

# Acts Affecting Connecticut Native American Tribes, 1650-2025

By: Lee Hansen, Chief Legislative Analyst  
Christine McCluskey, Senior Research Librarian  
April 9, 2026 | 2026-R-0029

## Issue

This report describes Connecticut public acts affecting the state's Native American tribes from roughly 1650 through 2025. See OLR Report [2025-R-0004](#) for additional information from the Office of Fiscal Analysis on (1) various appropriations from 1992-2024 for policies affecting Native American tribes in Connecticut and (2) casino gaming payments by the tribes to the state since FY 93.

## Summary

Since the colonial era, Connecticut's legislature has enacted laws on many issues related to the colony's, and then the state's, Native American tribes. Over almost 400 years, these laws have addressed interactions between English colonists and the tribes, the control and sale of tribal property, recognizing the tribes as self-governing entities with powers and duties over their members and reservations, the development of tribal gaming and casinos, policing on tribal lands, and adult-use cannabis, among many other issues. Overall, these laws help provide brief glimpses and insight into how the state's relationship with the tribes and Native Americans has changed over time.

Below are brief summaries of the acts the Connecticut legislature passed from the colonial era (when it was known as the General Court) through 2025. Please note that their references to current or existing law refer to the law when the acts were passed, not as it is currently (in 2026). Similarly, the various state agencies referenced in the summaries are those that existed when the

act passed. Many of these agencies have since been renamed, eliminated, or had their functions transferred to other agencies. In addition, this report generally does not include appropriation line items; acts or resolutions aimed at one person or a small group of people (unless it seems of particular historical interest); acts that only make minor changes (such as those making changes to administrative procedures, or technical and conforming changes); or acts that may have broadly affected the tribes as part of the state's overall population, but were not specifically aimed at affecting them.

The summaries are organized into two main sections, based primarily on how the laws have been codified and enumerated. The first covers the colonial era through 1972, and the second begins in 1973 (when the state began using its current public act numbering system) and covers through 2025. The Legislative Library identified acts from 1650 through 1990 by searching for certain terms (such as "Indian," "tribe," "Pequot") in the (1) text of [HeinOnline's](#) compilation of Connecticut Acts and Laws and (2) titles in the Connecticut State Library's Historical Bills and Acts database. Note that this is not a comprehensive list of all acts affecting the state's Native American tribes enacted since the colonial era (particularly prior to 1973). To some extent, the search's effectiveness may have been limited by archaic characters and spellings (particularly for earlier years), image scan quality, and act titles that may have been truncated when entered into the State Library database. Nonetheless, this compilation sheds light on this important segment of Connecticut law.

## 1650 – 1972

### 1650-1702

Because many of the laws passed before the early 1700s are not in the form of legislative "acts" as they are currently understood, that era's laws described below are a general sample of the laws related to Native Americans in the compilations of the colony's laws from 1650, 1672, and 1702.

#### ***1650 Compilation of the Earliest Laws and Orders of the General Court of Connecticut (pp. 53-59)***

The law generally requires (1) Native Americans who "sitt downe [sic]" near any town or English plantation to declare who is their sachem or chief and (2) the sachem or chief to pay the English (colonists) for any of their livestock killed by a Native American unless they produce the party who committed the violation. It requires double damages for voluntary violations. It similarly requires repayment to Native Americans for a wrong or injury done to them by the English, by the party who

committed the violation “if it can be made to appear” or otherwise by the town where it was committed.

The law imposes a penalty of one-half a fathom of wampum on any Native American who handles a colonist’s weapons in the colonist’s houses or fields. If an accidental injury occurs as a result, it requires the Native American to pay “life for life, limbe [sic] for limbe, wound for wound” plus the costs for healing the wounds and damages. It also requires double damages for any thefts.

The law prohibits, among other things, (1) giving, bartering, or selling Native Americans guns and ammunition, or any military weapons, armor, or arrow heads or (2) repairing a Native American’s gun. It sets a 10-pound fine for each offense and authorizes courts to impose corporal punishment if a fine is uncollectable. It sets additional penalties for unlicensed selling, bartering, or transporting guns or ammunition to anyone living outside the colony.

The law prohibits anyone from trading with Native Americans at or near their wigwams, vessels, or premises, or in their own houses, and imposes a 20-shilling penalty for each violation.

The law requires a three-year imprisonment for any colonist who “departs” from the colonists and settles or joins with the Native Americans.

The law makes it illegal for French, Dutch, or other foreigners (or English living among them) to trade with the Native Americans within the colony. It allows colonists to seize and confiscate the traded goods and vessels, and keep half for themselves.

The law generally requires church elders to go among the Native Americans and “make knowne [sic] to them the counsels of the Lord” at least twice each year.

The law generally authorizes magistrates to send groups of colonists to Native American villages to seize those who “interteine [sic], protect, or rescue” other Native Americans accused of “willfull [sic] wrongs and hostile practices,” after notifying and warning them. It requires that women and children “be sparingly seized” unless they are known to be guilty in some way. Once the accused is seized, the law requires that the plaintiff again demand satisfaction from the tribal leader or village. If the request is denied, the magistrate must deliver the seized Native American to the plaintiff to be enslaved or traded for slaves, “as the case will justly beare [sic].”

### ***1672 Laws of Connecticut (pp. 32-34)***

The law prohibits Native Americans from (1) making “hostile attempts” upon a Native American in an English town or house or (2) marching through a town in a hostile manner without permission from the town’s authority. It also prohibits requiring Native Americans or African Americans to train, watch, or ward in the colony.

The law requires that for all lands granted by the colonial government to particular towns or people, where Native Americans have right and interest, the grantee must agree with the “Native proprietors” on their rights to prevent “further inconveniences that might ensue or arise through neglect” of them.

The law prohibits Native Americans from “passing or repassing” in a town after it is shut in for the evening unless they can give a sufficient reason. It sets penalties of either 20 shillings or being whipped with six stripes.

The law prohibits Native Americans from working or playing on the Sabbath “within the English limits” or on the English lands and sets a penalty of five shillings or one hour in the stocks for violations. It also prohibits them from “powwowing” or performing outward worship of false gods, or to the devil, in the colony. It sets penalties of five pounds for the violator and 20 shillings for anyone at least age 21 who supports it by attending.

The law requires the execution of Native Americans who are found to have willfully and violently murdered another Native American in the colony and on English land (unless they are at open war with each other). If the Native Americans do not perform the execution, the law requires the next civil officer who knows of it to apprehend the violator and hold them in prison without bail for trial.

### ***1702 Laws of Connecticut (pp. 54-57)***

The law generally prohibits selling or giving alcoholic beverages to Native Americans and sets a maximum penalty of 40 shillings. It also requires Native American or African American servants or slaves convicted of violating this law to be openly whipped, with up to 10 stripes, unless their master pays the fine. For Native Americans convicted of drunkenness in the colony, the law sets a penalty of 10 shillings or 10 stripes of whipping.

The law sets penalties for anyone at least age 20 who (1) attends a Native American play or powwow (40 shillings) or (2) joins in playing with them or places wagers on their games (10 pounds).

The law requires each town in which Native Americans have fenced-in corn fields to appoint fence-viewers and appraisers to view the fence and appraise any damages from English cattle, horses, or swine to the corn. It makes colonists liable for damage that their livestock cause, as found by the appraiser, and allows Native Americans to impound livestock trespassing in their fields. They must notify the selectmen of the town and the two neighboring towns about the impoundment, and if the owner does not respond within 24 hours, the selectmen must sell the livestock to reimburse the Native American for the damages.

The law prohibits anyone from buying, hiring, receiving as a gift, or mortgaging a parcel of Native American land unless they do so for use by the colony or a plantation or village, or with the General Court's permission. It requires violators to pay three times the value of the land purchased or received in violation of the law and prohibits the person from accruing any interest or estate in it.

The law prohibits anyone from bringing an action before a justice of the peace or a court for a debt for any goods sold, lent, or trusted out to a Native American. It specifies that the prohibition does not cover debts for rent.

## **1703-1775**

After 1702, the compilations of the colony's session laws are more consistent (but may not include every act) and include the acts summarized below.

### ***An Act for Repealing the Last Paragraph of the Law, Entitled, An Act for the Well-ordering of the Indians, in their Several Places and Plantations (1707)***

This act removes prior law's provision prohibiting anyone from bringing an action before a justice of the peace or a court for a debt for any goods sold, lent, or trusted out to a Native American.

### ***An Act Concerning Purchasers of Native Rights to Land (c. 1716)***

This act specifies that all lands subject to the colonial government are held by the King of Great Britain as the lord of the fee. It also generally prohibits accruing the title to any land in the colony purchased from Native Americans, based on their being its native proprietors, without the legislature's permission. Under the act, no conveyance of native right or Native American title without legislative permission can be used as evidence in court. The act also establishes a committee to further investigate and settle related claims.

***An Act for the More Effectual Well-Ordering of the Indians; and for the Bringing of Them to the Knowledge of the Gospel (c. 1717)***

This act requires the authority of each town to annually convene the Native Americans living in the town to explain (1) the laws of the government and their punishments, and (2) that the Native Americans are subject to the laws as the other colonists.

The act also sets a 20-shilling penalty for anyone convicted of selling “strong drink” to a Native American, with an additional 20- to 40-shilling penalty if the person appeals the decision and loses.

It requires a group of Superior Court judges to inspect certain land in New London and visit the Native Americans living there to develop a plan for creating a Native American village there to bring “them to such civil order, cohabitation and industry, as may facilitate the setting up of the gospel ministry among them.”

***An Act for Preventing Lending Guns, Ammunition, Etc. to the Indians (c. 1723)***

This act generally (1) prohibits bringing a court action for a debt created by selling or lending a gun or ammunition to a Native American and (2) requires forfeiture of such a gun lent to a Native American.

***An Act for Preventing Encroachments on Lands Sequestered for the Indians (c. 1727)***

In any lawsuit brought by a Native American to recover land that was reserved by them or sequestered for them by the legislature or a town, this act prohibits defendants from pleading that they occupied the land for at least 15 years without complaint or were entitled to it under a 1684 law.

***An Act for Requiring Masters and Mistresses of Indian Children to Use Their Utmost Endeavors, to Teach Said Children to Read English; and to Instruct Them in the Principles of the Christian Faith (c. 1727)***

This act requires colonists who take Native American children into their families’ care to “use their utmost endeavors” to teach the children how to read English and instruct them in Christian principles. It imposes a penalty of up to 40 shillings for violating the requirement after receiving a warning.

***An Act for the Punishment of Negro, Indian and Molatto Slaves for Speaking Defamatory Words (c. 1730)***

This act sets a penalty of whipping with up to 40 stripes for any African American, Native American, or mixed race slave who is convicted of speaking or publishing actionable words about another person (libel or slander). It requires the convicted slave to be sold to defray all charges from the defamation unless his or her master pays them. It also specifies that in the trial, the slave may use the same pleas, evidence, and defenses available to any other person in a defamation action.

***An Act for the More Effectual Preventing the Selling of Strong Drink to the Monhegan Indians (c. 1734)***

This act, until May 1, 1735, requires all cider, rum, and other strong drink found among the Monhegan Indians to be forfeited to the king unless Adonijah Fitch and Abraham Avery, who live with the tribe, approve it. The act also authorizes Fitch and Avery to search, seize, and secure the drinks. If a drink vendor is convicted based on information from a Native American, the vendor must pay the Native American twice the seized drink's value, in addition to other applicable penalties.

***An Act Further Providing for the Defense of this His Majesty's Colony (c. 1744)***

This act, among other things, requires a committee (in preparing to defend the colony during King George's War) to meet with the Native Americans that live within the colony's frontier towns to prepare a treaty that (1) sets the limits of where they can range and a badge for identifying them and (2) requires that no blood be shed for a friendly Native American who is mistakenly killed as an enemy outside of the limits or without the badge.

***An Act in Addition to One Law of this Colony, Entitled, An Act for Preventing Foreigners Trading With, and Corrupting the Indians, and Carrying on Other Evil, and Dangerous Designs in This Colony (c. 1756)***

This act creates a procedure for justices of the peace to hold and question people accused of violating a law prohibiting foreigners from trading with the Native Americans.

### ***An Act for Prohibiting the Importation of Indian, Negro, or Molatto Slaves (c. 1774)***

This act prohibits bringing or importing Native American, African American, or mixed race people as slaves into the colony, or receiving or buying them. It correspondingly sets a penalty of 100 pounds for every slave imported, brought, received, or bought.

## **1776-1799**

### ***An Act in Addition, and Alteration of an Act, Entitled, An Act Concerning Indian, Molatto, and Negro Servants and Slaves (1777)***

This act generally requires masters or owners of servants or slaves to apply to the town's selectmen before freeing them. The selectmen must examine the servant's or slave's age, abilities, and character to determine if they will be able to support themselves and that they are "of good and peaceable life and conversation." If so, the selectmen must give the master or owner a certificate which allows them to free the servant or slave and releases the master or owner from any future liability for charges or costs to maintain or support the servant or slave.

### ***An Act to Prevent the Slave-Trade (1788)***

This act, among other things, generally prohibits kidnapping, decoying, or forcibly carrying off out of Connecticut, any free African American, Native American, or mixed race person, or anyone entitled to freedom at age 25 (in 1784, the state enacted a [law](#) generally freeing any child born to an enslaved woman after March 1, 1784, once he or she reached age 25). It correspondingly sets a penalty of 100 pounds.

### ***An Act in Addition to an Act, Entitled, "An Act to Prevent the Slave Trade" (1792)***

This act voids all notes, bonds, mortgages, or securities made or executed in payment for any African American, Native American, or mixed race person bought or sold contrary to the original act's intent.

