

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 1417

Short Title: Occaneechi on Indian Affairs Commission.

(Public)

Sponsors: Senators Kinnaird and Lee.

Referred to: Rules and Operations of the Senate.

June 13, 2002

A BILL TO BE ENTITLED

1 AN ACT TO ADD THE OCCANEECHI BAND OF THE SAPONI NATION TO
2 MEMBERSHIP ON THE NORTH CAROLINA STATE COMMISSION OF
3 INDIAN AFFAIRS.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 143B-407 reads as rewritten:

7 "**§ 143B-407. North Carolina State Commission of Indian Affairs - membership;**
8 **term of office; chairman; compensation.**

9 (a) The State Commission of Indian Affairs shall consist of two persons
10 appointed by the General Assembly, the Secretary of Health and Human Services, the
11 Director of the State Employment Security Commission, the Secretary of
12 Administration, the Secretary of Environment and Natural Resources, the
13 Commissioner of Labor or their designees and ~~20~~ 21 representatives of the Indian
14 community. These Indian members shall be selected by tribal or community consent
15 from the Indian groups that are recognized by the State of North Carolina and are
16 principally geographically located as follows: the Coharie of Sampson and Harnett
17 Counties; the Eastern Band of Cherokees; the Haliwa Saponi of Halifax, Warren, and
18 adjoining counties; the Lumbees of Robeson, Hoke and Scotland Counties; the
19 Meherrin of Hertford County; the Waccamaw-Siouan from Columbus and Bladen
20 Counties; the Indians of Person County; the Occaneechi Band of the Saponi Nation of
21 Alamance and Orange Counties, and the Native Americans located in Cumberland,
22 Guilford, Johnston, Mecklenburg, Orange, and Wake Counties. The Coharie shall have
23 two members; the Eastern Band of Cherokees, two; the Haliwa Saponi, two; the
24 Lumbees, three; the Meherrin, one; the Waccamaw-Siouan, two; the Indians of Person
25 County, one; the Cumberland County Association for Indian People, two; the Guilford
26 Native Americans, two; the Metrolina Native Americans, two; the Occaneechi Band of
27 the Saponi Nation, one, the Triangle Native American Society, one. Of the two
28 appointments made by the General Assembly, one shall be made upon the
29 recommendation of the Speaker, and one shall be made upon recommendation of the

1 President Pro Tempore of the Senate. Appointments by the General Assembly shall be
2 made in accordance with G.S. 120-121 and vacancies shall be filled in accordance with
3 G.S. 120-122.

4 (b) Members serving by virtue of their office within State government shall serve
5 so long as they hold that office. Members representing Indian tribes and groups shall be
6 elected by the tribe or group concerned and shall serve for three-year terms except that
7 at the first election of Commission members by tribes and groups one member from
8 each tribe or group shall be elected to a one-year term, one member from each tribe or
9 group to a two-year term, and one member from the Lumbees to a three-year term. The
10 initial appointment from the Indians of Person County shall expire on June 30, 1999.
11 The initial appointment from the Triangle Native American Society shall expire June
12 30, 2003. The initial appointment of the Occaneechi Band of the Saponi Nation shall
13 expire June 30, 2005. Thereafter, all Commission members will be elected to three-year
14 terms. All members shall hold their offices until their successors are appointed and
15 qualified. Vacancies occurring on the Commission shall be filled by the tribal council or
16 governing body concerned. Any member appointed to fill a vacancy shall be appointed
17 for the remainder of the term of the member causing the vacancy. The Governor shall
18 appoint a chairman of the Commission from among the Indian members of the
19 Commission, subject to ratification by the full Commission. The initial appointments by
20 the General Assembly shall expire on June 30, 1983. Thereafter, successors shall serve
21 for terms of two years.

22 (c) Commission members who are seated by virtue of their office within the State
23 government shall be compensated at the rate specified in G.S. 138-6. Commission
24 members who are members of the General Assembly shall be compensated at the rate
25 specified in G.S. 120-3.1. Indian members of the commission shall be compensated at
26 the rate specified in G.S. 138-5."

27 **SECTION 2.** This act is effective when it becomes law.