

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1999**

**S**

**1**

**SENATE BILL 1182**

Short Title: 1898 Wilmington Riot Comn/Funds.

(Public)

---

Sponsors: Senators Jordan; Ballance, Dannelly, Horton, Lucas, Shaw of Cumberland, and Soles.

---

Referred to: Appropriations/Base Budget.

---

May 9, 2000

**A BILL TO BE ENTITLED**

**AN ACT TO ESTABLISH THE 1898 WILMINGTON RACE RIOT COMMISSION  
AND TO APPROPRIATE FUNDS TO SUPPORT THE COMMISSION.**

Whereas, during the late 1800s, the City of Wilmington was North Carolina's largest city with African-Americans making up two-thirds of the city's population; and

Whereas, many of the African-American citizens owned valuable land and successful businesses and held high offices in city and county government, comprising a thriving Black middle and upper class; and

Whereas, after the elections of 1898, a group of racist local residents instigated a three-day period of civil disorder and violence against African-American citizens and public officials, resulting in the loss of lives, the destruction of businesses, and the expulsion of duly elected officials and business owners from the city; and

Whereas, there is a lack of public knowledge and historical coverage of this event; and

Whereas, as a means of promoting healing and public understanding, the State of North Carolina wishes to establish a commission to make findings regarding the events that occurred during November of 1898 in the City of Wilmington; 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:

1 "ARTICLE 73.

2 "1898 WILMINGTON RACE RIOT COMMISSION.

3 "§ 143-690. Commission established; purpose; membership; terms of office;  
4 quorum; compensation; termination.

5 (a) Establishment. – There is hereby established the 1898 Wilmington Race Riot  
6 Commission. The Commission shall be located within the Department of Cultural  
7 Resources.

8 (b) Purpose. – The purpose of the Commission shall be to develop a historical  
9 record of the 1898 Wilmington Race Riot. In developing such a record, the Commission  
10 shall gather information, including oral testimony from descendants of those affected by  
11 the riot or others, examine documents and writings, and otherwise take such actions as  
12 may be necessary or proper in accurately identifying information having historical  
13 significance to the 1898 Wilmington Race Riot, including the economic impact of the riot  
14 on African-Americans in this State.

15 (c) Composition and Terms. – The Commission shall consist of 13 members, each  
16 of whom shall serve a two-year term. Commission members shall be appointed on or  
17 before September 1, 2000, as follows:

18 (1) The President Pro Tempore of the Senate shall appoint three members.

19 (2) The Speaker of the House of Representatives shall appoint three  
20 members.

21 (3) The Governor shall appoint three public members, one of whom shall be  
22 a historian.

23 (4) The Mayor of the City of Wilmington shall appoint four members from  
24 a list of nominees submitted by the City Council of the City of  
25 Wilmington, one of whom shall be a representative of the North  
26 Carolina Black Chamber of Commerce.

27 The Commission shall terminate on December 31, 2002.

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

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

37 (f) Compensation. – Each member of the Commission shall receive per diem and  
38 reimbursement for travel and subsistence as provided in G.S. 120-3.2, 138-5, and 138-6.

39 (g) Officers. – The Commission's officers shall consist of two cochairs, a vice-  
40 chair, and other officers deemed necessary by the Commission to carry out the purposes  
41 of this Article. The President Pro Tempore of the Senate and the Speaker of the House of  
42 Representatives shall appoint the cochairs of the Commission. All other officers shall be

1 elected by the Commission. All officers shall serve for two-year terms and shall serve  
2 until their successors are elected and qualified.

3 (h) Meetings. – The Commission shall meet at least quarterly to conduct business  
4 as authorized in subsection (b) of this section. The Commission shall adopt rules  
5 governing the calling, holding, and conducting of regular and special meetings. A  
6 majority of Commission members shall constitute a quorum.

7 (i) Staff. – The Department of Cultural Resources shall provide necessary clerical  
8 and administrative support services to the Commission.

9 (j) Report. – The Commission may submit to the General Assembly an interim  
10 report of its findings and recommendations. The Commission shall submit to the General  
11 Assembly a final report of its findings and recommendations no later than December 31,  
12 2002. The final report may include suggestions for a permanent marker or memorial of  
13 the riot and whether to designate the event as a historic site."

14 Section 2. There is appropriated from the General Fund to the Department of  
15 Cultural Resources for the 1898 Wilmington Race Riot Commission established in  
16 Section 1 of this act the sum of fifty thousand dollars (\$50,000) for the 2000-2001 fiscal  
17 year to support the activities of the Commission.

18 Section 3. This act becomes effective July 1, 2000, and expires December 31,  
19 2002.