

HOUSE No. 6273

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 18, 1983.

The committee on Commerce and Labor, to whom were referred the petition (accompanied by bill, House, No. 1621) of Timothy A. Bassett for legislation to protect American Indian burial places and skeletal remains, and the petition (accompanied by bill, House, No. 3214) of Timothy A. Bassett relative to Indian burial sites and providing for the reburial of unearthed Indian remains, reports recommending that the accompanying bill (House, No. 6273) ought to pass.

For the committee,

TIMOTHY A. BASSETT.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Three.

AN ACT RELATIVE TO CERTAIN SKELETAL REMAINS OF AN ARCHAEOLOGICAL NATURE.

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

1 SECTION 1. The third paragraph of section 38 of chapter 7 of
2 the General Laws is hereby further amended by adding the
3 following sentence: — Said commission shall also exercise such
4 other powers and perform such other duties as are assigned to it by
5 law.

1 SECTION 2. Chapter 7 of the General Laws is hereby amend-
2 ed by inserting after section 38, the following section: —

3 *Section 38A.* Upon the receipt by the commission of notice
4 under section 6B of chapter 38 that a site evaluation will be made
5 to determine if skeletal remains are American Indian, the commis-
6 sion shall designate a representative to be present when said site
7 evaluation is made.

8 If it is determined that said remains are American Indian, the
9 owner of the land whereon the remains were discovered, the state
10 archaeologist and the commission shall determine whether the
11 remains shall be kept in their original site or shall be returned. Any
12 agreement relative thereto shall be in writing.

13 If it is not feasible to keep the remains in the original site, such
14 remains shall be reinterred within the time determined by the
15 commission on Indian affairs; provided, however, that if said
16 commission and the state archaeologist agree that a skeletal analy-
17 sis of the remains should be conducted, said analysis shall be
18 completed within one year.

1 SECTION 3. Section 26A of chapter 9 of the General Laws is
2 hereby amended by adding after paragraph four (4) the following
3 paragraph:

4 (5) Report to the commission of Indian Affairs, established
5 pursuant to the provisions of section 38 of chapter seven, the
6 discovery of and existence of and information pertaining to all
7 American Indian sites in the commonwealth.

1 SECTION 4. Section 26A of chapter 9 of the General Laws is
2 hereby further amended by adding to paragraph (2) the following:

3 In the event that the site being investigated is an American
4 Indian site, the survey and investigation shall be conducted in
5 conjunction with the commission on Indian affairs.

1 SECTION 5. Chapter 38 of the General Laws is hereby amend-
2 ed by inserting after section 6A the following section:

3 *Section 6B.* If after making inquiry pursuant to section six, the
4 medical examiner determines that skeletal remains are of an
5 archaeologist nature, he shall notify the state archaeologist who
6 shall determine if the skeletal remains are American Indian.

7 If the remains are not American Indian the archaeologist shall
8 retain jurisdiction over the same.

9 If the remains are probably of American Indian, said archaeolo-
10 gist shall forthwith notify the commission on Indian affairs that a
11 site evaluation will be made to determine if the place where said
12 remains were found is an Indian site.

The first part of the report is devoted to a general description of the country and its resources. It is followed by a detailed account of the various industries and occupations of the people.

The second part of the report contains a list of the principal towns and villages, with a description of their situation and the number of inhabitants. It also gives a list of the principal occupations of the people in each place.

The third part of the report is devoted to a description of the principal occupations of the people. It gives a list of the principal occupations of the people in each place, and a description of the manner in which they are carried on.

The fourth part of the report contains a list of the principal occupations of the people, with a description of the manner in which they are carried on. It also gives a list of the principal occupations of the people in each place.

The fifth part of the report is devoted to a description of the principal occupations of the people. It gives a list of the principal occupations of the people in each place, and a description of the manner in which they are carried on.

The sixth part of the report contains a list of the principal occupations of the people, with a description of the manner in which they are carried on. It also gives a list of the principal occupations of the people in each place.

The seventh part of the report is devoted to a description of the principal occupations of the people. It gives a list of the principal occupations of the people in each place, and a description of the manner in which they are carried on.