by the governor shall be for staggered terms of one, 2, or 3 years. Members of the commission shall serve without compensation.

IV. For voting purposes a quorum shall be 9 members.

V. At the first meeting, which shall be called by the first named member of the commission within 45 days after the completion of the naming of the commission members, members of the commission shall elect a chairman, secretary, and treasurer. Officers shall be elected for a one-year term but may be elected to serve an additional term. All officers of the commission shall be elected by a majority vote of the members.

VI. The commission shall:

(a) Review and study local, state, and federal issues common to Native Americans and persons of Native American descent who are residing in this state.

(b) Develop recommendations to assist state agencies with the preservation and protection of Native American artifacts and burial grounds under the Native American Graves Protection and Repatriation Act of 1990, P.L. 101-601.
(c) Assist Native American groups, organizations, and individuals in New Hampshire with:
(1) Securing social services, education, employment opportunities, health care, housing, cultural opportunities, and census information as available at both the state and federal levels, including assistance in determining eligibility for the Indian Child Welfare Act of 1978, 25 U.S.C. section 1902 et seq.
(2) Establishing and/or continuing programs concerning Native American history, culture, and affairs, including those offered through the United States Department of Education Office on Indian Education pursuant to Title VII of the Elementary and Secondary Education Act established in 1972.
(3) Promoting and strengthening the creation, display, and sale of Native American arts and crafts, and providing educational information to artisans and marketing outlets promoting the legal labeling of such products as Indian or Native American produced, as provided in 18 U.S.C. section 1159(c)(3)(B) and 25 U.S.C. section 305e(d), as well as determining eligibility for the Indian Arts and Crafts Act of 1990, P.L. 101-644, and receiving assistance and support from the Indian Arts and Crafts Board, as provided in 25 U.S.C. section 305 et seq.
VII. The commission shall meet at least 4 times a year and at any other times at the request of the chairperson or by 7 members of the commission. Notice of all meetings and minutes of such meetings shall be posted on the New Hampshire department of natural and cultural resources website.
VIII. The commission may accept any gifts, grants, or donations from any public or private source, provided that such gifts, grants, or donations shall be used exclusively to advance the commission's purpose and duties. Information concerning the receipt of any gifts, grants, or donations shall be posted on the department of cultural resources website.
IX. Beginning November 1, 2011, and each year thereafter, the commission shall submit an annual report of its activities, findings, and recommendations to the governor, the speaker of the house of representatives, the senate president, the commissioner of the department of natural and cultural resources, and the state library. The annual report shall be approved by a majority vote of the commission and shall be posted on the department of natural and cultural resources website.
X. The commission shall be administratively attached to the department of natural and cultural resources.
XI. Nothing in the purposes and duties of the commission shall be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents. The authority to grant state tribal status or recognition under section 104 of the Indian Arts and Crafts Act of 1990, 18 U.S.C. section 1159(c)(3)(B), is reserved solely to the New Hampshire general court.

Source. 2017, 156:28, eff. July 1, 2017.

Concord Monitor Newspaper:

Opinion > Columns

Opinion: Defend the Commission on Native American Affairs

By PAUL W. POULIOT and DENISE K. POULIOT
Published: 3/1/2023 6:00:24 AM
Modified: 3/1/2023 6:00:14 AM

Paul W. Pouliot, Sag8mo, and Denise K. Pouliot, Sag8moskwa, are leaders of the Cowasuck Band of the Pennacook - Abenaki People.

As leaders of the Cowasuck Band and the Indigenous NH Collaborative Collective, we urge New Hampshire lawmakers to defend the Commission on Native American Affairs, which is threatened by a legislative proposal currently under consideration in the NH House of Representatives.

The Cowasuck Band of the Pennacook-Abenaki People is a tribal community that is headquartered in Alton. Our traditional tribal homeland, called N'dakinna, is one of the largest historically documented tribal territories in the northeastern U.S..

Top Stories00:3101:12
Since the late 1980s, we have worked hard to build an inclusive community. We research and bring accurate history into focus, and decolonize and correct many misconceptions about the Indigenous peoples of our region.

The federal and state governments of the U.S. have divided tribes between those they acknowledge versus those they do not. This polarizes Indigenous peoples and fosters competition rather than cooperation. That is not our traditional way. However, we recognize the reality of the system that is in place, and therefore, in 1994, our tribe began the process of seeking federal recognition through the Bureau of Indian Affairs. We were given the petition number of 151 and remain an active petitioner today.

To help with our community work, the Cowasuck Band of the Pennacook-Abenaki People incorporated a nonprofit social and cultural services 501(c)3 organization (FEID# 22-3229024) called COWASS North America, Inc.

We fund the tribe and our community projects such as the work completed by our Indigenous New Hampshire Collaborative Collective (INHCC), an interdisciplinary community work group that is decolonializing and uplifting Indigenous history and knowledge. INHCC has developed interactive maps, as well as creating and vetting Indigenous educational curricula. We also provide a multitude of additional resources that are available for free at indigenousnh.com.

The University of New Hampshire (UNH) has generously provided the Cowasuck Band of the Pennacook Abenaki with a tribal consultation office located in Morse Hall. We gave the UNH ravine trails Abenaki names and installed signs with QR codes so that people can hear the names spoken in the Abenaki language. We are proud of our UNH campus work and the many programs, courses, and research projects that we are involved with through the university.

Support the Concord Monitor. Subscribe Today

The Cowasuck Band of the Pennacook Abenaki was foundational in the establishment of the UNH Native American and Indigenous Studies Minor program in 2019. In 2022, our work expanded to include two additional programs beyond the minor.

Our work can be seen and experienced throughout the region. For example, enjoy the all person's trail at the Manchester Cedar Swamp in Manchester, where we collaborated with the Nature Conservancy to share Indigenous knowledge, activities, and informational signs throughout the park. Visit the McAuliffe-Shepard Discovery Center in Concord to experience an Abenaki planetarium film telling the story of how the great bear and little bear, also known as the big and little dipper constellations, got into the sky.

For decades, our leaders have been active in New Hampshire politics and education. Many of you have seen our leaders opening private and state events, in the classroom at your local school, or have attended our presentations. Some have seen our traveling museum at town celebrations, historical societies, churches, and other public venues.

The community development services and work that the Cowasuck Band of the Pennacook Abenaki People performs is a demonstration of our commitment to our New Hampshire community. In our society, we are judged not by what wealth we accumulate but by what wealth we can give to others.

In 2010, the Cowasuck Band of the Pennacook-Abenaki People worked with Winchester Rep. Dan Carr to create the NH Commission (NHCNAA) on Native American Affairs. As a tribe, we already had a government-to-government relationship with the state of New Hampshire, so we specifically wrote a bill that honored our inclusive views and developed commission requirements that included the diversity of Indigenous peoples that are now New Hampshire residents.

This inclusive Native commission is now in jeopardy. HB 390 was introduced this session to completely eliminate the current NHCNAA. The proposed bill would remove the voices of most of the Indigenous peoples of New Hampshire and place Vermont-recognized tribes in the majority. The bill also removes the state positions, oversight, and the governor's ability to appoint commission members.

HB 390 ultimately erases New Hampshire tribal involvement and relinquishes New Hampshire state sovereignty over its own native commission. This kind of precedent is harmful to every resident in New Hampshire. It is urgent that you contact your representatives and ask them to kill HB 390.

For more information on projects and upcoming events, visit our website at cowsuck.org and our INHCC website at indigenousnh.com.

Sampling of Projects: Cowasuck Band of the Pennacook-Abenaki People

Denise & Paul Pouliot

Indigenous New Hampshire Collaborative Collective INHCC - Created to provide free vetted resources including history, activities and educational curriculum and an interactive storymap of locations to visit in NH to all those interested in the Indigenous presence in the state. https://indigenousnh.com/

The University of New Hampshire (UNH) has generously provided the Cowasuck Band of the Pennacook Abenaki with a tribal consultation office located in Morse Hall room 453.

Native American Indigenous Studies Minor - Learn about the complex and diverse cultures and histories of Indigenous communities locally, nationally and globally. This interdisciplinary program draws from a range of fields, from anthropology and geography to English and history, to provide varied perspectives on issues such as colonialism, diaspora, social movements, politics and policy. You'll learn academic theories and how they translate into practical applications. You'll acquire skills and qualifications for graduate study and employment including work with Tribal and Indigenous leaders and officials, public health practitioners and administrators, and with institutions that require sensitivity to Indigenous issues, such as museums and other public institutions.
Native American and Indigenous Studies (Minor) | Interdisciplinary Studies (unh.edu)

Abenaki Names for Campus Trail System - The Indigenous NH Collaborative Collective has worked with the Cowasuck Band of the Pennacook-Abenaki People to identify and name trails and bridges throughout the College Brook Ravine (the area behind Hamilton Smith and Dimond Library). The College Brook Ravine has significant landscape features that are important to the Abenaki people, past and present, such as the College Brook, the surrounding wetlands (medicine gardens), and trees. This area is a well-traveled, busy part of campus that previously lacked identification of the various trails, bridges, and shortcuts throughout the space
Abenaki Trails in College Brook Ravine | Center for the Humanities (unh.edu)

Convergent Arctic Research Perspectives and Education (CARPE) Program - A new graduate research traineeship program at UNH funded by the National Science Foundation. A 5 Year collaboration between the NNA Community Office Education and Outreach Field Office in Alaska (Inuit) and the Gaaltije Foundation (Saami) in Sweden, and the Cowasuck Band of the Pennacook Abenaki People in NH. CARPE students will learn how to engage with Indigenous communities in the co-production of knowledge - developing sensor research projects together to address the challenges those communities face in a daily basis.
CARPE NRT | School of Marine Science and Ocean Engineering (unh.edu)

NH Coastwise - A year-long immersion program for individuals working on coastal and marine issues within the state. Designed to build new skills and stronger networks, CoastWise seeks to cultivate an engaged and diverse workforce to better tackle the challenges facing our coast and watersheds to support more engaged and impactful research. New Hampshire CoastWise | New Hampshire Sea Grant (unh.edu)

The Great Bay Archaeological Survey (GBAS) - is a community-engaged archaeological exploration of social and environmental change during early colonialism (ca. 1600-1750 AD) in the Great Bay Estuary. All field work is fully open to the public, and numerous volunteers from all walks of life, aged 14 to 76 years old have participated. From the Fragments (arcgis.com)

Meeting Great Bay History - course dates: July 10 – 14, 2023 or July 17 – 21, 2023
A National Endowment for the Humanities Landmarks of American History and Culture Grant. K-12 Teachers spend a week in the beautiful seacoast of New Hampshire, where archaeology is revealing hidden histories of what happened when English colonists came to New England 400 years ago. Visit the places people lived (and died) and encounter the

fragments they left behind, experiencing firsthand a much more complex colonialism than is captured in popular Thanksgiving tales https://www.fromthefragments.com/

U.S. Forest Service Research Project - Using Indigenous Knowledge to Protect Our Forests. We have partnered with the US Forestry Service to research Indigenous fire management practices in the White Mountain National Forest.

Augmented Reality App – This free App uses your phone like pokemon go by drawing tourists to Odiorne State Park, Star Island and Strawbery Banke Museum to educate about the past present and future of the Indigenous in the area. Available to the public in May 2023

Planetarium Show- McAuliffe Discovery Center 'The Great Spirit Bear Chase and the Hunt by the Bird People' Created in partnership with the Cowasuck Band of the Pennacook and Abenaki People, this 100% New Hampshire-made show tells stories of the night sky from the perspective and cultural traditions of the indigenous peoples whose ancestors first settled in the Granite State over 12,000 years ago. https://www.starhop.com/planetarium

The Nature Conservancy highlighted the Cowasuck Band of the Pennacook Abenaki People and Paul and Denise Pouliot as one of the 60 individuals and organizations that have positively impacted the natural world in honor of TNC's 60 years of conservation in New Hampshire. Follow along at #NH60for60.
https://www.facebook.com/TNCNH/photos/a.112427585470745/4486639144716212

The University of New Hampshire Sustainability Institute awarded The Cowasuck Band of the Pennacook Abenaki and Paul and Denise Pouliot the Platinum Sustainability Award for External Engagement in 2021. The Cowasuck Band of the Pennacook Abenaki People has been integral to raising awareness of Indigenous heritage at UNH and across the State of NH and was instrumental to the establishment of the Native American and Indigenous Studies Minor at UNH, and continue to be actively engaged at UNH and with local communities. They are an integral part of the Indigenous New Hampshire Collaborative Collective (INHCC), a large part of which consists of UNH faculty, staff, students, and community partners.
2021 UNH Sustainability Awardees | Sustainability

The Cedar Swamp All Persons Trail in Manchester - Is a ADA compliant trail measuring a total of 1.2 miles and dotted with resting benches and interpretive points of interest that includes Indigenous knowledge and activities.
https://www.nature.org/en-us/get-involved/how-to-help/places-we-protect/manchester-cedar-swamp-preserve/?wcmmode=disabled&tab_q=tab_container-tab_element_2068761351

Melinda Simms

February 3, 2023, 1:00 pm

Committee: House State - Federal and Veterans Affairs

Bill Number: HCR 7

Who you represent: Myself

I **OPPOSE** HCR 7

I come to you today as a concerned constituent and as an Independent Information Researcher, with membership in the Association of Independent Information Professionals. Specializing in historical and genealogical research in both the United States and Canada for over 20 years..

When I read HCR7 it concerns me as there are several discrepancies that would NOT make this a Simple Bill, the following are some of my concerns:

- The Nulhegan Band has not appeared in any documented indigenous historical narrative prior to 2004 therefore, they would not have standing in our state. All of the historical data, that the tribal applicants claim, needs to be substantiated by a professional and unbiased source, in a historically accurate manner. Vermont allows applicants to self-declare.

- Vermont's *Recognition Act 107*[1] Is deficient in its wording about the use of a board certified genealogist to properly vet the tribal applicant's genealogies. The act is also vague in requiring a need for unbiased third-party vetters that are not akin to the tribal applicant (s).
  - We should not blindly accept Vermont's critically flawed tribal recognition processes. There should be a clear and impartial vetting process by an outside professional source for all historical and genealogical data that is presented by any tribal applicant(s).

- Vermont's *Recognition Act 107* prohibits any tribe from being recognized as a tribal group "in any other state, province, or nation." Putting forward a recognition bill or resolution, such as this one, is in direct violation of the Vermont recognition process and is strictly prohibited! So, it's perplexing as to why this band would request recognition in New Hampshire too.

- Vermont's *Recognition Act 107* states it will assist the Native American Indian Tribes recognized by the state to: 1. "Secure assistance for social services, education, employment opportunities, health care, and housing." 2. "Develop and market Vermont Native American fine and performing arts, craft work, and cultural events."
  - New Hampshire should not be offering benefits to outside tribal organizations already recognized in another state.
  - If the band were to be recognized in New Hampshire, wouldn't that be double-dipping for benefits?

