

2001-2002

**HOUSE
MILITARY, VETERANS
& INDIAN AFFAIRS**

MINUTES

**HOUSE COMMITTEE ON MILITARY, VETERANS AND INDIAN
AFFAIRS
2001 SESSION**

<u>MEMBER</u>	<u>ASSISTANT</u>	<u>PHONE</u>	<u>OFFICE</u>	<u>SEAT</u>
HURLEY, Bill, Chairman	Melissa Riddle Committee Assistant	733-5601	2215	23
WARNER, Alex, Chairman	Ann Stancil Committee Assistant	733-5853	1206	11
DAVIS, Don	Ellen Picket	715-6707	504	99
GOODWIN, Wayne	Kristen Corbett	733-5849	503	81
HIATT, Bill	Edna Pearce	733-5862	1008	63
LUCAS, Marvin, Vice-Chair	Audrey Ray	733-5775	1323	82
MCALLISTER, Mary	Marilyn Suitt	733-5959	638	30
MORRIS, Mia	Joy Feagin	733-5741	1315	65
SEXTON, Wayne	Debbie Turner	733-5974	508	90
SHUBERT, Fern	Carol Wilson	733-5602	1426	98
SMITH, Ronnie	Ann Jordan	733-5773	2223	2
SUTTON, Ron	Juanita Coley	715-0875	1321	71

Al Andrews
Theresa Matula,
Committee Counsel

NORTH CAROLINA GENERAL ASSEMBLY
HOUSE MILITARY, VETERANS AND INDIAN AFFAIRS COMMITTEE
2001 – 2002 SESSION



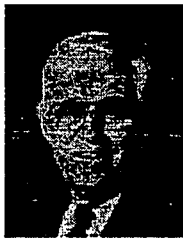
Rep. Hurley
Chair



Rep. Warner
Chair



Rep. Lucas
Vice-Chair



Rep. Davis



Rep. Goodwin



Rep. Hiatt



Rep. McAllister



Rep. Morris



Rep. Sexton



Rep. Shubert



Rep. Smith



Rep. Sutton

North Carolina General Assembly
Through House Committee on
Military, Veterans and Indian Affairs

Date: 11/14/2001
Time: 14:48
Page: 001 of 001
Leg. Day: H-167/S-161

2001-2002 Biennium

Bill	Introducer	Short Title	Latest Action	In Date	Out Date
H0110	Cole	VARIOUS NEW SPECIAL LICENSE PLATES	*H Conf Com Appointed	03-29-01	04-12-01
H0220	Eddins	U.S. NAVY SUBMARINER SPECIALTY PLATE.	H Re-ref Com On Finance	03-29-01	04-12-01
H0227	Teague	WORLD WAR II SPECIAL LICENSE PLATE.	H Re-ref Com On Finance	02-26-01	03-15-01
H0261	Smith	AMEND STATE VETERANS HOME ACT.	*HR Ch. SL 2001-117	02-27-01	03-22-01
H0262	Smith	STATE VETERANS CEMETERY ELIGIBILITY.	*HR Ch. SL 2001-143	02-27-01	04-03-01
H0311	Redwine	INDIAN TRIBE UNEMPLOYMENT OPTION.	*HR Ch. SL 2001-184	02-28-01	03-22-01
\$ H0361	Sutton	LUMBEE ELECTION FUNDS.	*H Re-ref Com On Appropriations	03-01-01	04-03-01
H0362	Sutton	STATE TRIBAL GOVERNMENTS.	*H Ref To Com On Judiciary II	03-01-01	04-03-01
H0363	Sutton	INDIAN LAND IN TRUST.	*HR Ch. SL 2001-344	03-01-01	03-29-01
H0430	Warner	WWII VETERANS FREE SPECIAL PLATE.	H Ref to the Com on Military, Veterans and Indian Affairs and, if favorable, to the Com on Finance	03-01-01	
H0553	Allred	U.S. WARTIME MILITARY VETERAN SPECIAL PLATE.	*H Ref To Com On Finance	03-12-01	03-22-01
H0554	Allred	U.S. MILITARY VETERAN SPECIAL REG. PLATE.	*H Re-ref Com On Finance	03-12-01	04-18-01
H0897	Hensley	APPOINTMENTS/TRIANGLE NATIVE AMERICAN SOCIETY.	*HR Ch. SL 2001-318	03-29-01	04-18-01
H1287	Baddour	ADVISORY COMMISSION ON MILITARY AFFAIRS.	H Ref To Com On Military, Veterans and Indian Affairs	04-12-01	
\$ H1382	Baddour	ADVISORY COMMISSION ON MILITARY AFFAIRS-2.	*H Assigned To Appropriations Subcommittee on General Government	04-26-01	05-30-01
H1389	Hurley	RETIRED MAGISTRATES BILL.	*H Placed On Cal For 11/16/2001	04-26-01	05-17-01
S0003	Tony Rand	DESERT STORM LICENSE PLATE.	*HR Ch. SL 2001-40	03-05-01	03-15-01

'\$' indicates the bill is an appropriation bill.

A bold line indicates the bill is an appropriation bill.

'*' indicates that the text of the original bill was changed by some action.

'=' indicates that the original bill is identical to another bill.

MILITARY, VETERANS AND INDIAN AFFAIRS

(Name of Committee)

[illegible]

MINUTES
HOUSE COMMITTEE ON MILITARY, VETERANS, AND INDIAN
AFFAIRS
March 15, 2001

The House Committee on Military, Veterans, and Indian Affairs met in Room 1425 of the Legislative Building on March 15, 2001, at 10:00 a.m. Representative Hurley called the meeting to order, introduced the pages, Shannon Sexton (Granville County – Rep. Crawford) and Shannon Stancil (Wake County - Rep. Ellis), and introduced staff counsel, Al Andrews and Theresa Matula. The following Committee members were present: Representative Warner, Co-Chair, and Representatives Davis, Goodwin, Lucas, Morris and Smith. A list of visitors attending is attached.

The Chair recognized Carol Howard, Department of Motor Vehicles, to provide the Department's stance on special license plate bills. Ms. Howard described the process involved in establishing a special plate and indicated the Department does not have any opposition to these plates. Most plates require the basic \$20 fee and usually an extra fee of \$10 that goes into beautification and other areas. The Department requires a minimum order of 300 per special plate.

The Chair recognized Charles Smith, Assistant Secretary for Veterans Affairs – Director of the North Carolina Division of Veterans Affairs, who explained his role, discussed World War II veterans, and the Veterans Nursing Home Program. This program is operated without any appropriated receipts. All of it is done on receipts from the U.S. Department of Veterans Affairs, Medicaid, Medicare, donations, or from the residents themselves. It is a self-sustaining operation. There is 150-bed facility in Fayetteville at the present time with a 95% occupancy rate. A second 100-bed facility is in the process of being opened in Salisbury. Mr. Smith indicated one of the problems facing this area is long-term health care in the state for both veterans and the general population.

The following bills were considered:

SB 3, entitled, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES.

The Chair recognized Senator Tony Rand to explain the bill. SB 3 directs the Division of Motor Vehicles to make special registration plates available to veterans who served during the Persian Gulf War (Operation Desert Shield / Operation Desert Storm) if DMV receives at least 300 applications for the plate. The veteran must be either still in the armed forces or separated from the armed forces under honorable conditions. Rep. Morris moved to give the bill a favorable report and be re-referred to the Committee on Finance. Motion passed.

HB 227, entitled, AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A WORLD WAR II SPECIAL REGISTRATION PLATE.

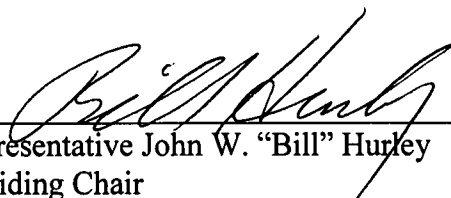
The Chair recognized Representative Teague to explain the bill. HB 227 authorizes the Division of Motor Vehicles to issue special registration plates for World War II veterans. In addition to the regular motor vehicle registration fee, an additional special registration plate fee of \$10.00 will be charged. This additional fee will be transferred to the Collegiate and Cultural Attraction Plate account for deposit in the NC Veterans Home Trust Fund, which will be used to pay for the care of veterans in State veterans homes. The Division must receive 300 applications for the plate before it will be issued. Some discussion ensued regarding spouses of World War II plates being able to purchase these special plates. Representative Smith moved to give the bill a favorable report and be referred to the Committee on Finance. Motion passed.

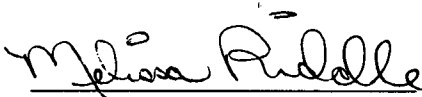
HB 430 was not taken into consideration as originally scheduled. This bill, sponsored by Representative Warner, was similar to HB 227 except it did not include a \$10.00 fee to go to the NC Veterans Home Trust Fund. Representative Warner indicated he was in agreement with HB 227 and did not want to have HB 430 taken up in the committee meeting.

The Chair recognized Ruth Sappie, Department of Transportation Legislative Liaison, who indicated DOT had no opposition to these bills.

There being no further business, the meeting was adjourned at 10:40 a.m.

Respectfully submitted,


Representative John W. "Bill" Hurley
Presiding Chair


Melissa M. Riddle
Assistant to the Committee

ATTACHMENTS
Visitor Registration Form
B3 and HB 227
Bill Summary

VISITOR REGISTRATION SHEET

MILITARY, VETERANS AND INDIAN AFFAIRS

03-15-01

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Ross M. Smith

PCS PHOSPHATE CO., INC

Charlie Smith

N.C. Division of Veterans Affairs

Carse Howard

DOT/DMV

Ruth Sappie

NC DOT

Jay Esqui

Rep. Morris - L.A.

2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY, VETERANS AND INDIAN AFFAIRS**.

☒ Committee Substitute for

S.B. 3 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF
MOTOR VEHICLES TO ISSUE DESERT STORM SPECIAL REGISTRATION PLATES.

☐ With a favorable report.

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations ☐ Finance ☒ ☐.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.

☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title,
unfavorable as to (original bill) (Committee Substitute Bill #), (and recommendation
that the committee substitute bill #) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of ____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on ____.
- ____ The bill/resolution is re-referred to the Committee on ____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on ____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. ____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, ____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, ____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. ____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, ____ RC) (, by EV _____,) and
the bill is ordered enrolled.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

S

2

**SENATE BILL 3
Finance Committee Substitute Adopted 2/27/01**

Short Title: Desert Storm License Plate.

(Public)

Sponsors:

Referred to:

January 25, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE
3 DESERT STORM SPECIAL REGISTRATION PLATES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 20-79.4(b) reads as rewritten:

6 "(b) Types. – The Division shall issue the following types of special registration
7 plates:

8 ...

9 (11a) Desert Storm Veteran. – Issuable to a veteran of the armed services of
10 the United States who served in either Operation Desert Shield or
11 Operation Desert Storm. The veteran must be either still in the armed
12 forces or separated from the armed forces under honorable conditions.
13 The plate shall bear the words "Desert Storm Veteran" and shall bear a
14 picture of the Southwest Asia Service Medal. The Division may not
15 issue the plate authorized by this subdivision unless it receives at least
16 300 applications for the plate."

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

2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY, VETERANS, AND INDIAN AFFAIRS.**

☐ Committee Substitute for

H.B. 227 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF
MOTOR VEHICLES TO ISSUE A WORLD WAR II SPECIAL REGISTRATION PLATE.

☐ With a favorable report.

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations ☐ Finance ☒ ☐.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.

☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title,
unfavorable as to (original bill) (Committee Substitute Bill #), (and recommendation
that the committee substitute bill #) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of ____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on ____.
- ____ The bill/resolution is re-referred to the Committee on ____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on ____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. ____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, ____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, ____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. ____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, ____ RC) (, by EV _____,) and
the bill is ordered enrolled.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

H

1

HOUSE BILL 227

Short Title: World War II Special License Plate.

(Public)

Sponsors: Representatives Teague; Alexander, Allred, Arnold, Barefoot, Barnhart, Blust, Bonner, Clary, Coates, Cole, Cox, Dockham, Edwards, Esposito, Gillespie, Goodwin, Grady, Gulley, Haire, Hall, Hill, Holmes, Howard, Insko, Jeffus, Justus, Lucas, McLawhorn, Mitchell, Morris, Nesbitt, Oldham, Owens, Preston, Rayfield, Rogers, Russell, Setzer, Smith, Starnes, Sutton, Tolson, Tucker, Underhill, Wainwright, Walend, Walker, Warner, Weatherly, West, C. Wilson, G. Wilson, and Womble.

Referred to: Military, Veterans and Indian Affairs, if favorable, Finance.

February 26, 2001

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A
WORLD WAR II SPECIAL REGISTRATION PLATE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-79.4(b) reads as rewritten:

"(b) Types. – The Division shall issue the following types of special registration plates:

...

(52) World War II.—Issuable to a veteran of the armed forces of the United States who served during World War II, which began December 7, 1941, and ended December 31, 1946. The plate shall bear the words "World War II Veteran" and shall bear a representation of the National Iwo Jima Monument. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.

SECTION 2. G.S. 20-79.7(b) reads as rewritten:

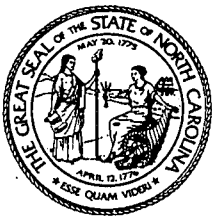
"(b) Distribution of Fees. – The Special Registration Plate Account and the Collegiate and Cultural Attraction Plate Account are established within the Highway Fund. The Division must credit the additional fee imposed for the special registration plates listed in subsection (a) among the Special Registration Plate Account (SRPA), the Collegiate and Cultural Attraction Plate Account (CCAPA), and the Natural Heritage Trust Fund (NHTF), which is established under G.S. 113-77.7, as follows:

	<u>Special Plate</u>	<u>SRPA</u>	<u>CCAPA</u>	<u>NHTF</u>
1				
2				
3	Animal Lovers	\$10	\$10	0
4	Ducks Unlimited	\$10	\$10	0
5	Goodness Grows	\$10	\$10	0
6	Historical Attraction	\$10	\$20	0
7	In-State Collegiate Insignia	\$10	\$15	0
8	Kids First	\$10	\$15	0
9	Litter Prevention	\$10	\$10	0
10	March of Dimes	\$10	\$10	0
11	Olympic Games	\$10	\$15	0
12	Omega Psi Phi Fraternity	\$10	\$10	0
13	Out-of-state Collegiate Insignia	\$10	0	\$15
14	Personalized	\$10	0	\$10
15	Scenic Rivers	\$10	\$10	0
16	School Technology	\$10	\$10	0
17	Soil and Water Conservation	\$10	\$10	0
18	Special Olympics	\$10	\$10	0
19	State Attraction	\$10	\$20	0
20	Support Public Schools	\$10	\$10	0
21	University Health Systems of			
22	Eastern Carolina	\$10	\$15	0
23	Wildlife Resources	\$10	\$10	0
24	<u>World War II</u>	<u>0</u>	<u>\$10</u>	<u>0</u>
25	All other Special Plates	\$10	0	0."

