

Legislative History for Connecticut Act

HB 7272	PA 375	1981
House	6128-6140	(13)
Senate	4995-4996	(2)
Appropriations	1452-1453	(20)
Government Administration + Elections	767-796	(2)
<b>LAW/LEGISLATIVE REFERENCE</b>		
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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H-293

CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1981

VOL 24  
PART 18  
5907-6295

SPEAKER ABATE:

The bill as amended passes.

CLERK:

Calendar page 11, Calendar No. 571, Substitute for House Bill No. 7272, AN ACT CONCERNING CONNECTICUT INDIANS. Favorable Report of the Committee on Appropriations.

REP. DYSON: (94th)

Mr. Speaker.

SPEAKER ABATE:

Rep. William Dyson of the 94th Assembly District.

REP. DYSON: (94th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, sir?

REP. DYSON: (94th)

Yes, Mr. Speaker. Mr. Speaker, from the reaction that I've gotten already in this House, I know that we're not going to have very much discussion on this piece of legislation. It's going to move through rather rapidly.

And I think before I ask this House to come to a vote on it, I should give you some description of what this bill does,

and I shall read for you the summary that has been given.

This bill will statutorially recognize the historic names of the Connecticut Indian tribes. It also includes the Golden Hill Ogonsit tribes plan in the Town of Colchester as a reservation.

The Town of Colchester will lose approximately \$2,000 in tax revenue because of the inclusion of the Golden Hill Ogonsit tribe's land as a reservation. The \$1,000 would partially offset this loss. The \$1,000 is included in the bill.

And Mr. Speaker, as I said previously, I expect 100% green on the machine, and thank you very much.

SPEAKER ABATE:

Will you remark further on this bill? If not, would all, Will you remark further on this bill?

REP. BRODER: (48th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Joe Broder.

REP. BRODER: (48th)

Not surprisingly enough, I do have something to say about this since my home town is Colchester.

Everyone in the Chamber has received a letter from me, indicating the concerns that I have over this bill, and I think

there's a lot of good information about this bill, and I took would like to see all green when we come to vote on the bill.

However, first I have a couple of amendments.

The first amendment deals with the comment that the town of Colchester will lose about \$2,000 as a result of this legislation. That's true. That's the current taxes on the property as it now stands. However, the stated intention of the Golden Hill Ogonsit tribe is to build 15 to 30 units. First it was 30, and now I understand they say it's only going to be 15, at least for the time being of housing units.

Assuming that those housing units had an assessed tax value of \$50,000, you would be talking not of \$2,000 loss to the Town of Colchester, but instead some \$65,000, recognizing the fact that it would be probably around 12½% tax reimbursement, if the state statutes that authorize reimbursement to towns where there is state property would deem to include this property.

I would refer you, however to the OLR commentary made on these bills, and they don't seem to be certain that the Town of Colchester is entitled to this type of reimbursement. Accordingly, I would ask the Clerk to call LCO 6770, and ask for permission to summarize.

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 6770, designated House Amendment Schedule "A". Would the Clerk please call the amendment.

CLERK:

LCO No. 6770, designated House Amendment Schedule "A",  
offered by Rep. Broder of the 48th District.

SPEAKER ABATE:

The gentleman has requested leave of the Chamber to  
summarize the amendment in lieu of Clerk's reading. Is there  
objection? Hearing none, you may proceed with summarization,  
Rep. Broder.

REP. BRODER: (48th)

Thank you, Mr. Speaker.

Again, referring to the OLR summary, they've put a note  
at the end that says, possible tax effect. It begins, apparently  
the land and reservation buildings of existing reservations are  
considered to be held in trust by the state.

A little further down it says, it appeared that this  
arrangement would also apply to the 107 acres of land in Colchester.

Language such as apparently, and it appears that, certainly  
in no way guarantees reimbursement to the town.

Accordingly, this amendment, while it looks like it's  
2 pages, the only operative words appear on the 2nd page at  
the very end in one sentence, which says, "for purposes of this  
section, state owned real property shall include any reservation  
as defined in the section which defines Indian reservations".

So the only effect of this amendment, would be to insure to the Town of Colchester that any state reimbursements that the town would be entitled to, if this property is considered to be state property, will be assured by reason of the fact that the statute will now definitely state that this property is state property.

I would urge and move its adoption.

SPEAKER ABATE:

The question is on adoption of House Amendment Schedule "A". Will you remark further on its adoption? Will you remark further on the adoption of House "A"?

REP. DYSON: (94th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Dyson.

REP. DYSON: (94th)

Mr. Speaker, I thought I was getting a message and then -- In regards to the amendment that has been offered by Rep. Broder, the information that I received, I have 2 specific comments to make relative to that amendment.

And one is that the amendment would allow that all municipalities with reservations would be treated in the same fashion. Specifically, the amendment would assure the state

grants, pursuant to sec. 12-1980, would go to all municipalities with reservations.

From information I have it does that now anyhow, and the amendment is unnecessary. The amendment is unnecessary and as a result, I don't see a need for it and I would hope that we would vote this amendment down.

SPEAKER ABATE:

Will you remark further on the adoption of House "A"?

REP. SMITH: (149th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Everett Smith.

REP. SMITH: (149th)

I don't particularly object to it, just because it might be somewhat redundant. I think we've got a record of that in the past, and if he has a concern about it, I certainly don't object to that. In fact, I'm going to vote for the amendment.

But I do have a question, through you sir, to the proponent of the amendment.

The question is whether or not the word "reservation" necessarily only means Indian reservations. I'm curious to know, does it include any other types of real property, state-owned real property, and if so, would we be getting into any

problems here.

For example, I was raised in Westchester County and we had the Town Ridge Reservation, and I'm not sure there was ever an Indian in my lifetime living on that, but I'm curious to get answer to this question. Through you, sir.

SPEAKER ABATE:

Rep. Broder, will you respond?

REP. BRODER: (48th)

Mr. Speaker, through you, the reference is to reservation as defined in sec. 47-63 of the Connecticut General Statutes, and that definition is, reservation means, and then it lists the various Indian reservations in the state. In fact, the file copy amends this particular section and adds the Golden Hill property in Colchester.

So it can only refer to specifically named Indian reservations.

REP. SMITH: (149th)

Thank you very much.

SPEAKER ABATE:

Will you remark further on the adoption of this amendment?

REP. BELAGA: (136th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Belaga.

REP. BELAGA: (136th)

Very briefly, I would urge you to reject the amendment. I respect the Rep., but I think that what you don't understand is that already sec. 12-19a currently qualifies reservations as eligible for pilot plans, but indeed, what this amendment might do is trigger the State Board of Education to separate out reservations and perhaps not honor a request for those grants which are eligible under the State Department of Education for students living on state-owned property.

I think this would severely complicate and confuse the matter, and although it's important to assure that they do comply and allow them to get pilot monies, I think that this amendment is going to cause more trouble than it's worth.

SPEAKER ABATE:

Will you remark further on the adoption of House "A"?

REP. PARKER: (24th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Joseph Parker.

REP. PARKER: (24th)

Mr. Speaker, I too would like to state that I think the amendment is unnecessary, and an April 16, 1981 letter to the members of the General Assembly Appropriations Committee, the

Commissioner of Environmental Protection, Stanley Pac assured the committee that such reservation lands are eligible for pilot programs.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "A"?