- People generally want more, so I can't help but believe that gaining State recognition isn't the first step to Federal recognition for this band, which will negatively effect our states revenues and land.

- The State of New Hampshire already established the NH Commission on Native American Affairs in 2010 and it's open to all NH Indigenous residents of all tribal affiliations and gives them direct access to numerous State agencies. The Nulhegan Band held two seats on this commission and curiously they resigned in 2021!

- Even more curiously; Sherry Gould, of the Nulhegan band and supporter of this bill, recently submitted HB390. HB 390 is a bill to remove all current members of the NH Native Commission and replace them with members or cronies of the Vermont band.

- Personally, I am flabbergasted that a bill to recognize a Vermont band has come before our legislature. Especially knowing that there are bands right here in New Hampshire that have never been recognized. This is disrespectful to all of our Indigenous NH constituents and shameful if this bill should go forward.

I respectfully urge you to vote **AGAINST,** HCR 7

Melinda Simms 9 Sargent St., Belmont, NH 03220

1) *Vermont Commission on Native American Affairs*, (2023). ACT 107. An Act Relating To State Recognition of Native American Indian Tribes In Vermont. (S222), Retrieved from http://www.vcnaa.Vermont.gov

Fri 3/3/2023 7.21 PM

Julliette Waubanascum <kaeqcekam@gmail.com>

hb390

To tigerly@tds.net

Posoh -
Julliette Waubanascum āēs wīhseyan. Nīwapet Mamaceqtaw eneq wāēpīyan.

Hello,
My name is Julliette Waubanascum. I am Menominee from Neopit.
The Mamaceqtaw or Kiash Matchitiwuk as we call ourselves are a federally recognized tribe in the state of Wisconsin. Our reservation is located about an hours drive from our Place of Creation which is where the Menominee River enters Green Bay of Lake Michigan.

There are a number of tribes that have been keeping a close eye on what has been occurring in New Hampshire and to say the very least, it is causing great concern. The situation has the appearance that one individual is attempting to dictate Indian Legislation for personal gain either as an individual or for their respective tribe that retains state recognition in Vermont. I am unsure if the representative who has authored the recently proposed legislation is doing so out of ignorance or arrogance, the results however are the same. Erasure and silencing of local Indigenous voices in the creation of proposed legislation. Generally what is seen prior to proposal is consultation with the Native community within the state. Public meetings are usually held with the involvement and affirmation of community members before putting forth legislation that would impact Native Americans. One voice does not speak for everyone, one community does not speak for everyone. To the best of my knowledge, there has been no sit down with the at large community to discuss any of the proposals that Representative Sherry Gould has placed on the table. This is positioning New Hampshire as a state steeped in yankee ignorance in the eyes of Indian Country, a stereotype I am certain you have all tried to break free of.

The newest amendment that Representative Gould has proposed, that as of right now has still not posted, concerns me. I worry that it will post publicly with little time for comment, which is inexcusable and to be honest, questionable in it's integrity. Some of the consulting institutions have either direct ties to Representative Gould personally or to her community, the Nulhegan, by majority.

Indian Country will continue to watch the proceedings in New Hampshire. I hope that the majority rules ethically and with good conscience.

JW

Sat 3/4/2023 1:34 AM

Tatiana Sara <TatianaMSara@proton.me>

New Hampshire, United States

tigerly@tds.net

reetings from Sápmi!

ım writing to you from Snåase, Norway in reference to Indigenous issues up before legislation. Your state of New Hampshire has come to the attention of many Indigenous people from many places ue to the disregard of the treaty norms of Free Prior and Informed Consent. The UN's Declaration on the Rights of Indigenous Peoples article 19 requires States to consult and cooperate in good faith ith the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or dministrative measures that may affect them. Clearly this is not happening. There appears to be a rogue legislator making decisions on behalf on Indigenous peoples in the State of New Hampshire ithout consultation, cooperation or consent prior to drafting legislation. While you may be unaware, the world is watch and discussing the goings on in your state and the disrespectful goings on. How agic it is that New Hampshire is gaining infamy in Indigenous circles for violating Indigenous rights under the guise of restoring them. These proposals one after another are harmful and self-indulgent, atisfying just a few not the whole. It is utterly shameful and the ignorance and ego involved is astounding.

atiana Sara - Sámi Parliament

LEGISCAN 140 Bills 2009-2023

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This is a partial sample of Vermonts Bills 2009-2023 *can supply all 140 upon request.

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☑		100%	VT	S0222	Pass	An Act Relating To State Recognition Of Native American Indian Tribes In Vermont [Detail] [Text] [Discuss]	**2010-05-12** Signed by Governor on May 14, 2010
☑		99%	VT	H0569	Intro *Sine Die*	An Act Relating To The Vermont Commission On Native American Affairs And The Recognition Of Abenaki Tribes [Detail] [Text] [Discuss]	**2010-01-28** To House General, Housing and Military Affairs Committee
☑		94%	VT	H0897	Intro *Sine Die*	An act relating to the repatriation of traditional Abenaki lands [Detail] [Text] [Discuss]	**2020-01-23** To House General, Housing and Military Affairs Committee
☑		92%	VT	H0210	Pass	An act relating to addressing disparities and promoting equity in the health care system [Detail] [Text] [Discuss]	**2021-05-19** House message: Governor approved bill on May 18, 2021
☑		83%	VT	HCR118	Pass	House concurrent resolution honoring the 10th Annual Rock, Rattle & Drum Pow Wow [Detail] [Text] [Discuss]	**2015-04-17** Adopted in concurrence per Joint Rule 16b
☑		67%	VT	H0086	Pass	An Act Relating To Recognition Of The Elnu Abenaki Tribe As A Native American Indian Tribe [Detail] [Text] [Discuss]	**2011-04-26** Signed by Governor on 4/22/2011
☑		66%	VT	H0085	Pass	An Act Relating To Recognition Of The Nulhegan Band Of The Coosuk Abenaki Nation As A Native American Indian Tribe	**2011-04-26** Signed by Governor on 4/22/2011

					[Detail] [Text] [Discuss]	
☑	65%	VT	S0010	Intro *Sine Die*	An Act Relating To Recognition Of The Elnu Abenaki Tribe As A Native American Indian Tribe [Detail] [Text] [Discuss]	**2011-01-14** To Senate Economic Development, Housing and General Affairs Committee
☑	65%	VT	S0011	Intro *Sine Die*	An Act Relating To Recognition Of The Nulhegan Band Of The Coosuk Abenaki Nation As A Native American Indian Tribe [Detail] [Text] [Discuss]	**2011-01-14** To Senate Economic Development, Housing and General Affairs Committee
☑	59%	VT	H0645	Intro *Sine Die*	An act relating to the creation of a scholarship program and pilot project for the preservation of the Abenaki language [Detail] [Text] [Discuss]	**2022-01-14** To House Education Committee
☑	55%	VT	H0232	Intro *Sine Die*	An act relating to promoting land and home ownership and economic opportunity [Detail] [Text] [Discuss]	**2021-02-16** To House General, Housing and Military Affairs Committee
☑	54%	VT	S0148	Pass	An act relating to environmental justice in Vermont [Detail] [Text] [Discuss]	**2022-05-12** Senate Message, signed by Governor May 31, 2022
☑	54%	VT	H0651	Intro *Sine Die*	An act relating to environmental justice in Vermont [Detail] [Text] [Discuss]	**2022-01-14** To House Natural Resources, Fish, and Wildlife Committee
☑	53%	VT	JRH002	Enroll *Sine Die*	Joint resolution sincerely apologizing and expressing sorrow and regret to all individual Vermonters and their families and descendants who were harmed as a result of State-sanctioned eugenics policies and practices [Detail] [Text] [Discuss]	**2021-05-19** Senate Message, House proposal of amendment to Senate proposal of amendment concurred in
☑	46%	VT	H0556	Pass	An act relating to exempting property owned by Vermont-recognized Native American tribes from property tax [Detail] [Text] [Discuss]	**2022-04-22** House message: Governor approved bill on April 20, 2022
☑	46%	VT	S0129	Pass	An Act Relating To Recognition Of The Koasek Abenaki Of The Koas As A Native American Indian Tribe [Detail] [Text] [Discuss]	**2012-04-28** As passed by Senate and House
☑	46%	VT	H0716	Pass	An act relating to Abenaki hunting and fishing licenses [Detail] [Text] [Discuss]	**2020-07-13** House message: Governor approved bill on July 13, 2020
☑	45%	VT	S0026	Intro *Sine Die*	An Act Relating To Recognition Of The Koasek Abenaki Of The Koas As A Native American Indian Tribe [Detail] [Text] [Discuss]	**2011-01-21** To Senate Economic Development, Housing and General Affairs Committee
☑	45%	VT	H0618	Intro *Sine Die*	An act relating to providing the Abenaki with access to State lands [Detail] [Text] [Discuss]	**2022-01-13** To House General, Housing and Military Affairs Committee
☑	45%	VT	H0336	Intro 25%	An act relating to providing the Abenaki with access to State lands [Detail] [Text] [Discuss]	**2023-02-22** To House General and Housing Committee
☑	44%	VT	H0273	Intro *Sine Die*	An act relating to promoting racial and social equity in land access and property ownership [Detail] [Text] [Discuss]	**2021-02-17** To House General, Housing and Military Affairs Committee
☑	44%	VT	H0668	Intro	An act relating to the protection of Abenaki sacred sites	**2022-01-18** To House General,

				Sine Die	[Detail] [Text] [Discuss]	Housing and Military Affairs Committee
	44%	VT	H0448	Intro 25%	An act relating to promoting racial and social equity in economic opportunity and cultural empowerment [Detail] [Text] [Discuss]	**2023-03-01** To House General and Housing Committee
☑	44%	VT	H0406	Intro *Sine Die*	An act relating to promoting racial and social equity in economic opportunity and cultural empowerment [Detail] [Text] [Discuss]	**2022-01-07** To House Commerce and Economic Development Committee
☑	43%	VT	H0620	Intro *Sine Die*	An act relating to Abenaki land ownership and land repatriation [Detail] [Text] [Discuss]	**2022-01-13** To House General, Housing and Military Affairs Committee
☑	43%	VT	H0969	Pass	An act relating to making appropriations for the support of government [Detail] [Text] [Discuss]	**2020-10-02** House message: Governor approved bill on October 2, 2020
☑	43%	VT	H0433	Intro *Sine Die*	An Act Relating To The Koasek Band Of The Koas Abenaki Nation [Detail] [Text] [Discuss]	**2011-03-15** To House General, Housing and Military Affairs Committee
☑	43%	VT	H0136	Intro *Sine Die*	An act relating to Abenaki trapping licenses [Detail] [Text] [Discuss]	**2021-01-26** To House Natural Resources, Fish, and Wildlife Committee
☑	41%	VT	S0068	Pass	An act relating to Indigenous Peoples' Day [Detail] [Text] [Discuss]	**2019-05-08** Senate Message, Signed by Governor May 6, 2019
☑	39%	VT	S0083	Intro *Sine Die*	An act relating to Indigenous Peoples' Day [Detail] [Text] [Discuss]	**2017-02-14** To Senate Government Operations Committee
☑	35%	VT	H0955	Pass	An act relating to capital construction and State bonding budget adjustment [Detail] [Text] [Discuss]	**2020-07-06** House message: Governor approved bill on July 6, 2020
☑	32%	VT	H0880	Pass	An act relating to Abenaki place names on State park signs [Detail] [Text] [Discuss]	**2020-10-08** House message: Governor approved bill on October 8, 2020
☑	31%	VT	S0128	Pass	An Act Relating To Recognition Of The Missisquoi, St. Francis-sokoki Band As A Native American Indian Tribe [Detail] [Text] [Discuss]	**2012-04-28** As passed by Senate and House
☑	30%	VT	H0659	Intro *Sine Die*	An Act Relating To Solemnization Of A Marriage Among Native American Indian Tribes [Detail] [Text] [Discuss]	**2014-01-22** To House Judiciary Committee
☑	30%	VT	H0399	Intro *Sine Die*	An act relating to creating the Vermont Native American Scholarship Program [Detail] [Text] [Discuss]	**2017-02-22** To House Education Committee
☑	30%	VT	H0407	Intro *Sine Die*	An act relating to creating the Vermont Native American Scholarship Program [Detail] [Text] [Discuss]	**2019-02-26** To House Education Committee
☑	30%	VT	S0133	Intro *Sine Die*	An Act Relating To The Vermont Commission On Native American Affairs [Detail] [Text] [Discuss]	**2012-01-03** To Senate Economic Development, Housing and General Affairs Committee
☑	29%	VT	HCR066	Pass	House concurrent resolution honoring the memory of Vermont African American pioneer Lucy Terry	**2021-05-14** *Senate Message,*

					Prince on the bicentennial of her death [Detail] [Text] [Discuss]	adopted in concurr
☑	29%	VT	H0281	Pass	An Act Relating To The Removal Of Bodily Remains [Detail] [Text] [Discuss]	**2010-05-12** Signed by Governor o 6/1/2010
☑	29%	VT	H0260	Intro 25%	An act relating to the Commission on Native American Affairs [Detail] [Text] [Discuss]	**2023-02-15** To House General and Housing Committee
☑	29%	VT	H0661	Pass	An act relating to licensure of mental health professionals [Detail] [Text] [Discuss]	**2022-05-12** House message: Governor approved bill on May 16, 2022
☑	29%	VT	H0386	Intro *Sine Die*	An act relating to social equity recommendations for the regulated cannabis industry [Detail] [Text] [Discuss]	**2021-03-09** To House Government Operations Committee
☑	29%	VT	H0918	Intro	An act relating to Native American cultural and religious freedom	**2020-02-07** To House General,
	Insight	Match	State	Bill	Status	Summary/Title
☑	29%	VT	HCR184	Pass	House Concurrent Resolution Honoring The Inspiring Family Of Felipe And Elena Ixcot And The Benedictine Brothers Of The Weston Priory Who Offered Them Refuge And Love For A Quarter Of A Century [Detail] [Text] [Discuss]	**2011-05-06** Adopted in concurrence by the Senate
☑	29%	VT	H0478	Intro *Sine Die*	An act relating to exempting lands associated with a State-recognized Indian tribe from property taxation [Detail] [Text] [Discuss]	**2017-02-24** To House Ways and Means Committee
☑	29%	VT	H0178	Intro *Sine Die*	An act relating to exempting real property associated with a State-recognized Indian tribe from property taxation [Detail] [Text] [Discuss]	**2019-02-07** To House Ways and Means Committee
☑	28%	VT	H0738	Pass	An act relating to technical and administrative changes to Vermont's tax laws [Detail] [Text] [Discuss]	**2022-05-12** House message: Governor approved bill on June 7, 2022
☑	28%	VT	S0072	Pass	An act relating to the Interstate Compact on the Placement of Children [Detail] [Text] [Discuss]	**2022-05-04** Senate Message, signed by Governor May 3, 2022
☑	28%	VT	H0424	Engross *Sine Die*	An act relating to the Interstate Compact on the Placement of Children [Detail] [Text] [Discuss]	**2020-03-24** To Senate Health and Welfare Committee
☑	28%	VT	H0381	Intro *Sine Die*	An act relating to racial impact statements [Detail] [Text] [Discuss]	**2019-02-22** To House Rules Committee

