

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 883

Short Title: Establish AAPI Heritage Commission. (Public)

Sponsors: Representatives Cervania, Liu, Willis, and Goodwin (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

April 26, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE
3 COMMISSION IN THE DEPARTMENT OF NATURAL AND CULTURAL
4 RESOURCES AND TO APPROPRIATE FUNDS TO SUPPORT THE COMMISSION.

5 The General Assembly of North Carolina enacts:

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

8 "Part 30B. Asian American and Pacific Islander Heritage Commission.

9 "**§ 143B-135.7. Asian American and Pacific Islander Heritage Commission established.**

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

- 15 (1) To advise the Secretary of Natural and Cultural Resources on methods and
16 means of preserving Asian American and Pacific Islander history, arts, and
17 culture.
18 (2) To promote public awareness of historic buildings, sites, structures, artwork,
19 and culture associated with North Carolina's Asian American and Pacific
20 Islander heritage through special programs, exhibits, and publications.
21 (3) To support Asian American and Pacific Islander heritage education in
22 elementary and secondary schools in coordination with North Carolina Public
23 Schools.
24 (4) To build a statewide network of individuals and groups interested in the
25 preservation of Asian American and Pacific Islander history, arts, and culture.
26 (5) To develop a program to catalog, preserve, assess, and interpret all aspects of
27 Asian American and Pacific Islander history, arts, and culture.
28 (6) To advise the Secretary of Natural and Cultural Resources upon any matter
29 the Secretary may refer to it.

30 (b) Composition and Terms. – The Commission shall consist of nine members who shall
31 serve staggered terms. The initial board shall be selected on or before October 1, 2023, as follows:

- 32 (1) Four appointed by the Governor, two of whom shall serve terms of three years,
33 one of whom shall serve a term of two years, and one of whom shall serve a
34 term of one year. At least one appointee shall be a member of the North
35 Carolina Historical Commission.



- 1 (2) Two appointed by the General Assembly upon the recommendation of the
2 President Pro Tempore of the Senate, one of whom shall serve a term of three
3 years and one of whom shall serve a term of two years.
4 (3) Two appointed by the General Assembly upon the recommendation of the
5 Speaker of the House of Representatives, one of whom shall serve a term of
6 two years and one of whom shall serve a term of one year.
7 (4) One appointed by the Secretary of the Department of Natural and Cultural
8 Resources who shall serve a term of three years.

9 Upon the expiration of the terms of the initial Commission members, each member shall be
10 appointed for a three-year term and shall serve until a successor is appointed.

11 (c) Vacancies. – A vacancy shall be filled in the same manner as the original appointment,
12 except that all unexpired terms appointed by the General Assembly shall be filled in accordance
13 with G.S. 120-122. Appointees to fill vacancies shall serve the remainder of the unexpired term
14 and until their successors have been duly appointed and qualified.

15 (d) Removal. – The Commission may remove any of its members for neglect of duty,
16 incompetence, or unprofessional conduct. A member subject to disciplinary proceedings shall be
17 disqualified from participating in the official business of the Commission until the charges have
18 been resolved.

19 (e) Officers. – The chair shall be designated by the Governor from among the members
20 of the Commission to serve as chair at the pleasure of the Governor. The Commission shall elect
21 annually from its membership a vice-chair and other officers deemed necessary by the
22 Commission to carry out the purposes of this Article.

23 (f) Meetings; Quorum. – The Commission shall meet at least semiannually to conduct
24 business. The Board shall establish the procedures for calling, holding, and conducting regular
25 and special meetings. A majority of Commission members shall constitute a quorum.

26 (g) Compensation. – The Commission members shall receive no salary as a result of
27 servicing on the Commission but shall receive per diem, subsistence, and travel expenses in
28 accordance with the provisions of G.S. 120-3.1, 138-5, and 138-6, as applicable."

29 **SECTION 2.** There is appropriated from the General Fund to the Department of
30 Natural and Cultural Resources the sum of two hundred fifty thousand dollars (\$250,000) in
31 recurring funds for each year of the 2023-2025 biennium to support the operations of the Asian
32 American and Pacific Islander Heritage Commission, including a director and an associate
33 director, established in Section 1 of this act. The Department of Natural and Cultural Resources
34 shall provide necessary clerical and administrative support services to the Commission.

35 **SECTION 3.** This act becomes effective July 1, 2023.