### ***An Act in Addition to, and Alteration of An Act, Concerning Indian, Molatto, and Negro Servants and Slaves (1792)***

This act generally changes the criteria for issuing a certificate allowing the masters or owners of servants or slaves to free them. Among other things, it requires the servant or slave to be in good health and between ages 25 and 45 (rather than being able to support themselves and "of good

and peaceable life and conversation”). It also requires the certificate and related emancipation letter to be recorded in the town records.

***An Act in Addition to, and in Alteration of an Act, “For the Limitation of Prosecutions in Divers Cases, Civil and Criminal” (1798)***

This act generally sets a three-year statute of limitations on actions or prosecutions to recover penalties for violations of “An Act Concerning Indian, Mulatto, and Negro Servants and Slaves,” or “An Act to Prevent the Slave Trade.”

**1800-1849**

***An Act Respecting the Property of Certain Indian Tribes (1819)***

This act requires the board of overseers of the state’s Native American tribes, to annually state and settle accounts of the tribes’ concerns with the county court for the applicable tribe’s location.

***An Act for the Protection of Indians, and the Preservation of Their Property (from the 1821 statutes, enactment date unclear)***

This law requires the appointment of an overseer for each tribe of Native Americans living in the state by the county court where the tribe resides. The overseer must care for and manage the tribe’s lands and see that they are used for their best interests and applied for their use and benefit. The law requires the overseer to annually state and settle his account of the tribe’s concerns with the county court.

Under the law, anyone who buys, hires, or receives any land from Native Americans by gift or by mortgage must forfeit three times the land’s value to the state. The transaction is also void.

For anyone who sells or gives alcohol to a Native American, the law imposes a \$2 per pint fine.

The law prohibits judgments against a Native American for any debt, or contract, except one for land rented and occupied by the Native American.

In any lawsuit brought by a Native American to recover land that was reserved or sequestered them by the legislature or a town, the law prohibits defendants from pleading that they were entitled to the land because they had occupied it for at least 15 years.

***An Act in Addition to the Act for the Protection of Indians, and the Preservation of Their Property (1823)***

This act requires the overseer of each tribe in the state to execute a bond payable to the state treasurer conditioned on his faithful accounting of the tribe's funds that he holds.

***An Act to Protect the Wood on the Lands of the Mohegan Tribe of Indians in the Town of Montville and County of New London (1834)***

This act sets a \$5 per load penalty for wood taken from the Mohegan Tribe's land in Montville, or from the land of any tribe member, without permission from the tribe's overseer. It requires the overseer to recover the penalty through a debt action for the tribe's use and benefit, and makes the team, cart, wagon, and other tools used to take the wood attachable in the action and held responsible in the judgment.

***An Act to Protect the Wood on Lands of the Pequot Tribe of Indians (1835)***

This act sets a \$5 per load penalty for wood taken from the Pequot Tribe's land in Groton, or from the land of any tribe member, without permission from the tribe's overseer. It requires the overseer to recover the penalty through a debt action for the tribe's use and benefit, and makes the team, cart, wagon, and other tools used to take the wood attachable in the action and held responsible in the judgment.

***An Act to Protect the Wood and Lands of the Niantic Tribe of Indians in the Town of Lyme, in New London County, and All Other Tribe or Tribes of Indians Within This State (1836)***

This act sets a \$5 per load penalty for wood taken from the Niantic Tribe's land in Lyme, the land of any other tribe in the state, or the land of any tribe member, without the applicable tribe overseer's permission. It requires the overseer to recover the penalty through a debt action for the tribe's use and benefit, and makes the team, cart, wagon, and other tools used to take the wood attachable in the action and held responsible in the judgment.

***Resolution Authorizing Hon. Sherwood Raymond to Sell Certain Real Estate of the Mohegan Indians, Etc. (1838)***

This resolution authorizes Sherwood Raymond to sell two tracts of land owned by the Mohegan Tribe in Montville at the tribe's request. It requires him to give the sale proceeds to the tribe's

overseer, who must use them to make loans secured by mortgages and apply the interest from the loans for the tribe's use and benefit.

***A Resolution Directing the Society's Committee of the First School Society in Montville, to Pay Certain Monies to the Warden of the Mohegan Tribe of Indians (1839)***

This resolution generally requires the first school society of Montville to annually pay the Mohegan Tribe's overseer the amount of public school money allocated for educating the Native American children who live in the town's 7th and 9th school districts but are educated at a tribe-owned school. It requires the overseer to use the funds to support and maintain the tribe's school, and specifies that the school must be kept by instructors the school society approves.

***Resolution in Favor of Ruby Mansfield and Nancy Sharp or Pease, as Heirs of the Golden Hill Tribe of Indians (1841)***

This resolution generally authorizes the Golden Hill Tribe's overseer to use the tribe's funds to purchase a house and property for Ruby Mansfield and Nancy Sharp (Pease), the tribe's sole surviving heirs, and their lawful heirs. It requires the overseer to take conveyance of the property in his own name as their overseer, and hold it for their exclusive use and benefit.

***Authorizing the Conveyance of Certain Land Owned by the Mohegan Indians (1848)***

This resolution generally authorizes the Mohegan Tribe's overseer to negotiate with the New London, Willimantic and Palmer Railroad Company to sell the tribe's land needed to build the railroad through the tribe's lands. If the overseer cannot reach an agreement with the company, it generally requires the Superior Court to assess the damage to the land as it would assess damages to land of other people in similar circumstances. The overseer must hold the proceeds from the sale or damage assessment as he must do for other funds he holds for the tribe.

***Authorizing the Overseer of Ruby Mansfield and Other Golden Hill Indians to Sell Lands (1849)***

This resolution authorizes the Golden Hill Tribe overseer to sell the property that was purchased for Ruby Mansfield and Nancy Sharp (see 1841 entry). It states that Ruby Mansfield resides in Oxford, that Nancy Sharp "is under arrest for the crime of arson, and that a barn has recently been burned upon said premises," and that "they are wasting said property and diminishing its value by cutting off the timber and wood, and that the house upon said premises is in danger of being destroyed." It requires the overseer to invest the sale's proceeds for Mansfield's and Sharp's use and benefit.

## 1850-1899

### ***An Act in Addition to and in Alteration of “An Act for the Protection of Indians, and the Preservation of Their Property” (1850)***

This act gives the county court where a Native American tribe resides jurisdiction over applications to sell land owned by a member of the tribe who either lives outside of the state or is about to move out of state. The act allows the court to approve the sale if it would benefit the land’s owner and not harm the interests of the owner’s tribe. However, the owner may only sell the land to his tribe, or other members of it. (The act also makes a conforming change allowing the tribe’s overseer to purchase the land on the tribe’s behalf.)

### ***Authorizing Sale to the New Haven and New London Railroad Company, of Lands Belonging to Niantic Indians (1851)***

This resolution generally authorizes the Niantic Tribe’s overseer to negotiate with the New Haven and New London Railroad Company to sell the tribe’s land needed to build the railroad through the lands belonging to the tribe. If the overseer cannot reach an agreement with the company, the resolution generally requires the Superior Court to assess the damage to the land as it would assess damages to land of other people in similar circumstances. The overseer must hold the proceeds from the sale or damage assessment as he must do for other funds he holds for the tribe.

### ***An Act in Addition to an Act Entitled “An Act for the Protection of Indians, and the Preservation of Their Property” (1852)***

This act generally broadens the county courts’ authority over Native American property sales and exchanges. It gives the county court where a Native American tribe resides the jurisdiction over applications to sell or exchange land or other property owned by a tribe member. It repeals the law that generally limited this jurisdiction to applications to sell land owned by a member of the tribe who lives outside of the state, or is about to move out of state. As under the prior law, the act allows the court to approve the sale if it would benefit the land’s owner and not harm the interests of the owner’s tribe. The tribe’s overseer may also still purchase the land on the tribe’s behalf. However, unlike prior law, the act does not limit the owner to only selling the land to his tribe or other members of it.

### ***An Act in Addition to an Act Entitled “An Act for the Protection of Indians, and the Preservation of Their Property” (1855)***

This act requires an overseer for each tribe in the state to be annually appointed by the county court in the county in which the tribe resides. It requires the overseer, among other things, to (1)

care for and manage the tribe's lands and funds, and see that they are used for the tribe's best interests; (2) execute a surety bond for 133% of the tribe's estate; and (3) annually state and settle his account of the tribe's concerns with the county court, and report the amount and condition of the tribe's funds.

The act also generally:

1. voids all land conveyances by any Native American that belong or belonged to a tribe's estate;
2. prohibits any judgments against a Native American for any debt on any contract except those for renting land;
3. in lawsuits brought by Native Americans to recover their lands, prohibits defendants from claiming that possessing the land for 15 years entitles them to the land;
4. makes someone liable for \$5 per load for unauthorized taking wood from Native American lands, with the with team, wagon, and other tools used in the taking liable to be attached in the action; and
5. repeals any acts inconsistent with the provisions above.

### ***An Act Relating to the Ledyard Pequot Indians, and the Preservation of Their Property (1855)***

This act directs the New London County Court to appoint a three-person committee to sell the land that the state reserved for the Pequot Tribe in Ledyard. However, they must reserve up to 200 acres of the land for the tribe to personally use and occupy. The committee must also survey the land and establish permanent boundaries. The act requires the proceeds from the sale, after paying the committee's expenses, to be given to the tribe's overseer. It allows the court to require the overseer to use the proceeds to (1) build suitable houses for the tribe on the reserved land, (2) repair any existing houses on it as needed, and (3) pay any debts owed by the tribe. Any remaining funds must then be invested in a bank, or other savings institution, for the tribe's use and benefit.

### ***An Act in Addition to an Act in Alteration of an Act Entitled "An Act for the Protection of Indians and the Preservation of Their Property" (1860)***

This act requires the overseer of a Native American tribe to file a copy of his annually required report with the town clerk of the town in which the tribe resides, in addition to with the Superior Court.

***An Act in Addition to “An Act for the Protection of Indians and the Preservation of Their Property” (1860)***

This act requires the governor to appoint three commissioners to make a new distribution of all of the Mohegan Tribe’s “common lands” in Montville (except the Fort Hill farm). It requires the commissioners to survey the lands, set permanent boundaries for it, and prepare a map with the names of the families and individuals to whom the land is distributed, which must then be filed in the secretary of the state’s office.

***An Act in Addition to “An Act for the Protection of Indians, and the Preservation of their Property (1861)***

This act authorizes the commissioners distributing the Mohegan Tribe’s “common lands” in Montville (see previous act) to distribute any lands held by individuals under the 1790 distribution to those entitled to them by descent. It also exempts parsonage and school house properties from the distribution.

***Relating to the Mohegan Indians (1861)***

This resolution authorizes the governor to annually appoint three commissioners to superintend the Mohegan Tribe’s affairs and serve as arbitrators for controversial property issues. It also authorizes the commissioners to appoint the tribe’s overseer and liquidate the overseer’s accounts. The resolution prohibits the Superior Court from considering a petition for a sale of Mohegan lands unless a majority of the commissioners endorses it.

***An Act in Addition to “An Act Concerning Crimes and Punishments” (1862)***

For unauthorized cutting, taking, or drawing any wood from the land of the state’s Native American tribes or their members, this act sets penalties of a \$7.00 fine, up to 30 days imprisonment, or both. It also specifies that it does not affect the remedy provided in the 1855 Act in Addition to an Act Entitled “An Act for the Protection of Indians, and the Preservation of Their Property.”

***Relating to the Niantic Tribe of Indians (1868)***

This resolution authorizes a committee to divide the Niantic Tribe’s personal property among the tribe’s surviving members according to the rule of division established in the New London County Court in 1867. It requires up to \$125 to be reserved to maintain the tribe’s burial ground in East Lyme.

***An Act Conferring Upon the Mohegan Indians the Privileges of Citizenship, and Regulating the Ownership, Sale, Distribution and use of the Property Sequestered for Their Benefit, and Also Providing for the Taxation of Their Polls and Ratable Estates (1872)***

This act exempts members of the Mohegan Tribe from the laws on protecting Native Americans and preserving their property (see 1821 law above) and entitles them to all the rights, privileges, and immunities, and subjects them to all duties, obligations, and liabilities, of “natural born” citizens.

The act requires the commissioners appointed to supervise the tribe to repair the tribe’s meeting house and parsonage and enclose them with a suitable fence. It requires the commissioners to hold the properties in trust for the tribe until its adult men form a society or congregation for public religious worship under state law, and then transfer the properties to the society or congregation. It exempts the properties from taxation.

The act makes the tribe’s school house a part of the Montville school district and requires the district to maintain and supply it with fuel, furniture, and other necessities. It requires a public or common school to be kept in the school house each year according to the state’s public education laws and allows the children of families in the tribe to attend it. It also requires a two-thirds vote of the tribe’s adult men living in the district to change the school house’s location.

Under the act, the title to lands in Montville that had been distributed to the tribe’s members (see 1860 and 1861 acts) is vested in the individuals who received them (or their heirs), and they may transfer them as lands held in fee simple in the same way that other citizens may transfer lands held in fee simple. If a tribe member died without an heir, the act requires that it be disposed of as tribe lands.

The act requires the rest of the land reserved for the tribe in Montville, except for the cemetery, to be sold by public auction, with tribe members allowed to bid on the lands. The net proceeds from the sales must be distributed to the tribe’s members, as determined by a committee appointed in the act.

Under the act, all personal property previously distributed to members of the tribe by the tribe’s overseer, or lawfully acquired by them, is vested in them and they can hold and dispose of it in the same way as others can hold and dispose of similar property.

The act subjects the real and personal property owned by the tribe's members to the same taxes as those owned by other people in the state. It also subjects the men ages 21 to 70 to the same poll taxes that apply to the rest of the population.