26 **SECTION 3.** G.S. 20-81.12 is amended by adding a new subsection to read:

27 "(b12) World War II Plates.—The Division shall transfer quarterly the money in the
 28 Collegiate and Cultural Attraction Plate Account derived from the sale of the World
 29 War II plate to the Division of Veterans Affairs for deposit in the North Carolina
 30 Veterans Home Trust Fund to be used for the purposes set forth in G.S. 165-48(c)(1)
 31 and (c)(3)."

32 **SECTION 4.** This act is effective when it becomes law.



HOUSE BILL 227: World War II Special License Plate

BILL ANALYSIS

Committee: House Military, Veterans, &
Indian Affairs

Date: March 15, 2001

Version: 1st Edition

Introduced by: Representative Teague

Summary by: Theresa Matula
Committee Staff

SUMMARY: *House Bill 227 authorizes the Division of Motor Vehicles to issue special registration plates for World War II veterans. In addition to the regular motor vehicle registration fee, an additional special registration plate fee of \$10.00 will be charged. The additional fee will be transferred to the Collegiate and Cultural Attraction Plate Account for deposit in the North Carolina Veterans Home Trust Fund. Fees collected and deposited in the Veterans Home Trust Fund will be used to pay for the care of veterans in State veterans homes. The act is effective when it becomes law.*

CURRENT LAW:

Currently, there is no provision in G.S. 20-79.4. for the Division of Motor Vehicles to issue special registration plates specifically and exclusively for World War II veterans. However, World War II veterans may fall in to some of the categories for which special registration plates are issued. The list of special registration plates related to military service are as follows: American Legion, Bronze Star Recipient, Coast Guard Auxiliary Member, Combat Veteran, Disabled Veteran, Distinguished Flying Cross, 82nd Airborne Division Association Member, Legion of Valor, Military Reservist, Military Retiree, National Guard Member, Partially Disabled Veteran, Pearl Harbor Survivor, Prisoner of War, Purple Heart Recipient, Silver Star Recipient, Veterans of Foreign Wars, and Vietnam Veteran.

BILL ANALYSIS:

Section 1: House Bill 227 amends G.S. 20-79.4(b) to add World War II plates to the list of special registration plates. The bill specifies that the plates shall be issuable to a veteran of the armed forces of the United States who served during World War II, which began December 7, 1941, and ended December 31, 1946.

The plate shall bear the following:

- the words "World War II Veteran"
- a representation of the National Iwo Jima Monument

The Division must receive 300 applications for the plate before it will be issued.

Section 2: G.S. 20-79.7(a) requires that special registration plates not specifically designated as free of charge will be subject the regular motor vehicle registration fee plus an additional fee. If the additional fee amount is not specified in G.S. 20-79.7(a), then the "All Other Special Plates" fee of \$10.00 applies. House Bill 227 amends G.S. 20-79.7(b) to specify that the \$10.00 additional fee amount for World War II plates will go to the Collegiate and Cultural Attraction Plate Account (CCAPA) established within the Highway Fund.

Section 3: G.S. 20-81.12 is amended by adding subsection (b12) requiring the Division to transfer the money in the CCAPA derived from the sale of the World War II plate to the Division of Veterans Affairs for deposit in the North Carolina Veterans Home Trust Fund. The money deposited in the North Carolina Veterans Home Trust Fund shall be used, consistent with the purposes set forth in G.S. 165-48(c)(1), to pay for the care of veterans in State veterans homes.

Section 4: The act is effective when it becomes law.

**HOUSE
MILITARY, VETERANS AND INDIAN AFFAIRS**

COMMITTEE MEETING

MARCH 22, 2001

The House Committee on Military, Veterans and Indian Affairs met Thursday, March 22, 2001 in room 1425, Legislative Building. The following members were present: Reps. Hurley, Warner, Davis, Goodwin, Lucas, McAllister, Morris, Sexton, Shubert, and Smith.

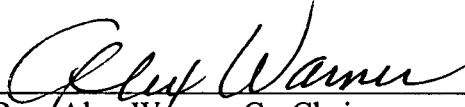
Rep. Warner, Co-chair, called the meeting to order. The following bills were discussed.

HB 553, A BILL TO BE INTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS. Rep. Allred was called on to explain the bill. Rep. Goodwin made a motion for a favorable report and recommendation that the bill be re-referred to the Committee on Finance. The motion passed.

HB 261, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE VETERANS HOME ACT. Rep. Ronnie Smith was called on to explain the bill. Rep. Sexton made a motion for a favorable report. The motion passed.

HB 262, A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETARY. Rep. Smith was called on to explain the bill. Rep. Smith called on staff, Theresa Matula, to explain technical changes in the bill. Rep. McAllister moved to adopt the proposed committee substitute. Motion passed. After much discussion, Rep. Smith asked to pull the bill so that staff might rewrite it and bring it before the committee at the next meeting.

Meeting adjourned.


Rep. Alex Warner, Co-Chair

Rep. Bill Hurley, Co-Chair


Ann Stancil, Committee Clerk

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY, VETERANS AND INDIAN AFFAIRS.**

☐ Committee Substitute for

H.B. 553 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS.

☐ With a favorable report.

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on Finance ☒.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations ☐ Finance ☐ ☐.

☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title, unfavorable as to (original bill) (Committee Substitute Bill #), (and recommendation that the committee substitute bill #) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

____ Pursuant to Rule 36(b), the bill is placed on the Calendar of ____.

____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on ____.

____ The bill/resolution is re-referred to the Committee on ____.

____ On motion of Rep. _____, (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on ____.

____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/resolution is placed on the Unfavorable Calendar.

____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)

____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).

____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).

____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.

____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).

____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.

____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, _____ RC) (, by EV _____,) and
the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 553

Short Title: U.S. Wartime Military Veteran Special Plate.

(Public)

Sponsors: Representatives Allred; Gulley and Goodwin.

Referred to: Military, Veterans and Indian Affairs, if favorable, Finance.

March 12, 2001

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A
SPECIAL PLATE FOR U.S. WARTIME MILITARY VETERANS.

The General Assembly of North Carolina enacts:

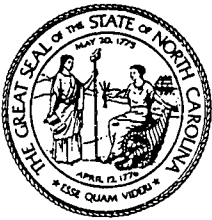
SECTION 1. G.S. 20-79.4(b) reads as rewritten:

"(b) Types. – The Division shall issue the following types of special registration plates:

...

(50a) Wartime Military Veteran.-- Issuable to a veteran of the armed forces of the United States who served during a period of war and who was separated from the armed forces under honorable conditions. The plate shall bear the words "U.S. Wartime Veteran" and the name and insignia of the branch of service in which the veteran served. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate. A "period of war" is any of the following:

- a. World War I, which began April 16, 1917, and ended November 11, 1918.
- b. World War II, which began December 7, 1941, and ended December 31, 1946.
- c. The Korean Conflict, which began June 27, 1950, and ended January 31, 1955.
- d. The Vietnam Era, which began August 5, 1964, and ended May 7, 1975.
- e. The Persian Gulf War.
- f. Any other campaign, expedition, or engagement for which the United States Department of Defense authorizes a campaign badge or medal."



BILL ANALYSIS

HOUSE BILL 553: U.S. Wartime Military Veteran Special Plate.

Committee: House Military, Veterans, &
Indian Affairs

Date: March 22, 2001

Version: 1st Edition

Introduced by: Representative Allred

Summary by: Theresa Matula
Committee Staff

SUMMARY: *House Bill 553 amends G.S. 20-79.4(b) to authorize the Division of Motor Vehicles to issue special registration plates for U.S. Wartime Military Veterans.*

CURRENT LAW AND BACKGROUND INFORMATION:

Special registration plates related to military service and issued under G.S. 20-79.4 are as follows: American Legion, Bronze Star Recipient, Coast Guard Auxiliary Member, Combat Veteran, Disabled Veteran, Distinguished Flying Cross, 82nd Airborne Division Association Member, Legion of Valor, Military Reservist, Military Retiree, National Guard Member, Partially Disabled Veteran, Pearl Harbor Survivor, Prisoner of War, Purple Heart Recipient, Silver Star Recipient, Veterans of Foreign Wars, and Vietnam Veteran. The closest registration plate to the one in House Bill 553 is the Combat Veteran plate, G.S. 20-79.4(10):

(10) Combat Veteran. - Issuable to a veteran of the armed forces who served in a combat zone, or in waters adjacent to a combat zone, during a period of war and who was separated from the armed forces under honorable conditions. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate. A "period of war" is any of the following:

- a. World War I, which began April 16, 1917, and ended November 11, 1918.
- b. World War II, which began December 7, 1941, and ended December 31, 1946.
- c. The Korean Conflict, which began June 27, 1950, and ended January 31, 1955.
- d. The Vietnam Era, which began August 5, 1964, and ended May 7, 1975.
- e. The Persian Gulf War.

f. Any other campaign, expedition, or engagement for which the United States Department of Defense authorizes a campaign badge or medal.

The difference between the Combat Veteran plate in G.S. 20-79.4(10) and the Wartime Military Veteran plate being proposed is that the Combat Veteran plate is issuable to a veteran who served in a combat zone, or in waters adjacent to a combat zone. The Wartime Military Veteran is issuable to a veteran who served during a period of war.

BILL ANALYSIS:

Section 1 of House Bill 553 amends G.S. 20-79.4(b) to add Wartime Military Veteran plates to the list of special registration plates. The bill specifies that the plates shall be issuable to a veteran of the armed forces of the United States who served during a period of war and who was separated from the armed forces under honorable conditions.

The plate shall bear the following:

- the words "U.S. Wartime Veteran," and
- the name and insignia of the branch of service in which the veteran served

The Division must receive 300 applications for the plate before it will be issued.

As a special registration plate it will be subject to the ten dollar (\$10) special registration plate fee in G.S. 20-79.7, and to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88.

Section 2 establishes that the act is effective when it becomes law.

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY,
VETERANS AND INDIAN AFFAIRS**.

- ☐ Committee Substitute for
H.B. 261 A BILL TO BE ENTITLED AN ACT TO AMEND THE STATE VETERANS
HOME ACT.
- ☒ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations ☐ Finance ☐ ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.
- ☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title,
unfavorable as to (original bill) (Committee Substitute Bill #), (and recommendation
that the committee substitute bill #) be re-referred to the Committee on .)
- ☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 261

Short Title: Amend State Veterans Home Act-AB.

(Public)

Sponsors: Representatives Smith; Goodwin and Wainwright.

Referred to: Military, Veterans and Indian Affairs.

February 27, 2001

A BILL TO BE ENTITLED
AN ACT TO AMEND THE STATE VETERANS HOME ACT.
The General Assembly of North Carolina enacts:

SECTION 1. G.S. 165-49(c) reads as rewritten:

"(c) All funds received by the Division shall be deposited in the North Carolina Veterans Home Trust Fund, except for any funds deposited into special agency accounts established pursuant to G.S. 165-48(d)(3). The Veterans Affairs Commission shall authorize the expenditure of all funds from the North Carolina Veterans Home Trust Fund. The Veterans Affairs Commission may delegate authority to the Assistant Secretary of Veterans Affairs for the expenditure of funds from the North Carolina Veterans Home Trust Fund for operations of the State Veterans Nursing Homes."

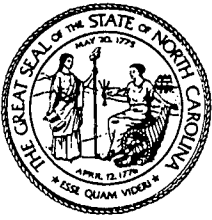
SECTION 2. G.S. 165-51 reads as rewritten:

"§ 165-51. Program staff.

The Division shall appoint and fix the salary of an Administrative Officer for the State veterans home program. The Administrative Officer shall be an honorably discharged veteran who has served in active military service in the armed forces of the United States for other than training purposes. The Administrative Officer shall direct the establishment of the State veterans home program, coordinate the master planning, land acquisition, and construction of all State veterans homes under the procedures of the Office of State Construction, and oversee the ongoing operation of said veterans homes. ~~The Administrative Officer may hire one office assistant to help with clerical responsibilities.~~ The Division may hire any required additional administrative staff to help with administrative and operational responsibilities at each established State Veterans Home."

SECTION 3. G.S. 165-53(a) reads as rewritten:

"(a) To be eligible for admission to a State veterans home, an applicant shall meet the following requirements:



HOUSE BILL 261:

Amend State Veterans Home Act-AB

BILL ANALYSIS

Committee: House Military, Veterans and
Indian Affairs
Date: March 22, 2001
Version: 1st Edition

Introduced by: Representative Smith
Summary by: Theresa Matula
Committee Staff

SUMMARY: *House Bill 261 amends G.S. 165-49(c) to allow the Veterans Affairs Commission to delegate authority to the Assistant Secretary of Veterans Affairs for expenditure of funds from the NC Veterans Home Trust Fund, it amends G.S. 165-51 to allow the Division of Veterans Affairs to hire additional administrative staff, and it amends G.S. 165-53(a) regarding eligibility for admission to a State veterans home.*

BILL ANALYSIS:

Article 8 of Chapter 165 covers the State Veterans Home. House Bill 261 makes several amendments to this Article.

Section 1 amends 165-49(c) to allow the Veterans Affairs Commission to delegate authority to the Assistant Secretary of Veterans Affairs for the expenditure of funds from the North Carolina Veterans Home Trust Fund. Currently, only the Veterans Affairs Commission is authorized to expend funds. The Trust Fund consists of all funds and monies received by the Veterans Affairs Commission or the Division of Veterans Affairs from the United States, any federal agency or institution, and any other source, whether as a grant, appropriation, gift, contribution, bequest or individual reimbursement, for the care and support of veterans who have been admitted to a State veterans home. G.S. 165-48 (c) specifies that the funds shall be used to:

- (1) To pay for the care of veterans in said State veterans homes;
- (2) To pay the general operating expenses of the State veterans homes, including the payment of salaries and wages of officials and employees of said homes; and
- (3) To remodel, repair, construct, modernize, or add improvements to buildings and facilities at the homes.

Section 2 amends G.S. 165-51 to allow the Division of Veterans Affairs to hire additional administrative staff to at each established State Veterans Home.

Section 3 amends G.S. 165-53(a)(2) to clarify that a veteran shall be eligible for admission to a State veterans home if they were discharged from the armed forces under honorable conditions, previously "conditions other than dishonorable." This section also amends G.S. 165-53(a)(4) to expand the residency requirement for State veterans home admission to include a veteran who was a legal resident of North Carolina at the time of entry into the Armed Forces, previously only veterans residing in NC for two years immediately prior to the application date were eligible.

Section 4 establishes that the act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 262

Short Title: State Veterans Cemetery Eligibility-AB.

(Public)

Sponsors: Representatives Smith; Goodwin and Wainwright.

Referred to: Military, Veterans and Indian Affairs.