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Bulk Bill Updates w/Selected

	Insight	Match	State	Bill	Status	Summary/Title	Last Action
☑		27%	VT	H0794	Intro *Sine Die*	An act relating to the adoption of ethnic studies standards into statewide educational standards and a policy on ethnic and social equity in schools by public schools and approved independent schools [Detail] [Text] [Discuss]	**2018-01-31** To House Education Committee
☑		27%	VT	S0265	Intro *Sine Die*	An Act Relating To The Application Of Foreign Law In The State Of Vermont [Detail] [Text] [Discuss]	**2014-01-07** To Senate Judiciary Committee
☑		27%	VT	H0485	Intro *Sine Die*	An act relating to SerVermont [Detail] [Text] [Discuss]	**2019-02-28** To House Human Services Committee
☑		27%	VT	H0096	Pass	An act relating to creating the Truth and Reconciliation Commission [Detail] [Text] [Discuss]	**2022-05-12** House message: Governor approved bill on May 24, 2022
☑		26%	VT	H0488	Intro *Sine Die*	An act relating to Indigenous Peoples' Day [Detail] [Text] [Discuss]	**2017-02-24** To House General, Housing and Military Affairs Committee
☑		26%	VT	H0119	Intro *Sine Die*	An act relating to Indigenous Peoples' Day [Detail] [Text] [Discuss]	**2019-01-30** To House General, Housing and Military Affairs Committee
☑		26%	VT	H0003	Pass	An act relating to ethnic and social equity studies standards for public schools [Detail] [Text] [Discuss]	**2019-03-29** House message: Governor approved bill on March 29, 2019
☑		26%	VT	S0111	Intro 25%	An act relating to trapping [Detail] [Text] [Discuss]	**2023-02-28** To Senate Natural Resources and Energy Committee
☑		26%	VT	H0191	Intro 25%	An act relating to trapping [Detail] [Text] [Discuss]	**2023-02-07** To House Environment

INTERPRETIVE RULING 2016-3
(May 6, 2016)

Please Note: For clarity, references to and excerpts from provisions of statutes or the Ethics Guidelines have been updated to conform to subsequent changes in numbering and language, where the changes have not affected the substance of the Opinion.

New Hampshire Constitution Part II, Article 7
Ethics Guidelines Section 1, Principles of Public Service
Ethics Guidelines Section 6, Conflict of Interest Procedure

Representative Shawn N. Jasper, Speaker of the House, has requested an Interpretive Ruling on the following questions:

"Is Part II, Article 7 of the New Hampshire Constitution or Ethics Guidelines, Section 1, Principles of Public Service, violated by a legislator who attempts to separate himself or herself from his or her office by identifying himself or herself as a representative of a public interest group while presenting testimony in advocacy of the group's position on a bill at a hearing before a legislative committee?

Is the legislator required to disclose a conflict of interest in accordance with Ethics Guidelines Section 6?"

The Committee responds as follows:

Relevant Provisions of the NH Constitution and the Ethics Guidelines

[Art.] 7. [Members of Legislature Not to Take Fees or Act as Counsel.] No member of the general court shall take fees, be of counsel, or act as advocate, in any cause before either branch of the legislature; and upon due proof thereof, such member shall forfeit his seat in the legislature. *September 5, 1792*

1 Principles of Public Service.

I. Public Office As A Public Trust. Legislators shall treat their office as a public trust, only using the powers and resources of public office to advance public interests, and not to attain personal benefits or pursue any other private interest incompatible with the public good.

II. Principle Of Independent Objective Judgment. Legislators shall employ independent objective judgment in performing their duties, deciding all matters on the merits free from conflicts of interest and both real and apparent improper influences.

III. Principle Of Accountability. Legislators shall ensure that government is conducted openly, equitably and honorably in a manner that permits the citizenry to make informed judgments, have confidence in the integrity of the legislature, and hold government officials accountable.

IV. Principle of Conduct. Legislators shall treat each other, legislative employees, and the public with dignity and respect.

6 Conflict of Interest Procedure.

I. No legislator having a conflict of interest shall participate in any official activity associated with the matter without complying with the procedure set forth in this section.

II. A declaration of intent form shall be filed by a legislator whenever a financial interest could reasonably be expected to produce greater benefit to the legislator or the legislator's household member than would accrue to any other member of a business, profession, occupation, or other group listed by the legislator in the financial disclosure form.

III. A declaration of intent form shall also be filed whenever a legislator or a legislator's household member has a personal interest in the outcome of a matter that is the subject of official activity, distinct from and greater than the interests of the public at large. A "personal interest" exists where a legislator or household member could otherwise be affected by the outcome of such activity, or when a legislator has a responsibility for the welfare of an organization and where that welfare could be affected by the outcome of such activity.

IV. In such cases, the legislator shall either:

(a) Declare that the legislator will not participate in any official activity associated with the issue; or

(b) Declare that the legislator intends to participate in the official activity and provide a description of the conflict of interest.

V. The declaration required in subparagraphs IV(a) and (b) of this procedure shall be publicly announced prior to any participation by the legislator in the official activity in accordance with section 7 of these Guidelines. The declaration of intent form shall be filed with the clerk of the member's respective body prior to the time of the official activity and be made available for public inspection during normal business hours.

Committee Analysis

An examination of the historical context in which Part II, Article 7 of the New Hampshire Constitution was adopted in 1792, indicates the article was intended to prohibit members of the General Court who were attorneys from taking fees or acting as counsel or advocate in cases pending in the General Court. By way of background, it is useful to note that when the article was adopted, members of the legislature who were also attorneys frequently represented citizens in petitions submitted to the legislature seeking redress of various grievances. From New Hampshire's provincial period, through early statehood and into the nineteenth century, the state's legislature (or "General Court") spent a great deal of its time considering and acting upon petitions from its citizens. During this period, when there were no standing committees in the legislature or bureaucratic agencies in the executive branch to directly address the needs or grievances of individuals or groups of citizens, many pieces of legislation derived from petitions. It was a common practice for litigants in civil cases to petition the legislature seeking new trials, or appeals or reversals of decisions in the courts. Until the practice was ruled unconstitutional by the New Hampshire Supreme Court in the case of *Merrill v. Sherburne* in 1818, the state's laws were replete with examples of interference by the legislature in individual court cases. It was the practice of lawyer-members acting as counsel to the parties submitting petitions to the legislature, and the participation of the lawyer-members in the drafting of the bills resulting from the petitions and in the debates and votes on the bills before the legislature, that led to the adoption of the article.

Additionally, the language used in Part II, Article 7 supports the interpretation that the article was meant to apply to court cases brought before the general court. In late 18th Century America, the term "cause" was defined as "a subject of litigation," meaning the same as the term "case," and an advocate was defined as someone who "pleads the cause of another in a court of judicature."

(3) The legislator is a **developer** and has disclosed this financial interest in checklist category "(d) Real estate, including brokers, agents, developers, and landlords." There is a bill to construct a new exit ramp off of a state highway. The legislator owns a parcel of land the value of which would be directly affected by construction of the exit ramp. Because the legislator stands to benefit directly from this specific legislation, the legislator's generic disclosure on the checklist form is inadequate.

Declaration of Intent required? – Yes **Verbal Disclosure required? – Yes**

(4) The legislator attends a county delegation meeting where there is a budget proposal to appropriate county funds to a **nonprofit agency on which the legislator serves as a board member**. Because the legislator serves on the governing board of the nonprofit entity and presumably has a **fiduciary** responsibility for the welfare of that entity, the legislator has a **non-financial personal interest** in whether the county appropriates funds to it. The legislator could have disclosed this non-financial personal interest on the General Disclosure of Non-Financial Personal Interests Form, however in this example the legislator had not.

Declaration of Intent required? – Yes **Verbal Disclosure required? – Yes**

If the legislator had disclosed this non-financial personal interest on the General Disclosure of Non-Financial Personal Interests Form:

Declaration of Intent required? – No **Verbal Disclosure required? – Yes**

The Committee recognizes that the application of any guideline to individual circumstances may pose questions not easily addressed in an interpretive ruling, which is general in nature. The Committee is available to provide advice with respect to specific situations as they arise.

Honorable Donna Sytek, Chairman
Senator Sharon M. Carson, Vice Chairman
Representative Janet G. Wall
Senator Martha Fuller Clark
Representative David A. Welch
Attorney David H. Bradley
Honorable David W. Hess

For the Committee,
Donna Sytek
Chairman

[Vote: 7-0]

INTERPRETIVE RULING 2016-5

(Revised: September 13, 2017)

Conflicts of Interests – Disclosure Forms and Verbal Disclosure

This interpretive ruling is intended to provide guidance for legislators for complying with the requirements of the Ethics Guidelines relating to filing required disclosure forms and making a verbal disclosure of conflicts of interest.

A **"conflict of interest,"** as defined for legislators in Ethics Guidelines Section 2, is the condition in which a legislator has a "special interest" in any matter which could directly or indirectly affect or influence the performance of the legislator's official activities. A "special interest" is defined as "any financial or non-financial personal interest in the outcome of a matter that is the subject of official activity, distinct from and greater than the interests of the public at large."

There are two types of "special interest":

1) A **"financial interest"** which exists when a legislator or household member could stand to gain or lose anything of material value as a result of the official activity; and

2) A **"non-financial personal interest"** which exists when a legislator or household member has a responsibility for the welfare of an organization by virtue of holding a position with a fiduciary responsibility, such as a board member, trustee, or director.

It is the responsibility of legislators to recognize when a conflict of interest exists and to act accordingly through the use of the appropriate disclosure form and by making a verbal disclosure.

There are three forms for disclosing conflicts of interest:

Financial Disclosure Form
General Disclosure of Non-Financial Personal Interests Form
Declaration of Intent Form

Financial Disclosure Form

Every legislator is required to file a Financial Disclosure Form with the Legislative Ethics Committee annually on or before the third Friday of January. (See RSA 14-B:8 and Ethics Guidelines Section 5.) The form consists of two sections:

Section 1, "Sources of Income," requires legislators to identify sources from which a legislator or a household member (not just family members), received income in excess of

$10,000 during the prior calendar year. The sources of income a legislator is required to report DO NOT include securities, such as stocks, bonds, and similar financial instruments.

Section 2, "Disclosure of Financial Interests," requires legislators to identify and describe any financial interest a legislator or a household member may have in certain businesses, professions, occupations, groups, or matters.

Although disclosure of financial interests on this form would satisfy the Ethics Guidelines' requirements for disclosure of conflicts of interest in many circumstances, it will not relieve a legislator from the requirement of filing a specific Declaration of Intent Form in certain circumstances and from making a verbal disclosure.

General Disclosure of Non-Financial Personal Interests Form

A legislator who has a non-financial personal interest may choose to file a General Disclosure of Non-Financial Personal Interests Form. This form allows the legislator to identify and describe any non-financial personal interests the legislator or legislator's household member may have. A legislator who completes and files this form is NOT REQUIRED to file a Declaration of Intent Form to disclose the non-financial personal interest.

Declaration of Intent Form

A legislator is REQUIRED to file this form:

1) Whenever a **financial interest** could reasonably be expected to produce greater benefit or detriment to the legislator or the legislator's household member than would accrue to any other member of a business, profession, occupation, or other group listed by the legislator in the financial disclosure form; or

2) Whenever a legislator or a legislator's household member has a **non-financial personal interest** in the outcome of a matter that is the subject of official activity, distinct from and greater than the interests of the public at large and the legislator has NOT made the disclosure on the General Disclosure of Non-Financial Personal Interests Form.

On the form, a legislator must declare his or her decision to either participate in or not participate in the particular official activity described on the form. If a legislator elects to declare an intention to participate in the activity, the legislator is required to detail the nature of the conflict of interest on the form.

It is important to remember that a legislator's decision to participate or not participate applies to participation in all matters relating to the official activity. A legislator cannot participate in some activities (for example, introducing a bill or testifying on it before a committee) and then file a declaration opting to not participate in a later activity (such as voting on the same bill on the House or Senate floor).

Timing of Declaration of Intent filing

The requirement for filing a declaration of intent is triggered immediately when a legislator becomes aware that a conflict of interest exists or may exist with respect to any official activity the legislator is about to undertake. An "official activity" is defined as any activity which relates to official responsibilities, including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.

For purposes of introducing a bill, the declaration must be made prior to signing off as a sponsor or co-sponsor of a particular piece of legislation. The declaration of intent form must be filed with the clerk of the member's respective body prior to the time of the official action.

Verbal Disclosure

When a legislator becomes aware of a **financial interest** or a **non-financial personal interest** in the outcome of a matter the legislator is required to make a verbal disclosure prior to engaging in verbal advocacy at any meeting of the general court or county delegation. "Verbal Advocacy" means an attempt by a legislator to influence his or her colleagues on a matter that is the subject of official activity in a meeting of the general court or county delegation through public verbal communication. Verbal advocacy does not include casting a vote in executive session of a committee or in a full session of the House or Senate. The verbal disclosure shall consist of a short statement that identifies the financial interest or non-financial personal interest.

The verbal disclosures must be made in the following circumstances and manner:

(a) When **testifying** before a legislative committee regarding a bill or other matter in which the legislator has a special interest, the legislator shall make the disclosure prior to testifying.

(b) When **appointed to a subcommittee** working on a bill in which the legislator has a special interest, the disclosure shall be made upon appointment to the subcommittee and at the initial subcommittee work session.

(c) When **serving as a member of a committee** considering a bill in which the legislator has a special interest, the disclosure shall be made prior to engaging in verbal advocacy.

(d) When **addressing the full House or Senate** on a bill in which the legislator has a special interest, the disclosure shall be made prior to engaging in verbal advocacy. **If the legislator does not speak on the bill, the legislator is not required to make a verbal disclosure.**

(e) When **appointed as a member of a Committee of Conference** on a bill in which the legislator has a special interest, the disclosure shall be made at the initial meeting of the Committee of Conference.

(f) When **serving as a member of a county delegation** considering a matter in which the legislator has a special interest, the disclosure shall be made to all participants prior to engaging in verbal advocacy.

Hypothetical examples

The Committee believes that the following hypothetical examples may be helpful in understanding the conflict of interest disclosure procedure and knowing when filing a Declaration of Intent Form and making a verbal disclosure are required.