### ***An Act in Addition to An Act Concerning Domestic Relations (1872)***

This act generally allows Native American children to be "bound out" as apprentices if it is found that the children have no one to care for them or that their parents allow them to "misspend their time" and "live in idleness," or they do not "provide competently" for them. It must be done by the tribe's overseer, with the assent of two justices of the peace who live in the same town. The act allows males to be apprenticed until they are age 18, and females until they are age 16 or married (if before age 16).

### ***Empowering the Overseer of the Pequot Indians to Sell Lands (1873)***

This resolution authorizes the overseer of the eastern tribe of Pequot Native Americans in North Stonington to sell all of the lands the state reserved for the tribe (except for 100 acres) through public auction. It requires the proceeds from the sale to be invested in a savings bank trust and used for the tribe's benefit as needed.

### ***Relating to the Niantic Tribe of Indians (1873)***

This resolution authorizes the overseer of the Niantic Tribe to hand and pay over to any individual member of the tribe (or to his or her guardian, overseer, or conservator) any personal property belonging to the individual. It makes the individual's receipt of the property the full and complete discharge of the overseer's duty and releases him from his bond as overseer for the property.

### ***An Act in Amendment of An Act Relating to Indians (1876)***

The act requires the district court to annually appoint an overseer for each tribe of Native Americans in the Litchfield County judicial district. The overseer must care for and manage the tribe's lands and money for its best interests and see that the estate's rents and profits are applied to the tribe's benefit. The act requires the overseer to execute a surety bond and annually settle the tribe's accounts with the district court. It gives the district court sole jurisdiction of all matters previously exercised by the Superior Court as the tribes' overseer.

### ***An Act Conferring Upon the Niantic Indians the Rights and Privileges of Citizenship (1876)***

This act exempts members of the Niantic Tribe, and their real and personal property, from the laws on protecting Native Americans and preserving their property (see 1821 law above), and makes

those living in the state “a part of the people of this state” entitled to all the rights, privileges, and immunities, and subject to all the duties, obligations, and liabilities, of “natural born” citizens of the state. It also repeals any conflicting laws.

### ***AA Concerning the Support of the Golden Hill Tribe of Indians (1876)***

This act generally creates a process for a town to recover its costs for supporting a member of the Golden Hill Tribe who is, or is likely to be, charged as a pauper in the town. If the tribe’s overseer is unable to support the tribe member with funds from the tribe’s lands or funds under the overseer’s control, the act allows the Fairfield County Superior Court, upon a town selectman’s application, to order the overseer to sell a portion of the tribe’s property and pay the proceeds to the town to use to support the tribe member.

### ***An Act Concerning Judgments Against Indians (1884)***

This act repeals a law that generally prohibited legal judgements against Native Americans.

### ***Concerning the Niantic Burying Ground in East Lyme (1886)***

This resolution authorizes the sale of the Native American burying ground in East Lyme, which had been reserved from lands formerly belonging to the Niantic Tribe. It requires the proceeds from the sale to be used to move the remains from the burying ground to the Niantic Cemetery in East Lyme. Any remaining proceeds must be used erect a suitable monument to the Niantic Tribe in the Niantic Cemetery.

### ***Incorporating the Connecticut Indian Association (1887)***

This resolution incorporates the Connecticut Indian Association with the goal of protecting the rights and promoting the education and civilization of Native Americans in the country, “with reference to their full admission into full citizenship.”

## **1900-1949**

### ***An Act Making an Appropriation for the Schaghticoke Indians (1915)***

This act appropriates \$400 for the Schaghticoke Tribe’s overseer to use for the tribe’s maintenance, support, care, and education, under the direction of the Litchfield County Court of Common Pleas.

### ***An Act Making an Appropriation for the Schaghticoke Indians (1917)***

This act appropriates \$400 for the Schaghticoke Tribe's overseer to use for the tribe's maintenance, support, care, and education, under the direction of the Litchfield County Court of Common Pleas.

### ***An Act Making an Appropriation for the Schaghticoke Indians (1919)***

This act appropriates \$400 for the Schaghticoke Tribe's overseer to use for the tribe's maintenance, support, care, and education, under the direction of the Litchfield County Court of Common Pleas.

### ***An Act Making an Appropriation for the Schaghticoke Indians (1921)***

This act appropriates \$400 for the Schaghticoke Tribe's overseer to use for the tribe's maintenance, support, care, and education, under the direction of the Litchfield County Court of Common Pleas.

### ***An Act Appointing the State Park and Forest Commission as Overseer of Indians in Litchfield County (1925)***

This act makes the State Park and Forest Commission the overseer of any Native American tribe residing in Litchfield County. It requires the commission to annually settle its account of the tribe's affairs with the state comptroller, and biennially give the governor a report on the (1) amount and condition of the tribe's funds; (2) estimated value of their lands; (3) income annually received, appropriated, and spent for the tribe's benefit; and (4) number and condition of the tribe. The act requires the commission to care for and manage the tribe's lands and money for the tribe's best interests and benefit, and authorizes the commission to sell or exchange any real or personal property of any tribe member.

### ***An Act Appointing the State Park and Forest Commission Overseer of the Indian Tribes (1935)***

This act makes the State Park and Forest Commission the overseer of all Native American tribes residing in the state. It requires the commission to annually settle its account of each tribe's affairs with the state comptroller, and biennially give the governor a report for each tribe on the (1) amount and condition of the tribe's funds; (2) estimated value of their lands; (3) income annually received, appropriated, and spent for the tribe's benefit; and (4) number and condition of the tribe. The act requires the commission to care for and manage each tribe's lands and money for the tribe's best interests and benefit, and authorizes the commission to sell or exchange any real or personal property of any tribe's member.

### ***An Act Making an Appropriation for the Schaightcoke Indian Reservation (1937)***

This act appropriates \$2,000 to the State Park and Forest Commission to repair buildings and establish a water supply on the Schaightcoke Reservation in Kent.

### ***An Act Concerning the Use of State Park and Forest Lands for Other Public Purposes (1939)***

This act allows the State Park and Forest Commission to grant rights of way or other easements for public purposes to any public authority on or with respect to any state park or forest, or any Native American reservation, if the commission finds that it does not conflict with the purposes of the lands.

### ***An Act Concerning the Proclaiming of Indian Day (1941)***

This act requires the governor to proclaim the last Friday in each September as “Indian Day,” and requires it to be suitably observed in the state’s public schools as a day of commemoration of the American Indian and their contribution to American life and civilization.

### ***An Act Authorizing the Commissioner of Welfare to Act as Overseer of Indians Residing in the State (1941)***

This act makes the state’s welfare commissioner, rather than the State Park and Forest Commission, the overseer of all Native American tribes residing in the state. As previously required for the commission, it requires the commissioner to annually settle his account of each tribe’s affairs with the state comptroller, and biennially give the governor a report for each tribe on the (1) amount and condition of the tribe’s funds; (2) estimated value of their lands; (3) income annually received, appropriated, and spent for the tribe’s benefit, specifying the items furnished and received; and (4) number and condition of the tribe. The act requires the commissioner to care for and manage the property of any Native American living on a reservation owned or maintained by the state, and use the property for their best interests and benefit.

### ***An Act Concerning Rights of Way in State Parks and Forests (1949)***

This act eliminates the State Park and Forest Commission’s authority to grant rights of way or easements on Native American reservations.

## 1950-1972

### *An Act Concerning the Management of Indian Reservations (1961)*

This act statutorily defines the state's Native American reservations as the (1) Eastern Pequot reservation in North Stonington, (2) Golden Hill reservation in Trumbull, (3) Schaghticoke reservation in Kent, and (4) Western Pequot reservation in Ledyard. It defines an "Indian" as someone of at least one-eighth blood of the tribe for whose use any reservation was set out.

The act requires the reservations to be maintained for the exclusive benefit of Indians who may reside on them, although it allows any non-Indians residing on the reservations on July 1, 1961, to continue doing so. It also (1) allows an Indian's spouse and children to live on a reservation with the Indian; (2) places the burden of proving eligibility for residence on the claimant; and (3) allows reservations to be used for recreational and social purposes by Indians, and their descendants and guests, at the welfare commissioner's discretion. The act also prohibits the lease of tribal land, but allows existing leases to continue until their expiration. The welfare commissioner may authorize a renewal of these leases.

The act makes the welfare commissioner responsible for the care and management of the lands and buildings on the reservations, and the general care and management of all people living there. It requires the commissioner to, among other things, (1) make regulations to ensure their general health, safety, and welfare; (2) give assistance to needy Indians living on the reservation in an amount needed to maintain a standard of living reasonably compatible with health and decency; (3) make repairs and improvements to buildings and lands on the reservations to ensure habitable living conditions; and (4) regulate the admission of people for residency on the reservations. It allows appeals of the commissioner's residency decisions to the court of common pleas for Hartford County or the county where the reservation is located.

The act places tribal funds (the money held by the state for a tribe's use and benefit, not legislative appropriations) under the welfare commissioner's care and control. For each tribe, it requires the commissioner to (1) annually settle the accounts of the tribe's affairs with the comptroller and (2) report to the governor the (a) amount and condition of the tribe's fund, (b) estimated value of their lands, and (c) income annually received and spent by the commissioner from the tribe's fund. It also allows the commissioner to bring a lawsuit to recover any property misappropriated from a reservation.

### ***An Act Providing for the Appointment of a State Archeologist (1963)***

This act requires the UConn trustees to designate a member of the UConn faculty as state archeologist to research the ethnohistory and archeology of the region's Native Americans. It requires the state archeologist to cooperate with state and federal agencies, and private entities, to protect and preserve archeological remains threatened with destruction or loss.

### ***An Act Concerning The Mashantucket Pequot Indian Burial Ground in the Town of Ledyard (1965)***

This act appropriates \$11,000 to the State Park and Forest Commission to buy 17.5 acres in Ledyard to (1) protect and provide access to the Mashantucket Indian Burial Ground and (2) use the entire property as a historic shrine and memorial and a burial place for the descendants of the Pequot tribe. It requires a portion of the funds to be used to erect a fence around the property and a monument inscribed "here with their families and friends lie many patriotic Pequot Indian Soldiers who served our country faithfully and well in the Colonial Wars, The Revolution, and the Civil War."

## **1973-2024**

### **1973**

#### ***PA 73-660***

##### ***Establishing an Indian Affairs Council***

This act declares it state policy to recognize that all resident Indians of qualified Connecticut tribes are full citizens of the state with all the rights and privileges afforded by law to all of the state's citizens. It also recognizes that they have certain special rights to tribal lands as may have been granted to them in the past.

The act creates the Indian Affairs Council with one representative each appointed by the Schaghticoke, Eastern Pequot, Western Pequot, and Mohegan tribes, and three gubernatorial appointees who are not descendants of Native Americans. The council must provide services to the state's reservation community and create programs suitable to its needs.

Existing law, unchanged by the act, generally allows the non-Native American spouse and children of a Native American to live on a reservation with the Native American. If they become ineligible to live on the reservation because of the Native American's death, the act requires that they be

reimbursed based on the actual sales price (less expenses) of any building on the reservation that may have belonged to the Native American.

The act also removes provisions in the law that placed the burden of proving eligibility for residence on a reservation on the claimant. It more generally makes the Indian Affairs Council responsible for determining the qualifications of individuals entitled to be designated as “Indians” under the law and deciding who is eligible to reside on a reservation.

The act transfers from the welfare commissioner to the Department of Environmental Protection (DEP) commissioner, with the council’s advice, responsibility for the care and management of the reservation lands and buildings and the people who live there. It removes provisions that required the commissioner to, among other things, (1) give assistance to needy Indians living on the reservation; (2) make repairs and improvements to buildings and lands on the reservations to ensure habitable living conditions; and (3) regulate the admission of people for residency on the reservations. It also removes provisions that allowed someone to appeal a decision on residency to a court of common pleas.

Under the act, any Native American reservation property that escheats to the state must be preserved as an Indian historical area under DEP’s control. The act also prohibits the lease of tribal land, but allows existing leases to continue until their expiration, and the council may authorize a renewal of these leases.

The act removes a provision that allowed the welfare commissioner to determine how the Native Americans could use the reservations for recreational and social purposes. It instead allows them to take, hunt, or trap any wild bird, quadruped, or fish on their reservation’s land or waters without a license, subject to regulations developed by the council and state law’s seasonal and bag limitations.

The act changes the definition of “Indian” under the law to someone of at least one-eighth blood of the Eastern Pequot, Western Pequot, Schaghticoke, Golden Hill, or Mohegan tribe, or as may be determined by the council. It also requires the council to review the state’s regulations governing Indian affairs and advise the commissioner on new regulations.

## **1974**

### ***PA 74-168***

#### ***Indian Affairs Council Membership***

This act adds a representative from the Golden Hill Tribe to the Indian Affairs Council.

**1976**

***PA 76-97***

***State Responsibility for Indian Reservations***

This act generally limits the DEP commissioner's broad responsibility to care for and manage the buildings on the Native American reservations and the people living there. For the buildings, it makes the commissioner, with the Indian Affairs Council's advice, responsible only for the reservation buildings that are not privately owned. Upon a resident's petition, the act requires the commissioner, with the council's advice, to make major repairs and improvements to the building's exterior and systems (heating, water, electric, sewage, plumbing) as needed to ensure habitable living conditions. The resident must assume responsibility for interior maintenance of floors, walls, and ceilings, and minor maintenance of the building and its systems, but the commissioner must supply necessary materials for the systems.

The act removes the commissioner's responsibility to provide care and management for the people living on the reservations. It allows the council, upon the petition of a Native American resident who lacks sufficient means to support him or herself, to provide assistance in an amount needed to maintain a standard of living in the home compatible with the resident's well-being. It also requires the council to (1) provide other services as it deems necessary to ensure the well-being of all reservation residents and (2) adopt regulations prescribing the eligibility standards for the assistance and services.