February 27, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN
3 A STATE VETERANS CEMETERY.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 65-43.1(a) reads as rewritten:

6 "(a) The following persons are eligible for interment at a State veterans cemetery:

7 (1) A qualified ~~veteran~~; veteran.

8 (2) The spouse, widow, or widower of a qualified veteran, or a minor child
9 who is unmarried and dependent on the qualified veteran at the time of
10 his ~~death~~; and death. For purposes of this subdivision "minor child"
11 includes a child under 21 years of age or under 23 years of age if
12 pursuing a course of instruction at an approved educational institution.

13 (3) An unmarried adult child of a qualified veteran when the child became
14 permanently incapable of self-support because of a physical or mental
15 disability before attaining the age of 18 years.

16 (4) Any person who at the time of death was entitled to retired pay under
17 Chapter 67[1] of Title 10, U.S. Code, Title 28, U.S. Code § 2402, or
18 would have been entitled to retired pay under that Chapter but for the
19 fact that the person was under 60 years of age."

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

D

HOUSE BILL 262
PROPOSED COMMITTEE SUBSTITUTE H262-CSLK-3 [v.1]

3/22/2001 12:42:04 PM

Short Title: State Veterans Cemetery Eligibility.-AB

(Public)

Sponsors:

Referred to:

February 27, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN
3 A STATE VETERANS CEMETERY.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 65-43 reads as rewritten:

6 "§ 65-43. Definitions.

7 For purposes of this Article, the following definitions shall apply, unless the context
8 requires otherwise:

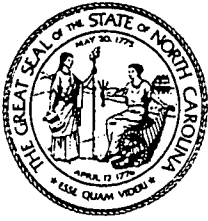
9 (1) "Honorable military service" means:

- 10 a. Service on active duty, other than for training, as a member of
11 the Armed Forces of the United States, when the service was
12 terminated under honorable conditions;
13 b. Service on active duty as a member of the Armed Forces of the
14 United States at the time of death under honorable conditions;
15 c. Service on active duty for training or full-time service as a
16 member of the Reserve component of the Armed Forces, the
17 Army National Guard, the Air National Guard, or the Reserve
18 Officer Training Corps of the Army, Navy, or Air Force, at the
19 time of death under honorable conditions.

20 (2) A "legal resident" of a state means a person whose principal residence
21 or abode is in that state, who uses that state to establish his right to
22 vote and other rights in a state, and who intends to live in that state, to
23 the exclusion of maintaining a legal residence in any other state.

24 (3) A "qualified veteran" means a veteran who meets the requirements of
25 subsubdivisions a. and b. of this subdivision:

- 26 a. Who served an honorable military service; and service as
27 defined in subdivision (1) of this section; or
28 Who served a period of honorable non-regular service and who
29 meets any of the following requirements:



PCS FOR HOUSE BILL 262: State Veterans Cemetery Eligibility

BILL ANALYSIS

Committee: House Military, Veterans and
Indian Affairs
Date: March 22, 2001
Version: PCS for 1st Edition
H262-CSLK-2[v.2]

Introduced by: Representative Smith
Summary by: Theresa Matula
Committee Staff

SUMMARY: *Proposed Committee Substitute, H262-CSLK-2[v.2], for House Bill 262 amends G.S. 65-43.1(a) regarding the eligibility requirements for interment in a State veterans cemetery.*

BILL ANALYSIS:

Section 1 amends G.S. 65-43.1(a) regarding persons eligible for interment at a State veterans cemetery.

- The bill clarifies in G.S. 65-43.1(a)(2) the definition of a "minor child" as a child under 21 years of age or under 23 years of age if pursuing a course of instruction at an approved educational institution.
- The bill adds G.S. 65-43.1(a)(4) specifying that any person who meets any of the following are eligible for interment in a State veterans cemetery:
 - Entitled to retired pay for non-regular service under Chapter 1223 of Title 10, U.S. Code.
 - Would have been entitled to retired pay for non-regular service under Chapter 1223 of Title 10, US Code except that the person was less than 60 years of age.
 - Eligible for interment in a national cemetery under Title 38, U.S. Code, Section 2402.

Section 2 establishes the effective date when it becomes law.

BACKGROUND:

Title 38, U.S. Code Section 2402 defines persons eligible for interment in national cemeteries. The change in the definition of minor child makes North Carolina's definition for interment in State veterans cemeteries consistent with the definition for interment in national cemeteries. Title 38, U.S. Code Section 2402, subsection 5, defines minor child as "a child under 21 years of age, or under 23 years of age if pursuing a course of instruction at an approved educational institution."

The addition of G.S. 65-43.1(a)(4)a-b. insures that the eligibility requirements for interment in State veterans cemeteries are consistent with the requirements in Chapter 1223 of Title 10, U.S. Code, with regard to those qualifying for retired pay for nonregular service, or who would qualify upon reaching the age of 60. G.S. 65-43.1(a)(4)c. insures that the eligibility requirements for interment in State veterans cemeteries are consistent with the requirements for interment in national cemeteries as outlined in Title 38, U.S. Code, Section 2402.

Ann Stancil (Rep. Warner)

From: Melissa Riddle (Rep. Hurley)
Sent: Thursday, March 22, 2001 8:54 AM
To: Ann Stancil (Rep. Warner)
Subject: FW: Military, Veterans, Indian Affairs

-----Original Message-----

From: Theresa Matula (Research)
Sent: Wednesday, March 21, 2001 5:01 PM
To: Rep. Bill Hurley
Cc: Melissa Riddle (Rep. Hurley); Al Andrews (Research)
Subject: Military, Veterans, Indian Affairs

There may be a problem with the U.S. Code citations on line 17 of House Bill 262. We are trying to resolve the issue and Ken Levenbook the bill drafter may have a Proposed Committee Substitute for this bill. In the event that we cannot get it resolved before tomorrow, I will recommend that the bill be delayed a week. I have not consulted the sponsor, Representative Smith. I will advise you of the status in the morning.

Additionally, House Bill 553 U.S. Wartime Military Veteran Special Plate, is scheduled for tomorrow. I have talked to the Finance Committee staff and I understand there may an effort underway to consolidate some of the military special registration plate bills -- especially since some of them are so similar to existing language in the statutes. This information really has no bearing on the decisions of the Military, Veterans, and Indian Affairs Committee except that we may want to go ahead and schedule any special plate bills that are assigned to the committee.

Thanks.

*C. Theresa Matula
Legislative Analyst
NC General Assembly
(919) 733-2578 phone (919) 715-5460 fax
theresam@ncleg.net*

VISITOR REGISTRATION SHEET

MILITARY, VETERANS AND INDIAN AFFAIRS

03-22-01

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Charlie Smith

NC Div. of Veterans Affairs

Ken Melton

Alley Associates

MINUTES
HOUSE COMMITTEE ON MILITARY, VETERANS, AND INDIAN
AFFAIRS
March 29, 2001

The House Committee on Military, Veterans, and Indian Affairs met in Room 1425 of the Legislative Building on March 29, 2001, at 10:00 a.m. Representative Hurley called the meeting to order, introduced the pages, Arthur Goudey (Wake County – Rep. Blue) and Emily Troutman (Lee County - Rep. Cox). The following Committee members were present: Representative Warner, Co-Chair, and Representatives Davis, Goodwin, Lucas, Morris, Shubert, Smith, and Sutton. Al Andrews and Theresa Matula, Staff Counsels, were in attendance. A list of visitors attending is attached.

The following bills were considered:

HB 262, entitled, ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY. The Chair recognized Representative Smith, and he presented a proposed committee substitute. Representative Warner moved to adopt the proposed committee substitute for consideration. The motion passed. Theresa Matula, Staff Counsel, was recognized to explain the changes in the proposed committee substitute. Representative Shubert moved for a favorable report to the committee substitute, unfavorable to the original bill. The motion passed.

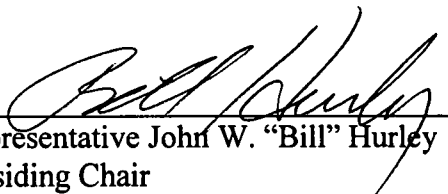
HB 361, entitled, AN ACT TO APPROPRIATE FUNDS TO DEVELOP AND CONDUCT AN ELECTION ON A TRIBAL CONSTITUTION FOR THE LUMBEE PEOPLE. Representative Sutton was recognized, and he offered an amendment to the bill. This amendment would delete the figure of \$100,000 and would substitute with the figure of \$50,000. Representative Shubert moved to adopt the amendment for consideration. The motion passed. Representative Shubert moved to roll the amendment into a committee substitute with a favorable report to the committee substitute, unfavorable to the original bill, and be re-referred to the Committee on Appropriations. The motion passed.

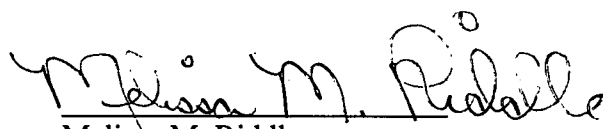
HB 362, entitled, AN ACT TO AUTHORIZE STATE-RECOGNIZED INDIAN TRIBES TO EXERCISE SELF-GOVERNANCE. Representative Sutton was recognized, and he presented a proposed committee substitute. Representative Warner moved to adopt the proposed committee substitute for consideration. The motion passed. HB 362 would authorize state-recognized tribes to organize governmental bodies based on tribal determination of governmental form, powers, criteria for enrollment, and re-interment of remains from Indian burial sites. Representative Shubert moved for a favorable report to the committee substitute, unfavorable to the original bill. The motion passed.

HB 363, entitled, AN ACT TO AUTHORIZE THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS TO HOLD LAND IN TRUST FOR STATE-RECOGNIZED INDIAN TRIBES. The Chair recognized Representative Sutton to explain the bill. HB 363 would provide a minor change to the existing law allowing the Commission of Indian Affairs to hold land in trust rather than the local tribal chief. Representative Goodwin moved for a favorable report. Representative Lucas seconded the motion. The motion passed.

There being no further business, the meeting was adjourned at 10:30 a.m.

Respectfully submitted,


Representative John W. "Bill" Hurley
Presiding Chair


Melissa M. Riddle
Assistant to the Committee

ATTACHMENTS
Visitor Registration Form
House Bills 262, 361, 362, and 363
Bill Summaries

VISITOR REGISTRATION SHEET

Name of Committee

31.29/01

Date _____

VISITORS:.. PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME _____

FIRM OR AGENCY AND ADDRESS[illegible]

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY,
VETERANS AND INDIAN AFFAIRS.**

☐ Committee Substitute for

H.B. 262 A BILL TO BE ENTITLED AN ACT TO MODIFY THE ELIGIBILITY
REQUIREMENTS FOR INTERMENT IN A STATE VETERANS CEMETERY.

- ☐ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations ☐ Finance ☐ ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.
- ☒ With a favorable report as to committee substitute bill, unfavorable as to (original bill).
- ☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of _____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on _____.
- ____ The bill/resolution is re-referred to the Committee on _____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on _____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. _____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. _____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule _____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, _____ RC) (, by EV _____,) and
the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

D

HOUSE BILL 262
PROPOSED COMMITTEE SUBSTITUTE H262-CSLK-3 [v.1]

3/22/2001 12:42:04 PM

Short Title: State Veterans Cemetery Eligibility.-AB

(Public)

Sponsors:

Referred to:

February 27, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN
3 A STATE VETERANS CEMETERY.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 65-43 reads as rewritten:

6 "§ 65-43. Definitions.

7 For purposes of this Article, the following definitions shall apply, unless the context
8 requires otherwise:

9 (1) "Honorable military service" means:

- 10 a. Service on active duty, other than for training, as a member of
11 the Armed Forces of the United States, when the service was
12 terminated under honorable conditions;
13 b. Service on active duty as a member of the Armed Forces of the
14 United States at the time of death under honorable conditions;
15 c. Service on active duty for training or full-time service as a
16 member of the Reserve component of the Armed Forces, the
17 Army National Guard, the Air National Guard, or the Reserve
18 Officer Training Corps of the Army, Navy, or Air Force, at the
19 time of death under honorable conditions.

20 (2) A "legal resident" of a state means a person whose principal residence
21 or abode is in that state, who uses that state to establish his right to
22 vote and other rights in a state, and who intends to live in that state, to
23 the exclusion of maintaining a legal residence in any other state.

24 (3) A "qualified veteran" means a veteran who meets the requirements of
25 subsubdivisions a. and b. of this subdivision:

- 26 a. Who served an honorable military service; and service as
27 defined in subdivision (1) of this section; or
28 Who served a period of honorable non-regular service and who
29 meets any of the following requirements:

1. Was entitled to retired pay for non-regular service under Chapter 1223 of Title 10, U.S. Code.
2. Would have been entitled to retired pay for non-regular service under Chapter 1223 of Title 10, U.S. Code but for the fact that the person was under 60 years of age.
3. Was eligible for interment in a national cemetery under Title 38, U.S. Code § 2402.

b. Who is a legal resident of North Carolina:

- (1) At the time of death, or
- (2) For a period of at least 10 years, or
- (3) At the time he entered the Armed Forces of the United States."

SECTION 2. G.S. 65-43.1(a) reads as rewritten:

"(a) The following persons are eligible for interment at a State veterans cemetery:

- (1) A qualified ~~veteran~~; veteran.
- (2) The spouse, widow, or widower of a qualified veteran, or a minor child who is unmarried and dependent on the qualified veteran at the time of his ~~death~~; and death. For purposes of this subdivision "minor child" includes a child under 21 years of age or under 23 years of age if pursuing a course of instruction at an approved educational institution.
- (3) An unmarried adult child of a qualified veteran when the child became permanently incapable of self-support because of a physical or mental disability before attaining the age of 18 years."

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

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 262

Short Title: State Veterans Cemetery Eligibility-AB.

(Public)

Sponsors: Representatives Smith; Goodwin and Wainwright.

Referred to: Military, Veterans and Indian Affairs.

February 27, 2001

A BILL TO BE ENTITLED
AN ACT TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR INTERMENT IN
A STATE VETERANS CEMETERY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 65-43.1(a) reads as rewritten:

"(a) The following persons are eligible for interment at a State veterans cemetery:

(1) A qualified ~~veteran~~; veteran.

(2) The spouse, widow, or widower of a qualified veteran, or a minor child who is unmarried and dependent on the qualified veteran at the time of his ~~death~~; ~~and death~~. For purposes of this subdivision "minor child" includes a child under 21 years of age or under 23 years of age if pursuing a course of instruction at an approved educational institution.

(3) An unmarried adult child of a qualified veteran when the child became permanently incapable of self-support because of a physical or mental disability before attaining the age of 18 years.

(4) Any person who at the time of death was entitled to retired pay under Chapter 67[1] of Title 10, U.S. Code, Title 28, U.S. Code § 2402, or would have been entitled to retired pay under that Chapter but for the fact that the person was under 60 years of age.