REP. BRODER: (48th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Broder.

REP. BRODER: (48th)

The intention of this amendment, and I now see that it does not do what I had intended, was not to limit the applicability to the determination under sec. 12-19a. I believe that was an error when this was drafted. It was intended to include the very grant that Rep. Belaga referred to which would be under 10-266, which does deal with state education grants, and indeed that would be far more beneficial to the town, than the grant under sec. 12-19a.

Accordingly, I would move that the bill be passed temporarily, until I can come up with a slightly revised amendment.

SPEAKER ABATE:

The motion before us is that we, he mentioned that we

pass action on the bill temporarily. Obviously the matter before us at this time is House Amendment Schedule "A". The Chair will consider your motion as relating to the amendment.

The Chair will view the motion as relating to the amendment, which of course, if passed, would set aside action on the bill, to recognize procedural principles.

The question, therefore at this time, is a motion to pass temporarily action on House Amendment Schedule "A".

Will you remark on the motion?

REP. BRODER: (48th)

Mr. Speaker,

SPEAKER ABATE:

Rep. Broder.

REP. BRODER: (48th)

I feel that the need for the amendment is manifest, although there are a number of opinions floating around as to how this property would be treated. There presently are several Indian reservations in the state, none of whom receive any funds under sec. 10-260, the education grant, although some of them do have students living on those reservations, who attend public schools.

The fact that there are opinions of various state officials holding one way or another, doesn't change the fact that this

property in Colchester and several other Indian reservations are not on state-owned property.

The interpretation that has been given by the commissioner, is that they're to be treated as though they were state-owned property. There is no such statute which says that they're to be treated that way, and the commissioner's opinion is of course not binding on anyone. Accordingly, I can see no harm in this amendment. I would think that the supporters of the bill would support the amendment, and hopefully give me the time to revise it into its proper form. Thank you, Mr. Speaker.

SPEAKER ABATE:

Will you remark further on the motion? If not, all those in favor of the motion, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

REPRESENTATIVES:

No.

SPEAKER ABATE:

The nays have it. The motion fails.

Will you remark further on the adoption of House Amendment Schedule "A"? Will you remark further on the adoption of this amendment?

CLERK: If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

REPRESENTATIVES:

SPEAKER ABATE: No.

SPEAKER ABATE:

CLERK: The nays have it. The amendment fails.

Will you remark further on this bill? Would all the members please be seated. Would the members please be seated. All staff and guests to the well of the House, please. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately.

Have all the members voted? Have all the members voted? Would the members please check the roll call machine to determine if their vote is properly recorded. The machine will be locked. The Clerk will take the tally.

Would the Clerk please announce the tally?

House of Representatives

Wednesday, May 20, 1981 234  
krr

CLERK:

House Bill 7272.

REMARK	Total number voting	144
REP. RIT	Necessary for passage	73
	Those voting yea	122
THE SPE	Those voting nay	22
IMPRES	Those absent not voting	7

SPEAKER ABATE:

The bill passes.

CLERK:

Calendar page 12, Calendar No. 572, Substitute for House Bill No. 5785, AN ACT RAISING THE LIMIT ON INSTRUCTION COSTS TO BE PAID BY THE STATE FOR THE EDUCATION OF VISUALLY HANDICAPPED CHILDREN WHO HAVE OTHER SEVERE PHYSICAL HANDICAPS. Favorable Report of the Committee on Appropriations.

REP. RITTER: (6th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Tom Ritter.

REP. RITTER: (6th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1981

VOL. 24  
PART 15  
4703-5074

1981 GENERAL ASSEMBLY

4995

SENATE

THURSDAY  
MAY 28, 1981

132  
LFU

Bill.

THE CHAIR:

Will you remark?

SENATOR FAHEY:

Yes. What this Bill does is authorize the school construction grant commitments for 46 projects falling under priority 1, 2, and 3 of the State Board of Education's ranking for 1981 and if there is no objection, I would move it to the Consent Calendar.

THE CHAIR:

Will you remark further? Hearing no objection, so ordered.

THE CLERK:

Calendar 650, File 781, Substitute for House Bill 7272, AN ACT CONCERNING CONNECTICUT INDIANS, with a Favorable Report of the Committee on Appropriations.

THE CHAIR:

Senator Fahey.

SENATOR FAHEY:

Thank you Mr. President. I move acceptance of

SENATE

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the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Will you remark?

SENATOR FAHEY:

Yes. What this Bill does is statutorily-- through the statutes, this Bill recognizes the historic names of the Connecticut indian tribes. It also recognizes the tribes land in the town of Colchester as a reservation. It's the Golden Hill Wausausit Indian Tribe and if there is no objection, I would move the Bill to Consent.

THE CHAIR:

Remark further? Hearing no objection, so ordered.

THE CLERK:

Moving to page 6 of the Calendar, page 6, Calendar 651, File 485, 880, Substitute for House Bill 7277, AN ACT CONCERNING SITING OF HAZARDOUS WASTE FACILITIES, as amended by House Amendment, Schedule A,

JOINT  
STANDING  
COMMITTEE  
HEARINGS

APPROPRIATIONS  
PART 5  
NO. 1312-1639

1981

MS. CANTELLA: (continued)

you don't have the power to change all of the problems in my life but an increase in our flat grant is within your power. Help me and find a job is within your power. Use your power too so my family can have a better life.

SEN. FAHEY: Thank you. Lynn Cicero please.

MS. LYNN CICERO: Thank you. I am Lynn Cicero, I am a Mohegan and an alternate representative to the Connecticut Indian Affairs Council and I am here on behalf of the Department of Environmental Protection. I hope you will support its budget needs and I have here with me Stillson Sands, the Mohegan representative to the Connecticut Indian Affairs Council who will explain the relationship between Connecticut Indian Affairs Council and DEP. Also, we have Anthony Thompson, who is one of the Indians residing in Connecticut, who represents Split Feather.

Stillson Sands.

MR. STILLSON SANDS: Good evening ladies and gentlemen. I am Stillson Sands, a member of the Mohegan tribe and I am speaking as representative of the Indian Affairs Council. The Council was established in 1973. It represents five indigenous tribes. The word, indigenous, means of the State. The members are approximately 3,000 in the State of Connecticut at the present time. The Council is the only form of Indian government recognized in the State of Connecticut, which is, in return, represented by the Connecticut Indian Affairs Council, through the connection in the office of Commissioner Peck.

Our Council is not funded, although our traveling expenses are reimbursed by the Department of Environmental Protection. We are provided technical assistance by the Indian Affairs Coordinator of the Environmental Protection who is responsible for coordinating with the resources from the Department.

With the needs of our tribe who represent us in reservations, the Office of Indian Affairs, there is a line item in the Department budget. Bill 7272. The continuance of our present situation and relationship with this agency is critical to the development of our tribal communities and as our development progresses our voices in the State government will become stronger and our role within the Department will become greater.

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gat

APPROPRIATIONS

1453

February 24, 1981

MR. SANDS: (continued)

The Connecticut Indian Affairs Council represents all members of the five tribes and we urge you to continually support the -- the continued support of the Department of Environmental Protection at the funding level and recommended by the group.