The act also allows, rather than requires, the commissioner and council to adopt regulations to carry out the other provisions of the act and certain related matters.

***PA 76-377***

***Indian Housing Authorities***

This act establishes a housing authority for each tribe recognized in state statute. It generally gives the tribes' housing authorities the same powers, rights, and functions as municipal housing authorities. However, it prohibits them from transacting any business or exercising their powers unless their tribe's governing council formally declares there is a need for an authority to function for the tribe. The act gives the tribe's chief or other governing head all of the appointing and other powers over the tribe's housing authority that municipal chief executives and governing bodies have under the municipal housing authority law. It requires the tribes' housing authorities to operate in conformity with Title II of the federal [Civil Rights Act of 1968](#) (which generally established a Bill of Rights for reservations).

The act requires a tribe's chief or governing head to appoint five tribe members as housing authority commissioners. Commissioners cannot be barred from appointments because they hold other tribal office or are tenants or home buyers in a tribal housing project. The act specifies that a tribal housing authority's jurisdiction is limited to its tribe's territorial boundaries specified in statute.

Under the act, any real property on a reservation that a housing authority requires for use in providing housing must be leased to the authority by the tribal governing body, with the DEP commissioner's approval, upon lawful terms agreeable to the parties.

## **1978**

### ***PA 78-40***

#### ***Housing Projects in Indian Reservations***

This act designates the governor as the state's administrative agent to (1) apply for any funds or other aid; (2) cooperate and enter into contracts and agreements with the federal government, the Indian Housing Authority, or any other appropriate state or local agency for providing necessary services to housing projects to be located on Native American reservations in the state; or (3) any other purpose that Congress or the state legislature authorizes for expenditures compatible with the state's laws on Native Americans ([CGS Chapter 824](#)).

## **1981**

### ***PA 81-242***

#### ***Protecting Indian Burial Sites***

This act requires the Indian Affairs Council, by January 1, 1982, to establish an inventory of state land that has, or may reasonably be expected to have, a Native American burial site on it. After that date, whenever a state agency intends to disturb the subsoil of any state land that has a Native American burial site, or discovers such a site during excavation, it must notify the council and the DEP commissioner and then wait 21 days so that the site's contents may be removed and reinterred by DEP, as the council directs.

### ***PA 81-375***

#### ***Tribes' Names***

This act adjusts the names of three of the state's Native American tribes specified in the state statute on the Indian Affairs Council by changing the (1) "Eastern Pequot" to "Paucatuck Pequot," (2) "Western Pequot" to "Mashantucket Pequot," and (3) "Golden Hill" to "Golden Hill Paugussett."

The act also statutorily acknowledges that the Golden Hill Paugussett tribe has a reservation in Colchester, in addition to its reservation in Trumbull, by including the Colchester reservation in the statutory definition of “reservation.”

## **1982**

### ***PA 82-178***

#### ***Management of Indian Affairs***

This act requires the DEP commissioner, with the Indian Affairs Council’s advice, to manage the state’s interest in Native American affairs not otherwise specified in the state’s laws on Native Americans, including maintaining state documents, providing information to tribe members, and coordinating governmental grant programs.

### ***SA 82-31***

#### ***Implementing the Settlement of the Mashantucket Pequot Indian Land Claims***

Under this special act, the state (1) confirms to the Mashantucket Pequot tribe in fee simple the lands comprising the tribe’s reservation and (2) releases and relinquishes to the tribe any claim of right, title, or interest that the state may have in the reservation lands.

The act entitles the tribe, its reservation, and its residents to the same services and protection from the state as provided to other tribes under the state’s laws on Native Americans. However, it exempts the tribe from the laws on (1) the Indian Affairs Council determining qualifications of Native American designation for certain purposes; (2) voiding conveyances by a Native American of any land belonging to, or that belonged to, the estate of a tribe; (3) use of reservations, residency requirements, and a restriction on leasing any part of the reservation; and (4) the care and control of tribal funds. It also (1) prohibits the DEP commissioner from taking any action regarding the tribe’s reservation without the tribe’s consent and (2) exempts the tribe’s reservation lands from taxation by the state and any of its political subdivisions.

The act authorizes the governor to convey to the tribe a 2-acre parcel and a 17.5-acre parcel of certain lands in Ledyard.

Under the act, any transfer of land or natural resources in Ledyard from, by, or on behalf of any Native American nation, or tribe or band of Native Americans that occurred before the act becomes effective is deemed to have been made in accordance with the state’s laws on Native Americans.

The act takes effect upon the enactment of [federal legislation](#) providing for the extinguishment of certain tribal land claims by or on behalf of the Mashantucket Pequot tribe.

## **1984**

### ***SA 84-70***

#### ***Golden Hill Paugussett Reservation in Trumbull***

This special act requires the Department of Administrative Services commissioner to convey by quitclaim deed to the Golden Hill Paugussett tribe whatever interest the state has in the tribe's reservation in Trumbull.

## **1987**

### ***PA 87-466***

#### ***Office of Archeology***

This act requires the board of directors of UConn's State Museum of Natural History, rather than UConn's trustees, to appoint the state archeologist. It generally broadens the state archeologist's duties to cover a broader range of archeological subjects (beyond researching the ethnohistory of the region's Native Americans and their archeology, as under prior law), but specifically includes preserving Native American and other human osteological remains and cemeteries with the state historical commission, Office of the State Medical Examiner, Indian Affairs Council, and other state agencies.

### ***SA 87-103***

#### ***Task Force on Indian Affairs***

This special act creates the Task Force on Indian Affairs to review existing laws, budgets, agencies, and programs affecting Connecticut's Native Americans. It requires the task force to study and make recommendations on, among other things:

1. title to reservation land and state responsibility for land held in trust for a tribe by the state;
2. state responsibility for reservations;
3. jurisdiction of criminal and civil law, and law enforcement, on reservations;
4. legal process for determining tribal membership;
5. tribal government rights;
6. escheat provisions of the law on reservation use;

7. determination of membership on the Indian Affairs Council for Native Americans who are not from state-recognized tribes;
8. state and local taxation of tribes and reservations;
9. access to sacred sites on state and private land for ceremonial purposes; and
10. procedures to be followed upon discovery of a burial site.

Under the act, the 16-member task force includes (1) a representative from each of the five Connecticut tribes; (2) four Native Americans knowledgeable about certain issues and an archeologist knowledgeable about Native American affairs, all appointed by the governor; (3) the Office of Policy and Management secretary, DEP commissioner, and Indian Affairs Council chairperson, or their designees; and (4) three state legislators, one appointed by the Senate president pro tempore, one appointed by the House speaker, and one jointly appointed by the House and Senate minority leaders.

## **1989**

### ***PA 89-368***

#### ***Implementing the Recommendations of the Task Force on Indian Affairs***

This act makes numerous changes in the laws related to Native Americans in the state, as briefly described below.

***Preservation of Native American Burial Sites, Sacred Objects, & Artifacts (§§ 1-15).*** The act creates the Native American Heritage Advisory Council to evaluate and make recommendations on Native American heritage to the state archeologist and the Connecticut Historical Commission. The council must include representatives from each of the five tribes in the state, representatives from the Indian Affairs Council, DEP commissioner, and Archeological Society of Connecticut, and three other appointees knowledgeable in Native American history, traditions, and archeology (§ 2).

The act allows the Connecticut Historical Commission to (1) adopt regulations for the preservation of sacred sites and archeological sites and (2) inventory state lands to identify these sites. Under the act, “sacred sites” are any space of ritual or traditional significance in Native American culture and religion that is listed or eligible for listing in the national or state register of historical places (§ 3).

The act specifies that the “historic structures and landmarks” covered by the state’s historic preservation law include sacred sites and archeological sites (§ 4).

The act makes the State Museum of Natural History the state repository of all artifacts found and data gathered during archeological investigations on state lands. It requires the museum's board of directors to establish procedures for, among other things, (1) the preservation, care, and display of sacred objects, and the use of sacred objects for religious and ceremonial purposes, and (2) loans and transfers of sacred objects and other materials to Native American museums or other institutions (§ 5).

The act allows the Connecticut Historical Commission, with the state archeologist's concurrence, to examine sites and lands to determine if they are of state or national importance and eligible for the state or national register of historic places. If the commission determines that the site or land is of state or national importance, it may declare it to be a state archeological preserve as long as it notifies certain stakeholders (and gets consent of the owner, if the land is on private property) and, if there is evidence of Native American activity, the Native American Heritage Advisory Council (§ 6).

The act requires the Connecticut Historical Commission to adopt regulations for establishing, caring for, using, and managing state archeological preserves. Once a site is designated as a preserve, the act prohibits anyone from conducting an archeological investigation, initiating construction or demolition activities, or doing anything that would endanger the preserve's archeological integrity or sacred importance without a required permit (see below) unless the commission declares an emergency (§ 7).

The act generally prohibits anyone from conducting an archeological investigation on state lands or a state archeological preserve without a permit from the Connecticut Historical Commission, issued with the state archeologist's concurrence. However, the act also allows the commission to authorize an investigation without a permit if time for the investigation is limited. The act prohibits the commission from issuing a permit for an investigation that would disturb a known Native American cemetery, burial site, or other sacred site without a review by the Native American Heritage Advisory Council. The act requires a permit applicant to pay the cost of any reburial of human skeletal remains discovered under the permit's terms (§ 8).

The act requires each state department, institution, and agency, in consultation with the Connecticut Historical Commission, to review its policies and practices for consistency with the preservation and study of the state's archeological sites and sacred lands and sites. The review must include preparing an evaluation document that specifies projects and programs requiring detailed consultation to identify and protect the sites and lands; however, it does not apply to projects submitted to the commission for an environmental impact review (§ 9).

The act generally requires any person who knows or reasonably believes that human remains are being, or about to be, disturbed or removed to immediately notify the chief medical examiner and state archeologist about it. If the remains are encountered during an activity that might destroy or impair their integrity (for example, construction or agriculture), the activity must stop until the chief medical examiner and state archeologist authorize its resumption (which must be determined within five days of the investigation's completion). If the chief medical examiner determines that the remains may be a Native American's, he or she must notify the state archeologist. Then, within 72 hours, the state archeologist must consult with the Connecticut Historical Commission, Native American Heritage Advisory Council, DEP commissioner, and property owner to determine whether the site can be preserved at its original location and protected by a preservation restriction. If this is not feasible, or the property owner does not agree to it, the state archaeologist, if feasible, must provide for removal and reburial of the remains (within five days) or additional archeological investigation. Human remains discovered during archeological investigation must be excavated under the state archeologist's supervision, and due care must be used during excavation, subsequent transport, and storage of the remains to ensure that their sacred meanings for Native Americans are respected and protected (§ 10).

The act requires the state archeologist, in consultation with the Connecticut Historical Commission, Native American Heritage Advisory Council, DEP commissioner, and archeological community, to adopt regulations on procedures for the storage, analysis, and reburial of human skeletal remains discovered during an archeological investigation. It requires the (1) DEP commissioner to designate state lands for use as reburial sites for Native American remains, and designates these lands as archeological preserves, and (2) state archaeologist, commissioner, and advisory council to jointly determine the contents and organization of each reburial ceremony for Native Americans (§ 11).

The act prohibits:

1. excavating, damaging, or otherwise altering or defacing any archeological or sacred site on state lands or a state archeological preserve unless it is done according to a permit (see § 8 above) or in an emergency;
2. selling, exchanging, transporting, receiving, or offering to sell any archeological artifact or human remains that was collected, excavated, or removed from state lands or a state archeological preserve in violation of the above prohibition; and
3. engaging in any activity that will desecrate, disturb, or alter a Native American burial, sacred site, or cemetery, including associated objects, unless it is under a permit or the state archeologist's direction.

For violations of the prohibitions, the act imposes a fine of up to \$5,000 or twice the value of the site or artifact, whichever is greater, imprisonment for up to five years, or both. It also makes violators liable to the state for the reasonable costs and expenses of restoring the site and any associated sacred objects or archeological artifacts (§ 12).

The act requires the Connecticut Historical Commission, in consultation with the state archeologist, the Native American Heritage Council, and the DEP commissioner, to develop procedures to inventory Native American burial sites and cemeteries and make it available to state agencies and institutions (§ 13; § 29 repeals provisions that required the Indian Affairs Council to prepare a similar inventory (see PA 81-242)).

The act requires the DEP commissioner, when determining whether to acquire land for the Recreation and Natural Heritage Program, to consider whether it contains sacred sites or archeological sites of state or national importance (§ 14).

The act requires state agency environmental impact statements to include a description of the proposed action's effects on sacred sites or archeological sites of state or national importance (§ 15).

***Tribal Governance, Leadership, & Reservations (§§ 16-24).*** The act codifies that the state recognizes the Schaghticoke, Paucatuck Eastern Pequot, Mashantucket Pequot, Mohegan, and Golden Hill Paugussett tribes as self-governing entities with powers and duties over their tribal members and reservations. It specifies that these include the power to (1) determine tribal membership and residency on reservation land, (2) determine the tribe's form of government, (3) regulate trade and commerce on the reservation, (4) make contracts, and (5) determine tribal leadership according to tribal practice and usage (§ 16).

The act requires the governor to enter into a trust agreement with each willing indigenous tribe. The agreement must define the tribe's powers and duties and be consistent with the trust agreement recommendations from the Indian Affairs Task Force. The act specifies that it does not confer tribal status on the tribes under federal law or confer additional ownership rights and title to the tribes for land in the state that was not held in trust for the tribes on June 1, 1989 (§ 17).

The act requires each tribe's leader to file with the governor his or her name and a written description of how tribal leaders are selected and exercise their authority. Under the act, any leadership dispute must be resolved according to tribal usage and practice. If a party in dispute requests it, the dispute may be settled by a council. Each party must appoint a member to the council, and the parties must also jointly appoint one or two additional members (keeping an odd

number of total council members). If the parties cannot agree on a joint appointment, the governor must make the appointment and choose someone knowledgeable in Native American affairs. The council's decision on substantive issues is final, although a party may appeal to Superior Court to determine whether the dispute was resolved in accordance with the provisions of the written description. If not, the court may remand the decision with instructions to reinstitute proceedings according to the provisions (§ 18).

The act requires each tribe's leader to annually file a copy of the tribe's rules for membership and government, and a current membership roll, with the governor. Under the act, membership disputes must be resolved according to tribal usage and practice, and parties to a dispute may ask a council to settle the dispute using the same process described above for leadership disputes (§ 19).

The act adjusts the name of the "Paucatuck Pequot" tribe to the "Paucatuck Eastern Pequot" in the statutes on the Indian Affairs Council and the statutory definition of "Indian" (§§ 20 & 22).

The act authorizes the tribes to exercise on reservation land all rights incident to ownership except the power of alienation. Under the act, any reservation land held in trust by the state when the act becomes effective must continue to be held in trust in perpetuity to prevent alienation and to ensure its availability for future generations of Native Americans (§ 21).

The act revises the statutory definition of "Indian" to remove the requirement for at least one-eighth "Indian blood" and the option for the Indian Affairs Council to make membership determinations (§ 16 allows each tribe to make its own membership determinations).

The act removes prior law's provisions that specified criteria for residing on a reservation and instead requires each tribe to determine who may live on its reservation, as long as anyone lawfully living on a reservation when the act becomes effective can continue living there. It allows residents to be removed according to the tribe's rules filed with the governor (see § 19). The act also removes a prohibition on leasing portions of a reservation and instead allows each tribe to lease its reservation land for up to 25 years (§ 23).

***Taxes (§§ 24-26).*** The act exempts reservation land held in trust by the state from property taxes and makes the municipalities where they are located eligible for a payment in lieu of taxes. It also exempts from property taxes any motor vehicle owned by a tribe member, or their spouse, that is garaged on the tribe's reservation.

***State Payments to Municipalities for Education (§ 27).*** Existing law (at the time) generally required the state to pay a municipality (using a specified formula) for any student who

lives on state property in the town and attends a public school at the town's expense. The act expands this requirement to include students who live on a reservation in the town and attend a public school at the town's expense (this law was repealed in 1991).

***Task Force on Indian Affairs (§ 28).*** The act updates the Task Force on Indian Affairs' charge by removing requirements to make certain recommendations (which had been met) and adding new requirements for recommendations on:

1. the resolution of state government roles and duties to Native Americans;
2. the Indian Affairs Council's role, structure, and funding;
3. resources available for technical assistance to tribal governments;
4. state endorsement or assistance to tribes seeking federal recognition;
5. preservation of reservation land for tribes and the law's escheat provisions;
6. access to sacred sites on state and private land for ceremonial purposes;
7. authorization of Native American spiritual leaders to perform marriages;
8. application of the state sales tax to transactions on reservations;
9. description and review of trust agreements; and
10. jurisdiction for criminal and civil law on reservations.

## **1990**

### ***SA 90-25***

#### ***Updating the Indian Affairs Task Force***

This special act updates the Task Force on Indian Affairs' charge by removing requirements to make certain recommendations and adding new requirements for recommendations on the:

1. most appropriate way to handle tribal funds under the law on tribal funds;
2. definition, amendment, or repeal of the term "care and management of reservation lands" under the law on reservation management, and revisions to that law;
3. involvement of Native Americans who are not members of the indigenous tribes in an Indian Affairs Council and the state's duties to them;
4. review and analysis of the trust agreement process; and

5. sovereignty issue.

## 1991

### [PA 91-14, June Special Session](#)

#### ***Financing the Administration of the Mashantucket Pequot Tribal-State Gaming Compact (§ 10)***

This act establishes procedures for financing the administration of the Mashantucket Pequot Tribal-State Gaming Compact. It requires the revenue services commissioner to assess the tribe for regulatory costs incurred by any state agency that are reimbursable under the compact. It allows underassessments for prior fiscal years to be included in a subsequent assessment. Payments made by the tribe must be deposited in the General Fund and credited to the appropriation for the agency incurring the costs. The act requires reimbursable assessments for law enforcement costs incurred by any state agency to be made by the public safety commissioner. If the tribe is aggrieved by an assessment or by a failure to adjust an excess assessment, it may, within one month from the payment due date, appeal to the Superior Court for the Hartford-New Britain Judicial District.

## 1992

### [SA 92-17](#)

#### ***Feasibility of Additional Casino Gambling***

This special act requires the Finance, Revenue and Bonding and Public Safety committees to study the feasibility of authorizing additional casino gambling in the state. The study must examine casino gambling's (1) economic and social impact on residents and businesses and (2) revenue impact on the state and municipalities. The committees must also make recommendations on the optimal number and location of casinos and whether they should be freestanding or incorporated in other development projects.

## 1993

### [PA 93-257](#)

#### ***Training Certain Foxwoods Casino Personnel in Connecticut***

This act permits the Mashantucket Pequot Tribe or its agent to train people for employment at the Foxwoods Casino at an off-reservation location in the state. It specifically allows the tribe or its agent to use and possess gambling devices for training purposes at off-reservation locations, so long as the use of the devices (1) is not for monetary gain off of the reservation and (2) is permitted on the reservation by the federal Indian Gaming Regulatory Act (IGRA). The act also allows those receiving training to use the devices during training.

## [PA 93-365](#)

### ***Rights of Employees of Federally Recognized Indian Tribes***

This act requires the governor to include an employment rights code as specified in the act in any future state proposal in negotiations under the IGRA. It requires him to make his best effort to ensure that any final agreement under the federal act includes the code.

The act generally prohibits the state from providing tribes with any funds or services that assist their commercial enterprises until they adopt the code, with some exceptions (such as funds or services provided under a preexisting agreement). The act does not prevent the state from enforcing any civil or criminal law or gaming regulation at a tribe's commercial enterprise and does not require the state to enforce violations of criminal laws that are not violations off tribal lands. It allows the governor to waive its restrictions in a declared emergency, after consulting with legislative leaders.

The proposed employment rights code prohibits employment discrimination by tribes, requires them to allow unions to organize their employees, and, if successful, to recognize and bargain in good faith with the representatives chosen. The act also allows the governor and a tribe, by agreement, to establish rights for employees of a tribe's commercial enterprises that exceed those specified in the code.

The act covers federally-recognized tribes subject to the IGRA. It covers only a tribe's commercial operations, which it defines to include any commercial conduct or transaction relating to a profit-making pursuit. The definition specifically includes operating a casino.

### ***State Opposition to Converting Certain Tribe-Owned Land***

The act also requires the state to oppose a tribe's application to the U.S. secretary of the interior to convert parcels of land the tribe owns (fee interest land) into part of its reservation (federal trust status) and specifies that these conversions are contrary to the state's interests.

## [PA 93-389](#)

### ***Attorney General Representation in Indian Land Claims (§ 3)***

This act allows the attorney general to represent the state's interests in any lawsuit where the marketability of land titles has been threatened by a claim alleging that the disputed land was originally controlled or owned by an Indian tribe and was unlawfully transferred from that tribe. It includes a legislative finding that the state has a significant interest in the stability and marketability of land titles.

## [SA 93-2](#)

### ***Task Force on Indian Affairs***

This special act establishes a task force on Indian affairs to study (1) the acquisition of land by the United States in trust status for individual Indians and tribes, (2) the municipal impacts of these acquisitions, (3) how the attorney general can best represent the state's interest in matters pertaining to Indian affairs, and (4) any other matters related to Indian affairs.

The task force's members include the co-chairpersons and ranking members of the Judiciary, Environment, Planning and Development, and Government Administration and Elections committees; the attorney general; the DEP commissioner; one representative each from the Golden Hill Paugussett, Mashantucket Pequot, Mohegan, Paucatuck Eastern Pequot, and Schaghticoke tribes; three public members appointed by the governor, one of whom must live in a town affected by a tribe's request to acquire land in trust status; and six members appointed by the six legislative leaders.

## **1994**

### [PA 94-244](#)

#### ***Compacts Between Connecticut and Other States or Indian Tribes***

This act requires both houses of the General Assembly to approve any compact or compact amendment executed between Connecticut and another state or an Indian tribe before it can be implemented. Approval must be by a majority vote of each house, and either house can reject it. The act establishes the timetable for legislative action if the compact or amendment is filed within the last 30 days of a regular session. Otherwise, the legislature has until it adjourns a regular or special session to act on the measure. Failure to take any action constitutes rejection.

## **1995**

### [SA 95-25](#)

#### ***Fort Shantok State Park Conveyance to Mohegan Tribe (§ 8)***

This special act requires the DEP commissioner to convey Fort Shantok State Park in Montville to the United States in trust for the Mohegan Tribe (1) under the 1994 agreement between the state and the tribe that resolved the tribe's land claims against the state and (2) subject to the State Properties Review Board's approval.

The act requires that the conveyance be subject to a restriction that it cannot be used for any gaming operations or gaming-related development. It places the land under DEP's care and control

until the conveyance is made, and gives the commissioner sole responsibility for all other incidents of the conveyance.

## 1996

### [PA 96-142](#)

#### ***Criminal and Limited Civil Regulatory Jurisdiction on the Reservation of the Mohegan Tribe of Indians of Connecticut and the Administration of Tribal-State Compacts***

This act expands the state's criminal and civil regulatory jurisdiction to cover the Mohegan Tribe's reservation, to the extent authorized by Congress in P.L. 103-377 and as provided in the May 17, 1994, Agreement and Gaming Compact signed by the governor and the tribe's chief.

The agreement and compact establish responsibilities of the State Police, courts, comptroller, treasurer, Division of Special Revenue (DSR), Division of Liquor Control, State Traffic Commission, DEP, and state agencies generally responsible for enforcing state building, sanitary, health, and fire safety standards. Default provisions in the compact authorize the Mohegan Tribal Gaming Commission and the tribe's police force to carry out certain responsibilities if the State Police and DSR decline to exercise jurisdiction.

The act also sets out how the expenses of administering the Mohegan Tribal-State Gaming Compact will be financed. Its requirements are the same as those that, by law, govern the expenses of administering the Mashantucket Pequot Tribal-State Gaming Compact.

Finally, the act requires applicants for casino gaming employee, service, and equipment licenses under the compacts to be fingerprinted before licensure.

### [PA 96-212](#)

#### ***Connecticut Lottery Corporation (§ 8)***

This act creates the Connecticut Lottery Corporation (CLC) to assume responsibilities for administering the lottery. Among other things, it prohibits CLC from introducing or modifying lottery games if they would violate any compact, memorandum of understanding (MOU), or agreement the state has, or makes in the future, with the Mashantucket Pequot or Mohegan tribes, or any other federally-recognized Indian tribe.

## 1997

### [PA 97-61](#)

#### ***Native American History in Public Schools***

This act requires the State Board of Education to encourage and help school boards include Native American history as part of the program of instruction they must offer in the public schools and the in-service training programs they must provide for their educators.

### [SA 97-20](#)

#### ***Fort Shantok State Park Conveyance (§ 10)***

This special act revises SA 95-25 to specify that for the Fort Shantok State Park conveyance, a 2.29-acre portion of the park must be conveyed directly to the Mohegan Tribe, and the rest conveyed to the United States in trust for the tribe.

### [PA 97-6, June Special Session](#)

#### ***Revolving Door Restrictions (§ 13)***

This act temporarily prohibits certain state officials and employees (those who hold or held significant decision-making authority over regulating entities engaged in Indian gaming operations in the state) from negotiating for, seeking, or accepting employment with a (1) business entity (a) engaged in Indian gaming operations in the state and (b) in which a federally-recognized Indian tribe in the state owns a controlling interest or (2) governmental agency of a federally-recognized Indian tribe engaged in Indian gaming operations in the state. The prohibition applies while the officials or employees hold their positions and for two years after they leave them.

## 1999

### [PA 99-107](#)

#### ***Uniform Certification of Questions of Law***

This act allows the Connecticut Supreme Court to ask the highest court of another state or of a federally-recognized Native American tribe for an interpretation of that jurisdiction's law. It also allows the highest court of those jurisdictions to ask the Connecticut Supreme Court for an interpretation of Connecticut law. A court can use this procedure when the answer to the question could decide an issue in litigation and there is no controlling appellate decision, constitutional provision, or statute.

## [PA 99-159](#)

### ***Casino Brew Pub Hours (§ 3)***

From October 1, 1999, to October 1, 2000, this act allows a place in which class III gaming is conducted (for example, a casino) that operates a brew pub to stay open when the brew pub itself must be closed.

## **2000**

## [PA 00-67](#)

### ***Free Private Land Deer Permits***

This act requires DEP to issue free private land deer permits to Indians to hunt on their tribe's reservation lands. The reservation lands must be at least 250 acres for tribal members to be eligible. The permit allows them to hunt deer from November 1 through December 31 using a long gun, muzzleloader, or bow and arrow (the same period and firearms allowed for landowners with private land deer permits). Members are limited to one permit each year.

By law, Indians may hunt on their reservation lands without a license under the same regulations and during the same hunting season as licensed hunters generally.

## [PA 00-192](#)

### ***Casino Liquor Permit (§§ 76 & 77)***

This act creates a liquor permit for facilities in which class III gaming is conducted, such as a casino. The permit applies to the premises in which gaming is conducted and to related facilities, such as restaurants, hotels, nightclubs, bingo halls, or convention centers.

The permit allows the (1) retail sale of all types of liquor for on-premises consumption; (2) manufacture, storage, and bottling of beer for on-premises consumption if the casino produces at least 5,000 gallons of beer annually on the premises; and (3) retail sale from guest bars located in hotel guest rooms. The guest bars must be accessible only by key, magnetic card, or similar device given to a registered guest at least 21 years old by the hotel and not be restocked between 1:00 a.m. and 9:00 a.m.

The act sets the same permissible sales hours for premises operating under a casino permit as for restaurants, cafes, and similar establishments. However, unlike restaurants and similar establishments, it allows casino permittees to sell on Christmas Day without requiring the permittee to have food available. It sets the annual casino permit fee at \$2,400 plus \$50 for each hotel room guest bar.

## [PA 00-216](#)

### ***Advisory Commission on Multicultural Health (§ 11)***

This act establishes a 17-member Advisory Commission on Multicultural Health with a mission to eliminate disparities in health status among the state's cultural and ethnic communities and to improve the health of state residents. Under the act, the advisory commission's members include one member representing a Native American advocacy group.

## [PA 00-229](#)

### ***Property Tax Revaluations (§ 3)***

This act specifies that the state law on property tax revaluations does not require the revaluation of real estate (1) designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Pequot Tribal Nation before June 8, 1999, or (2) taken into trust by the federal government for the Mohegan Tribe of Indians of Connecticut.

## **2001**

## [PA 01-45](#)

### ***Training Casino Personnel for Employment***

This act allows the Mohegan Tribe of Indians of Connecticut, like the Mashantucket Pequot Tribe, to train people on gambling devices off the reservation for employment at the casino. It specifically allows the tribe or its agent to have and use the devices to conduct training off the reservation so long as (1) the IGRA permits their use on the reservation and (2) no money is paid to anyone due to operating the device during training. The act also allows people in training to use the devices during training.

The act allows the tribes to test gambling devices off the reservations under the same restrictions that apply to training. It requires them to notify DSR when they intend to have and use the devices for off-reservation testing.

## [PA 01-137](#)

### ***Entities Eligible to Grant Children Provisional or "Presumptive Eligibility" for HUSKY Part A (§ 2)***

This act broadens and updates the state statute on what "qualified entities" may determine "presumptive eligibility" to provisionally enroll children in HUSKY A. It does so by referring to these entities under federal law instead of listing the specific types of entities. The federal law covers the same entities as prior law, but also includes, among other things, (1) tribal child support

enforcement agencies and (2) tribal offices administering state welfare reform programs funded by a federal Temporary Assistance for Needy Families block grant or that determine eligibility for federally funded public or assisted housing (including Native American housing programs). Under the act, the Department of Social Services commissioner is still responsible for deciding whether these entities are capable of determining eligibility.

### **PA 01-6, June Special Session**

#### ***Sales Tax Exemption (§ 30)***

The act extends a sales tax exemption that already applied to certain services rendered between affiliated businesses to the same services rendered between federally-recognized Indian tribes and their affiliated businesses. The exemption covers transactions between a tribe and a business it controls and between two or more businesses the tribe controls. It applies to such taxable services as computer and data processing, management consulting, business analysis, and telecommunications and cable television services.

### **PA 01-9, June Special Session**

#### ***Indian Tribes and the Unemployment Compensation System (§§ 19-21)***

This act makes state law conform to federal requirements by changing the way the Mashantucket Pequot and Mohegan Indian tribes, their subdivisions, subsidiaries, and any businesses wholly owned by them are treated for purposes of unemployment compensation. In 2000, federal law was amended to exclude services performed by employees of those tribes from the Federal Unemployment Tax Act. The act requires most tribe employees who are excluded from federal coverage to be covered under the state unemployment compensation system effective December 21, 2000. It also gives the tribes the same option as state and local governments to pay for their unemployment compensation liability by reimbursing the unemployment fund dollar-for-dollar for benefits to their former employees rather than through contributions (taxes).

## **2002**

### **PA 02-73**

#### ***Connecticut Credit Union Authorized Powers (§ 52)***

This act allows Connecticut credit unions to buy one or more loans from any other lending institution or federally-recognized Native American tribe, if it has a formal written agreement with the tribal government allowing the credit union to service and collect on the loans.

### ***Par Value and Payments (§ 54)***

The act also allows Connecticut credit unions to receive payment on shares from a nonmember who is, among other things, a federally-recognized Native American tribal government located in Connecticut. Prior law allowed credit unions only to receive payment on shares from nonmembers who were state or federal officers, employees, or agents with official custody of public funds.

## **2003**

### ***PA 03-1, January Special Session***

#### ***Repeal of “Las Vegas Nights”***

This act makes Las Vegas nights illegal by repealing the statutes that allow (1) charitable, civic, and other organizations to hold such events as fundraisers and (2) high school-sponsored Las Vegas nights. It correspondingly repeals statutes governing these games, including the DSR permit application process, conditions on operation, and reporting requirements. It also makes conforming changes. The act changes the definition of gambling, which applies to the crime of illegal gambling, by (1) eliminating the exemption for Las Vegas night activities and (2) explicitly including casino gambling such as blackjack, poker, craps, roulette, and slot machines.

(The IGRA requires states to negotiate with Indian tribes to allow class III gaming on reservations if, among other conditions, the reservation is in a state that “permits such gaming for any purpose by any person, organization, or entity...” In 1989, the Mashantucket Pequot Tribe asked the state to negotiate over allowing casino gambling on its reservation. After the state refused to do so, the Second Circuit Court of Appeals ordered the state to negotiate with the tribe, in part because the state already allowed highly regulated games of chance such as Las Vegas nights (*Mashantucket Pequot Tribe v. Connecticut*, 913 F. 2d 1024 (2nd Cir. 1990), 737 F. Supp. 169 (D. Conn. 1990)).)

### ***PA 03-114***

#### ***Limitations on Minors in Casinos (§ 2)***

This act restricts the access of people under age 21 in Indian casinos that conduct class III gaming and imposes fines, imprisonment, or both for violations. It prohibits people under age 21 from being in rooms where class III gaming is conducted unless they are casino employees over age 18 and licensed by DSR (if their job duties require licensing). These employees cannot serve or handle alcohol or be present in these locations if other laws prohibit it.

The act does not limit access to rooms where only bazaar games are conducted (games of chance involving merchandise rather than cash prizes) or to casino areas where class III gaming is not

conducted. It specifies that it should not be interpreted to prohibit minors from receiving gifts of lottery tickets or chances in lawfully operated games.

## **2005**

### **[PA 05-245](#)**

#### ***Education Funding for Tribal-Agency-Placed Children (§§ 18-20)***

This act requires the state to reimburse school districts for the costs associated with educating a child placed by a tribal government in the same way it reimburses for those placed by state agencies. It does this by amending the definition of an “agency” to include tribal agencies in certain sections of the education statutes.

## **2008**

### **[PA 08-89](#)**

#### ***Sports Advisory Board***

This act requires the Connecticut Commission on Culture and Tourism’s (CCCT) executive director to appoint a Sports Advisory Board within CCCT to advise her on how to promote the state’s sports industry. The board’s members must include, among others, representatives from the Mohegan Sun Arena and Foxwoods Resort Casino.

### **[PA 08-171](#)**

#### ***Commission on Health Equity***

This act establishes the Commission on Health Equity in the Office of the Health Care Advocate. The commission must work to (1) eliminate disparities in health status based on race, ethnicity, and linguistic ability and (2) improve the quality of health for all state residents. Under the act, one of the commission’s 32 members must be a representative of the Native American community, appointed by the Senate majority leader with the advice of the Native American Heritage Advisory Council or the Indian Affairs Council’s chairperson.

### **[SA 08-8](#)**

#### ***Conveyance to Mohegan Tribe (§ 8)***

This special act requires the DEP commissioner to convey a 1.65-acre parcel of land in Montville to the Mohegan Tribe at fair market value plus administrative costs. It requires DEP to keep an easement for public fishing access. It keeps the land under DEP’s care and control until the conveyance is complete (including review and approval by the State Properties Review Board), and gives the commissioner sole responsibility for all other incidents of the conveyance.

## [SA 08-9](#)

### ***MDC Minority Business Enterprise Contracting***

This special act generally creates a minority business enterprise contracting preference for the Metropolitan District Commission (MDC). Under the act, “minority” includes, among others, American Indians and people who have origins in any of the original peoples of North America and maintain identifiable tribal affiliations through membership and participation or community identification.

## **2009**

### [PA 09-3, June Special Session](#)

#### ***Casino Liquor Permit Fees (§ 365)***

This act increases the casino liquor permit fee from \$2,400 to \$2,650, and the additional fee for each room with a guest bar from \$50 to \$100.

## **2010**

### [PA 10-46](#)

#### ***Unemployment Compensation Extended Benefits***

Under federal and state law, the state, municipalities, and Native American tribes may reimburse the unemployment compensation fund for unemployment benefits paid to their former employees. This act codifies the federal requirement that these employers pay 100% of the cost of any extended benefits. (Extended benefits are benefits granted beyond (1) the standard 26-week period and (2) any additional benefits the federal government grants and pays for.)

## **2011**

### [PA 11-48](#)

#### ***Connecticut Commission on Culture and Tourism (§§ 78, 79, 98-122, 125-132 & 136-173)***

This act eliminates CCCT and transfers its powers, duties, and programs to the Department of Economic and Community Development (DECD). It transfers CCCT’s tourism-related powers, duties, and functions to DECD, including those related to issuing archaeological dig permits, developing procedures for inventorying Native American burial sites, and advising other agencies about specified archaeological matters (§ 151).

## 2012

### [PA 12-17](#)

#### ***Hours of Alcohol Consumption at Casinos (§ 11)***

This act allows alcohol consumption at a casino gaming facility in glasses or other suitable containers, other than liquor or wine bottles, at any time, as long as the alcohol is served to a casino patron during the allowable hours for on-premises alcohol sales.

### [PA 12-1, June Special Session](#)

#### ***Amendments to Agreements With Tribes (§ 242)***

This act deems approved the amendments to the state's settlement agreements with the Mohegan and Mashantucket Pequot tribes on promotional programs under which they give certain casino customers coupons, credits, or both to play slot machines for free, up to the face value of the coupons or credits.

Under the amendments, each tribe has agreed that whenever the coupons or credits used in any month exceed 11%, instead of 5.5%, of gross operating slot machine revenue, the tribe will contribute 25% of the excess amount to the state. The 25% contribution is based on a MOU each tribe has with the state, giving them the exclusive right to operate video slot machines in Connecticut in exchange for 25% of the gross operating revenue from slot machines.

## 2013

### [PA 13-170](#)

#### ***Policing of Indian Tribal Land***

This act authorizes the Department of Emergency Services and Public Protection (DESPP) commissioner, upon the chief state's attorney's approval, to enter into separate memoranda of agreement with the Mohegan and Mashantucket Pequot tribes to establish the authority of each tribe's police department and police officers to exercise law enforcement powers. It authorizes both officials to jointly revoke an agreement. The officials, in either case, may take the actions regardless of a law requiring the legislature to execute and approve compacts between the tribes and state. However, the commissioner must submit a copy of any agreement to the top six legislative leaders and Government Administration and Elections and Public Safety and Security committees.

The act subjects a tribal department under such an agreement to the Police Officer Standards and Training Council's jurisdiction and gives department officers the authority and duties of peace

officers. But the departments must be created and governed by the agreement for these provisions to apply.

### [PA 13-184](#)

#### ***Keno (§§ 84-86)***

This act allows CLC to offer Keno games, in addition to the state lottery, generally subject to the same requirements as other lottery games. In establishing Keno, CLC must comply with any revenue agreement the state, through the Office of Policy and Management (OPM), makes with the Mashantucket Pequot and Mohegan tribes to share Keno revenue. The act authorizes OPM to enter into these agreements requiring the state to pay up to 12.5% of the gross Keno revenues (the total amount wagered minus prize payouts).

### [PA 13-210](#)

#### ***Native American Month***

This act requires the governor to proclaim November as Native American Month.

## **2014**

### [PA 14-47](#)

#### ***Repeal of Keno (§§ 52, 53 & 66)***

This act repeals the 2013 law allowing the state to operate keno as a lottery game. It does so by eliminating the authority of (1) CLC to introduce keno as a lottery game and (2) the OPM secretary, on the state's behalf, to enter into separate profit-sharing agreements with the Mashantucket Pequot and Mohegan tribes on CLC's operation of keno.

## **2015**

### [PA 15-244](#)

#### ***Keno (§§ 103-106)***

This act allows CLC to offer keno games, generally subject to the same requirements as other state lottery games. It allows the OPM secretary, on the state's behalf, to enter into separate agreements with the Mashantucket Pequot and Mohegan tribes on CLC's operation of keno. CLC may not introduce keno until these agreements are effective.

The act also specifies that CLC has the exclusive right to operate and manage all lottery games sales in Connecticut, except on the Mashantucket Pequot and Mohegan reservations.

## [SA 15-7](#)

### ***Possible Off-Reservation Casino***

This special act creates a process for the possible establishment of an off-reservation casino in the state. It allows the Mohegan and Mashantucket Pequot tribes, through a business entity owned exclusively by them, to issue a request for proposals to possibly establish an off-reservation casino.

The act allows the tribal business entity to enter into a development agreement with a municipality to possibly establish the casino. The agreement, as well as the casino's establishment, is contingent upon state law being changed to allow the tribes to operate an off-reservation casino. If a final judgment of any court holds any provision of the act invalid, unlawful, or unconstitutional, the remaining provisions are inoperative and have no legal effect.