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



PCS FOR HOUSE BILL 262: State Veterans Cemetery Eligibility

BILL ANALYSIS

Committee: House Military, Veterans and
Indian Affairs

Date: March 28, 2001

Version: PCS for 1st Edition
H262-CSLK-3[v.1]

Introduced by: Representative Smith

Summary by: Theresa Matula
Committee Staff

SUMMARY: *Proposed Committee Substitute H262-CSLK-3 [v.1], for House Bill 262 amends G.S. 65-43 and G.S. 65-43.1(a) regarding the eligibility requirements for interment in a State veterans cemetery.*

BILL ANALYSIS:

Section 1 of Proposed Committee Substitute H262-CSLK-3[v.1], amends the definition of a "qualified veteran." in G.S. 65-43(3)a. A "qualified veteran" must meet the requirements of subsubdivisions a. and b.

➤ The requirements of **subsubdivision a.** include the following:

- A veteran who served an honorable military service as defined in subdivision (1) or
- A veteran who served a period of honorable non-regular service and who meets any of the following requirements:
 - The veteran was entitled to retired pay for non-regular service under Chapter 1223 of Title 10, U.S. Code.
 - Would have been entitled to retired pay for non-regular service under Chapter 1223 of Title 10, U.S. Code but for the fact that the person was under 60 years of age.
 - Was eligible for interment in a national cemetery under Title 38, U.S. Code Section 2402.

➤ The requirements of **subsubdivision b.** have not been amended and specify that a "qualified veteran" must be a legal resident of North Carolina:

- At the time of death, or
- For a period of at least 10 years, or
- At the time he entered the Armed Forces of the United States.

Section 2 clarifies in G.S. 65-43.1(a)(2) the definition of a "minor child" as a child under 21 years of age or under 23 years of age if pursuing a course of instruction at an approved educational institution.

Section 3 establishes the effective date when it becomes law.

BACKGROUND:

PCS H262-CSLK-3 [v.1] amends the definition of "qualified veteran" in G.S. 65-43 (3) to insure that veterans eligible for interment in State veterans cemeteries served an honorable military service; are entitled to retired pay for non-regular service, or would be entitled to retired pay for non-regular service except that the person is under 60 years of age; are eligible for interment in a national cemetery, and the veteran is a legal resident of North Carolina as defined in G.S. 65-43(3)b.

PCS FOR HOUSE BILL 262

Page 2

The amendment to the definition of minor child makes North Carolina's definition for interment in State veterans cemeteries consistent with the definition for interment in national cemeteries. Title 38, U.S. Code Section 2402, subsection 5, defines minor child as "a child under 21 years of age, or under 23 years of age if pursuing a course of instruction at an approved educational institution."

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY, VETERANS AND INDIAN AFFAIRS.**

- ☐ Committee Substitute for
H.B. 361 A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO
DEVELOP AND CONDUCT AN ELECTION ON A TRIBAL CONSTITUTION FOR THE
LUMBEE PEOPLE.
- ☐ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations ☐ Finance ☐ ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.
- ☒ With a favorable report as to committee substitute bill, unfavorable as to (original bill), and
be re-referred to the Committee on Appropriations.
- ☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of _____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on _____.
- ____ The bill/resolution is re-referred to the Committee on _____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on _____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. _____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. _____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule _____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment.. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, _____ RC) (, by EV _____,) and
the bill is ordered enrolled.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

H

D

**HOUSE BILL 361
PROPOSED COMMITTEE SUBSTITUTE H361-PCS2168-SN-6**

Short Title: Lumbee Election Funds.

(Public)

Sponsors:

Referred to:

March 1, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO DEVELOP AND CONDUCT AN
ELECTION ON A TRIBAL CONSTITUTION FOR THE LUMBEE PEOPLE.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Government of the Lumbee People, known as the Tribal Council of the Lumbee Nation, the sum of fifty thousand dollars (\$50,000) for the 2001-2002 fiscal year to develop and conduct an election on a tribal constitution pursuant to the findings made by the Lumbee Self-Determination Commission established by Superior Court Judge Howard Manning as a result of the civil action, Lumbee Tribe of Cheraw Indians v. Lumbee Regional Development Association.

SECTION 2. This act becomes effective July 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 361

Short Title: Lumbee Election Funds.

(Public)

Sponsors: Representatives Sutton; and Yongue.

Referred to: Military, Veterans and Indian Affairs, if favorable, Appropriations.

March 1, 2001

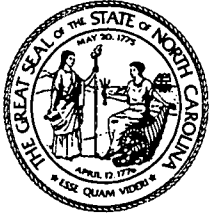
A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO DEVELOP AND CONDUCT AN
ELECTION ON A TRIBAL CONSTITUTION FOR THE LUMBEE PEOPLE.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Government of the Lumbee People, known as the Tribal Council of the Lumbee Nation, the sum of one hundred thousand dollars (\$100,000) for the 2001-2002 fiscal year to develop and conduct an election on a tribal constitution pursuant to the findings made by the Lumbee Self-Determination Commission established by Superior Court Judge Howard Manning as a result of the civil action, Lumbee Tribe of Cheraw Indians v. Lumbee Regional Development Association.

SECTION 2. This act becomes effective July 1, 2001.



MILITARY, VETERANS & INDIAN AFFAIRS:

BILL ANALYSIS

Committee: House Military, Veterans &
Indian Affairs
Date: March 29, 2001
Version: See Below

Introduced by: Representative Sutton
Summary by: Al Andrews
Committee Counsel

House Bill 361: Lumbee Election Funds

Version: 1st Edition

Sponsor: Rep. Sutton

Bill Analysis: This bill seeks a \$100,000 appropriation from the General Fund to the Tribal Council of the Lumbee Nation for the 2001-2002 fiscal year. This appropriation will be used to develop and conduct an election on a tribal constitution based upon findings by the Lumbee Self-Determination Commission.

Effective Date: July 1, 2001.

House Bill 362: State Tribal Governments. -AB

Version: 1st Edition

Sponsor: Rep. Sutton

Bill Analysis: This bill authorizes State-recognized Indian Tribes to exercise self-governance. Specifically, each tribe will have the authority to:

- determine its form of government
- elect a governing body
- exercise jurisdiction over tribe members
- determine tribal enrollment criteria
- maintain tribal rolls

-oversee the reinterment of any remains from Indian burial sites recovered pursuant to the provisions of General Statutes Chapter 70 {Indian Antiquities, Archaeological Resources and Unmarked Human Skeletal Remains Protection}

Effective Date: When it becomes law.

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY, VETERANS AND INDIAN AFFAIRS.**

☐ Committee Substitute for
H.B. 362 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STATE-RECOGNIZED
INDIAN TRIBES TO EXERCISE SELF-GOVERNANCE

- ☐ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations ☐ Finance ☐ ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations ☐ Finance ☐ ☐.
- ☒ With a favorable report as to committee substitute bill, ☒ which changes the title, unfavorable as to (original bill).
- ☐ With a favorable report as to House committee substitute bill (#), ☐ which changes the title, unfavorable as to Senate committee substitute bill.
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of _____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on _____.
- ____ The bill/resolution is re-referred to the Committee on _____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on _____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. _____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. _____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule _____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, _____ RC) (, by EV _____,) and
the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

D

HOUSE BILL 362
PROPOSED COMMITTEE SUBSTITUTE H362-PCS7107-LL-5

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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

H

1

HOUSE BILL 362

Short Title: State Tribal Governments.-AB

(Public)

Sponsors: Representatives Sutton; Barefoot, Lucas, Yongue, Bonner, and Goodwin.

Referred to: Military, Veterans and Indian Affairs.

March 1, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE STATE-RECOGNIZED INDIAN TRIBES TO EXERCISE SELF-GOVERNANCE.

The General Assembly of North Carolina enacts:

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

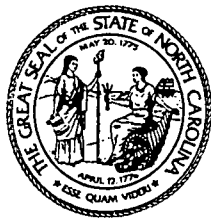
"§ 71A-10. Indian self-governance.

Each Indian tribe designated and officially recognized by this Chapter is entitled to organize and function as a governmental body within the borders of this State. The authority granted in this section provides each tribe with the power to:

- (1) Determine the tribe's form of government;
- (2) Elect the tribe's own governing body;
- (3) Exercise full power and authority over the members of the tribe with respect to tribal affairs;
- (4) Determine the criteria for tribal enrollment in the tribe and maintain the tribal roll; and
- (5) Oversee the reinterment of any remains from Indian burial sites recovered pursuant to the provisions of Chapter 70 of the General Statutes.

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

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



MILITARY, VETERANS & INDIAN AFFAIRS:

BILL ANALYSIS

Committee: House Military, Veterans &
Indian Affairs
Date: March 29, 2001
Version: See Below

Introduced by: Representative Sutton
Summary by: Al Andrews
Committee Counsel

House Bill 361: Lumbee Election Funds

Version: 1st Edition

Sponsor: Rep. Sutton

Bill Analysis: This bill seeks a \$100,000 appropriation from the General Fund to the Tribal Council of the Lumbee Nation for the 2001-2002 fiscal year. This appropriation will be used to develop and conduct an election on a tribal constitution based upon findings by the Lumbee Self-Determination Commission.

Effective Date: July 1, 2001.

House Bill 362: State Tribal Governments. -AB

Version: 1st Edition

Sponsor: Rep. Sutton

Bill Analysis: This bill authorizes State-recognized Indian Tribes to exercise self-governance. Specifically, each tribe will have the authority to:

- determine its form of government
- elect a governing body
- exercise jurisdiction over tribe members
- determine tribal enrollment criteria
- maintain tribal rolls
- oversee the reinterment of any remains from Indian burial sites recovered pursuant to the provisions of General Statutes Chapter 70 {Indian Antiquities, Archaeological Resources and Unmarked Human Skeletal Remains Protection}

Effective Date: When it becomes law.

Reported out 3-29-01

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY, VETERANS AND INDIAN AFFAIRS**.

☐ Committee Substitute for

H.B. 363 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS TO HOLD LAND IN TRUST FOR STATE-RECOGNIZED INDIAN TRIBES.

☒ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations ☐ Finance ☐ .

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations ☐ Finance ☐ .

☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title, unfavorable as to (original bill) (Committee Substitute Bill #), (and recommendation that the committee substitute bill #) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes the title, unfavorable as to Senate committee substitute bill.

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of ____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on ____.
- ____ The bill/resolution is re-referred to the Committee on ____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on ____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate _____ (by the following vote, _____ RC) (, by EV _____,) and the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 363

Short Title: Indian Land in Trust.

(Public)

Sponsors: Representatives Sutton; Barefoot, Bonner, Lucas, and Yongue.

Referred to: Military, Veterans and Indian Affairs.

March 1, 2001

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE NORTH CAROLINA COMMISSION OF INDIAN
AFFAIRS TO HOLD LAND IN TRUST FOR STATE-RECOGNIZED INDIAN
TRIBES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143B-405 reads as rewritten:

"§ 143B-405. North Carolina State Commission of Indian Affairs – purposes for creation.

The purposes of the Commission shall be to deal fairly and effectively with Indian affairs; to bring local, State, and federal resources into focus for the implementation or continuation of meaningful programs for Indian citizens of the State of North Carolina; to provide aid and protection for Indians as needs are demonstrated; to prevent undue hardships; to hold land in trust for the benefit of State-recognized Indian tribes; to assist Indian communities in social and economic development; and to promote recognition of and the right of Indians to pursue cultural and religious traditions considered by them to be sacred and meaningful to Native Americans."

SECTION 2. G.S. 143B-406 reads as rewritten:

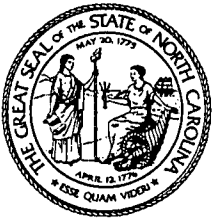
"§ 143B-406. North Carolina State Commission of Indian Affairs – duties; use of funds.

It shall be the duty of the Commission to study, consider, accumulate, compile, assemble and disseminate information on any aspect of Indian affairs; to investigate relief needs of Indians of North Carolina and to provide technical assistance in the preparation of plans for the alleviation of such needs; to confer with appropriate officials of local, State and federal governments and agencies of these governments, and with such congressional committees that may be concerned with Indian affairs to encourage and implement coordination of applicable resources to meet the needs of Indians in North Carolina; to cooperate with and secure the assistance of the local, State and federal governments or any agencies thereof in formulating any such programs, and

1 to coordinate such programs with any programs regarding Indian affairs adopted or
2 planned by the federal government to the end that the State Commission of Indian
3 Affairs secure the full benefit of such programs; to act as trustee for any interest in real
4 property that may be transferred to the Commission for the benefit of State-recognized
5 Indian tribes; to review all proposed or pending State legislation and amendments to
6 existing State legislation affecting Indians in North Carolina; to conduct public hearings
7 on matters relating to Indian affairs and to subpoena any information or documents
8 deemed necessary by the Commission; to study the existing status of recognition of all
9 Indian groups, tribes and communities presently existing in the State of North Carolina;
10 to establish appropriate procedures to provide for legal recognition by the State of
11 presently unrecognized groups; to provide for official State recognition by the
12 Commission of such groups; and to initiate procedures for their recognition by the
13 federal government."

14 **SECTION 3.** The Commission of Indian Affairs may adopt rules to
15 implement the provisions of this act.

16 **SECTION 4.** This act is effective when it becomes law.



HOUSE BILL 363: Indian Land in Trust

BILL ANALYSIS

Committee: House Military, Veterans &
Indian Affairs
Date: March 28, 2001
Version: 1st Edition

Introduced by: Representative Sutton
Summary by: Theresa Matula
Committee Staff

SUMMARY: *House Bill 363 authorizes the North Carolina Commission of Indian Affairs to hold land in trust for State-recognized Indian tribes.*

CURRENT LAW:

The North Carolina State Commission of Indian Affairs is covered in Part 15, Article 9 of Chapter 143B of the General Statutes. The Commission is administered under the direction and supervision of the Department of Administration. G.S. 143B-405 outlines the purposes for creation of the Commission and G.S. 143B-406 outlines the Commission's duties and use of funds. Pursuant to G.S. 143B-407, the Commission consists of two persons appointed by the General Assembly, the Secretary of Health and Human Services, the Director of the State Employment Security Commission, the Secretary of Administration, the Secretary of Environment and Natural Resources, the Commissioner of Labor or their designees and 19 representatives of the Indian community.

BILL ANALYSIS:

Section 1 of House Bill 363 amends G.S. 143B-405 which outlines the purposes for creation of the North Carolina State Commission of Indian Affairs. The amendment adds the ability to hold land in trust for the benefit of State-recognized Indian tribes to the list of purposes for creation of the Commission.

Section 2 makes a conforming amendment to G.S. 143B-406 adding to the list of Commission duties the duty to act as trustee for any interest in real property that may be transferred to the Commission for the benefit of State-recognized Indian tribes.

Section 3 states that the Commission may adopt rules to implement the provisions of this act.

Section 4 establishes that the act is effective when it becomes law.

