

HOUSE No. 536

The Commonwealth of Massachusetts

PRESENTED BY:

Samantha Montaño

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

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

An Act providing for the creation of a permanent commission relative to the education of American Indian and Alaska Native residents of the Commonwealth.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------------|--|------------------|
| <i>Samantha Montaño</i> | <i>15th Suffolk</i> | <i>1/17/2023</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>1/31/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/31/2023</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>1/31/2023</i> |
| <i>Patricia A. Duffy</i> | <i>5th Hampden</i> | <i>2/2/2023</i> |
| <i>Manny Cruz</i> | <i>7th Essex</i> | <i>2/2/2023</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>2/2/2023</i> |
| <i>Vanna Howard</i> | <i>17th Middlesex</i> | <i>2/2/2023</i> |
| <i>Jon Santiago</i> | <i>9th Suffolk</i> | <i>2/7/2023</i> |
| <i>James J. O'Day</i> | <i>14th Worcester</i> | <i>2/7/2023</i> |
| <i>Ruth B. Balsler</i> | <i>12th Middlesex</i> | <i>2/7/2023</i> |
| <i>Erika Uytterhoeven</i> | <i>27th Middlesex</i> | <i>2/7/2023</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | <i>2/13/2023</i> |
| <i>James C. Arena-DeRosa</i> | <i>8th Middlesex</i> | <i>2/21/2023</i> |

HOUSE No. 536

By Representative Montañó of Boston, a petition (accompanied by bill, House, No. 536) of Samantha Montañó and others relative to the creation of a permanent commission relative to the education of American Indian and Alaska Native residents. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act providing for the creation of a permanent commission relative to the education of American Indian and Alaska Native residents of the Commonwealth.

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

1 Chapter 6 of the General Laws, as appearing in the 2016 Official Edition, is hereby
2 amended by inserting after section 159 the following section:-

3 Section 159A. There shall be a permanent commission on American Indian and Alaska
4 Native education, which shall consist of 17 persons as follows: 1 person appointed by
5 Department of Early Education and Care, 1 person appointed by Department of Elementary and
6 Secondary Education, 1 person appointed by Department of Higher Education, 2 persons
7 appointed by Department of Public Health, 1 person appointed by Department of Mental Health,
8 1 person appointed by Department of Youth Services, 1 person appointed by Department of
9 Veterans' Services, 1 person appointed by Division of Prevention and Wellness, 1 person
10 appointed by Interagency Council on Housing and Homelessness, 7 persons appointed by
11 Massachusetts Commission on Indian Affairs in consultation with tribal governments and
12 intertribal organizations. Members of the commission shall be drawn from diverse racial, ethnic,

13 religious, age, sexual-orientation and socio-economic backgrounds from throughout the
14 commonwealth. Members shall be considered special state employees for purposes of chapter
15 268A of the General Laws. The commission shall be an independent agency of the
16 commonwealth and shall not be subject to the control of any other department or agency.

17 Members shall serve terms of 2 years and until their successors are appointed. Vacancies
18 in the membership of the commission shall be filled by the original appointing authority for the
19 balance of the unexpired term. Appointments shall be made in consultation with tribal
20 governments and intertribal organizations. Nominations shall be solicited between August 1 and
21 November 1 of each year through an open application process using a uniform application that is
22 widely distributed throughout the state. The commission shall elect annually from among its
23 members a chair. The chair of the commission may designate on an annual basis 1 or more
24 commission members as vice-chairs of the commission, and may appoint on an annual basis
25 members of the commission as chairs of advisory committees on high school education, higher
26 education, human services and youth. The chair of the commission may create other advisory
27 committees as needed after consultation with the commission. The members of the commission
28 shall receive no compensation for their services, but shall be reimbursed for any usual and
29 customary expenses incurred in the performance of their duties.

30 The commission shall investigate the use of resources from both the public and private
31 sectors to enhance and improve the ability of state agencies to provide educational opportunities
32 and improving educational outcomes for all American Indian and Alaska Native students in
33 order to further tribal self-determination and to help ensure that students have an opportunity to
34 learn their heritage languages and histories and to receive complete and competitive educations
35 that prepare them for college, careers, and productive satisfying lives. In furtherance of that

36 responsibility, the commission shall: (1) work in partnership with the department of education
37 and the department of public health to create school-based and community-based programs
38 focusing on suicide prevention, violence intervention, and the promotion of zero-tolerance
39 policies regarding harassment and discrimination against American Indians and Alaska Natives;
40 and (2) make recommendations about policies and programs supporting American Indians and
41 Alaska Natives on an ongoing basis to the department of education, the department of public
42 health and the executive office of health and human services. The commission shall annually, on
43 or before June 2, report the results of its findings and activities of the preceding year and make
44 recommendations relating to the concerns of American Indians and Alaska Natives to the
45 governor and to the clerks of the senate and house of representatives.

46 The powers of the commission shall include but not be limited to the following: (1) to use
47 voluntary and uncompensated services of private individuals, agencies and organizations that
48 may from time to time be offered and needed; (2) to recommend policies and make
49 recommendations to agencies and officers of the commonwealth and local subdivisions of
50 government to effectuate its purposes; (3) to select an executive director and to acquire adequate
51 staff to perform its duties, subject to appropriation; (4) to establish and maintain offices that it
52 considers necessary, subject to appropriation; (5) to enact by-laws for its own governance; (6) to
53 appoint members to regional chapters of the commission; and (7) to hold regular, public
54 meetings and to hold fact-finding hearings and other public forums as it may consider necessary.

55 The commission may request from all state agencies such information and assistance as
56 the commission may require. The commission may accept and solicit funds, including any gifts,
57 donations, grants or bequests or any federal funds, for any of the purposes of this section. These
58 funds shall be deposited in a separate account with the state treasurer, be received by the

59 treasurer on behalf of the commonwealth, and be expended by the commission in accordance
60 with law.