SEN. We thank you kindly.

SEN. FAHEY: Thank you. I gave someone a paper to sign. I hope it's still going around the room some place. And, for those of you that are standing, there are lots of seats over here. Phyllis Brown.

Oh, I'm sorry. I'm sorry. Okay.

MR. ANTHONY THOMPSON: My name is Anthony Thompson. I am presently the Chairman of the Split Feather Indian Council. Our mother ship, as I will so label it, is AID, American Indians for Development. Presently I think that we are in a situation to where we don't know whether we're going to eat today or tomorrow. My situation, in particular, has put me in a situation to where I have to send my wife, my two small children, one who is only four, a daughter who is only nine and I am a fifty years old man who is a veteran. I spilled my blood twice for this country, in Korea and in Nam and right now the government, the city and the State allocates me not one dime to support my family.

Heaven knows I want to be the type of individual who works. That's my desire but my physical condition does not warrant that. I cannot do this. I don't want to reach out for welfare. I can very well understand how some people here have a bad feeling of having to reach out and beg people to feed their children. This is America. We're the strongest country in the world and when you tell me, and whoever tells me, that we have to get on our knees, blacks, white, Puerto Ricans or whoever, to ask for a piece of bread. Pretty bad. Very bad. Very bad.

The Department of Environmental Protection is one that I think that we all can appreciate because it has to do with whatever livelihood that we, as individuals and human beings, have to have. You know the pollution here in Hartford, the pollution here in Connecticut is pretty bad. It's so bad that when you look at the situation for what it's worth, people are beginning to bog up materialistic things rather than humanistic things and the treatment that we, the citizens of here and Connecticut, are getting is totally inhumane and I

JOINT  
STANDING  
COMMITTEE  
HEARINGS

GOVERNMENT  
ADMINISTRATIONS  
& ELECTIONS  
PART 3  
570-870

1981

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State Capitol  
Room 408  
March 30, 1981  
11:00 A.M.

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GAE

PRESIDING CHAIRMAN: Representative Walkovich

COMMITTEE MEMBERS PRESENT:

SENATORS: Morton, Ballen

REPRESENTATIVES: Walkovich, Keefe, Giles,  
Crean, Coble, Schmidle,  
Swensson, Buckley, Freer,  
Osler, Daly, Parker

Belt 1

REP. WALKOVICH: I think we can begin this hearing on Raised Committee Bill No. 7272, An Act Concerning Connecticut's Indians. The first speaker will be Martin Gold from the Department of Environmental Protection.

MARTIN GOLD: Mr. Chairman, my name is Martin Gold. I'm the Executive Assistant to Commissioner Stanley Pac of the Department of Environmental Protection. Commissioner Pac had planned to be here but he's on his way to New York with Governor O'Neill on a matter that greatly affects Connecticut and he regrets very much that he couldn't be here because he supports bill 7272 very strongly. I'd like to read you some very brief comments and then add a few additional comments which he asked me to make this morning.

The purpose of this bill is twofold. First, this bill recognizes each tribe by the historical name deemed appropriate by the tribe rather than that of a descriptive label applied by a state agency in the distant past and continuing in the current statutes.

Second, this bill accepts land purchased in the last two years by the Golden Hill Poguset tribe into reservation trust status and places the land under the care and management of the Department of Environmental Protection. The Department of Environmental Protection received the care and management responsibility of the four previously established Indian reservations in 1973. This responsibility was the result of state and tribal relations begun in 1659 when the first Golden Hill Poguset Reservation

MR. GOLD: (continued)

was set aside by the colonial government. However, that reservation decreased in size from 100 acres to only  $\frac{1}{4}$  acre by various actions of the General Assembly. You have before you the possibility of reversing this situation and keeping the reversal of state policy toward indians in 1973 contained in Section 43-59a, "It is further recognized that said indians have certain special rights to tribal lands as may have been granted to them in the past by treaty or other agreements". It is the policy of this agency to support the self-determination, sovereignty, and self-sufficiency efforts of each tribe in the provision of the agency's care and management of tribal lands.

It is further our policy to continue our supporting resources to the tribes. We are offering this support as an indication of the agency's commitment on behalf of the state to the five Connecticut indian tribes.

I'd like to point out that often overlooked is a very great contribution that the indian tribes have made in the State of Connecticut and the very great success and progress they've made in developing self-sufficiency and economic progress. For example, I don't know if it's widely known that over the last three years the indian tribes have brought more than \$2 million of federal funds into the State of Connecticut. I don't know that it's generally recognized or understood that over the last few years the indian tribes in Connecticut have embarked on a program of developing economic development. For example, let me just briefly lend you an example of what the five tribes are currently doing.

The Schaghicoke tribe in Kent has four acres which are cleared for a potential housing project. The tribe is also considering a solar-hydroponic greenhouse.

The Pawcatuck Pequot's in Stonington have a trading post which opened in June of 1979. They're exploring a possible timber operation, a maple sugar operation, a community garden, and a possible marina and boat dock.

The Mashatuck Pequot's in Ledyard have well underway a \$1.2 million housing project with 15 units of natural wood housing. The Mashatucket Housing Authority is the first

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MR. GOLD: (continued)

Indian Housing Authority in the state. Only a few weeks ago, they opened up their hydroponic greenhouse and are currently producing some 6,000 heads of lettuce. They are currently also exploring the possibility of a museum or village.

The Mohegan tribe has undertaken a program of restoration of their tribal burial grounds and are currently exploring other economic development opportunities.

The Golden Hill Pogusets are planning the possibility of a 30 unit housing development too, the possibility of a museum, trading posts, stables, crafts and more. And for them this becomes very vital because they can do none of these things unless the 118 measures that they recently purchased in Colchester is accepted as tribal land and would enable them then to begin to develop a housing authority. And it seems to me that if there's any group that we owe a great deal to in American history, it is the American Indians. And this bill would help to remedy a number of defects and permit them to continue to make economic progress and development.

REP. WALKOVICH: Thank you, Mr. Gold. Any questions from the Committee? Do you have any opposition to the change in the reservation site?

MR. GOLD: I do not but I've heard of -- this is heresay, I don't know directly and the Department doesn't know it directly -- I've heard there may be some opposition from people within Colchester, or Colchester County, and I've heard that that can be concern that was expressed was that 118 acres would become tax exempt. Firstly, that's not entirely true. The town would receive a grant in lieu of taxes and I think that it is a matter of public policy that non-profit, religious, ethnic groups, be given tax exemptions. We've given this to every other ethnic group, we've given it to every church and synagogue, we've given it to the Veterans of Foreign Wars, the American Legion has properties in many town, and it would seem to me to be appalling if we did not extend this same opportunity to the American Indian.

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REP. WALKOVICH: You don't know of any among the indian tribes themselves though?

MR. GOLD: The Department has none officially,

REP. WALKOVICH: Okay. Because of the of taxes do you know what the fiscal cost might be to the state?

MR. GOLD: Very little, I don't have an exact number but we can get it.

