

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**HOUSE BILL 85
RATIFIED BILL**

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

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

SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 9th day of May,
2001.

Beverly E. Perdue
President of the Senate

James B. Black
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____ .m. this _____ day of _____, 2001