(1) A legislator is a member or beneficiary of the **New Hampshire Retirement System** and has disclosed this financial interest in checklist category "(g) New Hampshire Retirement System" on the Financial Disclosure Form. In this hypothetical example, the legislature is considering a bill to increase the state's contribution to the System for all members or affected group members or beneficiaries. The legislator stands to derive a direct financial benefit from passage of this legislation; however, **this benefit would presumably be no greater than the benefit derived by the many other members of the System throughout the state.** Therefore, in this example the legislator's disclosure of membership in or being a beneficiary of the System on the Financial Disclosure Form would satisfy the requirements of the Ethics Guidelines' disclosure provisions.

Declaration of Intent required? – No **Verbal Disclosure required? – Yes**

(2) The legislator's spouse is a beneficiary of the **New Hampshire Retirement System** and the legislator has disclosed this financial interest in checklist category "(g) New Hampshire Retirement System" on the Financial Disclosure Form. In this hypothetical example, there is a bill to provide a cost of living adjustment in benefits only for certain members of group I of the System who retired as teachers prior to 1987. The legislator's spouse would qualify to receive the cost of living adjustment provided in the bill. Because the legislator's family member stands to **benefit directly from this specific legislation which affects only a small group,** or subset, of System beneficiaries, the legislator's generic disclosure on the checklist form is inadequate.

Declaration of Intent required? – Yes **Verbal Disclosure required? – Yes**

Accordingly, the Committee determined the constitutional article would not prohibit a legislator from identifying as a representative of a public interest group and advocating the group's position on general legislation at a hearing before a legislative committee.

The second part of the Speaker's question relating to a legislator representing a public interest group is not so easily decided. While the Ethics Guidelines provide extensive regulation and reporting of activities that involve a financial benefit or detriment to a legislator or family member, there are circumstances that may raise ethical concerns even when there is no financial effect entailed.

Clearly, if the legislator were being paid to advocate for a public interest group, that would be lobbying and is prohibited under Section 3, Prohibited Activities of the Guidelines. However, legislators are often involved as volunteers in organizations whose mission they support and advocate for before legislative committees. In the absence of specific provisions in the Guidelines for such circumstances we turn to the general principles that provide the framework for ethical conduct.

Ethics Guidelines, Section 1, Principles of Public Service, declares that legislators shall use the powers and resources of public office to advance public interests and not pursue any "private interest incompatible with the public good," and "employ independent objective judgment in performing their duties, deciding all matters on the merits free from conflicts of interest and both real and apparent improper influences."

The Committee determined that legislators may wear two hats: first as an elected official, and also as representative of an advocacy group, as the long as the private interest is not incompatible with the public good. Recognizing that there may be a difference of opinion about "public good" and "improper influences" the Committee relied on Ethics Guidelines, Section 1, Paragraph III, Principle of Accountability, which requires that government be "conducted openly, equitably and honorably" and "permits the citizenry to make informed judgments and hold government officials accountable." To achieve this transparency, **the Committee advises that legislators representing an organization must file a declaration of intent under Section 6, Conflict of Interest Procedure of the Guidelines,** indicating that they will participate in official action on a particular bill. While the form is designed for financial conflicts of interest, the Committee believes disclosure of a legislator's dual role as elected official and unpaid representative of an advocacy group will allow the public and his or her constituents to decide if such participation is compatible with the public good.

Honorable Donna Sytek, Chairman
Senator Sharon M. Carson, Vice Chairman
Representative Janet G. Wall
Senator Martha Fuller Clark
Representative David A. Welch
Honorable John A. Graham
Attorney David H. Bradley

For the Committee,
Donna Sytek
Chairman

Cowasuck Band of the Pennacook - Abenaki People
COWASS North America, Inc.
The Abenaki Nation of Vermont, Inc.
840 Suncook Valley Road
P.O. Box 52
Alton, NH 03809-0052
(603) 776-1090

12 March 2023

To: The House of Representatives (Executive Departments and Administration)

Subject: OPPOSITION to HB 390 An Act revising the membership and structure of the New Hampshire Commission on Native American Affairs

Opposition to HB 390 Amendment - New Wording

This piece of legislation as amended is not needed or warranted - the state already has an existing and fully functional commission that is serving the Indigenous community of the state in a fair and equitable manner. This existing commission is chartered and duly qualified to study and propose a fair and equitable process to recognize New Hampshire Indigenous groups.

This amendment also does not provide for a clear process for this "special study group" to accomplish the stated goals, other than to study and recommend changes to the membership of the New Hampshire Commission on Native American Affairs.

As amended this will establish a committee that will determine who is eligible to be on the commission. This is a extreme over reach to restrict equal and fair representation within a commission that currently represents any and all eligible Indigenous residents of the state.

This proposed study committee seems to be primarily focused on recommending changes to the commission membership. This is exactly what the previous HB 390 and HCR 7 were proposing to do, to remove and replace the existing members with out of state tribal representatives, to remove all New Hampshire state positions of oversight, and to authorize a means for the state to legislatively recognize the Vermont Nulhegan tribal group.

It also does not provide for input from the impacted New Hampshire Department of Natural and Cultural Resources and the existing New Hampshire Commission on Native American Affairs. Most importantly, there is no prior informed consent for the greater Indigenous community of the state.

The text of HB 390 is clearly troubling. The make-up of the "special study group" is very flawed.

Each of the versions of this bill continues with the legislative assertion that non-governmental organizations are being required to participate in this process as consultants. For example: Mt. Kearsage Indian Museum and Dartmouth College have been legislated into each of these versions. This amendment also adds an unqualified party, Franklin Pierce University, which is not known for a formal Indigenous program. Most importantly, these organizations may not agree with legislation that obligates their participation in this legislative process.

The consideration of "archaeologists" as expert consultants is dubious as to what their role will be to determine who and what group should be represented on the New Hampshire Commission on Native American Affairs. Furthermore, we question what expertise will be provided by archaeologists to assist in the creation of a state recognition process for an Indigenous group.

Overall, the make-up of this proposed study group seems to lack any of the expected and appropriate experts that would assure either of the stated study goals of the bill.

Only qualified experts with New England Indigenous ethno-history experience, nationally certified genealogists, and legal counsel, that are familiar with the minium federal standards for creating a tribal recognition process, should be consulting on this process.

Nothing within this amendment suggests that the Indigenous citizens of the state will be consulted within this "special study group." This study has the potential for harm and as such should always be done with prior informed consent of the greater state Indigenous community.

Fair and equitable representation for all resident Indigenous citizens in the state should always be upheld by the legislature. The process for determining or considering commission membership should be reserved for the Commissioner of the New Hampshire Department of Natural and Cultural Resources and by the formal appointment by the Governor.

As for the study to develop a state process to recognize Indigenous groups, this responsibility should be maintained within the existing charter and charge of the New Hampshire Commission on Native American Affairs.

Please consider our words and the wording of both of these version of HB 390 very carefully, this is unwarranted, extremely toxic and dangerous to us the Pennacook-Abenaki that are actually resident and headquartered here in N'dakinna, our homelands of New Hampshire.

This is not a "Study Group" it is a Trojan Horse designed to clause great harm to the greater New Hampshire Indigenous community. Please DO NOT approve this legislation in any form - there is nothing worth saving in this toxic and unwarranted Act.

Please ITL HB 390 as amended to allow the existing New Hampshire Commission on Native American Affairs to continue to do what is best and fair for the all Indigenous residents and citizens of this state.

Kchi Oliwni - Great Thank You

Paul W. Pouliot

Paul W. Pouliot, Sag8mo & THPO

Denise K. Pouliot, Sag8moskwa

My name is Kathleen Blake, the most recent past chair of the New Hampshire Commission on Native American Affairs. I am a woman of mixed heritage, with my indigenous Ancestors being members of four Canadian First Nation tribes: Wendat, Algonquin, Mi'kmaq, and Kichispirini Band of the Alumette Island Anishinaabee Ojibwe. The Ojibwe are a tribe that historically dwelled in New Hampshire, so my ancestors most probably lived here. I have been a genealogist for over 50 years, and I assure you that I know exactly who my people are and where I come from.

This bill is deeply flawed, and the amendment even more so. I have given you a handout, also posted on the portal and sent to each of you via email, explaining exactly why I believe the bill is flawed. If you have been told that the commission does not function as it should, and in compliance with state law, I suggest that you reach out to the commission, or to me, with any questions that you may have. It is always wise, before committing to a decision, to be certain that all of the "facts" you have been given are actually accurate and truthful. In fact, I believe that this is your duty as our elected officials.

HB 390 would remove every current member of the commission and replace it with appointments made by the four chiefs of the four Vermont-recognized Abenaki bands. There are many problems with that, including that at least two of the bands do not wish to interfere with New Hampshire politics and <u>were not consulted</u> on this bill. When I was NHCNAA chair, I personally contacted other Vermont bands who did not have seated members to ask them if they had a New Hampshire citizen in their band who wished to

serve. There is nothing in the current law that would prevent citizens of Vermont tribes, who live in NH, from applying. Indeed, numerous Nulhegan citizens, the tribe of the primary sponsor of HB 390, have served in the past. Last year, Representative Sherry Gould spearheaded an effort to have a very similar bill introduced. At that time, she was informed that the chiefs of other Vermont bands did not want their bands to be involved with this. There is testimony from Chief Shirly Hook telling you that on your portal. Yet once again, she put forth this bill without the knowledge or consent of the chiefs who have a critical role. How will "appointments be agreed upon by the chiefs" when those chiefs were not consulted and did not agree to participate if it should become law? New Hampshire has no authority to put forth a law requiring citizens of bands from other states to perform a function here. (See HR 390, section II.a)

The proposed structure of this rewrite places undue power in the hands of Vermont tribes, and disenfranchises all New Hampshire bands and indigenous citizens who are not members of the four Vermont bands. Additionally, the commission members currently serving with appointed seats, who have served honorably and have been extremely helpful, would be removed.

In this proposed bill, there would be 9 seated members, with a majority being controlled by members of Vermont bands. The appointments would be agreed upon by the four Vermont chiefs, chiefs who have not agreed to do so.

Another interesting clause (see HR 390, section III) states, "Chiefs and their parent, child, sibling, or spouse shall not be eligible to serve in order to avoid a conflict of interest." The only people that this caveat applies to are the Chief speakers of the Pennacook. That is how this bill is designed to remove their voices, those of a New Hampshire precolonial tribe, and replace them with Vermont bands, some of which were created as recently as 2004. Additionally, although both chief speakers of the Pennacook are affiliate faculty at UNH, this clause would make them ineligible even for that seat. They have testified before this committee numerous times through the years, and provide countless services in support of our Native American community. (See HB 390, section III) This bill is an overt attempt to silence them.

How can this law be passed with Vermont chiefs making commission appointments instead of the governor of New Hampshire making them? (See HB 390, section II.a)

How can a voting quorum be 7 members (See HB 390, section IV) and yet the selection of officers be by a vote majority of members present (See HB 390, section V)?

How can this law be passed that supersedes the current decision of the governor that requires meetings to be held in person? (See HB 390, section VII)

How can the NHCNAA be administratively attached to the Division of Natural and Historical Resources yet without oversight, supervision and input from that division? (See HB 390, section X)

In section IX of HB 390, it states: "Beginning November 1, 2023, and each year thereafter, the commission shall submit an annual report..." I suggest you review the annual reports that have historically been submitted and by whom. The sponsor of this bill was the commission chair.

Section 11 of HB 390 states: "Nothing in the purposes and duties of the commission shall be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents." That section of the proposed bill is absolutely false as I have already demonstrated.

HB 390 is harmful to <u>most</u> indigenous citizens of New Hampshire and contains many fatal flaws. This is clearly an overt attempt by some members of the Vermont Nulhegan Abenaki Band to remove the voices of <u>most</u> other indigenous peoples of this state, including other New Hampshire based Abenaki bands, and put control into their own hands. HB 390 is an absolute and utter disgrace. It would, in fact, remove the sovereignty of the state of New Hampshire over its own commission.

Please vote to ITL this piece of legislation.

The amendment that I have seen, formulating a study committee, is absolutely not germane to the language in HB 390 as presented. From reviewing your 2023-2024 House Rules, I learned, and I quote the rules directly, "A committee of conference may neither change the title of any bill submitted to it nor add amendments that are not germane to the subject matter of the bill as originally submitted to it." A study committee for tribal recognition is not mentioned in the bill that was put forth. It is therefore NOT germane.

I was very honored to serve with the commission for several years. There are many members of many tribal nations living in our state. All of them find welcome and support through the commission. The current legislation supports us all. You have, on the portal, testimony against this bill from people who are members or descendents of at least 11 tribes: Pennacook, Red Lake Nation, Mohawk, Koasek, Koas, Tarrantine Mi'kmaq, Blackfeet, Lak du Flambeau Band of Lake Superior Chippewa Indians and Algonquin. You have testimony from the leaders of only the 3 Abenaki bands based in New Hampshire in opposition. One of the people submitting testimony called this bill an act of paper genocide of indigenous peoples. That person is exactly correct. The greatest irony in all of this is that this bill was written by a woman who calls herself an Abenaki.

One person, and one Vermont band does not speak for all the indigenous peoples who are citizens of New Hampshire. No one does. Please vote to ITL this piece of legislation.

This is my second letter of testimony for HB 390. I have received and reviewed the current version of the alleged proposed amendment that Representative Gould plans to present to your committee. Once again, I am greatly disappointed.

Here are my concerns:

- This amendment is an amalgamation of HCR 7 (already voted down) and HB 390. The recognition of Abenaki tribes is not germane to HB 390.
- This amendment removes every member of the current roster of the New Hampshire Commission on Native American Affairs. They are not even a part of the "consultation list."
- The NHCNAA, which currently contains members of many tribes, including federally recognized tribes, is more than capable of generating recommendations for a process to recognize Abenaki Bands. Three politicians are not.
- This amendment radically changes the mission of the NHCNAA and completely removes representation of most Native American citizens of New Hampshire. The commission represents all people with indigenous heritage, not just people of Abenaki descent. This is nothing short of colonization in action.
- Two of the citations under the consultation list have direct ties to Representative Gould. A member of Sherry's tribe, and a close friend, Madeleine Wright, is on the Mt. Kearsarge board of directors. Additionally, her tribe frequently does events at MKIM. The 'archeologist from Franklin Pierce University' is Bob Goodby, again a close

personal friend of Sherry's. Her picture is in his latest book, and they work together frequently. She stacks the deck for personal gain and power. (please see the attached screenshots.)

Two screen shots from https://abenakitribe.org/government



The Executive Branch

This consists of a Chief (Sogomo) who is nominated by the councils and decided by election. This branch also includes the administrative appointees enlisted by the Chief, as well as elected officials such as Secretary and Treasurer. It is the responsibility of the Administration to maintain the day-to-day operations, security, and services of the tribe.