HOUSE MILITARY, VETERANS AND INDIAN AFFAIRS

COMMITTEE MEETING

APRIL 12, 2001

The House Committee on Military, Veterans and Indian Affairs met on Thursday, April 12, 2001 in room 1425, Legislative Building. The following members were present: Reps. Hurley, Warner, Davis, Goodwin, Hiatt, Lucas, McAllister, Morris, Sexton, and Shubert.

Rep. Warner, Co-Chair, called the meeting to order.

The following bills were considered:

Rep. Warner made a motion for a consent agenda for **HB 110, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE KOREAN WAR VETERAN SPECIAL REGISTRATION PLATES**, **HB 220, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE FOR PERSONS QUALIFIED IN THE UNITED STATES NAVY SUBMARINE SERVICE**, and **HB 554, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO VETERANS OF THE ARMED FORCES OF THE UNITED STATES**.

Rep. McAllister made a motion to adopt a committee substitute for HB 554. The committee substitute is a minor technical change. The motion passed. Rep. McAllister made a motion then to give a favorable report as to committee substitute bill, unfavorable as to original bill, and recommendation that the committee substitute bill be re-referred to the Committee on Finance. The motion passed.

Rep. Warner called for a vote on the approval for consent of HB 110, HB 220 and Committee Substitute for HB 554. Motion passed. The motion was made and passed for the above bills with a favorable report and recommendation that these bills be re-referred to the Committee on Finance.

HB 897, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REPRESENTATION OF THE TRIANGLE NATIVE AMERICAN SOCIETY ON THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS, THE NORTH CAROLINA INDIAN HOUSING AUTHORITY, AND THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER, INCORPORATED. Randy Richardson, Director of North Carolina Indian Affairs, spoke on behalf of the bill. A motion was made by Rep. Morris to discuss the proposed committee substitute. Motion

passed. After discussion, Rep. Morris made a motion for a favorable report as to committee substitute, which changes the title, unfavorable as to original bill. The motion passed.

Meeting adjourned.


Rep. Alex Warner, Co-Chair

Rep. Bill Hurley, Co-Chair


Ann Stancil, Committee Clerk

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY,
VETERANS AND INDIAN AFFAIRS.**

☐ Committee Substitute for

H.B. 110 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF
MOTOR VEHICLES TO ISSUE KOREAN WAR VETERAN SPECIAL REGISTRATION
PLATES.

☐ With a favorable report.

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on
Finance ☒.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.

☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title,
unfavorable as to (original bill) (Committee Substitute Bill #), (and recommendation
that the committee substitute bill #) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

____ Pursuant to Rule 36(b), the bill is placed on the Calendar of ____.

____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on ____.

____ The bill/resolution is re-referred to the Committee on ____.

____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on ____.

____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/resolution is placed on the Unfavorable Calendar.

____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)

____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).

____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).

____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.

____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).

____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. ____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.

____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, _____ RC) (, by EV _____,) and
the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 110

Short Title: Korean War Veteran License Plate.

(Public)

Sponsors: Representatives Cole; Allen, Barefoot, Buchanan, Church, Crawford, Davis, Dedmon, Esposito, Fox, Goodwin, Grady, Haire, Harrington, Hill, Hurley, Jarrell, McAllister, McLawhorn, Morris, Owens, Pope, Preston, Rogers, Saunders, Wainwright, Warner, Warwick, and Yongue.

Referred to: Finance.

February 14, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE
KOREAN WAR VETERAN SPECIAL REGISTRATION PLATES.

The General Assembly of North Carolina enacts:

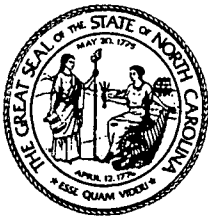
SECTION 1. G.S. 20-79.4(b) reads as rewritten:

“(b) Types. – The Division shall issue the following types of special registration plates:

...

(20b) Korean War Veteran. – Issuable to a veteran of the armed forces of the United States who served during the Korean Conflict, which began June 27, 1950, and ended January 31, 1955. The plate shall bear the words “Korean War Veteran” and a representation of the Republic of Korea Service Medal. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate.”

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



HOUSE BILL 110: Korean War Veteran License Plate.

BILL ANALYSIS

Committee: House Military, Veterans, &
Indian Affairs

Date: April 11, 2001

Version: 1st Edition

Introduced by: Representative Cole

Summary by: Theresa Matula
Committee Staff

SUMMARY: *House Bill 110 amends G.S. 20-79.4(b) to authorize the Division of Motor Vehicles to issue special registration plates for Korean War Veterans.*

CURRENT LAW AND BACKGROUND INFORMATION:

Special registration plates related to military service and issued under G.S. 20-79.4 are as follows: American Legion, Bronze Star Recipient, Coast Guard Auxiliary Member, Combat Veteran, Disabled Veteran, Distinguished Flying Cross, 82nd Airborne Division Association Member, Legion of Valor, Military Reservist, Military Retiree, National Guard Member, Partially Disabled Veteran, Pearl Harbor Survivor, Prisoner of War, Purple Heart Recipient, Silver Star Recipient, Veterans of Foreign Wars, and Vietnam Veteran.

BILL ANALYSIS:

Section 1 of House Bill 110 amends G.S. 20-79.4(b) to add **Korean War Veteran plates** to the list of special registration plates. The bill specifies that the plates shall be issuable to a veteran of the armed forces of the United States who served during the Korean Conflict, which began June 27, 1950 and ended January 31, 1955.

The plate shall bear the following:

- the words "*Korean War Veteran*," and
- a representation of the *Republic of Korea Service Medal*

The Division of Motor Vehicles must receive 300 applications for the plate before it will be issued.

As a special registration plate it will be subject to the ten dollar (\$10) special registration plate fee in G.S. 20-79.7, and to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88.

Section 2 establishes that the act is effective when it becomes law.

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY,
VETERANS AND INDIAN AFFAIRS**.

☐ Committee Substitute for

H.B. 220 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF
MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE FOR PERSONS
QUALIFIED IN THE UNITED STATES NAVY SUBMARINE SERVICE.

☐ With a favorable report.

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on
Finance ☒.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.

☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title,
unfavorable as to (original bill) (Committee Substitute Bill #), (and recommendation
that the committee substitute bill #) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of _____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on _____.
- ____ The bill/resolution is re-referred to the Committee on _____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on _____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. _____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. _____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule _____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, _____ RC) (, by EV _____,) and
the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 220

Short Title: U.S. Navy Submariner Specialty Plate.

(Public)

Sponsors: Representative Eddins.

Referred to: Finance.

February 22, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A
SPECIAL REGISTRATION PLATE FOR PERSONS QUALIFIED IN THE
UNITED STATES NAVY SUBMARINE SERVICE.

The General Assembly of North Carolina enacts:

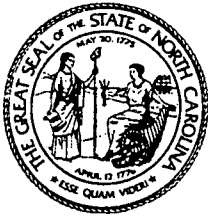
SECTION 1. G.S. 20-79.4(b) reads as rewritten:

"(b) Types. – The Division shall issue the following types of special registration
plates:

...

(46a) U.S. Navy Specialty.—Issuable to a veteran of the United States Navy
Submariner Service. The plate shall bear the phrase "Silent Service
Veteran" and shall bear a representation of the Submarine Service
Qualification pin. The Division may not issue the plate authorized by
this subdivision unless it receives at least 300 applications for the
plate."

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



HOUSE BILL 220: U.S. Navy Submariner Speciality Plate.

BILL ANALYSIS

Committee: House Military, Veterans, &
Indian Affairs

Date: April 11, 2001

Version: 1st Edition

Introduced by: Representative Eddins

Summary by: Theresa Matula
Committee Staff

SUMMARY: *House Bill 220 amends G.S. 20-79.4(b) to authorize the Division of Motor Vehicles to issue special registration plates for persons qualified in the United States Navy Submarine Service.*

CURRENT LAW AND BACKGROUND INFORMATION:

Special registration plates related to military service and issued under G.S. 20-79.4 are as follows: American Legion, Bronze Star Recipient, Coast Guard Auxiliary Member, Combat Veteran, Disabled Veteran, Distinguished Flying Cross, 82nd Airborne Division Association Member, Legion of Valor, Military Reservist, Military Retiree, National Guard Member, Partially Disabled Veteran, Pearl Harbor Survivor, Prisoner of War, Purple Heart Recipient, Silver Star Recipient, Veterans of Foreign Wars, and Vietnam Veteran.

BILL ANALYSIS:

Section 1 of House Bill 220 amends G.S. 20-79.4(b) to add U.S. Navy Specialty plates to the list of special registration plates. The bill specifies that the plates shall be issuable to a veteran of the United States Navy Submariner Service.

The plate shall bear the following:

- the phrase "*Silent Service Veteran*," and
- a representation of the *Submarine Service Qualification pin*.

The Division of Motor Vehicles must receive 300 applications for the plate before it will be issued.

As a special registration plate it will be subject to the ten dollar (\$10) special registration plate fee in G.S. 20-79.7, and to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88.

Section 2 establishes that the act is effective when it becomes law.

H220-SMSH-001

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **Military, Veterans, & Indian Affairs**.

☐ Committee Substitute for

H.B. 554 A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF
MOTOR VEHICLES TO ISSUE SPECIAL REGISTRATION PLATES TO VETERANS
OF THE ARMED FORCES OF THE UNITED STATES.

☐ With a favorable report.

☐ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations ☐ Finance ☐ ☐.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.

☒ With a favorable report as to committee substitute bill, unfavorable as to original bill, and
recommendation that the committee substitute bill be re-referred to the Committee on
FINANCE.

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of _____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on _____.
- ____ The bill/resolution is re-referred to the Committee on _____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on _____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. ____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate _____ (by the following vote, _____ RC) (, by EV _____,) and the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 554

Short Title: US Military Veteran Special Registration Plate. (Public)

Sponsors: Representatives Allred; Gulley and Goodwin.

Referred to: Military, Veterans and Indian Affairs, if favorable, Finance.

March 12, 2001

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE
SPECIAL REGISTRATION PLATES TO VETERANS OF THE ARMED
FORCES OF THE UNITED STATES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-79.4(b) reads as rewritten:

"(b) Types. – The Division shall issue the following types of special registration plates:

...

(26a) Military Veteran. — Issuable to an individual who served honorably in the armed forces of the United States. The plate shall bear the word "U.S. Military Veteran" and the name and insignia of the branch of service in which the individual served. The Division may not issue the plate authorized by this subdivision unless it receives at least 300 applications for the plate."

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

H

D

HOUSE BILL 554

PROPOSED COMMITTEE SUBSTITUTE H554-CSSH-17 [v.1]

4/11/2001 5:17:17 PM

Short Title: US Military Veteran Special Registration Plate.

(Public)

Sponsors:

Referred to:

March 12, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE
SPECIAL REGISTRATION PLATES TO VETERANS OF THE ARMED
FORCES OF THE UNITED STATES.

The General Assembly of North Carolina enacts:

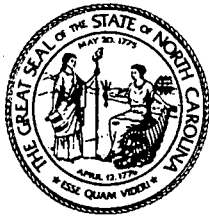
SECTION 1. G.S. 20-79.4(b) reads as rewritten:

"(b) Types. – The Division shall issue the following types of special registration
plates:

...

(26a) Military Veteran. — Issuable to an individual who served honorably in
the armed forces of the United States. The plate shall bear the words
"U.S. Military Veteran" and the name and insignia of the branch of
service in which the individual served. The Division may not issue the
plate authorized by this subdivision unless it receives at least 300
applications for the plate."

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



PCS FOR HOUSE BILL 554: US Military Veteran Special Registration Plate.

BILL ANALYSIS

Committee: House Military, Veterans, &
Indian Affairs

Date: April 11, 2001

Version: PCS for 1st Edition
H554-CSSH-17 [v.1]

Introduced by: Representative Allred

Summary by: Theresa Matula
Committee Staff

SUMMARY: *The Proposed Committee Substitute for House Bill 554 amends G.S. 20-79.4(b) to authorize the Division of Motor Vehicles to issue special registration plates to veterans of the armed forces of the United States.*

The Proposed Committee Substitute, H554-CSSH-17 [v.1], makes a technical change from "word" to "words" on line 11.

CURRENT LAW AND BACKGROUND INFORMATION:

Special registration plates related to military service and issued under G.S. 20-79.4 are as follows: American Legion, Bronze Star Recipient, Coast Guard Auxiliary Member, Combat Veteran, Disabled Veteran, Distinguished Flying Cross, 82nd Airborne Division Association Member, Legion of Valor, Military Reservist, Military Retiree, National Guard Member, Partially Disabled Veteran, Pearl Harbor Survivor, Prisoner of War, Purple Heart Recipient, Silver Star Recipient, Veterans of Foreign Wars, and Vietnam Veteran.

BILL ANALYSIS:

Section 1 of House Bill 554 amends G.S. 20-79.4(b) to add **Military Veteran plates** to the list of special registration plates. The bill specifies that the plates shall be issuable to an individual who served honorably in the armed forces of the United States.

The plate shall bear the following:

- the words "*U.S. Military Veteran*," and
- the *name and insignia of the branch of service in which the individual served.*

The Division of Motor Vehicles must receive 300 applications for the plate before it will be issued.

As a special registration plate it will be subject to the ten dollar (\$10) special registration plate fee in G.S. 20-79.7, and to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88.

Section 2 establishes that the act is effective when it becomes law.

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY,
VETERANS AND INDIAN AFFAIRS.**

- ☐ Committee Substitute for
H.B. 897 A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REPRESENTATION
OF THE TRIANGLE NATIVE AMERICAN SOCIETY ON THE NORTH CAROLINA
COMMISSION OF INDIAN AFFAIRS, THE NORTH CAROLINA INDIAN HOUSING
AUTHORITY, AND THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL
CENTER, INCORPORATED.
- ☐ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations ☐ Finance ☐ ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.
- ☒ With a favorable report as to committee substitute bill, ☒ which changes the title,
unfavorable as to (original bill).
- ☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of _____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on _____.
- ____ The bill/resolution is re-referred to the Committee on _____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on _____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. _____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. _____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule _____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, _____ RC) (, by EV _____,) and
the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 897

Short Title: Appts./Triangle Native American Society.

(Public)

Sponsors: Representatives Hensley, Blue, and Sutton (Primary Sponsors).

Referred to: Military, Veterans and Indian Affairs.

March 29, 2001

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR REPRESENTATION OF THE TRIANGLE NATIVE AMERICAN SOCIETY ON THE NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS, THE NORTH CAROLINA INDIAN HOUSING AUTHORITY, AND THE BOARD OF THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC.