REP. WALKOVICH: Okay, we'd appreciate that. Any further questions? Thank you, Marty. Joe Broder,

REP. JOSEPH BRODER: My name is Joe Broder, I'm a representative from the 48th district and it does include Colchester and I'm the opposition. The very issue that is uppermost in my mind is the tax situation and the Commissioner's representative was correct in saying that the tax cost to the state is very little. The reason for that is the state grants in lieu of taxes are approximately 12% of the taxes which would otherwise be collected and I confirmed that with the Tax Commissioner's office last week.

Now, I'd like to point out what that means. First I'd like to tell you that 118 acres of land turned into a reservation would not upset the people in the Town of Colchester. What does upset them is what is going to happen with this land? We indicated that they wish to build houses on the land, at least 30. Now 30 houses is a different story than 118 acres of raw land both in terms of revalue of the property and the taxes it produces. Assuming rather modest housing at \$50,000 a house, and I'm sure the members of the committee are aware that that's a modest figure, 30 houses, and I'm not sure it would be limited to 30, would be \$1.5 million of value. Assuming a 50 mill rate, which would be roughly 5% and that's lower than the towns current tax rate which is now 59 mills, that would be taxes of about \$75,000. The state -- that probably would produce just on the houses alone without the underlying additional real estate. Now if the state were to reimburse based on their formula of about 12.5% or 1/8, that would be about \$9,400 or \$9,500. That would be about \$65,600 of

REP. BRODER: (continued)

lost tax revenue to the Town of Colchester. Now, undoubtedly there would be some children in these houses which the Town of Colchester would be called upon to educate. \$65,000 is approximately 2 mills on the current tax rate. I think that's a large bill to push onto the people of Colchester.

I would also point out that these lands are not historical tribal lands. They were just purchased from a private owner a year or two ago. So there is no historical or religious tribal significance to this particular land. It's my understanding that once the land is placed in reservation status, that it will no longer be subject to town control. In other words, the Zoning and Planning Commission will have no jurisdiction over the type of development which takes place there. The Town of Colchester certainly is not or does not wish to be hostile to a very progressive tribe. They'd like to have them there. We'd like to welcome them with open arms but the cost to the town, a town the size of Colchester which is approximately 8,000 people, is enormous compared to the tax base. I think it's an undue burden for the state to put on the people of Colchester. If the state wishes to offer this type of benefit, there should be a 100% tax reimbursement. There should also be some provision whereby the property is in such a way that it will remain subject to zoning and planning jurisdiction. I think that everything that the Commissioner would hope for for this tribe with the exception of possibly some federal grants which may depend on a particular status of the land could begin without placing the property in the trust reservation status. And, as I said, I would like to have the tribe in Colchester but I don't think that we could afford to foot the bill ourselves. Thank you.

REP. WALKOVICH: Thank you. Any questions from the committee?  
Rep. Schmidle.

REP. SCHMIDLE: Do you know (inaudible)

REP. BRODER: No, I do not but as I said I'm not concerned with the raw land value and the taxes produced on raw land. I think the town could well afford to take in the tribe at the cost of around eighty some odd percent of the tax value

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- REP. BRODER: (continued)  
on raw land. Raw land is probably valued in Colchester -- I don't know about this particular land, but land in general -- at around \$1,000 an acre so that the taxes that the property currently produces is not great. The major concern is what will happen when it's developed -- that it will not be carrying it's fair share.
- REP. WALKOVICH: Any further questions?
- REP. KEEFE: Do we have the (inaudible) for subsidized housing for low income, senior citizens (inaudible)
- REP. BRODER: There are two senior citizen housing projects; one Dublin Village and the other Pinneale Village. There are several other apartment complexes which I know are financed through the Farmer's Home Administration as low income housing and there are limits on the income that those people who live there can have but I don't believe those properties have a special tax status. Probably just the first two that I mentioned. I'd also like to point out that if the reservation is made, that churches and other religious organizations, fraternal organizations are given a tax break and that's true but they don't generally have 30 or more houses with children there. It's usually a church building which really doesn't cost the town anything to maintain or to have used within the limits of the town.
- REP. WALKOVICH: Any further questions? Thank you. Maurice Light, Chairman, Indian Affairs Council.
- MAURICE LIGHT: Good morning ladies and gentlemen. I'm Maurice Light, I'm Chairman of the Connecticut Indian Affairs Council. The Council has proposed bill 7272 before you at this time. In the interest of your time, I've been designated as the spokesman for the entire Connecticut Indian Affairs Council which is comprised of the five tribes and represents 2,500 tribal members. Connecticut indians have honored a legal relationship with the newer residents of Connecticut since 1634. Our tribes have served as models for National Indian Affairs as reservation systems began here in 1659 and again in 1860 when the Mohegan reservation was individually allotted. State

MR. LIGHT: (continued)

governments and tribal governments change but the relationship between the state and the tribe remains constant; In 1973 this Council was recognized under Chapter 8-24 of the General Statutes entitled, "Indians and Aliens". It is a legal entity responsible for indian decisions and indian voice within the state government, We are a separate state agency; however, we are not funded. We are placed within the Department of Environmental Protection for administrative purposes, We are responsible for decisions concerning indians under the General Statutes, and in advising the Commissioner of DEP in the (inaudible) decisions involving reservation land bases. Commissioner Pac assigned one staff person to provide technical assistance and provide administrative support, The Council is a autonomous, legal, tribal entity yet completely unfunded,

The Council is comprised of tribally authorized representatives from each of the five tribes in the state; Mohegan, Schaghticoke, Nashatucket Pequot, Pawcatuck Pequot and Golden Hill Pogussets. The Tribal Council of each of these tribes sends representatives and alternate representatives to sit on the council to honor the tribes relationship to the State of Connecticut. The representative brings a voice of each of the tribal governments to the council for decisions and deliberations. In the past 200 years, our legal relationship with the state, our land bases have decreased by  $\frac{1}{2}$  or more. Of these lands, many have been managed or mismanaged by many of the state's agencies. Yet, during our relationship with DEP, Pac and his staff have supported our efforts of tribal sovereignty, self-determination and self-sufficiency. In Raised Bill No, 7272, we are requesting an extension of these positive relationships. Line 22 and 23 contain the necessary changes to reflect the traditional and customary needs of our tribes which we are proud of rather than state designated terms currently in use.

Line 37 and 38 of this bill raises the current reimbursement of our members from 12.5¢ rate which we are receiving now. Line 53 of this bill would confer reservation status and tribally owned land of the Golden Hill Pogusset people. This land, for care and management purposes, would be placed under the Department of Environmental Protection. At this

MR. LIGHT: (continued)

time there are four indian reservations under the care and management of the Environmental Protection Agency. Since we have received more protection for our land and support, our tribal sovereignty rights, (inaudible) we request that such protection and support be extended to the additional acreage of the Golden Hill Poggussetts in order that tribal reservations be increased from  $\frac{1}{4}$  acre to 118 $\frac{1}{2}$  acres. Thank you.

REP. WALKOVICH: Any questions from the Committee? Rep. Sorensson.

REP. SORENSON: From  $\frac{1}{4}$  acre to what?

MR. LIGHT: The land to be purchased in Colchester is 118 acres. Golden Hill reservation was reduced many, many years ago to  $\frac{1}{4}$  acre which is the smallest reservation in the nation.

REP. SWENSSON: That's per family?

MR. LIGHT: No, that's the reservation.