Chief: Don Stevens

The Legislative Branch

This is composed of an elected Tribal Council of 5 -13 members from various families within the tribe. It is the responsibility of the Tribal Council to make laws and decisions that will benefit and empower the Nulhegan community today and tomorrow.

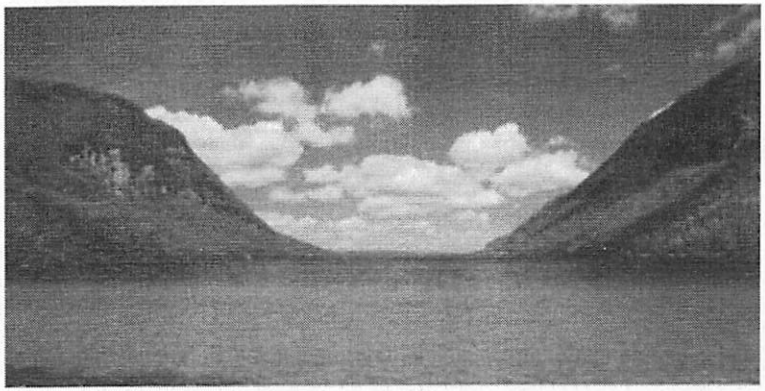
Nicole St. Onge
Mikey Garfield
Dan Coutu
John Bosley
Dale Manning
John Hunt
Madeleine Wright
Jill Cresey-Gross
Bill Bailey



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The Judicial Branch

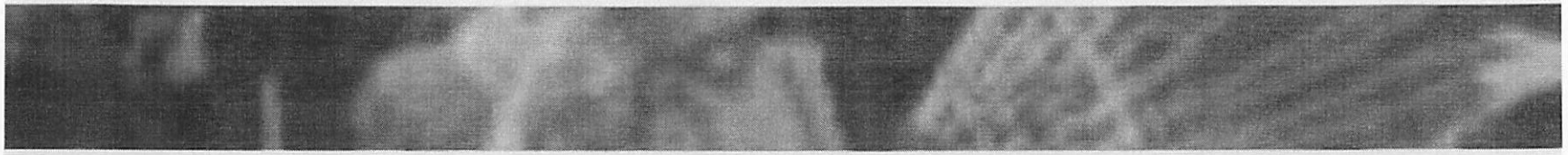
This is represented by an Elders Council or Council of Judges.
It is the responsibility of the Elders Council to interpret the Nulhegan constitution during disputes where two or more parties acting on behalf of the tribe cannot agree and/or when allegations are filed. Tribal Elders are inducted through ceremony and remain Elders for life.

Tom Beck
Lorna Garfield Donaghy
Roland Bluto
Peter Kenney
Cathie Baker
Joseph Bruchac
Francine Poitras Jones

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curator@indianmuseum.org

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From:https://www.franklinpierce.edu/about/directories/faculty-staff/?area=College%20of%20Health%20and%20Natural%20Sciences

ROBERT G. GOODBY



PROFESSOR

AFFILIATION College of Health and Natural Sciences
EMAIL goodbyr@franklinpierce.edu
PHONE (603) 899-4362

Gmail Denise Pouliot <denisenhcnaa@gmail.com>

Response due 3/14- HB390 - Restructuring the NH Native Commission

Diane Polewarczyk <Diane.Polewarczyk@unh.edu> Wed, Mar 15, 2023 at 7:57 AM
To: Denise Pouliot <denisenhcnaa@gmail.com>

Hello,

I oppose

Diane Polewarczyk

Sent from my iPhone

> On Mar 14, 2023, at 16:54, Denise Pouliot <denisenhcnaa@gmail.com> wrote:

CAUTION: This email originated from outside of the University System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[Quoted text hidden]
<HB 390 - 2023-0640h.pdf>
<HB390 introduced.pdf>

Gmail Denise Pouliot <denisenhcnaa@gmail.com>

Response due 3/14- HB390 - Restructuring the NH Native Commission

Carlos Cardona Lebron <cclnhcnaa@gmail.com> Tue, Mar 14 at 7:56 PM
To: Denise Pouliot <denisenhcnaa@gmail.com>

Hello Denise,

Hahom, thank you. I vote against HB 390.

Thank you, Hahom,

Carlos Cardona
[Quoted text hidden]

Gmail

Denise Pouliot <denisenhcnaa@gmail.com>

Hb390 and amendment

Denise Pouliot <denisenhcnaa@gmail.com> Wed, Mar 15 at 10:18 AM
To: Denise Pouliot <denisenhcnaa@gmail.com>

I oppose to HB390 and amendment.

Sincerely,
Denise Pouliot

March 13, 2023

Esteemed Committee Members,

My name is Bridget Herrera and I am an enrolled member of Higuayagua Taino of the Caribbean, a seated member of the New Hampshire Commission on Native American Affairs, and a Dartmouth College alumna. The opinions reflected in this letter are solely my own as a resident of New Hampshire, not as a representative of the entities listed above.

I write to you expressing my opposition to Bill HB390, a motion expressly designed to unseat every current commission member, a delegation comprised of elected, Indigenous NH residents, of varying tribal affiliations. Once these seats are made vacant, HB390 plans to fill the majority with members of the Vermont tribes. The language of this bill is exclusionary in nature; its tailored legalese is both explicit and implicit, as it allocates 5 commission openings to "Five members who are enrolled tribal citizens who reside in New Hampshire appointed by the chiefs of 4 Vermont State recognized Abenaki Tribes..." This will prove harmful to our state, as the bill tips the scale in favor of Vermont tribes.

It's worth noting that HB390 does not assign a fixed number of seats for 'registered' tribal groups of NH as it does for Vermont. Instead, there is passive jargon within the bill that gives "consideration of non-recognized Abenaki Bands" for two commission seats. Although the bill proposes two additional seats be filled by members who are 'Native American', it behooves us to remember that this is a legal term. This would legally exclude members of non-recognized Abenaki Bands, as well as residents who are members of sovereign nations that are not state or federally recognized.

Last but not least, a bill amendment proposing the formation of a three-person panel, with the capacity and agency to elect members to the NHCNAA, as well as determine the tribal recognition process for the state of NH is unnecessary. We currently have a mechanism in place that is equitable and genuinely inclusive. Furthermore, this proposed amendment is a clever ploy, a backdoor if you will, for the Nulhegan Band of Vermont to claim state recognition in NH after their failed attempt with HCR7.

Thank you for your generosity of time and commitment to the state of New Hampshire.

Respectfully,

Bridget Herrera

March 12, 2023

Dear Honored Members of the NH House State – Federal Relations & Veterans Affairs Committee,

My name is Christine Nih'shaw. I am a member of the New Hampshire Commission on Native American Affairs (NHCNAA) but I am not representing the Commission with this letter. I am speaking on my own account and as a woman of Siksika (Blackfeet) and Onondaga Haudenosaunee (Iroquois) blood in opposition of HB390 – a House Bill that is set to restructure the NH Native Commission and revise its membership.

This amendment was written for the explicit purpose of Representative Sherry Gould's failed HCR7 Nulhegan recognition resolution would be included into the bill. The wording of HB390 will remove current NH Commission on Native American Affairs members to replace the lion's share of seats with members of Vermont tribes including Rep. Gould's own tribal associates. I feel this discriminatory and exclusive back-door amendment is an attempt by Representative Gould to restrict membership to only specific groups. This is a conflict of interest and will be detrimental to the diversity of indigenous residents in New Hampshire.

This amendment would also serve to create a 3-person study group to determine the Native commission membership and the NH state recognition process. Because of the diversity already present in the NH Commission on Native American, the tools needed to research and develop this recognition process are already available. This is in conjunction with the 14 tribal groups registered within the state of NH.

Furthermore, this amendment is a conflict of interest and a violation of the code of ethics as it directly benefits a singular person and their family. Sherry Gould, a freshman New Hampshire State Representative, is also a representative of the Nulhegan Band in Vermont and has quickly pushed to present the now-failed HCR7 resolution and its subsequent HB390 that would effectively remove current members of the NHCNAA and fill their seats with Vermont tribal leaders further putting her self-interests at the forefront of her agenda and diminishing New Hampshire's State sovereignty. The previously-failed HCR7 resolution was not even made apparent or publicly posted online until a fellow member of the NHCNAA called to inquire about its lack of transparency.

I sincerely hope more thought and consideration are put into this laterally violent and discriminatory legislation before it is taken too far. Thank you for your time.

Sincerely,



Christine Nih'shaw

www.christinenihshaw.com

Children's & Young Adult Author/Illustrator/Indigenous Language Advocate

NEW HAMPSHIRE COMMISSION on NATIVE AMERICAN AFFAIRS

DATE: March 14, 2023

To: Carol McGuire, Chair and Honorable Members of the House Executive Departments and Adminstration Committee

Re: HB 390

Dear Rep. McGuire and Honorable Committee Members,

I am reaching out to you on behalf of myself but also as the current Chair of the New Hampshire Commission on Native American Affairs. By way of introducing myself, I'll share that I am a traditional Northeast Native American Storyteller and historian of European and Abenaki heritage, with Master's degrees in both Storytelling and History. I am also an Affiliate Faculty Member for the University of New Hampshire's Indigenous and Native American Studies Minor, a member of the Indigenous NH Collaborative Collective, and a co-creator of the "Abenaki Heritage Initiative" and "People of the Dawnland" permanent Abenaki exhibit at Strawbery Banke Museum in Portsmouth. Given my awareness of and experience with Indigenous issues within our State, I must state my vehement opposition to HB390 and any amendment/s to it being brought before this committee today. Not one word of them has been written with any input from New Hampshire's Commission on Native American Affairs.

Please note it as an important point when I tell you that not once, throughout the entire process of Rep. Sherry Gould's creation of this bill, has she consulted with, asked the opinion of, or even just given the courtesy of notifying the Commision of her intention to put forward HB390. Therefore, it has perhaps escaped Rep. Gould's attention that the current NH Commission on Native American Affairs, created in 2010 (RSA 12-A:14-a), serves all of the Indigenous peoples in New Hampshire, Abenaki tribes included, but also members of other tribes who are now New Hampshire residents – and there are many.

Twelve of the 15 seats on the NH Commission on Native American Affairs are currently filled with committed, intelligent, active Commission members, all of whom share the common goal of representing the best interests of all of New Hampshire's Indigenous residents. The remaining 3 seats are open should any NH resident with Indigenous heritage be willing to apply to serve. There are state mandated seats on the Commission with representatives from the NH Dept of Travel and Tourism Development, the NH

State Council on the Arts, and an archeologist appointed by the NH Div. of Historical & Cultural Resources who all provide invaluable contributions to the work of the Commission. The NH Commission on Native American Affairs is administratively attached to the NH Div. of Historical & Cultural Resources and its members-at-large are appointed by the Governor of NH – all of which provides NH State administrative support and oversight for the work of the Commission. The 9 current members-at-large of the NH Commission on Native American Affairs are all volunteers who have Indigenous heritage and considerable experience with Native American issues, locally, regionally, and nationally. These members-at=large represent the current diversity of Indigenous NH residents, and includes members of Abenaki, Cowasuck Band of the Pennacook Abenaki, NH Koasek Abenaki, Taino, Blackfoot, Mohawk, Lakota, and Mi'kmaq heritage.

HB390 removes NH State oversight and places 4 Vermont-recognized Abenaki Bands in control of the NH Commission on Native American Affairs, completely removing the Commission from NH State oversight and support. The 4 Vermont Abenaki Bands are recognized by the State of Vermont only. That recognition does not empower them to cross the sovereign borders of the State of New Hampshire and seize control of the affairs of the Abenaki and other Indigenous residents of New Hampshire. As a point of information, Rep. Gould claims to "speak for the Abenaki", but she can really only speak for herself and has actually not to my knowledge communicated with any of the Abenaki people in New Hampshire about HB 390, except for the other members of her own Nulhegan Band of Abenaki who happen to live on this side of the NH/VT border. Furthermore, the amendment being proposed for HB390 - to create a structure by which NH Abenaki tribes can seek to become recognized by the State New Hampshire -already exists within the structure of New Hampshire's current Commission on Native American Affairs.

I don't expect members of the New Hampshire House of Representatives to be experts on the finer points of Indigenous law and traditions. This is a very specialized area of knowledge. However, I do earnestly ask you to do as you usually would when confronted by an unfamiliar topic – and that is to consider the opinions of those with specialized knowledge. In relation to HB390, please consider the expert testimony given by those who are expressing their opposition to HB390. I thank you for your time and courtesy in considering my testimony in opposition to HB390, with or without amendments.

Cordially,

Anne Jennison

Anne Jennison. Chair
New Hampshire Commission on Native American Affairs

The NH Commission on Native American Affairs (NHCNAA) was founded in 2010 to recognize the historic and cultural contributions of Native Americans throughout the state, to strengthen and promote NH Native peoples' heritage and to represent Native American interests through state policy and programming. The Commission is composed of 15 members including 4 state appointed positions and 11 members appointed by the Governor from the Native American communities throughout the state. The NHCNAA is mandated by New Hampshire RSA 12-A:14-a

Land Acknowledgment

New Hampshire is located in N'dakinna (meaning "our land"), the traditional homelands of the Penacook-Abenaki, Wabanaki, and other Indigenous Peoples who have graciously and diligently stewarded these Northeastern lands and waterways for twelve thousand years.

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Cordially,

Anne Jennison. Chair
New Hampshire Commission on Native American Affairs

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Written Testimony Against HB 390:
"AN ACT revising the membership and structure of the New Hampshire commission on Native American affairs."

Rep. Timothy Horrigan (Strafford 10); March 15, 2023
House Executive Departments & Administration Committee

I was one of the co-sponsors of HB 390, but sadly I am now urging you to not pass this bill. The commission on Native American affairs has, like many other boards, commissions, etc., been operating at something less than full capacity for several years. I was hoping the commission could be restructured, and I still believe it can be. But, HB 390 is not the vehicle to fix the commission's problems, and the winter of 2023 is not the time to do it.

I see many problems with the bill as introduced. I will name just three. First, the proposal recognizes several Vermont-based groups while specifically leaving out New Hampshire's Cowasuck Band of the Pennacook-Abenaki People. Second, and I apologize if I seem to be contradicting myself, the current commission encompasses all persons of First Nations ancestry, whereas the HB 390 proposal would only serve a few specific groups. Third, if I did the math correctly, HB 390 creates a 9-person body (excluding most of the commission's current members) which needs a 7-person quorum to do anything. A simple-majority quorum would be more workable.

I know there are one or more amendments flying around. The only one I have seen essentially created a study committee. I view that amendment as a waste of time. I am not feeling too optimistic about the prospects of any amendments which I have not seen. I am however optimistic that at some point in the future, e.g., maybe even next year, the commission can be successfully restructured.

