

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 218
Commerce and Insurance Committee Substitute Adopted 5/6/19
House Committee Substitute Favorable 6/27/19

Short Title: Clarify State Recognition - Lumbee Indians.

(Public)

Sponsors:

Referred to:

March 12, 2019

1 A BILL TO BE ENTITLED
2 AN ACT AMENDING THE STATE RECOGNITION OF THE LUMBEE TRIBE OF NORTH
3 CAROLINA AND TO MAKE CHANGES REGARDING THE CONVEYANCE OF THE
4 LUMBEE TRIBE CULTURAL CENTER.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 71A-3 reads as rewritten:

7 "§ 71A-3. Lumbee Tribe of North Carolina; rights, privileges, immunities, obligations and
8 duties.

9 The Indians now residing in Robeson and adjoining counties of North Carolina, originally
10 found by the first white settlers on the Lumbee River in Robeson County, and claiming joint
11 descent from remnants of early American Colonists and certain tribes of Indians originally
12 inhabiting the coastal regions of North Carolina, who have previously been known as "Croatan
13 Indians," "Indians of Robeson County," and "Cherokee Indians of Robeson County," shall, from
14 and after April 20, 1953, be designated and officially recognized as Lumbee Tribe of North
15 Carolina and shall continue to enjoy all rights, privileges and immunities ~~enjoyed by them as~~
16 ~~citizens of the State as now provided by law, and shall continue to be subject to all the obligations~~
17 ~~and duties of citizens under the law as an American Indian Tribe with a recognized tribal~~
18 governing body carrying out and exercising substantial governmental duties and powers similar
19 to the State, being recognized as eligible for the special programs and services provided by the
20 United States to Indians because of their status as Indians."

21 SECTION 2. Section 1 of S.L. 2013-186 reads as rewritten:

22 "SECTION 1. Definitions. – The following definitions apply in this act:

- 23 (1) Indian Cultural Center site. – Parcel 1, less and except approximately 110
24 acres for the use and operation of the Riverside Golf Course within Parcel 1,
25 as well as Parcel 2, Parcel 3, and Parcel 4, all of which are located in Maxton
26 Township, Robeson ~~County~~.County, and which is more particularly described
27 in the conveyance to the Lumbee Tribe of North Carolina in Book 1949, Page
28 149, Robeson County Registry.
- 29 (2) Parcel 1. – 386.69 acres, more or less, by deed from the Riverside Country
30 Club of Pembroke, Inc., dated April 14, 1983, recorded in Book 533, Page
31 164, Robeson County Registry and by deed dated August 24, 1984, recorded
32 in Book 563, Page 254, Robeson County Registry.
- 33 (3) Parcel 2. – 91.5 acres, more or less, by deed from Evelyn S. Morgan Abbott,
34 dated March 25, 1988, recorded in Book 575, Page 523, Robeson County
35 Registry.



1 (4) Parcel 3. – 10 acres, more or less, by deed from H.C. Locklear, et ux, dated
2 December 12, 1985, recorded in Book 586, Page 142, Robeson County
3 Registry.

4 (5) Parcel 4. – 42.50 acres, more or less, by deed from Ronald Revels and wife,
5 Dorisetta Revels, dated December 17, 1996, recorded in Book 931, Page 415,
6 Robeson County Registry."

7 **SECTION 3.** Section 4 of S.L. 2013-186 reads as rewritten:

8 "SECTION 4. Sale of Parcel 1. – (a) The Department of Administration shall first offer
9 Parcel 1 to the Lumbee Tribal Administration for purchase, subject to the following restrictive
10 covenants that would run with the land, a violation of any of which would result in the property
11 reverting to State ownership:

12 (1) The land must be made and remain open and available for public use.

13 (2) The land must be made and remain available for use by North Carolina tribes
14 and American Indian urban organizations for free or at cost.

15 (3) The parcel cannot be subdivided.

16 ~~(4) The natural resources cannot be sold or leased.~~

17 If any provision of this subsection or its application is held invalid, the invalidity does not affect
18 other provisions or applications of this subsection that can be given effect without the invalid
19 provisions or application, and to this end the provisions of this subsection are severable."

20 **SECTION 4.** Any funds received from the sale or lease of natural resources from
21 the property described as Parcel 1 in S.L. 2013-186, as amended by Sections 2 and 3 of this act,
22 shall be deposited into an escrow account. The escrow account shall allow the payment of funds
23 deposited into the account for only the following purposes:

24 (1) Payment of property taxes.

25 (2) Reforestation of the property.

26 (3) Improvements to the property.

27 Within 30 days of the sale or lease of natural resources, the Lumbee Tribal
28 Administration shall report to the Department of Administration the amount received from the
29 sale or lease and deposited into the escrow account. The Lumbee Tribal Administration shall
30 provide an annual accounting to the Department detailing the expenditures from the account and
31 the purpose for which the funds were expended.

32 **SECTION 5.** This act is effective when it becomes law.