REP. WALKOVICH: Rep. Crean.

REP. CREAN: Thank you, Mr. Chairman. You state that you're getting 12.5¢ a mile now for travel?

MR. LIGHT: Yes, Sir.

REP. CREAN: And you want to increase it to what?

MR. LIGHT: To the current rate that other state agencies are receiving. I believe it's 18¢.

REP. CREAN: And this is also an increase on your board? Will you be increasing the membership on the board?

MR. LIGHT: No, Sir.

REP. CREAN: Are you just spreading them out?

MR. LIGHT: Yes, Sir.

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REP. CREAN: Okay, thank you, sir.

REP. WALKOVICH: Are there any further questions from the Committee? I have one. The representative from Colchester was concerned about the development on the (inaudible) site. Do you have any specific ideas how many (inaudible) building there, what the development would.

MR. LIGHT: That's really a tough question to answer. Of course there is going to be some probable development. We're saying that there possibly be 30 units. We haven't done a land feasibility study yet on the land. We don't know what the land will support. In addition to the placing a burden on the town of Colchester by building or developing housing, an economic development on these reservations is going to generate revenue to put back into that community. We're going to be hiring contractors. We're going to be spending money in that community, doctors, professional services. I don't think that will be an issue as far as couldn't afford it by the town in lieu of taxes. I just don't believe it would happen.

REP. WALKOVICH: Any further questions? Thank you. Kenneth Pasco?

KENNETH PASCO: Hello, today I'm a little nervous because I come here today to ask of being subject to asking people for homelands. I come today to talk of a culture of my people. That is my concern. I am Nequamaska, Moon Face Bear, of the Golden Hill Band of the Poqusset nation. My father is Chief Big Eagle, in a sense he is (inaudible). Me and my father we understand the grandfather way of being native. We understand the importance of having a base, a homeland, a place where we can be ourselves to wear the cloth of (inaudible), where we may speak our language, where we may have our religion, where we may sing our songs. My people is Connecticut people. 9,000 years the land means a lot. It has the importance, it has understanding. I am one with the earth. I am Moon Face Bear. I don't speak of the money. Who needs it. I speak of the unborn children and they're subject to be of this sight. I speak of the freedom when I see a reservation. I speak of an understanding with the earth. I know what I must know to survive. I myself I am not into your money, your development. The world is developed enough. You've got enough nuclear, you've

MR. PASCO: (continued)

got enough garbage and you've got enough dishonesty in this world. I ask for a cleaner space to bear my children, to raise them in the way of their people. I speak of an understanding for Connecticut is my land and I love her. She will always be my mother. This is my birthplace. Here I shall die. Here my children will be raised and be as strong as Connecticut trees and rivers and rocks. I love Connecticut. I am a native. I am a cultural person of this ground. Let me come over here and state of this earth, I am Poqusset Nequamaska and I ask, I will be humble, (inaudible) me and my children, me and my relatives have an opportunity to live (inaudible).

REP. WALKOVICH: Thank you. Are there any questions? Thank you, Kenneth. Donald Levitson?

DONALD LEVITSON: Good morning. My name is Donald Levitson and I one of the three non-Indian members of the Connecticut Indian Affairs Council and I was appointed by the late Governor Grasso in November of last year. I am here to speak in support of this bill. My main point in coming before you is to emphasize that support for this bill comes not only from the indian citizens of the state of Connecticut but also from the non-indian citizens of the state of Connecticut. And it has been my experience that more and more of the non-indian citizens of Connecticut are becoming aware of the Indian Affairs Council and of the work of the five tribes.

Their special problems and achievements and these citizens are willing to support legislative efforts aimed at continuing the strides of the tribes to self-sufficiency. I also want to emphasize the unique position of the indian people in Connecticut today. Because of their tribal structures and traditions, it is possible for them to provide meaningful economic opportunities and social opportunities for the members in a manner that is not possible for other ethnic and minority groups. This occurs in two ways. Firstly, because federal monies are available to indian tribes that are not available to other ethnic groups and secondly because of the ongoing indian tribal structures, there is an in-place mechanism for the application for grants and an in-place mechanism to administer these grants. Now what you're talking about here is the right of Connecticut citizens to have the means

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MR. LEVITSON: (continued)

to providing services for themselves without relying on the state for assistance. Now I think in this day and age of concern about budgets and of minorities and the poor helping themselves without assistance from the state or federal government that this bill represents a unique opportunity for the state to assist a group at very little cost to the state to enable this tribe to help themselves. And as I said previously, not only will enactment of this legislation enable the tribe to help themselves but it will also result in concrete benefits to the non-indian citizens of Colchester and to the non-indian citizens of the state of Connecticut. For these reasons I would like to lend my support and urge you to act favorable on this piece of legislation.

REP. WALKOVICH: Thank you, Mr. Levitson. Any questions from the Committee? Rep. Coble?

REP. COBLE: Yeah, I have just one question. Rep. Coble of the 129th District. I heard earlier from one gentleman who stated that the land may be developed in some 30 odd housing structures, traditional, basic traditional housing that exists throughout the state would be put on that land and I hear a member of the tribe himself say that that is not of any concern. They plan to keep the land and basically in the same form that it is except for whatever it would take for them to live their type of life and understand the way in their type of environment. Does that then mean that construction as such would not occur on that land?

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MR. LEVITSON: Well, the decision about whether there would be construction or not is entirely up to the tribe and it's entirely their decision to make. The thing that has to be pointed out about this piece of legislation is that because of the Indian Housing Authority enabling legislation that was passed by the General Assembly and I think it was 1974 or 1975, Indian Housing Authorities can only be constructed on land that was held in trust by the state of Connecticut. And that's a significance of this legislation here is that unless this piece of 118 acres in Colchester designated tribal trust land, it would be impossible for them to institute a tribal housing authority and for indian housing authority buildings on the land.

REP. COBLE: So in actuality the intent is to construct some major portions of housing.

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MR. LEVITSON: Well, I really, like you said. The decision is up to the tribe. I don't have any information one way or another as to whether the tribe definitely intends to see immediately with housing--

REP. COBLE: Who would?

REP. WALKOVICH: Excuse me. Would you gentlemen wait one more second. We've got one more speaker and he might add something. We need it for the record, sir, that's all.

REP. COBLE: Who would?

MR. LEVITSON: Well, this would be a decision for the tribe to make through their tribal council.

REP. COBLE: Is a member of that council here? Okay, thank you.

REP. WALKOVICH: Any further questions? Rep. Keefe?

REP. KEEFE: Is the jurisdiction of the (inaudible).

MR. LEVITSON: No, this tribe under the federal enabling legislation and the state mandated legislation. Each tribe would have to form their own housing authority and they would have to apply for the Federal Department of Housing and Urban Development for money to construct indian housing on the land.

REP. KEEFE: So this particular tribe (inaudible)

MR. LEVITSON: Yes.

REP. WALKOVICH: Any further questions? Thank you. Martha Roberge?