David Francis

I oppose this bill as well as the yet to be posted amended version. The only tribes in New Hampshire currently are newly created cultural organizations, these are not tribes as defined by the government, they are not Abenaki tribes recognized by the continuously living cultures and communities that have been in existence in Canada for many hundreds of years. Many tribal members from Canada had a presence in New Hampshire and found no reason to hide their identities, this is in fact a myth perpetrated by individuals who's families made the choice to assimilate within the last several hundred years. If tribes from Vermont demand a seat at the table this opens up seats for the two Abenaki tribes in Canada.

Melanie Roy

I oppose this bill in all it's current and proposed format. All bill that have been proposed in the current session having to do with Abenaki people have been extremely flawed and appear to be self-serving. The manner in which they have been written could have ripple effects in other states and this is not something the Native community supports. Please oppose this bill as it stands. Vermont should in no way control New Hampshire, tribally or other wise. Please oppose the amended bill due to the simple fact that all of the current tribes in New Hampshire are heritage groups. The difference between the two is enormous and to grant recognition to heritage groups is anti-Indian and unethical.

Mark Fournier

Do not approve.

Bill Gould

Honorable Committee Members, I urge you to support the amended bill to create a path for Abenaki Recognition in NH. This is long over due and a path to recognition seemed to be overwhelmingly supported by most people. I believe there are only seven States that don't have any State or Federaly recognized Tribes, NH being one of them. The laws are already laid out on how to do this so we are not breaking new ground. I also urge all committee members to do their research on State Tribal Recognition , the information is readily available online. It is also a good idea to research Federal Tribal Recognition to see that there is no connection between the two. The path should be comprehensive and should include such things as a Tribe's historic connection to NH as well as genealogy . Any legitimate Tribe would have no reason to object to such a path being created and can opt out if they see no value in State Recognition, but should not try to stop those Tribes that would like to seek being recognized by NH. Thank you , Bill Gould, Warner,NH

John Hunt

I believe it is important that the committee supports the amended bill to study how to develop a process for recognition of all Abenaki bands in NH.

Monique Ouellet

I oppose this bill due to fiduciary, prior introduction of historical inaccuracies, and reasons of precedent. This bill sets New Hampshire up to acknowledge tribes who already maintain recognition which is contrary to the policy set in place in the state in which they retain recognition. The proposed consultants have working relationships with at least two tribes, making the consultation biased and unethical.

Francine Poitras Jones

As an Elder of the Nulhegan Band of the Coosuk Abenaki Nation, I am asking the committee support the amended bill HB390 to study how to develop a process for recognition of all Abenaki bands in NH.

Christopher Archambeault

I oppose this bill because it completely disregards the presence of small Tarrantine Mi'kmaq bands in New Hampshire. These small bands existed well into the 1800s and should Mi'kmaq who descend from these families who continue to live in New Hampshire and maintain relationships with the greater Mi'kmaq, they should be allowed to gain tribal state recognition as well. They may not be out looking for attention, they may not have had the opportunity to have the stories of hiding in plain sight or other things. They were simply living and continue to live in small communities with ties to Aroostook and bands in Nova Scotia, never having stopped a relationship. We still know them and they still know us. The Abenaki centric language in the bill is upsetting and is a form of paper genocide to other people who had a place in New Hampshire that may choose to reclaim it.

michael weinstein

Please oppose.

Fawn Gaudet

Dear Honorable Executive House and Administration Committee members,

Thank you respected State Representatives for your service on this committee and thank you honorable Veterans who served. I am a proud descendant of the Blackfeet nation and New Hampshire resident. My mother was an enrolled member of the Blackfeet Tribe. My father has Indigenous blood as well. I am proud of my mixed heritage and of growing up in NH. By way of attaining college education I attended the Navajo Community College, (on the Navajo Reservation) and graduated. I find my experience with these federally recognized tribes makes me aware of many issues in this proposed bill. I feel that you may have thought this was the road to go down. But in the kindness of who you are I hope that you would not condone this bill. I oppose this bill and its amendment.

In this proposed bill you are picking winners and losers and that does damage to many Indigenous peoples in NH by taking away our voices and representation on the commission. It saddens me to share that when one group is willing to put itself above another group. In this instance it is a group from VT. Let me be clear: no state recognized tribe, regardless of what they say they are, has the right to say they can govern another state recognized tribe or tribal group. Or attempt to take control over the state governing body. This bill wants to do this by giving control to the VT groups in the NH Commission on Native American Affairs. If you pass this legislation then you contribute to this power struggle. I hope that you will search in your hearts to see that this is not a way to move forward. Indeed it causes a great deal of harm to Indigenous peoples in NH.

The bill removes the seats on the Native Commission's places for other indigenous peoples of this state and instructs the Indigenous Community to be governed by VT leaders. I do not feel that this is just. I want to be very clear one person does not speak for all the Abenaki people or all the Indigenous voices of NH.

I want to share a term with compassion and openness called paper genocide. This proposed legislation erases groups such as the Cowasuck Band of the Pennacook Abenaki People. By not acknowledging them and stripping them of a voice on the Native Commission, the erasure is called paper genocide. There is archeological evidence for 12,800 years and documented historical evidence since the 1500's of the Cowasuck band living in this territory of NH, also parts of Maine, Vermont and Canada. Maintaining inclusivity is important to the Indigenous Community, and surely for the state of NH. As committee members and legislators you have the power to make sure this wrong does not happen. Stand for truth.

In addition the amendment to this bill not only wants to give control to VT tribes on the New Hampshire Native Commission on Native Americans but ultimately is seeking recognition for a VT tribe. The Nulhegan Band is already state recognized in VT. It is unprecedented for a state recognized tribe from one state to be recognized in another state. Then, further, trying to take control of that state commission. I ask you as legislators how could you in your hearts allow this. I am hoping as righteous compassionate leaders you would see that NH Indigenous peoples can speak and represent themselves.

In addition to my knowledge of tribes that are in more than one state and are on a federal level. Those federally recognized tribes went through a process by the Bureau of Indian Affairs. The filing process requires a time-consuming measured, controlled and transparent process with historical, genealogical, archeological and other documentation. Even at a state level, most states require genealogy records. To be clear a state recognized tribe can be declined Federal Recognition if it does not meet the genealogy requirements. Please oppose HB 390 and its proposed amendment.

Key issues for opposition to HB 390 and its amendment:

1: The commission is a functioning commi ssion and its structure is fine.

2: The NH commission is set up to represent all Indigenous people of NH under the principle that one person does not speak for all the Indigenous peoples of NH or all the Abenaki.

3: I am concerned HB 390 erases the Cowasuck Band of the Pennacook Abenaki People which is called paper genocide. There is archeological evidence for 12,800 years and documented historical evidence since the 1500's of them in this territory of NH, parts of Maine, Vermont and up to Canada. They were and are the true stewards of this land.

Additional points: To my knowledge:

1. To my knowledge "The Nulhegan Band has not appeared in any documented Indigenous historical narrative prior to 2004.

2. The recognition legislation of the four Vermont tribal communities required that at least 51% of their membership resided in Vermont, and that each of the four groups were also required to declare their tribal territories at that time. See, the Vermont Commission of Native American Affairs Tribal Territorial Map and note that the Nulhegan Band territory is restricted to Orleans, Essex, and Caledonia counties and at that time never extended into New Hampshire.

3. The recognition legislation of the four Vermont tribal communities specifically prohibited their recognition if they were recognized as a tribal group “in any other state, province, or nation.” Putting forward a recognition bill or resolution such as this one is in direct violation of the Vermont recognition process and is specifically strictly prohibited.

4. The State of New Hampshire has already established the NH Commission on Native American Affairs in 2010 that is open to all NH Indigenous residents of all tribal affiliations then gives direct access to numerous State agencies. The Nulhegan Band held two seats on this commission until their resignations in 2021. Nulhegan Band representative Sherry Gould has submitted HB390, a bill to remove all current members of the current New Hampshire Native commission and replace them with members who are completely controlled by the Vermont tribal leaders, the bill also removes NH State assigned members. "

Respectfully,

Fawn Gaudet, Rumney, NH

fawngaudet@yahoo.com.

603-960-2872

Abby Evankow

The current Native Commission already has the tools needed to establish a fair and universally accepted process, in line with the other 16 states that have established state tribal recognition. HB390 and the amendment are not warranted or needed. Please do not reverse established legislation that has already created a inclusive and well-functioning commission. Please that has ITL HB390 and the amendment.

Glen Michael

HB390 and it's amendment are frivolous and unnecessary proposed legislation. New Hampshire has a fully functional commission in no need of revision and control should be maintained by individual citizens of the state, not assigned members from out of state tribes. Handing over the authority of a commission in one state to tribes in another is unheard of. The proposal is ludicrous and there is no rational reason for it aside from giving power to outside entities. Should the tribes in New Hampshire desire a state recognition process it should be up to them to initiate it - not a Representative with an obvious goal for her specific community which already has state recognition and all of the benefits that recognition provides, including the ability to abide by the Indian and Arts and Crafts Act, regardless of what state they live in which was erroneously brought up in HCR7. While I may not be Native American, I have spent time on a number of reservations and interacted with both state and federally recognized tribes. I have familiarized myself with Native law and standards. What is being presented here is not standard nor do I believe it to be lawful. Kill the bill, please. It is only beneficial to a select few in it's current wording and certainly not the good people of New Hampshire. Please take into account the depth of changes made in the state of Vermont to recognition and to allowances after the four tribes gained recognition there. Anyone following them in the recognition process is held to a different standard regarding recognition and the financial benefits gained that drain the state as well as the procurement of land should caution each and every one of you. Additionally, I question why the amendment has not yet been made public for comment with the vote being Wednesday. Those who have yet to see it should have the time to make an informed opinion.

Tahcawin Clifford

Honorable Committee Members,

I humbly request that HB390 does not proceed forward. I am concerned about the accessibility of the New Hampshire Commission on Native American Affairs to Native students at Dartmouth College.

Dartmouth was founded in 1769 for the express purpose to educate the colonial Native population. While the school fell horribly short of this in the majority of it's mission, since 1970 it has become a preferred Ivy League destination for Native students. Should you choose to change the manner in which the Commission functions as well as commissioner criteria this places a huge impediment on alumni of Dartmouth College who may have interest in participating who do not wish to take the seat designated for current students.

While it may be understandable that Representative Gould would desire more representation for the tribes she strongly associates with and has membership in, New Hampshire's Native American constituency is varied. It is unfair to favor any tribal entity over the other. When it comes to state recognition it is equally unfair to favor one tribe over others. The Abenaki were and are not the only tribe in existence in New Hampshire. It remains unclear to many why she would insist on creating legislation to shut others out.

It is understandable that you may feel that approving this legislation would benefit the Native population of this state. It is understandable that you want to feel like you may be righting some wrong by passing this legislation. Nothing could be further from the truth. Rightings of wrongs should not benefit a small handful of people. This simply creates more wrongs and continued harm. Please consider all Native people who were and are here. Please send the message that the state of New Hampshire is welcoming to all Native people and that the government will not tolerate the state sanctioned ostracism contained in this bill.

Tahcawin Clifford

Kathleen Blake

As a New Hampshire resident with Native American heritage, I write to you with grave concerns regarding HB 390, a bill to essentially rewrite the RSA that authorized the New Hampshire Commission on Native American Affairs (NHCNAA). I am the immediate past chair of NHCNAA and, currently, an affiliate faculty member in the Indigenous Studies Minor Program at the University of New Hampshire.

The current statute does not need to be completely rewritten. It is meant to further the needs of ALL indigenous citizens of New Hampshire, not any particular tribe or band. Many citizens of various tribal nations live in New Hampshire today. It is extremely helpful to have this diversity of peoples serving on the NHCNAA, as people from other tribes bring a wide range of knowledge and experiences to bear. Here is a link if you wish to review meeting minutes and annual reports of the NHCNAA to view its many accomplishments.

https://www.dncr.nh.gov/commission-native-american-affairs/meeting-minutes-and-reports

As for HB 390, it is extremely concerning on many levels. It is critical that you, as our elected officials, have a thorough understanding of what you are being asked to approve.

HB 390 would remove every current member of the commission and replace it with appointments made by the four chiefs of the four Vermont-recognized Abenaki bands. There are many problems with that, including that at least two of the bands do not wish to interfere with New Hampshire politics and were not consulted on this bill. When I was NHCNAA chair, I personally contacted other Vermont bands who did not have seated members to ask them if they had a New Hampshire citizen in their band who wished to serve. There is nothing in the current law that would prevent citizens of Vermont tribes, who live in NH, from applying. Indeed, numerous Nulhegan citizens, the tribe of the primary sponsor of HB 390, have served in the past. Last year, Representative Sherry Gould spearheaded an effort to have a very similar bill introduced. At that time, she was informed that the chiefs of other Vermont bands did not want their bands to be involved with this. Yet once again, she put forth this bill without the knowledge or consent of the chiefs who have a critical role. How will “appointments be agreed upon by the chiefs” when those chiefs were not consulted about this bill and did not agree to participate if it should become law? New Hampshire has no authority to put forth a law requiring citizens of bands from other states to perform a function here. (See HR 390, section II.a)

The proposed structure of this rewrite places undue power in the hands of Vermont tribes, and disenfranchises all New Hampshire bands and indigenous citizens who are not members of the four Vermont bands. Additionally, the commission members currently serving with appointed seats, who have served honorably and have been extremely helpful, would be removed.

In this proposed bill, there would be 9 seated members, with a majority being controlled by members of Vermont bands. The appointments would be agreed upon by the four Vermont chiefs, chiefs who have not agreed to do so.

Another interesting clause (see HR 390, section III) states, “Chiefs and their parent, child, sibling, or spouse shall not be eligible to serve in order to avoid a conflict of interest.” The only people that this caveat addresses are the Chief speakers of the Pennacook. That is how this bill is designed to remove their voices, those of a New Hampshire precolonial tribe, and replace them with Vermont bands, some of which were created as recently as 2004. Additionally, although both chief speakers of the Pennacook are affiliate faculty at UNH, this clause would make them ineligible even for that seat. They have testified before this committee numerous times through the years, and provide countless services in support of our Native American community. (See HB 390, section III) This bill is an overt attempt to silence them.

How can a law be passed with Vermont chiefs making commission appointments instead of the governor of New Hampshire making them? (See HB 390, section II.a)

How can a voting quorum be 7 members (See HB 390, section IV) and yet the selection of officers be by a vote majority of members present (See HB 390, section V)?

How can a law be passed that supersedes the current decision of the governor that requires meetings to be held in person? (See HB 390, section VII)

How can the NHCNAA be administratively attached to the Division of Natural and Historical Resources yet without oversight, supervision and input from that division? (See HB 390, section X)

In section IX of HB 390, it states: “Beginning November 1, 2023, and each year thereafter, the commission shall submit an annual report…” Again, I suggest you review the annual reports that have historically been submitted and by whom. Has an annual report been submitted each year? WHO WAS THE CHAIR during the years that an annual report was submitted, and WHO WAS THE CHAIR when it was not? https://www.dncr.nh.gov/commission-native-american-affairs/meeting-minutes-and-reports

Section 11 of HB 390 states: “Nothing in the purposes and duties of the commission shall be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents.” That section of the proposed bill is absolutely false as I have already demonstrated.

HB 390 is harmful to most indigenous citizens of New Hampshire and contains many fatal flaws. This

is clearly an overt attempt by some members of the Vermont Nulhegan Abenaki Band to remove the voices of most other indigenous peoples of this state, including other New Hampshire based Abenaki bands, and put control into their own hands. HB 390 is an absolute and utter disgrace.

One person, and one band of Vermont, does not speak for all indigenous peoples of the state of New Hampshire.

Please vote to ITL this piece of legislation

Melinda Simms

I oppose this bill and its amendment. There is a well functioning NH Native American Council already established per the NH Revised Statutes Title I, 12 - A:14 - a New Hampshire Commission on Native American Affairs Established.

For a an out-of -state community to swoop in and try to take over another community, its very deceitful and quite shocking especially when the sponsor of the bill is a rep. This is an ethics issue that needs to be looked into!!

Rodney Simms

I oppose this bill and its amendment. There is a well functioning NH Native American Council already established per the NH Revised Statutes Title I, 12 - A:14 - a New Hampshire Commission on Native American Affairs Established.

for all Abenaki in New Hampshire I ask the committee to support the amended bill to study how to develop a process for recognition of all Abenaki bands in NH. Thank you.

Vicki Blanchard

I’m an Abenaki Native to New Hampshire. I support developing a process to recognize us.

Rick Van de Poll

The NH Commission on Native American Affairs is a working body of broad interests that connects state agencies, citizens, and geography with the indigenous peoples of our region. As such it needs to maintain an open dialogue between all groups that may be affected by promotion of Native American culture and enrichment and not be controlled or co-opted by a single group such as the recognized tribes of Vermont Abenaki. The fact that 5 of the 9 proposed members will be appointed by the "Chiefs" of the 4 Vermont recognized tribes and that only 1 member will be appointed by the NH Inter-tribal Council suggests that the requisite broad-based interest groups may not be represented. I also note that only two institutions of higher education get the honor of appointing members for reasons that are unclear, and the NH State Division of Historical Resource will no longer be represented, even though they have perhaps the greatest amount of interaction with artifacts of indigenous cultural significance of any agency in the state.

Rod Blake

There is no need for this bill. The current commission is fully functioning and has been for years. Please vote to kill the bill.

Susan Duddy

In the Wednesday, March 1 Concord Monitor, Paul & Denise Poulet as lead members of the Cowasuck Band of the Penacook Abenaki People wrote a Letter to the Editor (pages A7 & A8). The letter relates a history of the Cowasuck Band of the Penacook Abenaki People tribal community work since 1980 to build an inclusive native community in our state.

According to Paul and Denise, the US federal and state governments divide tribes between those they recognize versus those they do not. "This polarizes Indigenous peoples and fosters competition rather than cooperation. That is not our traditional way." Facing the reality of this, however, in 1994 the Cowasuck Band of the Penacook petitioned the US government through the Bureau of Indian Affairs to be federally recognized. They were given petition #151 and are still an active petitioner.

The letter continues with their tribe's work with UNH and the Manchester Cedar Swamp as well as their involvement in NH politics and education. In 2010, the Cowasuck Band of the Pennacook Abenaki People worked with Winchester Rep. Dan Carr to create the NH Commission on Native American Affairs. They felt that, as a tribe, they already had a government to government relationship with the State of NH and specifically wrote a bill that honored their inclusive views and developed commission membership requirements that included the diversity of Indigenous Peoples that are currently NH residents.

It appears that the new bill, HB 390, removes the voices of most of the Indigenous peoples of NH and places Vermont recognized tribes in the majority. The bill also removes the state positions oversight and the governor's ability to appoint commission members. The new bill essentially erases NH tribal involvement and relinquishes NH state sovereignty over its own native commission. Look at the bill's list of how the commission members are appointed.

All in all, it sounds like a good many NH Native Americans will no longer be represented on the NH Commission on Native American Affairs. If you'd like a copy of the Letter to the Editor, I'd be happy to photograph it and send it to you.

this bill (as currently written) is actually antithetical to its intended purpose, which is recognition of Indigenous citizens of NH.

Haley Swartz

Nowhere in this amendment does it include Indigenous representation or consultation with any of the 14 tribes registered with the state.

Currently as constructed, the NH Commission on Native American Affairs already has state oversight and inclusion, archeology and University inclusion, and contains 11 seats representing the diverse (both recognized and not) Indigenous community residing in NH. All commission members follow the same appointment process through the Department of Historical Resources and final determination and appointments are made by the Governor.

The Native Commission has the tools needed to establish a fair and universally accepted process in line with the other 16 states that established state tribal recognition. We do not need a new vessel to accomplish this task.

HB390 and amendment are not warranted or needed. Please do not reverse the legislation that created the inclusive and well-functioning commission that has already been established and ITL HB390 and amendment!

Faith Bouchard

HB390 and amendment are not warranted or needed. Please do not reverse the legislation that created the inclusive and well-functioning commission that has already been established and ITL HB390 and amendment!

Meghan Howey

This reads as a very strange proposal, to undo a functioning commission and to outsource most of the decisions about appointments on it to tribes in Vermont. Isn't this the New Hampshire commission? This seems certain to make it a Vermont commission in New Hampshire, which just seems very odd, especially in New Hampshire, we like to do things our NH way, why would we give up so much to an outside state? And if we were going to turn to a neighboring state to tell us how to run our Native American commission, priority should certainly go to Maine or Massachusetts which both have federally recognized tribes which VT does not. Also, the commission is well-set up as it is, this bill is unnecessary and likely to create dysfunction.

John Burns

I oppose Bill:HB390

Doesn't NH already have a New Hampshire Commission on Native American Affairs? If so, what are the concerns of how it is operating?

Do we really want the people on this NEW commission to be "appointed by the Chiefs of the 4 Vermont state recognized Abenaki tribes? There was some questions on the Vermont process of recognition.

The appointments for the NH Commission on Native American Affairs is made through the Department of Historical Resources with the final determination and appointment made by the Governor of NH. Does the governor know or the Dept of Historical Resources support or know about these changes….to have Vermont leadership determining commissions within New Hampshire?

I hope in the future we will make efforts to continue to support and improve the established NH Commission on Native American Affairs vs starting over with out of state leadership driving the process.

John Hamer

I oppose this bill.

Todd Warfield

I oppose this bill as it will drastically change RSA 12-A:14-a and not for the better. The current New Hampshire Commission on Native American Affairs has sufficient membership criteria without making these modifications. Historically, there are numerous tribal entities that reside within the now boundaries of the state of New Hampshire. HB390 introduces new members without any rationale or reason. Would New Hampshire tribal members sit on Vermont Commission on Native American Affairs? What benefit does this serve to upend the entire commission and repeal all of RSA 12-A:14-a? This is time that could be better spent determining a path forward on establishing and recognizing various tribal entities at a state level. HB390 is not in the best interest of the Indigenous people that live in this state, myself included.

Nathaniel Furey

I oppose this bill. The bill would eliminate the current 15 seat native commission and remove the voices of all the resident tribes and the diverse indigenous peoples now residing in New Hampshire by making Vermont tribes the majority. To my knowledge, this amendment does not include Indigenous representation or consultation with any of the 14 tribes registered with the state. Currently as constructed, the NH Commission on Native American Affairs already has state oversight and inclusion, archeology and University inclusion, and contains 11 seats representing the diverse (both recognized and not) Indigenous community residing in NH. All commission members follow the same appointment process through the Department of Historical Resources and final determination and appointments are made by the Governor.

The Native Commission has the tools needed to establish a fair and universally accepted process in line with the other 16 states that established state tribal recognition. We do not need a new vessel to accomplish this task.

HB390 and amendment are not warranted or needed. Please do not reverse the legislation that created the inclusive and well-functioning commission that has already been established and ITL HB390 and amendment!

Ann Podlipny

Thank you for giving me this opportunity to speak. Since I am a relatively new member of INHCC (Indigenous NH Collaborative Collective) I lack the institutional memory of its longstanding members who have also served on the Commission of Native American Affairs. However, after reading HB390 I am OPPOSED for the following reasons.

First, the Commission on NA Affairs has since its inception acted in good faith as a lawfully functioning body. Therefore, as the old adage goes, 'if it ain't broke, don't fix it'. Since the integrity and accomplishments of the Commission are not in question and, according to the testimony of Kathleen Blake and many others, there has been no legitimate fault, why not simply repair its one malfunction, namely, its lack of sufficient membership. After a number of members resigned nullifying the Commission's voting power why not add new members to restore its voting majority? I question whether it is best practice or in this Committee's best interest to try to resolve the Commission's internal problem by requiring it be abolished.

Clearly, the word 'abolish' hearkens back to a time when Native American lives were threatened by the savage federal policy of 'kill the Indian, save the man'. This destructive mentality reinforces the dominant myth that Indigenous people are somehow expendable and should disappear. The Commission on Native American Affairs is not disposable; it is an active, engaged Commission of significant value to its members and lacks only a quorum of new members to conduct its important mission. Therefore, I oppose HB390 and recommend that the Commission on NA Affairs be preserved .

Ryn Mann

It is my suggestion and hope that committee members ITL HB390 and amendment. This is a dangerously anti-Native. As a resident of NH and an enrolled member of the federally recognized Lac du Flambeau Band of Lake Superior Chippewa Indians the passage of HB390 would strip myself and others of rights currently afforded to us under current law in favor of decision making by out of state chiefs and councils. The proposed bill would be detrimental to every Native person in this state aside from the Vermont tribes. Our voices and our rights matter more than the whims of Vermont tribal leadership's desires and control. Their needs are met in Vermont via the Vermont commission. New Hampshire's commission is for New Hampshire citizens. I certainly do not want the Native goings on in this state to be partisan and biased, especially when it comes to voting! As a citizen of New Hampshire I prefer to Live Free or Die, not live under the dominance and control of Vermont tribal entities. Please ITL HB390 and assure the Native American residents of New Hampshire our freedom from tyrrany. Tyrrany is exactly what HB390 and it's amendment is proposing.

Katharine Duderstadt

The HB390 bill and amendments aim to rewrite existing guidelines of the New Hampshire Commission on Native American Affairs (NHCNAA). The Commission as it currently stands plays a crucial role in amplifying the voices of Indigenous peoples throughout the state of New Hampshire and provides great value to all NH citizens in understanding the historical presence and contemporary contributions of Indigenous peoples to our state. The proposed bill not only weakens the Commission but very oddly appears to relinquish control of the Commission to Tribes in the neighboring state of Vermont. I strongly oppose such an effort to devalue the Indigenous citizens of New Hampshire.

Cecelia Littlecreek

Dear Committee Members,

For many years my Grandfather, Hollis Littlecreek, resided in Mason, New Hampshire. He was born in 1924 on the Red Lake Reservation in Minnesota. He was the best Grandpa, a WWII army veteran, an accomplished woodworker and a traditional flute maker. When he was living in New Hampshire he felt very welcome by Natives and non-Natives alike. I am heartbroken to think about how he would feel today seeing something passed into law that would have essentially erased him of who and what he was. Having looked at what is in place now compared to what is proposed it appears to me to be nothing more than selfish and targeted. As somebody else said, if it ain't broke, don't fix it. It is very important for you to realize and remember that it is not only Abenaki people who reside in Vermont. It is unfair to remove them from any process or put them at a disadvantage. It is essentially discriminatory.

Cecelia Littlecreek

Louise Spencer

This bill, along with a proposed amendment, was filed without prior consultation with the various Indigenous Peoples of New Hampshire. Until and unless all those directly impacted by such legislation are given an equal voice, I cannot support this bill.

Jane Tucker

The mission of the NH Commission on Native American Affairs is best served by having broad representation in its membership from the Indigenous communities of New Hampshire, as it currently does. I know some of the current members and their deep and personal commitment to that mission: to recognize and promote the history and culture of Indigenous communities of New Hampshire, and to address the current and future needs of those communities. State government and other professionals are also currently well-represented. The membership does not need to be restructured or revised; HB390 is unwarranted. Why would NH relinquish or diminish authority over its own commission, and most importantly, jeopardize Indigenous NH representation on said Commission? It makes no sense.

Caitlin Gray

As a person of indigenous heritage, I strongly oppose this bill. Nothing about this bill supports the hard work that New Hampshire indigenous people have done to have their voices heard. This bill deconstructs the structure of the NH Commission by involving Vermont tribes in NH work, One would think that representatives would consult with the local tribes prior to making such sweeping changes. We already have what is needed to continue to make sure voices are heard in our state.

Alexandra Martin

The existing structure of the NH Commission represents the diverse Indigenous residents of New Hampshire. I don't believe it is in the best interest of either New Hampshire or of NH's Indigenous population to allow the majority of this important commission to be made of up of (and therefore controlled by) individuals appointed by the chiefs of Tribes who are recognized only by the State of Vermont.

Maggie Forrestall

Please do not eliminate the current NH Commission on Native American Affairs. This Commission already has state oversight and inclusion, archeology and University representation, and 11 seats representing the diverse Indigenous community residing in current-day NH. It has the tools needed to establish a fair and universally accepted process in line with the other 16 states that established state tribal recognition. I agree with Abenaki leaders in current-day NH that we do not need a new team to accomplish this task. I also agree that it is not appropriate for Vermont stakeholders to have such influence on NH state-tribal relations. Please do not pass this bill so that NH can continue its own important work with this Commission as it currently exists.

Catherine Stewart

Given that an existing Native Commission already exists, with an appropriate process for appointment and term, there is no need for this Bill. HB390 undermines the ongoing good work of the Native Commission, and the resulting "reformed" Commission would be detrimental to the Indigenous Peoples of New Hampshire. Beyond that, HB 390 is a misleading piece of legislation that will likely cause confusion among non-Indigenous citizens of the state as they grapple to understand the complex nature of tribal entities, both recognized and not recognized, within the state. HB 390 appears to be a waste of valuable time and energy for legislators, and effort to uplift the culture of the Abenaki is better spent elsewhere.

Chief Paul Bunnell

No outside NH tribes should have access to NH tribal affairs especially given the ability to out vote or control any commission over New Hampshire Tribes.

Terri Helms

As a standing member of the
Ko'asek (Co'wasuck) Traditional Band of the Sovereign Abenaki Nation located at 49 Pleasant St, #106, Alstead, NH 03602, I strongly oppose HB390.
I vote "NO" (OPPOSE) on this bill.

Sandra DeForge

I am writing on behalf of myself and my tribe, many of whom will send their own letters. I want it known that any recognition of the Mohegan tribe should be dismissed. The Mohegan tribe is a Vermont tribe and have no roots in New Hampshire. I think it is unfair to accept and recognize a tribe from another state that will undermine the efforts of the New Hampshire tribes. My tribe the Ko'asek Abenaki Nation has roots in the state and have involved the towns in the state in activities. We have had a powwow and sponsored the largest Snow Snake games in the entire area with over 100 children involved. We go to the schools and teach our culture; we have a website that includes home schooling classes about our culture. We are in the process of developing our land with the help of conservationist to restore the land to its original flora and fauna native to New Hampshire.
I can assure you the Mohegans have not done any of this in New Hampshire. I also feel it is necessary to point out that Vermont tribes should not be a drain on New Hampshire taxpayers.
Elder Sandra DeForge, Sub-chief

patrick michaud

I oppose out of state tribe being recognize in New Hampshire

Michele Vincent

The acknowledgement to our Native people is long overdue. I am honored and privileged to call this beautiful state of N.H. my home, yet I never forget that Native Nations were & are the first caretakers of this land. The history of the First People is rich and diverse and beautiful and can do much to teach us and future generations about preservation and appreciation for all that lives. The passage of an amendment other than Native American Heritage day, exclusively, is unacceptable. There would be no "America" if not for the commitment and care of the original inhabitants. Any other inclusions are shameful and, quite frankly, false.

Jacob Kritzer

Dear Members of the House Executive Departments and Administration Committee:

I cannot stress how strenuously I oppose HB390. It has not been developed in consultation with the vast majority of the Indigenous community active within New Hampshire, and instead aims to unnecessarily undermine the constructive and collaborative efforts of many Indigenous peoples. The Commission has been an important vehicle for convening and dialogue among Indigenous and non-Indigenous people alike, and a statement that New Hampshire recognizes and values the unique status and voices of Indigenous peoples, despite centuries of hardship and oppression. The Commission is an important institution that needs to be supported and empowered, not arbitrarily dismantled. In parallel, a clearer process and path toward state recognition needs to be outlined before any changes to established institutions and the participants within them is considered.

As both a private citizen and appointed member of a town body in Durham I have seen first hand the very respectful ways in which the Cowasuck Band of the Pennacook-Abenaki People have raised concerns and worked toward solutions with the Town. They have helped to improve local environmental stewardship, understand our history, and chart a path forward toward a more just and equitable future. In many ways, they have become important partners and friends of the Town. Their unequivocal opposition to this bill is telling, and I stand with them and other Indigenous leaders in New Hampshire in urging the Legislature to reject HB390.

Thank you for considering my views, and please do not hesitate to reach out with any questions you might have.

Sincerely,
Jake Kritzer
8 Timberbrook Lane, Durham 03824
(617) 869-1336
jake.kritzer@gmail.com

Roanne Robbins

I strongly oppose HB390. As a parent, educator, and community volunteer board member, I find that NH Commission (NHCNAA) on Native American Affairs views and thoughtful outreach should not be disbanded. The community development services and work of the Cowasuck Band of the Pennacook Abenaki People and the NHCNAA are extremely valuable. Please do not silence these voices.

Roanne Robbins
Durham, NH

Katie Paine

The proposed bill would diminish the voices of most of the indigenous peoples of New Hampshire. It also would remove NH's ability to appoint commission members and place Vermont-recognized tribes in the majority. HB 390 ultimately erases NH tribal involvement and relinquishes NH state sovereignty over its own native commission.

Darryl Peasley

Honorable Committee Members

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I am an Abenaki citizen residing in NH and I urge the committee to support the amended Bill to study the best process to create a path to recognition for all Abenaki people in New Hampshire..

Sharon Wood

HB390 as introduced will completely eliminate the current 15 seat NH Native American Commission and remove the voices of all the NH Abenaki tribes, as well as the diverse other Indigenous peoples now residing in New Hampshire, by making Vermont tribes the majority on the NH Commission on Native American Affairs. An amendment to the already poorly conceived HB390 was brought forward because Rep Sherry Gould's HCR7 Resolution (to recognize her tribe, the Nulhegan Band of Vermont, as the only state recognized tribe in New Hampshire) failed to pass. The Resolution to recognize the Vermont Nulhegan tribe in NH omitted a path or process to state recognition for Abenaki tribes in NH, and did not offer any kind of vetting process for legitimacy. Nothing in this amendment includes Indigenous representation or consultation with any of the Abenaki tribes registered with the State of NH. The current NH Native Commission (with state oversight and inclusion, an archeologogist, and University inclusion, and 11 Commission seats currently representing the diverse (both recognized and not) Indigenous community residing in NH) has the tools needed to establish a fair and universally accepted process in line with the other 16 states that have established state tribal recognition. HB390 and its amendment are not warranted or needed. Please do not reverse the legislation that estblished the inclusive and well-functioning NH Commission on Native American Affairs over a decade ago (RSA 12-A:14-A). PLEASE "ITL" the bill and its amendment.

Jacob Waters

Opposition to HB390

Alice Stevens-Mayotte

This "bill" is self serving and deceitful

Gary Lessard

I am a member of The Koasek Band of the sovereign Abenaki Nation. I am concerned about opening the doors in New Hampshire to other 1st Nations that may not have been traditionally part of the State of New Hampshire. I feel a discussion needs to take place amongst the 1st Nation people involved and a collaborative effort made to identify 1st Nation sovereignty.

Rene Menard

I do not support this bill being a member of the Ko'asek (Co'wasuck)Traditional Band of the Sovereign Abenaki Nation

Charles Jennison

The inclusive NH Native commission is now in jeopardy. HB390 as introduced will completely eliminate the current 15 seat native commission and remove the voices of all the resident tribes and the diverse indigenous peoples now residing in New Hampshire by making Vermont tribes the majority.

The amendment to HB390 was brought forward because Rep. Sherry Gould's HCR7 proclamation to recognize her tribe, the Nulhegan Band of Vermont as the only state recognized tribe in New Hampshire failed to pass. The resolution recognizing the Nulhegan did not offer a path or process to state tribal recognition, did not offer any kind of vetting process for legitimacy and it also dismissed the other 10 tribal organizations registered within the state.

This trojan horse amendment 'study' bill has merged the critically faulty legislation of HB390 and HCR7 into one bill. Passage of this bill will restructure the NH Native Commission AND the state tribal recognition process. Nowhere in this amendment can be found Indigenous representation or consultation with any of the 14 tribes registered with the state of New Hampshire.

The current NH Commission on Native American Affairs already has state oversight and inclusion, archeology and University inclusion, and contains 11 seats representing the diverse (both recognized and not) Indigenous community residing in NH. All commission members follow the same appointment process through the Department of Historical Resources and final determination and appointments are made by the Governor. It has the tools needed to establish a fair and universally accepted process in line with the other 16 states that established state tribal recognition. We do not need a new vessel to accomplish this task.

HB390 and amendment are not warranted or needed, in my opinion.

Mary Doonan

First Nations of New Hampshire peoples should meet and come up with a collaborative decision regarding First Nation status in the State of New Hampshire. I am on the Council of First Nations Ko'asek Traditional Band of the Sovereign Abenaki Nations. and
Wliwni / thank you for your attention to this matter,
aquene / peace,
Mary "Mari Alohilani " Doonan

Michael Cahill

While I believe indigenous people may find it beneficial to work with similar groups residing in other states, those living in NH should determine the makeup of their commission on Native American affairs.

Chief Shirly Hook

Bill HB390. The Koasek of the Koas Traditional Band of the Abenaki Nation oppose this bill. For one thing our tribes name was
put on this bill without our knowledge. This happened last year, and we found out about the bill and they pulled it.
Please read between the lines, there is a lot more to learn.

Best regards,
Chief Shirly Hook Koasek of Koas/Vermont

Carol Godreau

Aquene & Blessings to our Ko’asek families ~

Cathy Allyn

The first thing we should consider is the reasoning behind not letting the public see the amendment. Is that the way democracy works?
It is not. Right away, we are therefore alerted that legislators should oppose this bill. Our NH indigenous leaders have been doing a tremendous job; bringing in people from VT is not in the best interest of our state. Something is going on here that does not seem right.

Donna Lessard

I vote to oppose this bill

Robert Pease

I am opposing the bill of non native people n out state natives being on New Hampshire state native commission or native committee or council ! State ran Native committee n commissions or councils should only be ran by the native representation of each tribe within the state that have a historical presence in that state ! Thank you

Hunter Stetz

Hello!

I recently voiced my opposition to HCR7 for related, but somewhat different reasons. In short, I am unsure of the benefits of enacting this bill. How is New Hampshire better off by reducing oversight of the NH Commission on Native American Affairs (NHCNAA)? By all means, make your case that this is a fair and inclusive bill and is not a personal jab at the current composition of the committee. The current process works. Anyone outlined in this bill's list of committee representatives can join the commission through its existing appointment process. By all means, do so!

Tell me that this isn't a trojan horse.

John Neely

I think existing NH tribes should have more representation.

Lois Cote

I have read the appeal to oppose HB 390 in the InDepthNH Op Ed by Denise and Paul Pouliot, Leaders of the Cowasuck Band of Pennacook-Abeniki People in New Hampshire. What they have written in describing their opposition to the dissolution of the Indigenous NH Collaborative Collective makes solid sense to me.

As the Pouliots describe in their Op Ed, the Cowasuck Band "traditional tribal homeland . . is one of the largest historically documented tribal territories in the Northeastern US", and since 1994 the tribe filed and has maintained an active petition (number 151) requesting federal recognition through the Bureau of Indian Affairs. Given these facts, why would NH lawmakers seek to give oversight of NH's Indigenous People to a tribe from a neighboring state? This is not the right thing to do.

I have experienced the great benefits of learning and growing in accurate knowledge and understanding of the history of NH's Indigenous Peoples through many programs with them, including present-day contributions and work on behalf of their people, and all Granite Staters.

Recently I attended an UNH/NH HWCA/ECHO series on Climate and Health with Denise Pouliot as one of the panel guiding us. Her perspective was invaluable.

I do not understand why you want to remove such excellent leadership. NH people have been and will continue to be enlightened and enriched by their work.

Sandra Petrakis

The Cowasuck Band of the Pennacook-Abenaki People have history here for which there is clear archeological evidence. This bill promotes the erasure of American and Indigenous history in the state of New Hampshire. Given the history of this region and our nation, it seems ill advised. New Hampshire has a choice: Lead where other states have failed and keep the commission in place, connecting with our local non-federally recognized tribal nations, or disband it, put the state's attitudes towards native people back decades, and overshadow local voices rather than promote collaboration. Disbanding the NHCNAA promotes a backwards attitude towards native peoples. It is wholly unnecessary, and appears damaging by setting a concerning precedent about NH state sovereignty over the native commission.

Megan Hughes

This bill was written without any consultation with "Native Americans in the state. Government "of, by, and for the people" would suggest this would be basic to such legislation. Please oppose HB390.

Stacey Potter

I am opposed to further harming the indigenous people of New Hampshire.

Gino "Roaming" Buffalo

As a Citizen of the Abenaki Nation, I oppose this bill and ask that it note be approved on the simple grounds that is works to divide the various Indigenous people who are linked to NH and through out N'dakinna and creates the opportunity for one tribe, Nulhegan, to gain a monopoly over NH Native American Policy setting and influence. Representatives from all Indigenous groups tied to the traditional homeland of the Abenaki linked back to NH should come together and approach the legislature in a good way for consideration based on consensus. This bill and those who put it together are not acting as they know they should.

Zachary Harmon

Text of testimonial offered earlier today (3.15.23) at the hearing in Concord:

Dear Honorable Representatives,

HB 390 seeks to remodel the New Hampshire Commission on Native American Affairs in a way that is, I believe, not helpful on the whole, and it creates a commission that is more adversarial and less inclusive.

How does HB 390 create an adversarial NH Commission on Native American Affairs?
By giving Vermont state recognized Abenaki Tribes permanent seats, but not giving permanent seats to any other Native American groups with connection to New Hampshire, it unbalances the commission and hurts other Native American groups in the state. For instance, it excludes the Cowasuck Band of Pennacook Abenaki, who are well known for their educational work in the state. I have worked a great deal since 2018 with the Cowasuck Band of Pennacook Abenaki for church and community educational projects. They have a great deal to share and teach. Native American presence and connection to New Hampshire is highly complex. This bill will likely create more problems in the way it creates an adversarial in terms of commission representation.

HB 390 is also less inclusive for three reasons. One reason is that it would create a significantly smaller commission with fewer members, which limits the voices and perspectives of Native Americans in New Hampshire. A second reason it is less inclusive is that it is closed to Native Americans who don't have a direct connection to the few named institutions in the bill. A third reason it is less inclusive is that it creates a permanent majority for the Abenaki Tribes recognized by the state of Vermont. Thus, while other Native Americans are included on the commission, their voices and perspectives will be in a minority that can easily be voted down by the Abenaki Tribes recognized by the state of Vermont.

This bill, I believe, takes the current New Hampshire Commission on Native American Affairs, which is relatively open and inclusive, and turns it into an adversarial and less inclusive institution. For these reasons I would encourage you to oppose this bill.

Thank You,
Rev. Zachary Harmon
Episcopal priest in The Episcopal Church of New Hampshire
Resident of Goffstown, New Hampshire

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 390

BILL TITLE: revising the membership and structure of the New Hampshire commission on Native American affairs.

DATE: March 15, 2023

LOB ROOM: 306-308

MOTIONS: **INEXPEDIENT TO LEGISLATE**

Moved by Rep. Grote | Seconded by Rep. P. Schmidt | Vote: 16-3

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Shane Sirois, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2023 1:25:09 PM
Roll Call Committee Registers Report

2023 SESSION

Executive Departments and Administration

Bill #: 390 Motion: ITL AM #: _____ Exec Session Date: 3-15-23

Members	YEAS	Nays	NV
McGuire, Carol M. Chairman	✓		
Simon, Matthew J. Vice Chairman	✓		
Lekas, Tony	✓		
Bailey, Glenn	~~✓~~	✓	
Santonastaso, Matthew	✓		
True, Chris	✓		
Dolan, Tom	✓		
Abare, Kimberly L	✓		
Gerhard, Jason	✓		
Sirois, Shane A	✓		
Grote, Jaci L.	✓		
Schmidt, Peter B.	✓		
Goley, Jeffrey P.	✓		
Schuett, Dianne E.	✓		
~~O'Brien~~, Michael B.			
Wilhelm, Matthew B. MANGIPUDI	✓		
Davis, Fred E.	✓		
Fitzpatrick, Daniel W		✓	
Gould, Sherry L		✓	
Smith, Juliet L	✓		
TOTAL VOTE: CHAIR			

19

16-3