GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1724

Short Title: Commission on NC Black Troops/Funds.	(Public)
Sponsors: Representatives Hardaway; H. Hunter and Bonner.	
Referred to: Rules, Calendar and Operations of the House.	

June 1, 1998

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF A COMMISSION TO STUDY THE CONTRIBUTIONS OF BLACK TROOPS FROM NORTH CAROLINA IN THE AMERICAN CIVIL WAR AND OTHER CONFLICTS AND TO DEVELOP PLANS FOR THE APPROPRIATE

COMMEMORATION OF THE CONTRIBUTIONS OF THOSE TROOPS.

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Whereas, on July 1, 1862, the United States Congress authorized President Abraham Lincoln to organize black men for military purposes in the American Civil War; and

Whereas, President Lincoln's Emancipation Proclamation, issued September 24, 1862, stated that all slaves in those areas of the South that were in rebellion against the United States on January 1, 1863, would be free, and from that time large numbers of black soldiers, under the command of white officers, were accepted into the service of the United States; and

Whereas, by May 22, 1863, the War Department had established the Bureau of Colored Troops to administer the affairs of this new body of troops, which by war's end had totaled over 186,000 men, and another 19,000 blacks served in the Union Navy; and

Whereas, while many of these troops served on garrison and occupation duty, a large number of them belonged to combat units such as the famous 54th Massachusetts Infantry, whose exploits were portrayed in the film, "Glory"; and

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Whereas, four regiments of black troops were raised from occupied areas of North Carolina: the 1st, 2nd, and 3rd North Carolina Colored Infantry, which were later redesignated as the 35th, 36th, and 37th United States Colored Troops (USCT), and the 1st North Carolina Colored Heavy Artillery, later redesignated the 14th United States Colored Heavy Artillery: and

Whereas, the black soldiers of the 1st North Carolina Colored Infantry (35th USCT), organized at New Bern on June 30, 1863, particularly distinguished themselves in the Battle of Olustee, Florida, on February 20, 1864, where they fought alongside and brigaded with the famous 54th Massachusetts; and

Whereas, the 1st North Carolina, after a 110-mile march to the battlefield, suffered 230 casualties in three hours of fierce fighting and was reported by Union General Thomas Seymour as having fought "like veterans"; and

Whereas, the contributions of North Carolina's black troops in the American Civil War deserve further study and appropriate memorials and other forms of commemoration; and

Whereas, such study and consideration should also be directed upon the Third North Carolina Volunteers, whose formation during the Spanish-American War of 1898 made North Carolina the only southern state to recruit an all-black regiment for service in that war and one of the first three states to create a black military unit with a complete roster of black officers; and

Whereas, the contributions of black troops from North Carolina in these and other conflicts dating back to the American Revolution have not received the attention or recognition that they deserve; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 143 of the General Statutes is amended by adding a new Article to read:

"ARTICLE 72.

"Commission on North Carolina's Black Troops.

"§ 143-680. Commission established; purpose; members; terms of office; quorum; compensation; termination.

- Establishment. There is established the Commission on North Carolina's (a) Black Troops. The Commission shall be located within the Department of Cultural Resources for organizational, budgetary, and administrative purposes.
- Purpose. The purpose of the Commission is to advise the Secretary of (b) Cultural Resources on appropriate means for acknowledging the contributions of black troops from North Carolina in the American Civil War, the Spanish-American War, and other conflicts as the Commission finds appropriate.
 - Membership. The Commission shall consist of seven members, as follows: (c)
 - Two persons appointed by the Governor, one of whom shall be (1) recommended by the Secretary of Cultural Resources;
 - Two persons appointed by the President Pro Tempore of the Senate, one (2) of whom shall be recommended by the Chair of the North Carolina Historical Commission;

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- Two persons appointed by the Speaker of the House of Representatives, (3) 2 one of whom shall be recommended by the Chair of the North Carolina 3 Historical Commission; and
 - The Chair of the North Carolina Historical Commission or the Chair's <u>(4)</u> designee

The members appointed to the Commission on North Carolina's Black Troops should be chosen from among individuals who have education or experience in the fields of North Carolina history, black history, or military history.

- Terms. Members shall serve for the duration of the Commission. Initial terms shall commence July 1, 1998.
- Chair. The chair shall be the Chair of the North Carolina Historical Commission or the Chair's designee on the Commission, or a member selected by the Chair of the North Carolina Historical Commission or the Chair's designee.
- Vacancies. Vacancies resulting from the resignation of a member or otherwise shall be filled in the same manner in which the original appointment was made, and the term shall be for the balance of the unexpired term.
- Compensation. The Commission members shall receive no salary as a result of serving on the Commission but shall receive per diem, subsistence, and travel expenses in accordance with the provisions of G.S. 120-3.1, 138-5, and 138-6, as applicable.
 - (h) Removal. – Members may be removed in accordance with G.S. 143B-13.
- Meetings. The chair shall convene the Commission. The Commission shall (i) meet at least quarterly and more frequently if necessary.
- Quorum. A majority of the members of the Commission shall constitute a quorum for the transaction of business. The affirmative vote of a majority of the members present at meetings of the Commission shall be necessary for action to be taken by the Commission.
- Termination of Commission. The Commission shall terminate June 30, (k) 2000.

"§ 143-681. Powers and duties of the Commission.

The Commission shall advise the Secretary of Cultural Resources on appropriate means of acknowledging the contributions of black troops from North Carolina in the American Civil War, the Spanish-American War, and other conflicts as the Commission finds appropriate, including the construction of a memorial or memorials in appropriate locations, and the collection, publication, or exhibition of materials associated with North Carolina's black troops, in cooperation with the North Carolina Museum of History.

"§ 143-682. Commission reports.

The Commission shall submit a final report to the General Assembly no later than June 30, 2000. The final report shall summarize the activities of the Commission and shall make specific recommendations on appropriate methods of commemorating the contributions of North Carolina's black troops.

"§ 143-683. Application of Article.

1	The provisions	of Article	1	of Chapter	121	of the	General	Statutes	apply	to	the
2	Commission."			-							

Section 2. There is appropriated from the General Fund to the Department of Cultural Resources the sum of twenty-five thousand dollars (\$25,000) for the 1998-99 fiscal year to pay per diem and travel expenses of the members of the Commission on North Carolina's Black Troops.

Section 3. This act becomes effective July 1, 1998.

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