MARTHA ROBERGE: Good morning, Rep. Walkovich and members of the Committee, my name is Martha Roberge. I am the legislative liason for the Connecticut Indian Affairs Council. Although I have just recently been hired, I have had the opportunity to meet with several of you. I have prepared background materials on the Indian Affairs Council and on the bill before you today and will be happy to provide you with additional information throughout the coming year. I hope to play a small part in increasing the visibility of Connecticut's first citizens. Previous speaks have familiarized you with the

MS. ROBERGE: (continued)

provisions of the bill. I would simply address several questions which have been made by members of the Committee to me in the past week. I have been asked why the state should assist the governing of people in placing their land in trust status. Wouldn't that be called special privileges among one minority group. The land as Rep. Broder noted would no longer be subject to labor property taxation. In response I suggest the following. Yes, indian people do have a unique status in this country and in this state which is a logical legal result of our mutual histories. The Golden Hill people lived in the Stratford-Bridgeport area for hundreds of years before the coming of the colonists.

Originally, they lived on an 80 acre tract which is now the site of downtown Bridgeport. They were forced from this area and later given 20 acres in the town of Trumbull but in the 1850's that land was sold by your predecessors in the General Assembly and it came to forth that all indians off the reservation. This 19th century policy was repudiated by the General Assembly in 1973 with the passage of 73-660. This current bill is necessary to continue to collect the shortsightedness of prior policy and to further the intent of public law 73-660.

You can understand the Golden Hill people do not appear and do not ask for handouts. They believe the entire \$100,000 from federal sources to purchase the Colchester land and I might add rather emphetically that they had hoped to purchase land nearer to their original homeland in Bridgeport but literally nothing was available. They never once came in the last year to the General Assembly to request appropriations to rebuild their community. They have done it on their own and it is a laudible effort; however, now they are requesting that the land be given reservation status.

Some of the points raised by Rep. Broder earlier this morning, I have been asked several times whether the conferring of trust status would have a fiscal impact on the state and if so, what would it be. This reservation land is considered in the tax formula providing a grant in lieu of taxes to local communities wherein lies state land. According to the Office of Policy and Management, this grant to Colchester would not be increased at this time because the 118 acres is not that valuable. So there would be no direct impact from the state -- to the state.

MS. ROBERGE: (continued)

Yet, as Rep. Broder said, the town of Colchester can no longer collect approximately \$1,900 a year in local property taxes. That is the figure that they are now paying. But the yearly budget for the town is approximately \$4 million so the loss is miniscule and if it's not a loss from our viewpoint. We have told the town, consider the \$1,900 as investment. As the tribe begins development, they will bring in many more hundreds of dollars to the community. As Sen. Morton said when I discussed the bill with him, nothing comes without a price. The long term benefits for Golden Hill people could bring to the community and their surrounding neighbors, will, of course, necessitate an initial investment.

And I might add the Golden Hill people have the land. If it is not given reservation status, the development will be retarded. Since they own the land, no one else will make use of that and the hypothetical figures which Rep. Broder suggested are probably accurate and certainly a legitimate concern, will never come to pass because no housing will be built so although it's an important concern, I think we have to understand that if we're talking about land loss ready to be vacant with no development or some modest development using federal monies to accomplish it.

To view that some of you not in the room that the representative from Comm. Pac's office spoke, I will just mention some of the fiscal benefits already received by other tribes. Since 1973, the Schaghticoke nation in particular have been engaged in extensive planning to develop private housing and jobs on the reservation. The benefits so far to the state have been in the form of salaries to employees, fees to consulting firms, payments for technical assistance, contracts to construction operations, and the purchase of goods, services, and supplies in their entirety of the tribal administration.

As Donald Levitson has just stated, the tribes are in a unique position. They have an in-place mechanism for bringing funds into the state. They use funds which are either earmarked for indian development solely or which would be available to any group having the (inaudible) the tribes have to (inaudible). The following are examples of grants received just since I've been employed in the last three months. Scattered equipment exceeded \$67,000 to employ six persons on the reservation. A \$500,000 HUD

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MS. ROGERGE: (continued)

grant was just received to hire a consulting firm to development land use also at Schaghticoke and, of course, the most impressive is the \$1.2 million housing authority already under construction and soon to be ready for occupancy on the Nashatucket Pequot reservation in Ledyard. I might add that after the Nashatucket Pequot began planning their housing authority, I understand that the local community was so impressed with the opportunities for building with federal monies, that they have also started some type of a housing authority. Taking the lead from the Nashatucket Pequot.

The Golden Hill Poqussets have proposed various enterprises all of which will provide employment both in the initial construction phases and throughout operation and to attract people into the area. They would hope to create a training process center, (inaudible). The last question which has been asked of me is what programs would be proposed to the tribes if trust status were denied. I believe Don Levitson mentioned this but I'm going to go into much detail but the state legislation in title 37 which provides for an indian housing authority, can only be operative if the tribe has land upon which to build houses.

As Rep. Swensson questioned before, the government (inaudible) one quarter acre in Trumbull needs one house. There is no way the rest of the tribe will ever again live together or provide the means of their own housing which they cannot do at Colchester. They would essentially be precluded from applying for federal HUD indian housing funds if they had no land upon which to build a house. Also federal revenue sharing funds, Rep. Coble, (inaudible) as units of local government. And according to persons to I have spoken in the Office of Revenue Sharing, it is higher than likely that the Golden Hill Poqussets could retain revenue sharing funds after the conferring of trust status on the Colchester property.

The state of Connecticut has recognized for some time the importance of encouraging self-help and self-sufficiency among the five tribes. Collectively as Mr. Gold stated, the tribes admittedly brought in several million dollars, all federal or private monies in the last year and this is only the beginning. But they are competing for success is by no means guaranteed. Thus the need for the current

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MS. ROBERGE: (continued)  
legislation. Thank you.

REP. WALKOVICH: Thank you. Are there any questions from the  
Committee? Rep. Crean?

REP. CREAN: Thank you, Mr. Chairman. You made a statement that  
bothers me a bit when you say the \$1,900 a year in taxes  
is a small matter for the town of Colchester. As a former  
municipal official, that bothers me when everybody tells  
the community every bit of money is not important to  
them. Did you ask the town of Colchester to take a  
stance in regards to this legislation as the board of  
selectmen or the town council?

MS. ROBERGE: Not officially. We have met with the board and  
they were quite interested in what we proposed. They  
said no formal position taken. We have introduced ourselves,  
explaining what we would like to do. The figure 30, I  
might add, for the housing is a result of the apparatus  
through HUD to provide 15 units at a time and we've  
explained that to them.

REP. CREAN: And can you see any local opposition as a group  
or there is no official stance?

MS. ROBERGE: No, so I think that's a good sign.

REP. CREAN: (inaudible) and maybe I should have asked the  
representative, what type of land structures, (inaudible)  
is involved and (inaudible).

MS. ROBERGE: Well, some of this land, fortunately, is rather  
swampy itself. It's relative rural. I really don't  
know the zoning classification in the state and I'm not  
really that familiar with them but it's relatively  
rural.

REP. CREAN: Okay, thank you.

REP. WALKOVICH: Rep. Swensson?

REP. SWENSSON: Is this land as you go to Colchester on the  
outskirts of the town?

MS. ROBERGE: I've only been there once. It's on Mile Road.

REP. SWENSSON: (inaudible).

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MS. ROBERGE: I'm not that familiar with the area to be able to answer.

REP. SWENSSON: (inaudible).