## [PA 15-5, June Special Session](#)

### ***Keno (§ 138)***

PA 15-244, §§ 103-106, allows CLC to offer keno games, but not until OPM enters into separate agreements with the Mashantucket Pequot and Mohegan tribes on CLC's keno operation. This act limits the total amount of gross keno revenue the state may give to a tribe under an agreement to 12.5% of that revenue after subtracting prize payments.

## **2016**

## [SA 16-12](#)

### ***Study of Certain Employment Transitions in Eastern Connecticut***

This special act requires the DECD commissioner to report to the Commerce Committee on the transition of former casino employees to employment in other job sectors. The report must at least include (1) an analysis of the impact of casino job losses on the workforce in eastern Connecticut, (2) an examination of the availability of industry sectors in eastern Connecticut into which former casino employees may gain employment, (3) the type and amount of training needed to transition into these industry sectors, (4) the existing resources in eastern Connecticut for former casino employees to obtain this training, and (5) recommendations for any additional training resources or changes in career coaching necessary to aid the transition.

## 2017

### [PA 17-4](#)

#### ***Police Assistance Agreements Between Municipalities and the Tribes***

This act authorizes the Mohegan Tribe or Mashantucket Pequot Tribe, through the tribe's chief executive officer, to enter into police mutual aid agreements with municipalities on the same terms and conditions as municipalities can already do with each other under existing law. The authorization is valid as long as the tribal-state MOUs establishing the authority of the tribal police departments remain in effect.

### [PA 17-89](#)

#### ***Regulation of Gaming and the Authorization of a Casino Gaming Facility***

This act authorizes the operation of an off-reservation commercial casino gaming facility in East Windsor, Connecticut, subject to regulation by the Department of Consumer Protection (DCP). It gives MMCT Venture, LLC, a company jointly owned and operated by the Mashantucket Pequot and Mohegan tribes, the exclusive right to conduct authorized games at the facility.

For the authorization to take effect, the act requires that several conditions be met, including that the (1) current gaming agreements between the tribes and the state be amended to provide that the authorization of an off-reservation casino does not end the existing video facsimile (for example, slots) moratorium or payments to the state, and (2) amendments be approved by the state legislature and federal Department of the Interior (DOI).

The act requires MMCT to contribute \$300,000 annually to the Connecticut Council on Problem Gambling by the date the new casino is operational ([PA 17-2, June Special Session](#), § 131, requires the contribution to go to the chronic gamblers treatment and rehabilitation account instead). It also requires the company to pay the state 25% of the gross gaming revenue from both the video facsimile games and all other authorized casino games. Of the 25% from the video facsimile games, the act requires \$4.5 million to be annually dispersed as grants to certain nearby municipalities. It also requires the facility to annually pay an assessment that covers DCP's regulatory costs.

The act requires DCP to adopt implementing regulations to ensure the proper, safe, and orderly conduct of casino gaming. Among other issues, the regulations must address security at a casino, audits and record keeping, and personnel training. The act also requires each casino gaming facility to develop management and operating standards, subject to DCP approval.

Lastly, the act allows East Windsor to fix the property tax assessment for real property, property improvements, and personal property used in connection with a casino gaming facility.

### [PA 17-209](#)

#### ***Advisory Council on Large Entertainment Venues (§ 1)***

This act establishes an Advisory Council on Large Entertainment Venues to coordinate large entertainment events at certain facilities and address other issues related to operating these facilities. Once a casino gaming facility that is jointly owned and operated by the Mashantucket Pequot and Mohegan tribes is authorized to conduct any game of chance, the council must include a representative from each tribe. (Because states generally lack jurisdiction over federally-recognized Indian tribes, absent federal authority or an agreed-upon agreement (such as a gaming compact), the act's requirement for the tribes to provide a council representative may be unenforceable.)

### [PA 17-2, June Special Session](#)

#### ***Fantasy Contests (§§ 649-652)***

Once certain conditions are met, this act specifically legalizes fantasy contests in Connecticut (for example, daily fantasy sports) by exempting the contests and devices used to play them from the definition of gambling and gambling device, respectively. These conditions include amending the tribal-state gaming agreements to include provisions stating that the authorization to conduct fantasy contests does not (1) end the moratorium against operating video facsimile games or (2) relieve the tribes of their obligation to contribute a percentage of the gross operating revenues of video facsimile games to the state.

Any agreement on the amendments between the tribes and the state must be approved by the state legislature under the statutory process for approving tribal-state compacts. They also must be approved or deemed approved by the DOI secretary. If a court overturns DOI's approval in an unappealable final judgment, the act's authorization ceases to be effective.

## **2019**

### [PA 19-3](#)

#### ***Hemp Pilot Program (§ 1)***

This act requires the Department of Agriculture (DoAg) commissioner to establish and operate a hemp research pilot program that enables DoAg, and its licensees, to study ways to cultivate, process, and market hemp. It allows the commissioner to enter into an agreement with any state- or federally-recognized Indian tribe to help the tribe develop a pilot program under federal law or to

have applicants from the tribe participate in DoAg's pilot program. (PA 20-2, September Special Session, removed this authorization.)

## [PA 19-178](#)

### ***Connecticut Tourism Council***

This act establishes a 29-member Connecticut Tourism Council, which includes two representatives of casino gaming facilities appointed by the governor. Among other things, the council must (1) evaluate DECD's biennial strategic marketing plan for culture and tourism and (2) annually report to the Commerce Committee.

## **2020**

## [PA 20-2, September Special Session](#)

### ***Hemp Pilot Program***

By law, the DoAg commissioner operates a hemp research pilot program until the U.S. Department of Agriculture approves the state plan for hemp. Prior law allowed him to enter into an agreement with a state- or federally-recognized Indian tribe to help it develop a pilot program or participate in the state's program. This act, among other things, removes this authorization.

## **2021**

## [PA 21-23](#)

### ***Online Casino Gaming, Retail and Online Sports Wagering, Fantasy Contests, Keno, and Online Lottery Ticket Sales***

This act establishes new frameworks for legalizing and regulating (1) in-person and online sports wagering, (2) online casino gaming, (3) in-person and online keno, (4) online lottery draw games other than keno, and (5) fantasy contests. These frameworks are subject to several conditions, principally that the governor must first enter into specific contractual agreements with the Mashantucket Pequot and Mohegan tribes. These agreements must then be approved by the DOI secretary and published in the Federal Register.

The act generally authorizes the tribes and CLC to operate these games subject to specific requirements, including limiting the authorizations to an initial 10-year period with an option for a five-year renewal.

The act specifically allows the tribes to conduct (1) in-person and online sports wagering, as well as fantasy contests, on their reservations and (2) one skin for online sports wagering, one skin for

online casino gaming, and fantasy contests outside their reservations. (Under the act, a “skin” is a branded or cobranded name and logo on a website or mobile application for enabling certain online games.)

Additionally, the act requires monthly payments from the tribes to the General Fund ranging from 13.75% to 20% of gross revenues from sports wagering, online casino gaming, and fantasy contests, and annual payments of \$500,000 from each tribe and \$1 million from CLC towards certain problem gambling accounts or programs. The act also delays the authorization for an off-reservation casino gaming facility in East Windsor for 10 years and makes technical and conforming changes.

### **PA 21-114**

#### ***Exempting Certain Records on Native American Cultural Knowledge From Public Disclosure Under FOIA***

This act exempts certain records of traditional cultural knowledge submitted to a public agency by a member, representative, or lineal descendant of a tribal nation from being (1) deemed a public record and (2) subject to disclosure under the Freedom of Information Act (FOIA). The exemption applies to any of these records submitted as part of the consultation process to determine cultural affiliation under the federal Native American Graves Protection and Repatriation Act (NAGPRA) and its implementing regulations.

Under the act, a “tribal nation” is an Indian tribe or Native Hawaiian organization, as defined under NAGPRA, or a tribe recognized by one or more state governments. “Records of traditional cultural knowledge” are records with information central to a community’s cultural and social identity, such as religious rites and rituals, locations of sacred sites, kinship membership statistics, and oral histories and traditions.

### **PA 21-1, June Special Session**

#### ***Adult-Use Cannabis Agreements With Mashantucket Pequot and Mohegan Tribes (§ 150)***

This act authorizes the governor to enter into one or more MOUs or agreements, compacts, or amendments to existing compacts (“agreements”) with the Mashantucket Pequot and Mohegan tribes to coordinate the administration and execution of the adult-use cannabis act’s provisions with the tribes’ laws and regulations on possessing, delivering, producing, processing, or using cannabis. These tribal-state agreements may cover (1) criminal and civil law enforcement and (2) laws and regulations on (a) taxation and (b) possessing, delivering, producing, processing, or using cannabis.

Under the act, any agreement must (1) preserve public health and safety; (2) ensure cannabis production, processing, testing, and retail facilities on tribal land are secure; and (3) regulate any business involving cannabis passing between the tribal nation's reservation and other areas in the state.

Under existing law, both houses of the legislature must approve a tribal-state compact. However, the act overrides this law and deems any above-described agreement (or renewal of one) approved once the governor enters into it, without further action by the legislature.

### **PA 21-2, June Special Session**

#### ***Grants to Municipalities With School Teams That Have a Native American Mascot, Nickname, Logo, or Team Name (§ 63)***

Beginning in FY 23, this act generally makes municipalities ineligible for grants from the Mashantucket Pequot and Mohegan Fund if a school or associated intramural or interscholastic athletic team under its board of education's jurisdiction uses any of the following in its mascot, nickname, logo, or team name: a name, symbol, or image that depicts, refers to, or is associated with a Native American individual, custom, tradition, or state- or federally-recognized tribe.

However, the act allows these municipalities to retain their grant eligibility if the school or team uses a name, symbol, or image that (1) depicts or refers to a state- or federally-recognized tribe with the tribe's consent or (2) is associated with a Native American individual, custom, or tradition, with the consent of a tribe that is either (a) historically associated with the school or team or (b) located in or associated with the school's geographic region. It also allows a grace period until FY 24 for municipalities that meet certain conditions.

The act requires that the tribe's consent be in writing and include a tribal council resolution, an agreement between a tribal government and municipality, or a consent statement endorsed by a tribal government.

#### ***Fantasy Contest Provisional Licenses (§ 315)***

This act requires the DCP commissioner, by July 1, 2021, to issue provisional licenses to CLC and each tribe, or a tribe's instrumentality or affiliate wholly owned by a tribe, to operate fantasy contests outside the tribes' reservations but within the state under certain conditions. It also (1) allows provisional licensees to contract with certain individuals or entities to operate fantasy contests and (2) prohibits anyone from offering or operating fantasy contests unless the person has a provisional license to operate fantasy contests or is operating them through a contract with a provisional licensee.

### ***Model Curriculum for Grades K-8 (§ 374)***

This act requires the State Department of Education, in collaboration with the State Education Resource Center, to develop a model curriculum by January 1, 2023, that local and regional boards of education may use for grades kindergarten through eight (K-8). The act requires the model curriculum to include and integrate Native American studies, among other things.

### ***Native American Studies in Public Schools (§§ 376 & 377)***

This act adds Native American studies to public schools' required program of instruction as part of their social studies curriculum beginning in the 2023-24 school year. It requires the Native American studies curriculum to include a focus on the Northeastern Woodland Native American Tribes of Connecticut.

### ***PILOT Program (§§ 445 & 446)***

This act makes taxing districts (village, fire, sewer, and combination fire and sewer districts and other municipal organizations authorized to levy and collect taxes) eligible for state, municipal, and tribal property payments in lieu of taxes (PILOTs). Under prior law, municipalities and taxing districts were eligible for the college and hospital property PILOTs, but only municipalities were eligible for the state, municipal, and tribal property PILOTs. The act also increases the statutory PILOT reimbursement rate, from 45% to 100%, for (1) Mashantucket Pequot reservation land designated within the 1983 settlement boundary and taken into trust by the federal government before June 8, 1999, and (2) Mohegan reservation land taken into trust by the federal government.

## **2022**

### **[PA 22-25](#)**

#### ***CHEAPR Program (§ 7)***

The Connecticut Hydrogen and Electric Automobile Purchase Rebate (CHEAPR) program generally provides incentives to buy battery electric vehicles, plugin hybrid electric vehicles, and fuel cell electric vehicles, among other things. This act extends eligibility for the incentives to in-state municipalities, businesses, nonprofits, and tribal entities. It generally limits each eligible entity to 10 incentives per year, within available funds, and 20 incentives total. Prior law limited eligibility to individual state residents.

## [PA 22-60](#)

### ***Applying the ICWA to Child Custody, Placement, Adoption, and Termination of Parental Rights Proceedings Involving an Indian Child***

This act requires the children and families commissioner to make sure that any action or proceeding under the child welfare laws involving an American Indian child's custody or placement in a foster or adoptive home, or the termination of the child's parents' parental rights, is according to the federal Indian Child Welfare Act (ICWA).

The act similarly requires the probate court, or the Superior Court in contested cases, to make sure that any action or proceeding under the probate laws for these same matters is also done according to the ICWA.

Under the act and the ICWA, an "Indian child" is an unmarried person under age 18 who is either (1) a member or citizen of an Indian tribe or (2) eligible for membership or citizenship in an Indian tribe and the biological child of an Indian tribe member or citizen.

## [PA 22-102](#)

### ***Firearms Permits and Firearms Dealers (§ 2)***

This act allows the police chiefs of federally-recognized Native American tribes in the state with a "law enforcement unit" to issue temporary state handgun permits under the statutory permit approval process to applicants who are bona fide permanent residents of the tribal reservations. Under the act, if the tribal law enforcement unit accepts these applications, the police chief of any other law enforcement unit with jurisdiction over the tribal reservation may not issue the permits. Prior law required tribal reservation residents to apply for these permits to the local official (police chief, borough warden, or first selectman) of the municipality in which the reservation is located. By law, "law enforcement units" include the Mashantucket Pequot and Mohegan tribal police departments, which are governed under a memorandum of agreement.

