

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 201
HOUSE BILL 490

AN ACT TO CHANGE THE NAME OF THE STATE INDIAN HOUSING
AUTHORITY TO THE INDIAN HOUSING AUTHORITY.

The General Assembly of North Carolina enacts:

Section 1. Article 5 of Chapter 157 of the General Statutes reads as rewritten:

"ARTICLE 5.

"~~State~~ Indian Housing Authority.

"§ 157-66. Authority created.

There is hereby created and established a public body corporate and politic to be known as the North Carolina ~~State~~ Indian Housing Authority which shall be governed by the provisions of law controlling housing authorities as set out in this Chapter as well as other applicable provisions of the General Statutes. It is the intent of the General Assembly that the North Carolina ~~State~~ Indian Housing Authority not be treated as a State agency for any purpose, but rather that it be treated as a housing authority as set out above.

"§ 157-67. Powers of Authority; applicability of certain laws; powers of Governor and Commission of Indian Affairs.

The ~~State~~ Indian Housing Authority, hereafter referred to as the Authority, shall exercise its powers to provide housing for Indians of low income. Except as otherwise provided in this Article, all the provisions of law applicable to housing authorities created for municipalities pursuant to Chapter 157 of the General Statutes shall be applicable to this Authority, unless a different meaning clearly appears from the context. The Governor and the Commission of Indian Affairs are hereby authorized to exercise all appointing and other powers with respect to this Authority that are vested pursuant to said Chapter 157 in the chief executive officer and governing body of a municipality.

"§ 157-68. Commissioners of Authority.

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

"§ 157-69. Area of operation.

The area of operation of the Authority shall include the entire State: Provided, that the Authority shall not undertake any housing project or projects within the area of operation of any city, county or regional housing authority unless a resolution shall have been adopted by such city, county or regional housing authority declaring that there is a need for the ~~State~~-Indian Housing Authority to exercise its powers within such city, county or regional housing authority's area of operation.

"§ 157-70. Rentals and tenant selection in accordance with § 157-29.

Rentals and tenant selection in connection with projects of the Authority shall be in accordance with G.S. 157-29."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 23rd day of June, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives