

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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SENATE BILL 179

Short Title: Recognize Chowanoke Tribe. (Public)

Sponsors: Senators Smith-Ingram (Primary Sponsor); Lowe and Waddell.

Referred to: Rules and Operations of the Senate

March 7, 2017

A BILL TO BE ENTITLED

AN ACT TO RESTORE OFFICIAL RECOGNITION TO THE CHOWANOKE NATION AS AN INDIAN TRIBE AND TO PROVIDE THEM WITH REPRESENTATION ON THE STATE ADVISORY COUNCIL ON INDIAN EDUCATION AND ON THE COMMISSION OF INDIAN AFFAIRS.

The General Assembly of North Carolina enacts:

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

"§ 71A-7.3. Chowanoke Nation of North Carolina; rights, privileges, immunities, obligations, and duties.

The Indian Tribe now residing in small communities in Chowan, Gates, Hertford, and Perquimans Counties, who were granted a reservation in Gates County, whose ancestors attended the first Indian School in North Carolina, and whose ancestors were listed as tribal chief men in North Carolina State records, shall be restored their historic designation, and officially recognized as the Chowanoke Nation of North Carolina. They shall continue to enjoy all their rights, privileges, and immunities as an American Indian Tribe with a recognized tribal governing body carrying out and exercising substantial governmental duties and powers similar to the State, being recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians."

SECTION 2. G.S. 115C-210.1(b) reads as rewritten:

"(b) American Indian members of the Council shall be broadly representative of North Carolina Indian tribes and organizations, North Carolina State-recognized tribes and organizations (Coharie Tribe, Eastern Band of the Cherokee Nation, Haliwa-Saponi Indian Tribe, Lumbee Tribe of North Carolina, Meherrin Indian Tribe, the Chowanoke Nation of Chowan, Gates, Hertford, and Perquimans Counties, Occaneechi Band of the Saponi Nation, Sappony, Waccamaw Siouan Tribe, Cumberland County Association for Indian People, Guilford Native American Association, Metrolina Native American Association, Triangle Native American Society, and any other Indian tribe gaining State recognition in the future), and parents and educators from tribes recognized by the United States Department of the Interior, Bureau of Indian Affairs."

SECTION 3. G.S. 143B-407(a) reads as rewritten:

"(a) The State Commission of Indian Affairs shall consist of two persons appointed by the General Assembly, the Secretary of Health and Human Services, the Assistant Secretary of Commerce in charge of the Division of Employment Security, the Secretary of Administration, the Secretary of Environmental Quality, the Commissioner of Labor or their designees and ~~24~~23 representatives of the Indian community. These Indian members shall be selected by tribal or community consent from the Indian groups that are recognized by the State of North Carolina and



1 are principally geographically located as follows: the Coharie of Sampson and Harnett Counties;
2 the Eastern Band of Cherokees; the Haliwa Saponi of Halifax, Warren, and adjoining counties; the
3 Lumbees of Robeson, Hoke and Scotland Counties; the Meherrin of Hertford County; the
4 Waccamaw-Siouan from Columbus and Bladen Counties; the Sappony; the Occaneechi Band of
5 the Saponi Nation of Alamance and Orange ~~Counties, Counties~~; the Chowanoke Nation of
6 Chowan, Gates, Hertford, and Perquimans Counties; and the Native Americans located in
7 Cumberland, Guilford, Johnston, Mecklenburg, Orange, and Wake Counties. The Coharie shall
8 have two members; the Eastern Band of Cherokees, two; the Haliwa Saponi, two; the Lumbees,
9 three; the Meherrin, one; the Waccamaw-Siouan, two; the Sappony, one; the Cumberland County
10 Association for Indian People, two; the Guilford Native Americans, two; the Metrolina Native
11 Americans, two; the Occaneechi Band of the Saponi Nation, ~~one, one~~; the Chowanoke Nation,
12 two; the Triangle Native American Society, one. Of the two appointments made by the General
13 Assembly, one shall be made upon the recommendation of the Speaker, and one shall be made
14 upon recommendation of the President Pro Tempore of the Senate. Appointments by the General
15 Assembly shall be made in accordance with G.S. 120-121 and vacancies shall be filled in
16 accordance with G.S. 120-122."

17 **SECTION 4.** This act becomes effective April 27, 2017.