## [PA 22-113](#)

### ***Disclosure of Gaming Voluntary Self-Exclusion Records***

Under existing law, the name and personally identifying information of participants in CLC's voluntary self-exclusion process are generally exempt from disclosure under FOIA. This act extends this exemption to participants in the voluntary self-exclusion processes that (1) must be established with the gaming services provided by master wagering licensees (generally CLC and the Mashantucket Pequot and Mohegan tribes) and their associated licensed online gaming operators, online gaming service providers, and sports wagering retailers and (2) must be regulated by DCP.

## [PA 22-118](#)

### ***Tribal Grants (§ 59)***

This act requires the OPM secretary to distribute a \$3,000 grant to each of the Schaghticoke, Paucatuck Eastern Pequot, and Golden Hill Paugusset tribes in FY 23. He must distribute the grants from the Mashantucket Pequot and Mohegan Fund in addition to any payments made to towns from the fund. The tribes must use the grants to manage their properties, but may not use them in connection with any legal claim against the state or federal government.

## **2023**

## [PA 23-54](#)

### ***Revising Various Gaming Statutes***

This act creates a new license class (“live game employee”) under which certain people associated with live online casino gaming must be licensed. It also makes several changes for “key employees,” including (1) specifying that the term, for licensure purposes, includes certain chief information and data security officers and (2) waiving other licensing requirements that may apply to their positions.

It also requires DCP to transfer the licensing fees for live game employees of the Mashantucket Pequot and Mohegan tribes, and of the tribes’ affiliated online gaming operators and online gaming service providers, to the State Sports Wagering and Online Gaming Regulatory Fund.

When a tribe’s master wagering license expires, existing law requires that all other licenses associated with it expire without any further action by DCP. This includes licenses for an online gaming operator, online service provider, or sports wagering retailer and all corresponding key and occupational employee licenses. The act adds licenses for live game employees to this list.

The act makes conforming changes to the gaming laws that apply to the Mashantucket Pequot and Mohegan tribes and their affiliates and employees by (1) extending to their live game employees the existing law barring certain key and occupational employees from raising the defense of sovereign immunity for actions brought against them in their employee capacities; (2) including the cost of regulating their live game employees in the calculation for DCP’s annual regulatory assessments on the tribes; and (3) allowing the tribes to reduce these assessments by the amounts paid for their live game employee fees, just as existing law allows for their other licensing fees paid.

### [PA 23-113](#)

#### ***The Connecticut Indian Child Welfare Act***

This act generally codifies into state law the federal ICWA, which governs jurisdiction over American Indian children's removal from their families in custody, foster care, and adoption cases. In doing so, the act expands the ICWA's coverage to the state-recognized Golden Hill Paugussett, Paucatuck Eastern Pequot, and Schaghticoke tribes. (The federal ICWA already applies to federally-recognized tribes.)

The act gives exclusive jurisdiction to Indian tribes over child custody proceedings involving Indian children in some cases and preferred jurisdiction in some other cases involving foster care placement or termination of parental rights. For these matters that remain in state court, the act sets standards in numerous areas such as (1) certain evidentiary standards that must be met for involuntary cases, (2) parental consent to terminating parental rights or withdrawing that consent, and (3) certain preferences on adoptive or foster care placements.

Under the act, an "Indian child" is an unmarried person under age 18 who is (1) a member of a federally- or Connecticut-recognized Indian tribe or (2) eligible for tribal membership and a biological child of a tribe member.

### [PA 23-130](#)

#### ***Temporary State Permits to Carry a Pistol or Revolver Issued by Tribal Police Departments***

Under PA 22-102, the police chiefs of the federally-recognized Native American tribes with law enforcement units in the state may issue temporary state handgun permits under the statutory permit approval process to applicants who are bona fide permanent residents of tribal reservations in the state. This act makes numerous conforming changes throughout the firearm permitting statutes to extend the statutory permit approval process to these police chiefs.

### [PA 23-137](#)

#### ***Resources and Support Services for Persons With an Intellectual or Developmental Disability (§ 34)***

This act requires boards of education to provide special education to a child until the child graduates from high school or until the end of the school year when the child reaches age 22 (rather than until age 21 as under prior law), whichever occurs first. It also explicitly extends this requirement to children who are placed in a school district by the offices of a Native American tribe's government, among others.

## [PA 23-157](#)

### ***Funding for Microgrids, Resilience, and State Agency Building Decarbonization Projects***

This act expands eligibility to participate in the Microgrid and Resilience Grant and Loan Program to include, among others, state- and federally-recognized tribes.

## [PA 23-188](#)

### ***Juvenile Justice (§ 2)***

This act adds two tribal members to the Juvenile Justice Policy and Oversight Committee, one each from the Mashantucket Pequot Tribe and Mohegan Tribe of Indians of Connecticut, appointed by their respective tribe.

## [PA 23-204](#)

### ***Historic Preservation Review Process Working Group (§ 69)***

This act establishes a working group to (1) study the State Historic Preservation Officer's role in administering the historic preservation review process under the Connecticut Environmental Policy Act and (2) recommend changes to the act and its related regulations. The working group's members include, among others, one member appointed by each of the Schaghticoke, Paucatuck Eastern Pequot, Mashantucket Pequot, Mohegan, and Golden Hill Paugussett tribes.

### ***Annual Tribal Grants (§ 138)***

This act requires the OPM secretary to annually distribute a \$20,000 grant to each of the Schaghticoke, Paucatuck Eastern Pequot, and Golden Hill Paugussett tribes beginning in FY 24. He must distribute the grants from the Mashantucket Pequot and Mohegan Fund in addition to any payments made to towns from the fund. The tribes must use the grants to manage their properties. The act prohibits using the grants in connection with any legal claim against the state or federal government or to support any petition for federal recognition.

### ***Working Group on the Taxation of Real and Personal Property on Tribal Land (§ 359)***

This act creates a working group to examine the taxation of reservation land held in trust for federally-recognized Indian tribes in Connecticut and tangible personal property located there.

### ***Language Assistance in Voting (§ 413)***

This act requires a municipality to provide language-related assistance in voting and elections if the secretary of the state determines a significant and substantial need exists based on certain

information or data. For a municipality with part of a Native American reservation, a significant and substantial need exists if more than 2% of the reservation's Native American voting-age citizens speak a particular shared language and are limited English proficient individuals.

## 2024

### [PA 24-5](#)

#### ***Paid Family and Medical Leave (§§ 1 & 6)***

This act allows the governor, in consultation with the Paid Family and Medical Leave Insurance (PFMLI) Authority, to enter into a MOU with any federally-recognized tribe in the state to authorize employees of both the tribe and any tribally owned business to participate in the state's PFMLI program. Once they enter into the MOU, they would be considered an employer under the PFMLI law. However, the act also requires that their participation be governed solely by the MOU's terms. (Presumably, the MOU would prevail if its provisions conflict with how the law treats an "employer.")

### [PA 24-68](#)

#### ***Tribal Access to State's Electronic Vital Records System (§ 39)***

This act requires the Department of Public Health (DPH), upon the request of the Mashantucket Pequot or Mohegan tribe, to grant the tribe access to the state's birth and death registries in DPH's electronic vital records system. This access must allow the tribe, instead of a municipality, to register births and deaths that occur on tribal land. These tribe-issued birth or death certificates for registration in the state's system must be recognized as valid in the state, as long as they meet specified requirements in state law and regulations for registering, indexing, maintaining, issuing, correcting, and amending them.

The act requires any entity or official responsible for filing birth or death certificates with a municipality to cooperate and fulfill its filing obligations with a requesting tribe in the same way as it would with a municipality. They are subject to the same enforcement terms for failure to do so as they would be with municipalities.

Under the act, if DPH determines that a tribe has failed to comply with any requirements referenced above (such as those for registering or indexing) or has submitted filings that do not conform with these requirements, it must notify the tribe and give it an opportunity to demonstrate compliance and submit a plan of correction. DPH may terminate the tribe's access to the electronic birth and death registries, or remove their nonconforming filings, if the tribe does not comply or fully implement a DPH-approved correction plan within 30 days after receiving the notice.

The act specifies that it does not give DPH jurisdiction over a requesting tribe or its tribal office responsible for issuing and maintaining birth or death certificates. It also does not limit DPH's authority to (1) grant or restrict a requesting tribe's access to the state's birth or death registries consistent with the act's provisions or (2) remove any nonconforming filings from the registries.

### [PA 24-76](#)

#### ***Social Equity Cannabis Cultivators on State-Recognized Tribal Land (§ 13)***

By law, if a social equity applicant who applied for a cannabis cultivator license without participating in a lottery wants a final cultivator license, the applicant must provide evidence of certain information, including a right to exclusively occupy a location in a disproportionately impacted area where the cultivation facility will be located. This act allows these applicants to instead provide evidence that they will locate a facility on state-recognized tribal land. More specifically, the facility may be located on any (1) reservation of the Schaghticoke, Paucatuck Eastern Pequot, or Golden Hill Paugussett tribes that includes at least 10 acres of contiguous land that was part of the reservation on July 1, 2024, or (2) land any state-recognized tribe owns in fee simple if the parcel is at least 10 acres of contiguous land and is in a municipality that contained a disproportionately impacted area before July 1, 2024. Under existing law, a "disproportionately impacted area" is a U.S. census tract in the state that the Social Equity Council identifies using a statutory process.

### [PA 24-78](#)

#### ***State Seal of Biliteracy (§ 5)***

This act expands the types of schools that may affix the Connecticut State Seal of Biliteracy to the high school diplomas of students who achieve a high level of proficiency in English and one or more foreign languages. It does this by allowing the governing body of any school that awards diplomas, instead of only local and regional boards of education, to use criteria the State Board of Education sets for awarding this designation. It also expands the definition of "foreign language" to include any language spoken by a Native American tribe, instead of only the federally-recognized tribes.

### [PA 24-81](#)

#### ***Transforming Children's Behavioral Health Policy and Planning Committee (§ 52)***

By law, the Transforming Children's Behavioral Health Policy and Planning Committee must evaluate the availability and efficacy of prevention, early intervention, and behavioral health treatment services and options for children from birth to age 18. This act expands the committee's membership by adding two members jointly appointed by the Appropriations Committee

chairpersons, each of whom must be a representative of one of the two federally-recognized Indian tribes in the state (the Mashantucket Pequot and Mohegan tribes).

## [PA 24-97](#)

### ***Notice Under the ICWA***

Under prior law, for involuntary proceedings in state court (either probate court or Superior Court), the party seeking the foster care placement of, or termination of parental rights (TPR) to, an Indian child had to notify the parent or Indian custodian and the child's tribe about the pending proceedings and their right to intervene. This act sets different notice requirements for probate court cases (specifically, those in which a party is seeking an adoption or TPR), primarily by requiring the court, rather than the petitioning party, to send required notices, and makes a few changes to the underlying requirements for cases in either court. Principally, the act:

1. specifically requires the probate court to notify the parent, and the notice to include the Indian custodian's or tribe's right to intervene, under existing notice procedures on TPR hearings;
2. requires the probate court to notify the Indian custodian and tribe by registered or certified mail, return receipt requested;
3. for Superior Court cases, allows the notice (to the parent, custodian, or tribe) to be sent by certified mail, in addition to registered mail as under existing law;
4. in probate court cases where the person's and tribe's identity or location cannot be determined, requires the probate court to send the required notices to certain officials; and
5. for both Superior and probate court, where the person's and tribe's identity or location cannot be determined, allows the notice (for children from federally-recognized tribes) to be sent to the Bureau of Indian Affairs Regional Director instead of the U.S. Secretary of the Interior.

## [SA 24-2](#)

### ***Working Group for Greater Mystic Area Economic Development and Tourism Plan***

This special act creates a working group to develop an economic development and tourism plan for the greater Mystic area, which must include, among other things, (1) proposals for projects to develop and expand tourist destinations in the greater Mystic area and (2) initiatives to promote tourism in this area through marketing campaigns, events, and partnerships with local businesses and tourist attractions. Working group members include a representative of the Mashantucket Pequot Tribe and a representative of the Mohegan Tribe.

## 2025

### [PA 25-168](#)

#### ***Tax Exemption for Property Located on Certain Reservation Lands (§ 434)***

This act establishes a property tax exemption for real and tangible personal property located on reservation land that is held in trust for a federally-recognized Indian tribe. The exemption applies regardless of the property's ownership.

### [PA 25-174](#)

#### ***Tax Exemption for Property Located on Certain Reservation Lands (§ 204)***

This act delays the effective date of the property tax exemption for property located on reservation land that is held in trust for a federally-recognized Indian tribe (see PA 25-168, § 434). It applies the exemption to assessment years starting on or after October 1, 2026, rather than those starting on or after October 1, 2025.

#### ***State Historical Commission (§§ 206-208)***

The act creates a 12-member State Historical Commission to examine and make recommendations on questions of memorialization and commemoration related to Connecticut and U.S. history. It also requires the commission to develop a process for identifying and commissioning additional statues for the State Capitol building's exterior that reflect the state's diversity, character, and accomplishments. The commission's members must include a representative of the Mashantucket Pequot Tribal Nation, appointed by the Senate majority leader, and a representative of the Mohegan Tribe of Indians of Connecticut, appointed by the Senate minority leader.

#### ***Tribe Applications to Convert Land to Federal Trust Status (§§ 209 & 210)***

The act removes a requirement for the state to oppose any application by a Native American tribe to convert any parcel of fee interest land (land owned with no restrictions) to federal trust status under federal regulations on Bureau of Indian Affairs land acquisitions. It also makes conforming changes.

LRH:CM:co