The General Assembly of North Carolina enacts:

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

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

(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 Director of the State Employment Security Commission, the Secretary of Administration, the Secretary of Environment and Natural Resources, the Commissioner of Labor or their designees and ~~19~~20 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 are principally geographically located as follows: the Coharie of Sampson and Harnett Counties; the Eastern Band of Cherokees; the Haliwa Saponi of Halifax, Warren, and adjoining counties; the Lumbees of Robeson, Hoke and Scotland Counties; the Meherrin of Hertford County; the Waccamaw-Siouan from Columbus and Bladen Counties; the Indians of Person County; and the Native Americans located in ~~Cumberland, Guilford and Mecklenburg~~ Guilford, Johnston, Mecklenburg, Orange, and Wake Counties. The Coharie shall have two members; the Eastern Band of Cherokees, two; the Haliwa Saponi, two; the Lumbees, three; the Meherrin, one; the Waccamaw-Siouan, two; the Indians of Person County, one; the Cumberland County Association for Indian People, two; the Guilford Native Americans, two; the Metrolina Native Americans, ~~two~~ two; the Triangle Native American Society, one. Of the two

1 appointments made by the General Assembly, one shall be made upon the
2 recommendation of the Speaker, and one shall be made upon recommendation of the
3 President Pro Tempore of the Senate. Appointments by the General Assembly shall be
4 made in accordance with G.S. 120-121 and vacancies shall be filled in accordance with
5 G.S. 120-122.

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

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

28 **SECTION 2.** G.S. 157-68 reads as rewritten:

29 **"§ 157-68. Commissioners of Authority.**

30 The Authority shall consist of not less than five nor more than ~~45~~ 16 commissioners
31 (the number to be set by the North Carolina State Commission of Indian Affairs) who
32 shall be appointed by the Governor, after receiving nominations from the North
33 Carolina State Commission of Indian Affairs. For each vacancy, the Governor must
34 appoint one person from a list of two eligible persons so nominated. Commissioners
35 shall be selected from the major groups of North Carolina Indians that elect members to
36 the North Carolina State Commission of Indian Affairs under G.S. 143B-407. No
37 person shall be barred from serving as a commissioner because he is a tenant or home
38 buyer in an Indian housing project."

39 **SECTION 3.** Subsection (b) of Section 2 of Chapter 41 of the 1997 Session
40 Laws, as amended by S.L. 1998-19, reads as rewritten:

41 "(b) The Board of the North Carolina Indian Cultural Center, Inc., shall consist of
42 16 members, appointed as follows:

43 (1) One member representing each of the following Indian groups
44 recognized by the State of North Carolina: the Coharie of Sampson

and Harnett Counties; the Eastern Band of Cherokees; the Haliwa of Halifax, Warren, and adjoining counties; the Lumbees of Robeson, Hoke, and Scotland Counties; the Meherrin of Hertford County; the Indians of Person County; and the Waccamaw-Siouan from Columbus and Bladen Counties;

(2) One member each from the following Indian organizations: the Cumberland County Association for Indian People, the Guilford Native Americans, and the Metrolina Native Americans; Americans, and the Triangle Native American Society;

(3) One member representing the education community of the State;

(4) Two members representing the business community of the State;

(5) Two members representing the government of the State of North Carolina; and

(6) One member representing the federal government.

Each member designated in subdivisions (1) and (2) above shall be appointed by the North Carolina Commission of Indian Affairs from two prioritized nominations submitted by the group or organization to be represented by that member. Each member designated in subdivisions (3) through (6) above shall be appointed by the North Carolina Commission of Indian Affairs from two prioritized nominations submitted by the Board of the North Carolina Indian Cultural Center, Inc. If the nominating group or organization submits only one nomination or fails to submit nominations for any reason within 30 days after the date designated for submission by the Commission, the Commission shall appoint a member of its choice to fill the requirement. The Board of the North Carolina Indian Cultural Center, Inc., shall appoint a chair from the Board membership.

Members shall serve two-year terms, except that the initial terms of:

(1) The members representing the Coharie of Sampson and Harnett Counties, the Eastern Band of Cherokees, the Indians of Person County; and the Meherrin of Hertford County; the member representing the Metrolina Native Americans; the member representing the education community of the State; one member representing the government of the State of North Carolina; and one member representing the business community shall be for one year; and

(2) The members representing the Haliwa of Halifax, Warren, and adjoining counties, the Lumbees of Robeson, Hoke, and Scotland Counties, and the Waccamaw-Siouan from Columbus and Bladen Counties; the members representing the Cumberland County Association for Indian People and the Guilford Native Americans; one member representing the business community of the State; one member representing the government of the State of North Carolina; and one member representing the federal government shall be for two years."

1 **SECTION 4.** In order to provide for appropriate staggering of terms, the
2 term of the member added to the Board of the North Carolina Indian Cultural Center,
3 Inc., pursuant to Section 2 of this act, to represent the Triangle Native American Society
4 shall run concurrently with the terms of the members whose initial terms were for two
5 years.

6 **SECTION 5.** This act becomes effective July 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

D

HOUSE BILL 897
PROPOSED COMMITTEE SUBSTITUTE H897-CSSH-16 [v.2]

4/11/2001 5:05:26 PM

Short Title: Appts./Triangle Native American Society.

(Public)

Sponsors:

Referred to:

March 29, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR REPRESENTATION OF THE TRIANGLE NATIVE
3 AMERICAN SOCIETY ON THE NORTH CAROLINA COMMISSION OF
4 INDIAN AFFAIRS, THE NORTH CAROLINA INDIAN HOUSING
5 AUTHORITY, AND THE BOARD OF THE NORTH CAROLINA INDIAN
6 CULTURAL CENTER, INC.

7 The General Assembly of North Carolina enacts:

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

9 "§ 143B-407. North Carolina State Commission of Indian Affairs – membership;
10 term of office; chairman; compensation.

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

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

5 (b) Members serving by virtue of their office within State government shall serve
6 so long as they hold that office. Members representing Indian tribes and groups shall be
7 elected by the tribe or group concerned and shall serve for three-year terms except that
8 at the first election of Commission members by tribes and groups one member from
9 each tribe or group shall be elected to a one-year term, one member from each tribe or
10 group to a two-year term, and one member from the Lumbees to a three-year term. The
11 initial appointment from the Indians of Person County shall expire on June 30, 1999.
12 The initial appointment from the Triangle Native American Society shall expire June
13 30, 2003. Thereafter, all Commission members will be elected to three-year terms. All
14 members shall hold their offices until their successors are appointed and qualified.
15 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.** G.S. 157-68 reads as rewritten:

28 **"§ 157-68. Commissioners of Authority.**

29 The Authority shall consist of not less than five nor more than ~~15~~ 16 commissioners
30 (the number to be set by the North Carolina State Commission of Indian Affairs) who
31 shall be appointed by the Governor, after receiving nominations from the North
32 Carolina State Commission of Indian Affairs. For each vacancy, the Governor must
33 appoint one person from a list of two eligible persons so nominated. Commissioners
34 shall be selected from the major groups of North Carolina Indians that elect members to
35 the North Carolina State Commission of Indian Affairs under G.S. 143B-407. No
36 person shall be barred from serving as a commissioner because he is a tenant or home
37 buyer in an Indian housing project."

38 **SECTION 3.** Subsection (b) of Section 2 of Chapter 41 of the 1997 Session
39 Laws, as amended by S.L. 1998-19, reads as rewritten:

40 "(b) The Board of the North Carolina Indian Cultural Center, Inc., shall consist of
41 ~~16~~ 17 members, appointed as follows:

- (1) One member representing each of the following Indian groups recognized by the State of North Carolina: the Coharie of Sampson and Harnett Counties; the Eastern Band of Cherokees; the Haliwa of Halifax, Warren, and adjoining counties; the Lumbees of Robeson, Hoke, and Scotland Counties; the Meherrin of Hertford County; the Indians of Person County; and the Waccamaw-Siouan from Columbus and Bladen Counties;
- (2) One member each from the following Indian organizations: the Cumberland County Association for Indian People, the Guilford Native Americans, and the Metrolina Native ~~Americans~~; Americans, and the Triangle Native American Society;
- (3) One member representing the education community of the State;
- (4) Two members representing the business community of the State;
- (5) Two members representing the government of the State of North Carolina; and
- (6) One member representing the federal government.

Each member designated in subdivisions (1) and (2) above shall be appointed by the North Carolina Commission of Indian Affairs from two prioritized nominations submitted by the group or organization to be represented by that member. Each member designated in subdivisions (3) through (6) above shall be appointed by the North Carolina Commission of Indian Affairs from two prioritized nominations submitted by the Board of the North Carolina Indian Cultural Center, Inc. If the nominating group or organization submits only one nomination or fails to submit nominations for any reason within 30 days after the date designated for submission by the Commission, the Commission shall appoint a member of its choice to fill the requirement. The Board of the North Carolina Indian Cultural Center, Inc., shall appoint a chair from the Board membership.

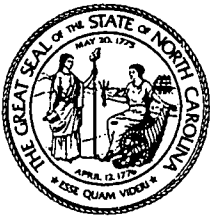
Members shall serve two-year terms, except that the initial terms of:

- (1) The members representing the Coharie of Sampson and Harnett Counties, the Eastern Band of Cherokees, the Indians of Person County; and the Meherrin of Hertford County; the member representing the Metrolina Native Americans; the member representing the education community of the State; one member representing the government of the State of North Carolina; and one member representing the business community shall be for one year; and
- (2) The members representing the Haliwa of Halifax, Warren, and adjoining counties, the Lumbees of Robeson, Hoke, and Scotland Counties, and the Waccamaw-Siouan from Columbus and Bladen Counties; the members representing the Cumberland County Association for Indian People and the Guilford Native Americans; one member representing the business community of the State; one

1 member representing the government of the State of North Carolina;
2 and one member representing the federal government shall be for two
3 years."

4 **SECTION 4.** In order to provide for appropriate staggering of terms, the
5 term of the member added to the Board of the North Carolina Indian Cultural Center,
6 Inc., pursuant to Section 3 of this act, to represent the Triangle Native American Society
7 shall run concurrently with the terms of the members whose initial terms were for two
8 years.

9 **SECTION 5.** This act becomes effective July 1, 2001.
10



PCS FOR HOUSE BILL 897: Appts./Triangle Native American Society.

BILL ANALYSIS

Committee: House Military, Veterans, &
Indian Affairs
Date: April 11, 2001
Version: PCS for 1st Edition
H897-CSSH-16 [v.2]

Introduced by: Representatives Hensley, Blue,
and Sutton
Summary by: Theresa Matula
Committee Staff

SUMMARY: *House Bill 897 provides for representation of the Triangle Native American Society on the North Carolina Commission of Indian Affairs, the North Carolina Indian Housing Authority, and the Board of North Carolina Indian Cultural Center, Inc.*

The Proposed Committee Substitute, H897-CSSH-16 [v.2], changes the number of members to conform with the addition of the Triangle Native American Society in Section 3, and makes a technical amendment to Section 4 changing "pursuant to Section 2" to "pursuant to Section 3."

BILL ANALYSIS:

Section 1 of House Bill 897 amends G.S. 143B-407(a) to increase from *19* to *20* the representatives of the Indian community on the **North Carolina State Commission of Indian Affairs**. 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 are principally geographically located as outlined in the statute. One such group is the Native Americans located in Cumberland, Guilford and Mecklenburg Counties. This group has been amended to include the Native Americans located in Cumberland, Guilford, Johnston, Mecklenburg, Orange and Wake Counties. Of the 20 representatives, the statute is amended to specify that one representative shall be from the Triangle Native American Society. G.S. 143B-407(b) is amended to specify that the initial appointment from the Triangle Native American Society shall expire June 30, 2003.

Section 2 of House Bill 897 amends G.S. 157-68. G.S. 157-68 is amended to specify that the number of **Indian Housing Authority** commissioners shall be not less than five nor more than *16 (previously 15)*.

Section 3 amends Subsection (b) of Section 2 of Chapter 41 of the 1997 Session Laws, as amended by S.L. 1998-19, to specify that of the *17 members (previously 16)* on the **Board of the North Carolina Indian Cultural Center, Inc.**, one member shall be from the Triangle Native American Society.

Section 4 specifies that in order to provide for appropriate staggering of terms, the term of the Triangle Native American Society member added in Section 3 to the Board of the North Carolina Indian Cultural Center, Inc. shall run concurrently with the terms of the members whose initial terms were for two years.

Section 5 states that this act becomes effective July 1, 2001.

BACKGROUND INFORMATION:

The Triangle Native American Society was founded in 1984 and incorporated in 1985. It is a non-profit, tax exempt organization founded to promote and protect the identity of Native Americans in the Triangle area of North Carolina. According to information furnished by the NC Commission of Indian Affairs, the "primary goal of the Triangle Native American Society is to increase public awareness of the cultural and economic contributions made by North Carolina's Native American citizens. The Society seeks to sensitize the general public to existing needs of Native Americans with emphasis on education and employment."

H897-SMSH-001

VISITOR REGISTRATION SHEET

MILITARY, VETERANS AND INDIAN AFFAIRS

04-12-01

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Zell Alley	VFW
Darlene Jean	Triangle Native American Society
Bruce A Locklear	Triangle Native American Society
Beth Buzze	Alley Associates
Joe Pender	NC Commission Indian Affairs
Charles J Smith	NC. Div of Veterans Affairs
Coral Howard	DOT / DMV
Thomas V. Bennett	NCCFTF
Ken Melton	Alley Associates

MINUTES
HOUSE COMMITTEE ON MILITARY, VETERANS, AND INDIAN
AFFAIRS
May 17, 2001

The House Committee on Military, Veterans, and Indian Affairs met in Room 1425 of the Legislative Building on May 17, 2001, at 10:00 a.m. Representative Hurley called the meeting to order, introduced the pages, Zack Tyler (Wake County – Rep. Eddins) and Eric Flores (Cumberland County – Tar Heel Challenge). The following Committee members were present: Representatives Baddour, Goodwin, Lucas, McAllister, Morris, Sexton, Shubert, and Smith. Al Andrews and Amy Currie, Staff Counsels, were in attendance. A list of visitors attending is attached.

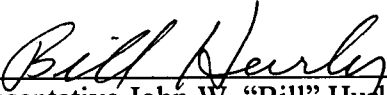
The following bills were considered:

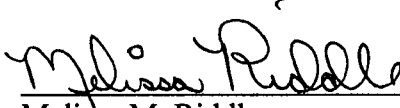
HB 1382, entitled, AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON MILITARY AFFAIRS. Representative Baddour was recognized, and he presented a proposed committee substitute. Representative McAllister moved to adopt the proposed committee substitute for discussion. The motion passed. This bill would create the North Carolina Advisory Commission on Military Affairs. The commission would be created in the Governor's office to advise the Governor and the Commerce Secretary on a range of matters intended to promote the State as a prime location for the continued presence of all military installations. The bill lays out administrative requirements for the Commission. Representative Smith offered an amendment to include on the Executive Committee three members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives, one of whom shall be a member of a recognized veterans' organization, and moved for adoption of the amendment. The motion passed. Representative Goodwin moved to roll the amendment into a committee substitute, with a favorable report to the committee substitute, unfavorable to the original bill, and be re-referred to the Committee on Appropriations. The motion passed.