MS. ROBERGE: I think it's an important point because to answer that, Rep. Crean, I agree, \$1,900 in any context is worth considering; however, I consider it a miniscule amount if you consider the hundreds of thousands of dollars that might possibly come in and we're not saying tomorrow but we're talking about long term.

REP. WALKOVICH: Rep. Buckley?

REP. BUCKLEY: Could you tell me approximately how many people would be living on (inaudible).

MS. ROBERGE: It's unclear at this point but there has been expressed interest for almost 30 households. If the money were received from the federal government, we might be talking an optimum of 30 households; however, to answer another question of Rep. Broder, there would not be that many children since there are several senior citizens. We're talking about 80 families and also we don't know for sure if we're talking about \$50,000 a unit. It may be less. We may be talking about some type of garden apartments for older people be able to live near each other. It's all special since they haven't had an opportunity to do it.

REP. WALKOVICH: Martha, let me ask you one question. Are there any regulations from HUD that would require a certain types of housing can be built that might satisfy the few local?

MS. ROBERGE: It is my understanding that HUD regulations are (inaudible). Yes.

REP. WALKOVICH: (inaudible) for instance such as HUD.

MS. ROBERGE: Numerous, numerous, more than people enjoy, I'm sure.

REP. WALKOVICH: Any further questions? Rep. Giles?

REP. GILES: How many people (inaudible). How large is it?

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MS. ROBERGE: I believe there are around 100 members, not all interested in moving to Colchester.

REP. GILES: Not all.

MS. ROBERGE: No, you may have very few in the beginning in fact but if a few do it and see that it is possible for them to devise for themselves more, it would be interesting.

REP. GILES: (inaudible).

MS. ROBERGE: Yes. Certainly no one -- they're not forcing each other to move there, no.

REP. WALKOVICH: Any further questions? Thank you. Are there any other further speakers?

MS. ROBERGE: I just wanted to say that I will leave copies of my testimony for the members.

REP. WALKOVICH: Leave them -- you can leave them with the clerk. Yes, sir? Just state your name for the record, please.

ERIN SMITH: My name is Erin Smith. I'm (inaudible) of the Golden Hill tribal council. There were a few questions that you wanted identified about the land. Now, we had to fill out a form for the federal government about this land.

REP. WALKOVICH: Will you pull the microphone just a little closer. No, the other way.

MR. SMITH: We had to fill out a lot of forms for the federal government to obtain this land. And one of them stated that we would have to -- the state would have to take us under before we can take what's ours, would have to be turned over as reservation land before we could get the dollars to develop our land. Now, we're talking 118 acres but of that 118 acres won't be developed. Maybe about 10 acres or so for living and thus we would be allowed to preserve (inaudible). The land itself, it's not (inaudible) actually having communities by cramming land up and letting the river flow and the birds come in there and everything else so actually what you are having is you're (inaudible) never can take care of the land. Okay, this is our land and the reason we had to

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MR. SMITH: (continued)

go to Colchester for land is (inaudible) originally, the colonial people decided that they needed more indian land and just pushed us further south until the 1700's then they decided they wanted all our land and we had to (inaudible) and they pushed us into the (inaudible) swamps and our families had to provide and some were captured and put on 20 acres of land and from 20 acres down to  $\frac{1}{4}$  an acre and we have people all over the country who were living with different tribes and simulating into the natural American way. And since the 1700's we've been trying to fight to get our land back and coming up here all the time, my great-grandfather and his father and my grandmother and my uncle have to come up here and this is the farthese we've got. We have no track of land. We were denied a track of land in Thomaston because they found out that we were indians. So we have this land so if we don't turn it over to reservation land and they move it and then they develop more of Connecticut, we won't be able to get another 118 acre track.

REP. WALKOVICH: Thank you. Any questions? Thank you very much. Are there any other further speakers? Hearing none, the hearing is over and the Committee will meet at 2 o'clock for a regular Committee meeting.

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TESTIMONY ON RAISED COMMITTEE BILL 7272  
AN ACT CONCERNING CONNECTICUT INDIANS  
BEFORE THE  
GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE  
MARCH 30, 1981  
PREPARED BY  
CONNECTICUT INDIAN AFFAIRS COUNCIL

Testimony to: Government Administration & Election Committee  
Submitted by: Commissioner Stanley Pac

Re: Raised Committee Bill #7272

The purpose of this bill is twofold. First, this bill recognizes each Tribe by the historical name deemed appropriate by the Tribe rather than a descriptive label applied by a State agency in the distant and past and continuing into the current Statutes.

Second, this bill accepts land purchased in the past two years by the Golden Hill Paugussett Tribe into Reservation trust status and places the land under the care and management of this agency.

The Dept. of Environmental Protection received the care and management responsibility of the four previously established Indian Reservations in 1973. This responsibility is the result of State and Tribal relations begun in 1659 when the first Golden Hill Paugussett Reservation was set aside by the colonial government. However, that Reservation decreased in size from 100 acres to only 1/4 acre by various actions of the General Assembly. You have before you the possibility of reversing this situation in keeping with the reversal of State policy toward Indians in 1973, contained in Sec. 47-59a "It is further recognized that said Indians have certain special rights to tribal lands as may have been granted to them in the past by treaty or other agreements."

It is the policy of this agency to support the self-determination sovereignty and self-sufficiency efforts of each Tribe in the provision of the agency's care and management of tribal lands. It is, further, our policy to continue our supporting resources to the Tribes. We are offering this support as an indication of the agency's commitment, on behalf of the State, to the five Connecticut Indian Tribes.

Good morning ladies and gentlemen of the committee. I am Maurice Lydem, Chairman of the Connecticut Indian Affairs Council. The Council has proposed bill No. 7272 before you at this time.

In the interests of your time I have been designated as the spokesman for the entire Connecticut Indian Affairs Council which is composed of the five Connecticut Tribes and represents 2,500 tribal members.

Connecticut Indians have honored the legal relationship with the newer residents of Connecticut since 1634. Our Tribes have served as models for national Indian affairs as the Reservation system began here in 1659; and again in 1860 when the Mohegan Reservation was individually allotted. State government and Tribal government changes but the relationship between the State and the Tribes remains constant.

In 1973 this Council was recognized under Chapter 824 of the General Statutes entitled "Indians & Aliens". It is the legal entity responsible for Indian decisions and Indian voice within the State government. We are a separate State agency. However, we are not funded; and we are placed within the Department of Environmental Protection for administrative purposes. We are responsible for decisions concerning Indians under the General Statutes and advising the Commissioner of DEP in his decisions concerning the Reservation land bases. Commissioner Pac has assigned one staff person to provide technical assistance and administrative support. The Council is an autonomous inter-tribal legal entity; yet completely unfunded.

The Council is composed of tribally authorized representatives from each of the five Connecticut Tribes: Mohegan, Schaghticoke, Mashantucket Pequot, Paucatuck Pequot and Golden Hill Paugussett. The Tribal Council of each Tribe sends a Representative and alternate Representative to sit in Council to honor the Tribe's relationship to the State of Connecticut. A representative brings the voice of each of the Tribal governments to the Council's decisions and deliberations.

