

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

H

2

HOUSE BILL 362  
Committee Substitute Favorable 4/3/01

Short Title: State Tribal Governments-AB.

(Public)

Sponsors:

Referred to:

March 1, 2001

1 A BILL TO BE ENTITLED  
2 AN ACT ACKNOWLEDGING THE AUTHORITY OF STATE-RECOGNIZED  
3 INDIAN TRIBES TO EXERCISE SELF-GOVERNANCE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 71A of the General Statutes is amended by adding a  
6 new section to read:

7 "**§ 71A-10. Indian self-governance.**

8 The State of North Carolina acknowledges that each Indian tribe designated and  
9 officially recognized by this Chapter has sovereign authority to organize and function as  
10 a governmental body with powers that include:

- 11 (1) Determining the tribe's form of government;
- 12 (2) Determining the tribe's citizenship, including establishing criteria for  
13 tribal enrollment and maintaining a tribal roll;
- 14 (3) Electing the tribe's governing body;
- 15 (4) Exercising legislative, executive, and judicial powers over matters  
16 within the tribe's jurisdiction, including exercising those powers over  
17 the citizens of the tribe with respect to tribal affairs;
- 18 (5) Protecting and promoting the health and welfare of the tribe and its  
19 citizens, including implementing and administering social, cultural,  
20 and economic programs;
- 21 (6) Authorizing tribal officials to represent the tribe with the State and  
22 with other governments and governmental entities; and
- 23 (7) Overseeing the reinterment of any remains from Indian burial sites  
24 recovered pursuant to the provisions of Chapter 70 of the General  
25 Statutes.

26 Nothing in this section authorizes an Indian tribe to act in a manner inconsistent with  
27 the laws of the State of North Carolina."

28 SECTION 2. This act is effective when it becomes law.