

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 765

Short Title: American Indian Heritage Commission. (Public)

Sponsors: Representative Graham.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Federal Relations and American Indian Affairs, if favorable, Rules, Calendar, and Operations of the House

May 4, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE AMERICAN INDIAN HERITAGE COMMISSION AND TO
3 APPROPRIATE FUNDS FOR THE OPERATION OF THE COMMISSION.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 2 of Chapter 143B of the General Statutes is amended by adding
6 a new Part to read:

7 "Part 30A. American Indian Heritage Commission.

8 **"§ 143B-135.5. American Indian Heritage Commission established.**

9 (a) Creation and Duties. – There is created the American Indian Heritage Commission in
10 the Department of Natural and Cultural Resources. The Commission shall advise and assist the
11 Secretary of Natural and Cultural Resources in the preservation, interpretation, and promotion of
12 American Indian history, arts, customs, and culture. The Commission shall have the following
13 powers and duties:

14 (1) Assist in the coordination of American Indian cultural events.

15 (2) Provide oversight and management of all State-managed American Indian
16 historic sites.

17 (3) Promote public awareness of the annual American Indian Heritage Month
18 Celebration.

19 (4) Encourage American Indian cultural tourism throughout the State of North
20 Carolina.

21 (5) Advise the Secretary of Natural and Cultural Resources upon any matter the
22 Secretary may refer to it.

23 (b) Members. – The Commission shall consist of 12 members. The initial board shall be
24 selected on or before October 1, 2021, as follows:

25 (1) One representative recommended by each of the following tribes: Coharie,
26 Eastern Band of Cherokee Nation, Haliwa-Saponi, Lumbee, Meherrin,
27 Occaneechi Band of the Saponi Nation, Sappony, and Waccamaw-Siouan.

28 (2) One representative recommended by each of the following organizations:
29 Cumberland County Association for Indian People, Guilford Native American
30 Association, Metrolina Native American Association, and the Triangle Native
31 American Society.

32 (c) Terms. – The members recommended by the Coharie, Eastern Band of Cherokee
33 Nation, Haliwa-Saponi, and Lumbee Tribes and the members recommended by the Cumberland
34 County Association for Indian People and the Guilford Native American Association shall serve



1 initial terms of two years expiring on June 30, 2023. The members recommended by the
2 Meherrin, Occaneechi Band of the Saponi Nation, Sappony, and Waccamaw-Siouan Tribes and
3 the members recommended by the Metrolina Native American Association and the Triangle
4 Native American Society shall serve initial terms of three years expiring on June 30, 2024. Upon
5 the expiration of the terms of the initial members of the Commission, each member shall be
6 appointed to terms for three years and shall serve until a successor is appointed.

7 (d) Vacancies. – A vacancy shall be filled in the same manner as the original appointment.
8 Appointees to fill vacancies shall serve the remainder of the unexpired term and until their
9 successors have been duly appointed and qualified.

10 (e) Removal. – The Commission may remove a member for misfeasance, malfeasance,
11 nonfeasance, or neglect of duty.

12 (f) Officers. – The chair shall be elected from among the membership. The Commission
13 shall select its other officers from among the membership as it deems necessary. All officers
14 serve for one year or until successors are qualified.

15 (g) Meetings; Quorum. – The Commission shall meet at least semiannually to conduct
16 business. The Commission shall establish the procedures for calling, holding, and conducting
17 regular and special meetings. A majority of Commission members shall constitute a quorum. The
18 Department of Natural and Cultural Resources shall provide space for the Commission to meet.

19 (h) Compensation. – The Commission members shall receive no salary as a result of
20 servng on the Commission but shall receive per diem, subsistence, and travel expenses in
21 accordance with the provisions of G.S. 138-5 and G.S. 138-6, as applicable.

22 (i) Staffing. – The Secretary of the Department of Natural and Cultural Resources shall
23 be responsible for staffing the Commission."

24 **SECTION 2.** There is appropriated from the General Fund to the Department of
25 Natural and Cultural Resources the sum of two hundred fifty thousand dollars (\$250,000) for
26 each year of the 2021-2023 fiscal biennium in recurring funds to fund two positions and to
27 provide operational support for the education, outreach, and communication efforts of the
28 American Indian Heritage Commission established in Section 1 of this act.

29 **SECTION 3.** This act is effective when it becomes law.