

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 85

Senate State and Local Government Committee Substitute Adopted 4/19/01
Corrected Copy 4/20/01

Short Title: Indian Cultural Center Amendment.

(Public)

Sponsors:

Referred to:

February 8, 2001

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW AFFECTING THE LEASE OF STATE
PROPERTY TO THE NORTH CAROLINA INDIAN CULTURAL CENTER, INC.

The General Assembly of North Carolina enacts:

SECTION 1. Subsection (a) of Section 18 of Chapter 1074 of the 1989
Session Laws, as amended by subsection (e) of Section 22 of Chapter 900 of the 1991
Session Laws, Section 1 of Chapter 88 of the 1993 Session Laws, Section 33 of Chapter
561 of the 1993 Session Laws, and Section 1 of S.L. 1997-41, reads as rewritten:

"(a) The State of North Carolina shall lease out to the North Carolina Indian Cultural
Center, Inc., for a period of 99 years at a monetary consideration of \$1.00 per year all
the real property it acquired for the Indian Cultural Center, except that portion
containing the Riverside Golf Course, but no part of Phase I of the project may be
constructed either by the State or for the lessee until an environmental impact
assessment is completed on Phase I of the property, and if required pursuant to Article 1
of Chapter 113A of the General Statutes, an environmental impact statement is
prepared. The State shall enter into a lease agreement in accordance with this section
not later than December 31, 1993. If the State and the North Carolina Indian Cultural
Center, Inc., do not enter into a lease agreement by December 31, 1993, then the
property may be used for any public purpose.

Any lease agreement entered into by the State with the North Carolina Indian
Cultural Center, Inc., shall include ~~but not be limited to the following terms:~~

- (1) ~~An~~ A requirement that an environmental impact assessment pursuant
to Article 1 of Chapter 113A of the General Statutes ~~is~~ be completed
on Phase I of the property.
- (2) ~~The lease shall include a reversionary clause stipulating that the North
Carolina Indian Cultural Center, Inc., must raise funds or receive
pledges totaling three million dollars (\$3,000,000) by June 1, 2001.~~

1 (3) If the funds or pledges are not obtained by June 1, 2001, then this lease
2 agreement will automatically terminate."

3 **SECTION 2.** The State of North Carolina shall, prior to June 1, 2001,
4 execute an amendment to the lease agreement entered into by the State and the North
5 Carolina Indian Cultural Center, Inc., on May 12, 1994, and amended December 9,
6 1997, as provided for in subsection (a) of Section 18 of Chapter 1074 of the 1989
7 Session Laws as amended. The amendment shall delete from the amended lease
8 Paragraph 6 providing for the automatic termination of the lease should the Indian
9 Cultural Center, Inc., fail to raise funds or receive pledges totaling three million dollars
10 (\$3,000,000) necessary to complete Phase I of the project by June 1, 2001.

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