In the past 200 years of our legal relationship with the State, our land bases have decreased by 1/2 or more; and those lands have been managed and mismanaged by many State agencies. Yet during our relationship with DEP, Commissioner Pac and his staff have supported our efforts at Tribal sovereignty, self-determination and self-sufficiency.

In raised Bill No. 7272 we are requesting an extension of this positive relationship.

Lines 22 and 23 contain the necessary changes to reflect the traditional and customary names of our Tribes, of which we are proud, rather than state designated terms currently in use.

Lines 37 and 38 of this bill raise the current reimbursement of our members from the 12.5 rate we receive.

Line 53 of this bill would confer Reservation status on the Tribally owned land of the Golden Hill Paugussett people. This land, for care and management purposes would be placed under the Department of Environmental Protection.

At this time, there are four Indian Reservations under the care and management of Environmental Protection. Since we have received more protection of our lands and support for our tribal and sovereign rights on these lands, we request that such protection and support be extended to the additional acreage of the Golden Hill Paugussett in order that the Tribal Reservation be increased from 1/4 acre to 118 1/4 acres.

My name is Martha Roberge. I am the Legislative Liason for the Connecticut Indian Affairs Council. Although I have just recently been hired, I have had the opportunity to meet with several of you. I have prepared background materials on the Indian Affairs Council and on the Bill before you today, and will be happy to provide you with additional information throughout the coming year. I hope to play a small part in increasing the visibility of Connecticut's first citizens.

Previous speakers have familiarized you with the three provisions of the Bill.

I will address four questions which have been raised by members of this Committee.

(1) I have been asked why the State should assist the Golden Hill people in placing their land in trust status. Isn't that conferring special privileges among the

group? The land, for example, will no longer be subject to local property

taxation. In response, I suggest the following: Yes, Indian people do have a

unique status in this country--which is the legal result of our mutual histories.

The Golden Hill people lived in the Stratford/Bridgeport area for hundreds of years

before the coming of the Colonists. Originally, they controlled an 80 acre tract

which is now the site of downtown Bridgeport. They were forced from this area and

given 20 acres in Trumbull. But, in the 1850's that land was sold by your predecessors

in the General Assembly, in an attempt to force all Indians off the reservation.

In 1886, the Golden Hill people purchased 1/4 acre in Trumbull--the only property

they now own. The 19th century policy of forcing Indians off their land was repudiated

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by the General Assembly in 1973, with the passage of Public Law 73-660. This current Bill is necessary to continue to correct the shortsightedness of prior policy and to further the intent of 73-660.

Please understand that the Golden Hill people are not asking for handouts. They raised the entire \$100,000. from federal sources to purchase the Colchester land. They never once came to the General Assembly to request appropriations to begin rebuilding their community. But they are now requesting that the land be given reservation status.

(2) I have been asked whether the conferring of trust status will have a fiscal impact upon the State of the local Colchester community. Yes and No.

No, there will be no fiscal impact upon the State. All reservation land is considered in determining the "grant in lieu of taxes" paid by the State to each town wherein lies State land. According to the Office of Policy and Management, this grant will not be increased at this time because the Colchester purchase is not that valuable.

Yes, the Town of Colchester would no longer collect the \$1900.00 in yearly taxes.

The yearly budget for the town is nearly \$4 million, so the loss is miniscule.

And it is not a loss from our viewpoint. We have told the town: Consider the \$1900. an investment. As the Tribe begins development, they will bring in many more thousands of dollars to the community. As Senator Murphy said when I discussed the bill with him, nothing comes without a price. The long term benefits

the Golden Hill people can bring to themselves and their surrounding neighbors will of necessity cost something initially.

(3) What are some of the fiscal benefits to be expected: Since 1973, the five Tribes have been engaged in extensive planning to develop both tribal housing and tribal job employment. The benefits to the State have been in the form of salaries to employees, fees to consulting firms, payments for technical assistance, contracts to construction firms; the purchase of goods, services and supplies in the locality of the tribal administration.

The following are examples of some of the federal grants received recently:

a \$67,000. CETA grant to employ 6 persons at the Schaghticoke reservation; a \$13,000 HUD planning grant to hire a consulting firm to develop a land use plan at Schaghticoke; and the most impressive is the 1.2 million Housing Authority already under construction and soon-to-be ready for occupancy at the Mashantucket Pequot reservation in Ledyard.

The Golden Hill Paugussetts have proposed various enterprises, all of which would provide employment, both in initial construction phases and throughout operation, and would attract tourism to the area. They hope to provide a trading post and crafts center; a wildlife habitat; riding stables.

(4) What programs would be foreclosed to the Tribe if trust status were denied?

A tribal housing authority, pursuant to Title 47 can only be formed to operate on "reservation property". The Tribe would be effectively precluded from applying for HUD Indian Housing Authority funds if there were no land upon which to build the housing. Also, federal revenue sharing funds are available to Tribes as units of local government. According to the Office of Revenue Sharing, it is highly unlikely that the Golden Hill Paugussetts could obtain revenue sharing funds absent the conferring of trust status on the Colchester property.

In conclusion, the State of Connecticut recognized the importance of encouraging self-help and self-sufficiency among the five Tribes by creation of the Indian Affairs Council in 1973. Collectively, the Tribes have brought in several million dollars in development monies since that time, and this is only the beginning. But their continued success is by no means guaranteed. Thus the need for the current legislation. Thank you.

My name is Donald Levenson. I am a member of the Connecticut Indian Affairs Council, appointed by the late Governor Grasso in November, 1980. I am a member of the Bar of the State of Connecticut. I am here to testify in support of the Bill before you today.

Support for this Bill is not limited to the Indian population in Connecticut. It is my experience that more and more non-Indians in Connecticut are becoming aware of the Indian Affairs Council and the work of the five tribes, their special problems and achievements, and are willing to support legislative efforts aimed at continuing their strides towards self sufficiency.

I recognize the unique position Indian people enjoy at this time. Because of their tribal structures, it is possible for them to provide meaningful economic opportunities for their members in a manner that other minorities are not equipped to do. This occurs in two ways: (a) some federal monies are available only to Indian groups--no other groups within the State would be eligible; (b) second, many other minority groups do not have the existing community structure to apply for grants and administer them. We are talking about Connecticut citizens who have the means of providing human services for themselves without relying the State assistance. And, that is no small contribution.

In this day when there is increasing concern about the limited ability of government to address all the pressing social needs of its citizens, this Bill represents a unique opportunity, at little cost to the State, to assist one community in its efforts to help itself. Not only will enactment assist Indian people

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to help themselves, but it will also result in concrete benefits to non-Indian citizens. For these reasons, I lend my support and urge you to act favorably.

Testimony  
Kenneth Piper  
March 30, 1981

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Good morning! My name is Kenneth Piper, and I am the alternate delegate of the Golden Hill Paugussett Tribe on the Connecticut Indian Affairs Council.

I wish to inform members of this Committee of the importance of this Bill to myself, my family, and the generations yet unborn.

If we are to continue as a people, we must once again live together. We will need housing and economic opportunities, and these we hope to provide on our new property in Colchester.

However, before we can begin again to provide for ourselves, the property must attain reservation status. The many members of the Golden Hill Paugussetts, who could not be here today, send their greetings and urge your support.

Thank you.