HB 1389, entitled, AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL FORCES ASSOCIATION SPECIAL REGISTRATION PLATE. The Chair explained the bill. Representative Hurley indicated that several license plates bills that had been re-referred to the Finance Committee from the Military, Veterans and Indian Affairs Committee have been changed in that now the proceeds are all going into the Common Fund. Consideration is being given by the Committee to file a Committee bill pertaining to this issue and have some of the proceeds go to the Veterans' Home. Representative McAllister moved that HB 1389 receive a favorable report, and be re-referred to the Committee on Finance. The motion passed.

There being no further business, the meeting was adjourned at 10:25 a.m.

Respectfully submitted,


Representative John W. "Bill" Hurley
Presiding Chair


Melissa M. Riddle
Assistant to the Committee

ATTACHMENTS
Visitor Registration Form
House Bills 1382 and 1389
Bill Summaries

VISITOR REGISTRATION SHEET

MILITARY, VETERANS AND INDIAN AFFAIRS

~~03-15-01~~

5-17-01

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Charlie Smith

NC DVA

Ken Melton

Allen Associates

Zed Allen

VFA

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY,
VETERANS AND INDIAN AFFAIRS.**

☐ Committee Substitute for

H.B. 1382 A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA
ADVISORY COMMISSION ON MILITARY AFFAIRS.

- ☐ With a favorable report.
- ☐ With a favorable report and recommendation that the bill be re-referred to the Committee on
Appropriations ☐ Finance ☐ ☐.
- ☐ With a favorable report, as amended.
- ☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐ ☐.
- ☒ With a favorable report as to committee substitute bill, unfavorable as to original bill, and
recommendation that the committee substitute bill be re-referred to the Committee on
Appropriations.
- ☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.
- ☐ With an unfavorable report.
- ☐ With recommendation that the House concur.
- ☐ With recommendation that the House do not concur.
- ☐ With recommendation that the House do not concur; request conferees.
- ☐ With recommendation that the House concur; committee believes bill to be material.
- ☐ With an unfavorable report, with a Minority Report attached.
- ☐ Without prejudice.
- ☐ With an indefinite postponement report.
- ☐ With an indefinite postponement report, with a Minority Report attached.
- ☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of ____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on ____.
- ____ The bill/resolution is re-referred to the Committee on ____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on ____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. _____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate
____ (by the following vote, _____ RC) (, by EV _____,) and
the bill is ordered enrolled.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

D

HOUSE BILL 1382
PROPOSED COMMITTEE SUBSTITUTE H1382-PCS2266-SN-19

Short Title: Advisory Commission on Military Affairs.

(Public)

Sponsors:

Referred to:

April 26, 2001

A BILL TO BE ENTITLED
AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON
MILITARY AFFAIRS.

The General Assembly of North Carolina enacts:

SECTION 1. The General Statutes of North Carolina are amended by adding a new Chapter to read:

"Chapter 127C.

"Advisory Commission on Military Affairs.

"§ 127C-1. Creation of the North Carolina Advisory Commission on Military Affairs.

There is created in the Office of the Governor the North Carolina Advisory Commission on Military Affairs to advise the Governor and the Secretary of Commerce on protecting the existing military infrastructure in this State and to promote new military missions and economic opportunities for the State and its citizens.

"§ 127C-2. Membership.

(a) The North Carolina Advisory Commission on Military Affairs shall consist of 21 voting members, who shall serve on the Executive Committee, and nine nonvoting, ex officio members who shall serve by reason of their positions.

(b) The Executive Committee shall be appointed as follows:

- (1) Three members appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives, one of whom shall be a member of a recognized veterans' organization.
- (2) Three members appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate, one of whom shall be a member of a recognized veterans' organization.
- (3) Fifteen members appointed by the Governor, consisting of:
 - a. Three representatives from the Jacksonville community.
 - b. Three representatives from the Havelock community.
 - c. Three representatives from the Goldsboro community.

d. Three representatives from the Fayetteville community.

e. Three public members from across the State.

(c) The following members shall serve ex officio:

(1) Secretary of Crime Control and Public Safety, or a designee.

(2) Secretary of Commerce, or a designee.

(3) Commanding General 18th Airborne Corps, Fort Bragg.

(4) Commanding General Marine Corps Base, Camp Lejeune.

(5) Commanding General Marine Corps Air Station, Cherry Point.

(6) Commander 4th FW, Seymour Johnson Air Force Base.

(7) Commander 43rd Airlift Wing, Pope Air Force Base.

(8) Commander of the U.S. Coast Guard Support Center, Elizabeth City.

(9) Adjutant General of the North Carolina National Guard.

(d) The Executive Committee appointed pursuant to subsection (b) of this section shall choose a Chairman and four Vice-Chairmen from amongst its membership.

"§ 127C-3. Executive director.

The Governor shall appoint, with the approval of the Executive Committee, an executive director for the Commission who shall serve as the administrative head of the Commission and be responsible for the operations and normal business activities of the Commission, with oversight by the Executive Committee.

"§ 127C-4. Purposes.

The Commission shall have the following responsibilities and duties:

(1) Advise the Governor and Secretary of Commerce on how to strengthen the State's relationship with the military to protect the installations of this State from the results of any future defense budget cuts or military downsizing by providing a sound infrastructure, affordable housing, and affordable education for military members and their families, working to be viewed by national military leaders as the most military-friendly State in the nation.

(2) Develop a strategic plan to provide initiatives to support the long-term viability and prosperity of the military of this State that shall include, at least:

a. A comprehensive Economic Impact Study of Military Activities in North Carolina to be conducted by the North Carolina State University Department of Economics and the East Carolina Office of Regional Development.

b. A Strengths/Weaknesses/Opportunities/Threats (SWOT) Analysis conducted by a professional strategic planning group on the current status of the military in North Carolina.

(3) Study ways to improve educational opportunities for military personnel in North Carolina.

(4) Assist in coordinating the State's interests in future activities of the Department of Defense.

1 (5) Promote initiatives to improve the quality of life for military personnel
2 in this State.

3 **"§ 127C-5. Expenses of the Commission.**

4 (a) The Governor shall include the funding requirements for the Commission in
5 the annual budget for the Office of the Governor.

6 (b) Commission members shall receive per diem and travel reimbursements as
7 provided in G.S. 138-5 and G.S. 138-6, as appropriate."

8 **SECTION 2.** There is appropriated from the General Fund to the Office of
9 the Governor the sum of ten thousand dollars (\$10,000) for the 2001-2002 fiscal year to
10 pay the travel and per diem expenses of the North Carolina Advisory Commission on
11 Military Affairs.

12 **SECTION 3.** This act becomes effective July 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

D

HOUSE BILL 1382
PROPOSED COMMITTEE SUBSTITUTE H1382-CSSN-19 [v.1]

5/17/2001 9:21:15 AM

Short Title: Advisory Commission on Military Affairs.

(Public)

Sponsors:

Referred to:

April 26, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON
3 MILITARY AFFAIRS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. The General Statutes of North Carolina are amended by
6 adding a new Chapter to read:

7 "Chapter 127C.

8 "Advisory Commission on Military Affairs.

9 "§ 127C-1. Creation of the North Carolina Advisory Commission on Military
10 Affairs.

11 There is created in the Office of the Governor the North Carolina Advisory
12 Commission on Military Affairs to advise the Governor and the Secretary of Commerce
13 on protecting the existing military infrastructure in this State and to promote new
14 military missions and economic opportunities for the State and its citizens.

15 "§ 127C-2. Membership.

16 (a) The North Carolina Advisory Commission on Military Affairs shall consist of
17 15 voting members appointed by the Governor, who shall serve on the Executive
18 Committee, and nine nonvoting, ex officio members who shall serve by reason of their
19 positions.

20 (b) The Executive Committee shall consist of:

- 21 (1) Three representatives from the Jacksonville community.
22 (2) Three representatives from the Havelock community.
23 (3) Three representatives from the Goldsboro community.
24 (4) Three representatives from the Fayetteville community.
25 (5) Three representatives at large from across the State.

26 (c) The following members shall serve ex officio:

- 27 (1) Secretary of Crime Control and Public Safety, or a designee.
28 (2) Secretary of Commerce, or a designee.
29 (3) Commanding General 18th Airborne Corps, Fort Bragg.

- 1 (4) Commanding General Marine Corps Base, Camp Lejeune.
- 2 (5) Commanding General Marine Corps Air Station, Cherry Point.
- 3 (6) Commander 4th FW, Seymour Johnson Air Force Base.
- 4 (7) Commander 43rd Airlift Wing, Pope Air Force Base.
- 5 (8) Commander of the U.S. Coast Guard Support Center, Elizabeth City.
- 6 (9) Adjutant General of the North Carolina National Guard.

7 (d) The Executive Committee appointed pursuant to subsection (a) of this section
8 shall choose a Chairman and four Vice-Chairmen from amongst its membership.

9 **"§ 127C-3. Executive director.**

10 The Governor shall appoint, with the approval of the Executive Committee, an
11 executive director for the Commission who shall serve as the administrative head of the
12 Commission and be responsible for the operations and normal business activities of the
13 Commission, with oversight by the Executive Committee.

14 **"§ 127C-4. Purposes.**

15 The Commission shall have the following responsibilities and duties:

- 16 (1) Advise the Governor and Secretary of Commerce on how to strengthen
17 the State's relationship with the military to protect the installations of
18 this State from the results of any future defense budget cuts or military
19 downsizing by providing a sound infrastructure, affordable housing,
20 and affordable education for military members and their families,
21 working to be viewed by national military leaders as the most military-
22 friendly State in the nation.
- 23 (2) Develop a strategic plan to provide initiatives to support the long-term
24 viability and prosperity of the military of this State that shall include,
25 at least:
 - 26 a. A comprehensive Economic Impact Study of Military Activities
27 in North Carolina to be conducted by the North Carolina State
28 University Department of Economics and the East Carolina
29 Office of Regional Development.
 - 30 b. A Strengths/Weaknesses/Opportunities/Threats (SWOT)
31 Analysis by a professional strategic planning group on the
32 current status of the military in North Carolina.
- 33 (3) Study ways to improve educational opportunities for military
34 personnel in North Carolina.
- 35 (4) Assist in coordinating the State's interests in future activities of the
36 Department of Defense.
- 37 (5) Promote initiatives to improve the quality of life for military personnel
38 in this State.

39 **"§ 127C-5. Expenses of the Commission.**

40 (a) The Governor shall include the funding requirements for the Commission in
41 the annual budget for the Department.

1 (b) Commission members shall receive per diem and travel reimbursements as
2 provided in G.S. 138-5 and G.S. 138-6, as appropriate."

3 **SECTION 2.** There is appropriated from the General Fund to the Office of
4 the Governor the sum of ten thousand dollars (\$10,000) for the 2001-2002 fiscal year to
5 pay the travel and per diem expenses of the North Carolina Advisory Commission on
6 Military Affairs.

7 **SECTION 3.** This act becomes effective July 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 1382

Short Title: Advisory Commission on Military Affairs.

(Public)

Sponsors: Representative Baddour.

Referred to: Military, Veterans and Indian Affairs.

April 26, 2001

A BILL TO BE ENTITLED
AN ACT TO CREATE THE NORTH CAROLINA ADVISORY COMMISSION ON
MILITARY AFFAIRS.

The General Assembly of North Carolina enacts:

SECTION 1. The General Statutes of North Carolina are amended by adding a new Chapter to read:

"Chapter 127C.

"Advisory Commission on Military Affairs.

"§ 127C-1. Creation of the North Carolina Advisory Commission on Military Affairs.

There is created in the Office of the Governor the North Carolina Advisory Commission on Military Affairs to advise the Governor and the Secretary of Commerce on protecting the existing military infrastructure in this State and to promote new military missions and economic opportunities for the State and its citizens.

"§ 127C-2. Membership.

(a) The North Carolina Advisory Commission on Military Affairs shall consist of 15 voting members appointed by the Governor, who shall serve on the Executive Committee, and eight nonvoting, ex officio members who shall serve by reason of their positions.

(b) The Executive Committee shall consist of:

- (1) Three representatives from the Jacksonville community.
- (2) Three representatives from the Havelock community.
- (3) Three representatives from the Goldsboro community.
- (4) Three representatives from the Fayetteville community.
- (5) Three representatives at large from across the State.

(c) The following members shall serve ex officio:

- (1) Secretary of Commerce, or a designee.
- (2) Commanding General 18th Airborne Corps, Fort Bragg.

- (3) Commanding General Marine Corps Base, Camp Lejeune.
- (4) Commanding General Marine Corps Air Station, Cherry Point.
- (5) Commander 4th FW, Seymour Johnson Air Force Base.
- (6) Commander 43rd Airlift Wing, Pope Air Force Base.
- (7) Commander of the U.S. Coast Guard Support Center, Elizabeth City.
- (8) Adjutant General of the North Carolina National Guard.

(d) The Executive Committee appointed pursuant to subsection (a) of this section shall choose a Chairman and four Vice-Chairmen from amongst its membership.

"§ 127C-3. Executive director.

The Governor shall appoint, with the approval of the Executive Committee, an executive director for the Commission who shall serve as the administrative head of the Commission and be responsible for the operations and normal business activities of the Commission, with oversight by the Executive Committee.

"§ 127C-4. Purposes.

The Commission shall have the following responsibilities and duties:

- (1) Advise the Governor and Secretary of Commerce on how to strengthen the State's relationship with the military to protect the installations of this State from the results of any future defense budget cuts or military downsizing by providing a sound infrastructure, affordable housing, and affordable education for military members and their families, working to be viewed by national military leaders as the most military-friendly State in the nation.
- (2) Develop a strategic plan to provide initiatives to support the long-term viability and prosperity of the military of this State that shall include, at least:
 - a. A comprehensive Economic Impact Study of Military Activities in North Carolina to be conducted by the North Carolina State University Department of Economics and the East Carolina Office of Regional Development.
 - b. A Strengths/Weaknesses/Opportunities/Threats (SWOT) Analysis by a professional strategic planning group on the current status of the military in North Carolina.
- (3) Study ways to improve educational opportunities for military personnel in North Carolina.
- (4) Assist in coordinating the State's interests in future activities of the Department of Defense.
- (5) Promote initiatives to improve the quality of life for military personnel in this State.

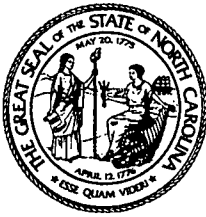
"§ 127C-5. Expenses of the Commission.

(a) The Governor shall include the funding requirements for the Commission in the annual budget for the Department.

(b) Commission members shall receive per diem and travel reimbursements as provided in G.S. 138-5 and G.S. 138-6, as appropriate."

