

Environment Committee JOINT FAVORABLE REPORT

Bill No.: HB-5388

AN ACT CONCERNING NATURAL FISHING, HUNTING AND AQUACULTURE

Title: RIGHTS OF CERTAIN NATIVE AMERICAN TRIBES.

Vote Date: 3/28/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/24/2025

File No.:

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SPONSORS OF BILL:

Environment Committee

Co-Sponsors of Bill:

Rep. Aundre Bumgardner, 41st Dist.

Rep. Geraldo C. Reyes, 75th Dist.

REASONS FOR BILL:

Because federal and state-recognized Native American tribes want to affirm and expand fishing, hunting and aquaculture rights for "ancestral lands" and "ancestral territories."

Substitute Language LCO 6917

The substitute language replaced the underlying bill, which among other things, would have: (1) established a CT Tribal Wildlife & Fisheries Commission; (2) required DEEP to provide a free permit for ceremonial of substance hunting and fishing outside of reservation lands and; (3) required DEEP to provide free lifetime hunting and fishing licenses of members of federally or state recognized tribes.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, CT Department of Energy & Environmental Protection

DEEP supports the concept of working with members of Native American tribes to ensure sustainable management of fish and wildlife resources, their concern is on how HB 5388 has been drafted. DEEP's concern in Section 1 is the language creating new regulatory frameworks for "ancestral land" and "ancestral territories." The geographic scope of the bill is unclear and potentially could include private and public lands. Section 2(b) which applies to both ceremonial subsistence hunting. Connecticut is a small, densely populated state, and wildlife resources are limited and may not support the harvest levels needed for subsistence hunting. Subsistence permits also are usually more broad than ceremonial permits and more difficult to enforce. Section (3) DEEP's concern is the lifetime no-cost hunting and fishing

licenses. Fishing and hunting license fees are critically important funding source for DEEP fish and wildlife programs and provide match for federal funding.

Bryan Hulburt, Commissioner, CT Department of Agriculture

The testimony of DoAg is concerning Section 3 of HB 5388. This section of the bill directs DoAg to prioritize tribal meat and fish processing facilities for funding and certification by the USDA, to support food sovereignty of such tribes. They explained that tribal nations in Connecticut are currently eligible to apply for state DoAg grants and programming. The Department, over the past few years, has already prioritized applications from USDA defined underserved populations, which includes tribal members and nations.

NATURE AND SOURCES OF SUPPORT:

Rep. Aundre Bumgardner, 41st District

Rep Bumgardner submitted testimony supporting HB 5388. He wants Connecticut to acknowledge the political and legal status of tribal nations as sovereign entities. States including Vermont, Maine, Washington, and Alaska, have passed similar frameworks that recognize tribal stewardship and promote respectful collaboration. Rep. Bumgardner wants to repair historical harm, uphold tribal rights, and foster a cooperative model for environmental and cultural stewardship. He also supports those members of state-recognized tribes be included in the provisions of this bill.

Chuck Bunnell, Chief of Staff, Mohegan Tribe

The Mohegan Tribal Council supports HB 5388. They believe it aligns with their ongoing efforts to protect and promote sovereignty, cultural heritage, and sustainable resource management. This approach honors their traditional practices but also promotes sustainable conservation through their integration of tribal knowledge and customs.

Rahiem, Eleazer, Environmental Liaison, Mashantucket Pequot Tribe

The Mashantucket Pequot Tribal Nation submitted testimony supporting HB 5388. Hunting and fishing have been and remain fundamental to the survival of their tribal traditions and lifestyle. Important aspects of this bill are exempting tribal members from the state hunting and fishing license fee requirements in connection with traditional subsistence and ceremonial activities, recognizing historical harvesting sites, and promoting tribal member access to fisheries and hunting areas. It is also important to confirm which lands HB5388 would apply too.

Maggie Favetti, Alliance for the Mystic River Watershed, Board Chair

The Alliance for the Mystic River Watershed supports HB 5388 and recognizes that this legislation aligns with a growing number of states. Tribal Ecological Knowledge is being enlisted in a variety of fields from fisheries and forest management to seeking better medicines. Rhode Island and Vermont already guarantee free licensing and access to legal hunting and fishing areas. They also want to include state-recognized tribes and to clarify which lands HB 5388 would apply too.

Bill Lucy, Resident, Killingworth, CT

Mr. Lucy is an avid hunter and fisherman and supports the concept of HB 5388. His focus is on formation of a commission, and he submitted suggestions for changes in membership. He

believes the commission should include a commercial fishing stakeholder, a hunter, and an angler to complete the membership.

4 Residents Submitted Testimony in favor of HB 5388

NATURE AND SOURCES OF OPPOSITION:

Sen. Cathy Osten, 19th District.

Sen. Osten's objections HB 5388 are her concerns is there are flaws in this legislation. HB 5388 does not contain a mechanism for DEEP to determine who is and is not a member of the tribes for the issuance of the licenses that would be created, and it does not identify the lands which will be open for hunting and fishing.

William Hyatt, Vice Chair, Connecticut Fisheries Advisory Council

The Connecticut Fisheries Advisory Council have concerns about HB 5388. Their concerns are the references to ancestral lands, subsistence activity, and exemptions from license requirements. They believe that it will complicate and undermine efforts to achieve science-based conservation in the modern-day, densely populated State of Connecticut.

7 Residents Submitted Testimony in Opposition to HB 5388

Reported by: Judy Ganswindt

Date: April 3, 2025