1 **SECTION 2.** There is appropriated from the General Fund to the Office of
2 the Governor the sum of ten thousand dollars (\$10,000) for the 2001-2002 fiscal year to
3 pay the travel and per diem expenses of the North Carolina Advisory Commission on
4 Military Affairs.

5 **SECTION 3.** This act becomes effective July 1, 2001.



HOUSE BILL 1382: Advisory Commission on Military Affairs

BILL ANALYSIS

Committee: House Military, Veterans and
Indian Affairs

Date: May 17, 2001

Version: 1st Edition

Introduced by: Representative Baddour

Summary by: Al Andrews
Committee Counsel

SUMMARY: *This bill would create the North Carolina Advisory Commission on Military Affairs. The commission would be created in the Governor's office to advise the Governor and the Commerce Secretary on a range of matters intended to promote the State as a prime location for the continued presence of all military installations. The bill lays out administrative requirements for the Commission.*

Effective Date: July 1, 2001.

CURRENT LAW: There is not currently a statutory provision for an Advisory Commission on Military Affairs. The Governor's Advisory Commission on Military Affairs was created by Hunt Administration Executive Order 32, dated 21 Oct 93, and amended by Hunt Executive Order 64, dated 20 Oct 94.

BILL ANALYSIS:

Section 1. This bill creates a new Chapter of the General Statutes, Chapter 127C – Advisory Commission on Military Affairs. {Chapter 127B is Military Affairs.} The commission is intended to promote new military missions and economic opportunities for the State and its citizens.

Its membership shall be 15 voting members appointed by the Governor (three each) from the various military communities, who together shall form the Executive Committee, and nine non-voting ex officio members from State government and military units present in the State.

The Commission will have a range of duties and responsibilities all designed to help the State form a lasting bond with the military installations and units to demonstrate to the necessary powers that North Carolina is the best place in the country to locate military units and keep all military installations. The main "powers-that-be" are the federal BRAC committee (Base Reorganization and Closing).

The Governor shall include the funding requirements for the Commission in the annual budget. Commission members shall receive per diem and travel.

Section 2. \$10,000 appropriation from the General Fund.

H1382-SMSN-001

**2001 COMMITTEE REPORT
HOUSE OF REPRESENTATIVES**

The following report(s) from standing committee(s) is/are presented:

By Representative(s) **Hurley & Warner** (Chair/Chairs) for the Committee on **MILITARY,
VETERANS AND INDIAN AFFAIRS.**

☐ Committee Substitute for

H.B. 1389 A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DIVISION OF
MOTOR VEHICLES TO ISSUE A SPECIAL FORCES ASSOCIATION SPECIAL
REGISTRATION PLATE.

☐ With a favorable report.

☒ With a favorable report and recommendation that the bill be re-referred to the Committee on
Finance ☒.

☐ With a favorable report, as amended.

☐ With a favorable report, as amended, and recommendation that the bill be re-referred to the
Committee on Appropriations ☐ Finance ☐.

☐ With a favorable report as to committee substitute bill (#), ☐ which changes the title,
unfavorable as to (original bill) (Committee Substitute Bill #), (and recommendation
that the committee substitute bill #) be re-referred to the Committee on .)

☐ With a favorable report as to House committee substitute bill (#), ☐ which changes
the title, unfavorable as to Senate committee substitute bill.

☐ With an unfavorable report.

☐ With recommendation that the House concur.

☐ With recommendation that the House do not concur.

☐ With recommendation that the House do not concur; request conferees.

☐ With recommendation that the House concur; committee believes bill to be material.

☐ With an unfavorable report, with a Minority Report attached.

☐ Without prejudice.

☐ With an indefinite postponement report.

☐ With an indefinite postponement report, with a Minority Report attached.

☐ With recommendation that it be adopted. (HOUSE RESOLUTION ONLY)

2/15/01

FOR JOURNAL USE ONLY

- ____ Pursuant to Rule 36(b), the bill is placed on the Calendar of _____.
- ____ The (committee substitute) bill/resolution (, as amended,) is (ordered engrossed and) re-referred to the Committee on _____.
- ____ The bill/resolution is re-referred to the Committee on _____.
- ____ On motion of (Rep. _____,) (the Chair,) the (committee substitute) bill/resolution is (ordered engrossed and) re-referred to the Committee on _____.
- ____ Pursuant to Rule 36(b), the (House)committee substitute bill (No. ____)/resolution is placed on the Calendar of _____. (The original bill) (House Committee Substitute Bill No. ____)/resolution is placed on the Unfavorable Calendar.
- ____ On motion of Rep. _____, (the rules are suspended) (Rule ____ is suspended) and the bill/resolution is placed on today's calendar. (for immediate consideration.)
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ On motion of Rep. _____, Committee Amendment No.(s) _____ is/are adopted (by EV _____).
- ____ Rep. _____ offers Amendment No. ____ which (is adopted.) (fails of adoption.) (by EV _____.) () This amendment changes the title.
- ____ The bill/resolution (, as amended,) passes its second reading (by following vote, _____ RC) (, by EV _____,) and (remains on the Calendar,) (and there being no objection is read a third time).
- ____ The bill/resolution (, as amended,) passes its third reading (by the following vote, _____ RC) (, by EV _____,) and is ordered
____ sent to the Senate.
____ without engrossment. _____ by Special message.
____ sent to the Senate for concurrence in
____ House amendment (s).
____ House committee substitute.
____ enrolled.
- ____ On motion of Rep. _____, the House concurs in the (material) Senate _____ (by the following vote, _____ RC) (, by EV _____,) and the bill is ordered enrolled.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

H

1

HOUSE BILL 1389

Short Title: Special Forces Assn. Registration Plate. (Public)

Sponsors: Representatives Hurley; Cunningham, Lucas, McAllister, Morris, and Warner.

Referred to: Military, Veterans and Indian Affairs, if favorable, Finance.

April 26, 2001

A BILL TO BE ENTITLED
AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE A
SPECIAL FORCES ASSOCIATION SPECIAL REGISTRATION PLATE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-79.4(b) reads as rewritten:

"(b) Types. – The Division shall issue the following types of special registration plates:

...

(40a) Special Forces Association. – Issuable to the registered owner of a motor vehicle in accordance with G.S. 20-81.12. The plate shall bear a representation of the U.S. Army Special Forces shoulder patch with tabs and shall bear the words "U.S. Army Special Forces."

SECTION 2. G.S. 20-79.7(a) reads as rewritten:

"(a) Fees. – Upon request, the Division shall provide and issue free of charge one registration plate to a recipient of the Congressional Medal of Honor, a 100% disabled veteran, and an ex-prisoner of war. All other special registration plates, including additional Congressional Medal of Honor, 100% Disabled Veteran, and Ex-Prisoner of War plates, are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following amount:

<u>Special Plate</u>	<u>Additional Fee Amount</u>
Historical Attraction	\$30.00
State Attraction	\$30.00
Collegiate Insignia	\$25.00
Goodness Grows	\$25.00
Kids First	\$25.00
Olympic Games	\$25.00

1	Special Olympics	\$25.00
2	University Health Systems of Eastern Carolina	\$25.00
3	Animal Lovers	\$20.00
4	Ducks Unlimited	\$20.00
5	Litter Prevention	\$20.00
6	March of Dimes	\$20.00
7	Omega Psi Phi Fraternity	\$20.00
8	Scenic Rivers	\$20.00
9	School Technology	\$20.00
10	Soil and Water Conservation	\$20.00
11	<u>Special Forces Association</u>	\$20.00
12	Support Public Schools	\$20.00
13	Wildlife Resources	\$20.00
14	Personalized	\$20.00
15	Active Member of the National Guard	None
16	100% Disabled Veteran	None
17	Ex-Prisoner of War	None
18	Legion of Valor	None
19	Purple Heart Recipient	None
20	Silver Star Recipient	None
21	All Other Special Plates	\$10.00."

22 **SECTION 3.** G.S. 20-79.7(b) reads as rewritten:

23 "(b) Distribution of Fees. – The Special Registration Plate Account and the
 24 Collegiate and Cultural Attraction Plate Account are established within the Highway
 25 Fund. The Division must credit the additional fee imposed for the special registration
 26 plates listed in subsection (a) among the Special Registration Plate Account (SRPA), the
 27 Collegiate and Cultural Attraction Plate Account (CCAPA), and the Natural Heritage
 28 Trust Fund (NHTF), which is established under G.S. 113-77.7, as follows:

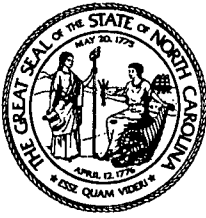
30	<u>Special Plate</u>	<u>SRPA</u>	<u>CCAPA</u>	<u>NHTF</u>
31				
32	Animal Lovers	\$10	\$10	0
33	Ducks Unlimited	\$10	\$10	0
34	Goodness Grows	\$10	\$10	0
35	Historical Attraction	\$10	\$20	0
36	In-State Collegiate Insignia	\$10	\$15	0
37	Kids First	\$10	\$15	0
38	Litter Prevention	\$10	\$10	0
39	March of Dimes	\$10	\$10	0
40	Olympic Games	\$10	\$15	0
41	Omega Psi Phi Fraternity	\$10	\$10	0
42	Out-of-state Collegiate Insignia	\$10	0	\$15
43	Personalized	\$10	0	\$10
44	Scenic Rivers	\$10	\$10	0

1	School Technology	\$10	\$10	0
2	Soil and Water Conservation	\$10	\$10	0
3	<u>Special Forces Association</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>
4	Special Olympics	\$10	\$10	0
5	State Attraction	\$10	\$20	0
6	Support Public Schools	\$10	\$10	0
7	University Health Systems of			
8	Eastern Carolina	\$10	\$15	0
9	Wildlife Resources	\$10	\$10	0
10	All other Special Plates	\$10	0	0".

11 **SECTION 4.** G.S. 20-81.12 is amended by adding a new subsection to read:

12 "(b17) Special Forces Association. – The Division must receive 300 or more
13 applications for a Special Forces Association plate before the plate may be developed.
14 The Division shall transfer quarterly the money in the Collegiate and Cultural Attraction
15 Plate Account derived from the sale of Special Forces Association plates to the 82nd
16 Airborne Division Association, Incorporated to be used to support the Airborne &
17 Special Operations Museum in Fayetteville, North Carolina."

18 **SECTION 5.** This act is effective when it becomes law.



HOUSE BILL 1389: Special Forces Assn. Registration Plate.

BILL ANALYSIS

Committee: House Military, Veterans, &
Indian Affairs
Date: May 17, 2001
Version: 1st Edition

Introduced by: Representative Hurley
Summary by: Al Andrews
Committee Counsel

SUMMARY: *House Bill 1389 amends G.S. 20-79.4(b) to authorize the Division of Motor Vehicles to issue special registration plates for the Special Forces Association.*

CURRENT LAW AND BACKGROUND INFORMATION:

Special registration plates related to military service and issued under G.S. 20-79.4 are as follows: American Legion, Bronze Star Recipient, Coast Guard Auxiliary Member, Combat Veteran, Disabled Veteran, Distinguished Flying Cross, 82nd Airborne Division Association Member, Legion of Valor, Military Reservist, Military Retiree, National Guard Member, Partially Disabled Veteran, Pearl Harbor Survivor, Prisoner of War, Purple Heart Recipient, Silver Star Recipient, Veterans of Foreign Wars, and Vietnam Veteran.

BILL ANALYSIS:

House Bill 1389 amends G.S. 20-79.4(b) to add **Special Forces Association plates** to the list of special registration plates.

The plate shall bear the following:

- the words "*U.S. Army Special Forces*," and
- a representation of the *U.S. Army Special Forces shoulder patch with tabs*

The Division of Motor Vehicles must receive 300 applications for the plate before it will be issued. The money derived from the sale of the plates to the 82nd Airborne Division Association, Inc. will be used to support the Airborne & Special Operations Museum in Fayetteville, NC.

As a special registration plate it will be subject to the twenty dollar (\$20) special registration plate fee in G.S. 20-79.7, and to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88.

This act is effective when it becomes law.

H1389-SMSL-001

Kristen Crosson contributed to this summary.

MEMORANDUM

DATE: September 18, 2002

TO: Representative Alex Warner

FROM: Representatives John W. "Bill" Hurley and Alex Warner

SUBJECT: Bills Pending in the Committee on MILITARY, VETERANS AND INDIAN AFFAIRS

Pursuant to House Rule 36(a) all House bills and resolutions shall be reported from the standing committee or permanent subcommittee to which referred with such recommendations as the standing committee or permanent subcommittee may desire to make **except in the case where the principal introducer requests in writing to the Chair(s) of the standing committee or permanent subcommittee that the bill not be considered.**

If you would like to request that your bill not be considered by the Committee on MILITARY, VETERANS, AND INDIAN AFFAIRS, for your convenience, a printed form is included at the bottom of this page. Please complete, sign and return the form to Room 2215. This form may not be e-mailed because it requires the sponsor's signature.

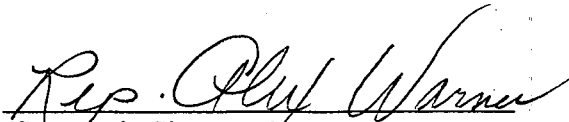
MEMORANDUM

TO: Representatives Bill Hurley and Alex Warner

FROM: Representative Alex Warner
Bill Sponsor

SUBJECT: HB 430, WWII VETERANS FREE SPECIAL PLATE (Short Title)

I request that HB 430 not be considered by the Committee on MILITARY, VETERANS, AND INDIAN AFFAIRS.


(Sponsor's Signature)

9/18/02 Date

MEMORANDUM

DATE: October 1, 2002

TO: Representative Phil Baddour

FROM: Representatives John W. Hurley & Alex Warner

SUBJECT: Bills Pending in the Committee on Military, Veterans & Indian Affairs

Pursuant to House Rule 36(a) all House bills and resolutions shall be reported from the standing committee or permanent subcommittee to which referred with such recommendations as the standing committee or permanent subcommittee may desire to make **except in the case where the principal introducer requests in writing to the Chair(s) of the standing committee or permanent subcommittee that the bill not be considered.**

If you would like to request that your bill not be considered by the Committee on Military, Veterans, & Indian Affairs, for your convenience, a printed form is included at the bottom of this page. Please complete, sign and return the form to Room 2215. This form may not be e-mailed because it requires the sponsor's signature.

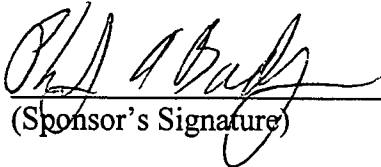
MEMORANDUM

TO: Representatives John W. "Bill" Hurley & Alex Warner

FROM: Representative Phil Baddour
Bill Sponsor

SUBJECT: HB 1287, Advisory Commission on Military Affairs (Short Title)

I request that HB 1287 not be considered by the Committee on Military, Veterans, & Indians Affairs.


(Sponsor's Signature)

10/1/02

Date