



SENATE BILL 218: Clarify State Recognition - Lumbee Indians.

2019-2020 General Assembly

Committee:		Date:	July 14, 2019
Introduced by:	Sens. Britt, Bishop, McInnis	Prepared by:	Susan Sitze
Analysis of:	Fourth Edition		Staff Attorney

OVERVIEW: *Senate Bill 218 would amend the State recognition of the Lumbee Tribe of North Carolina and make changes regarding the conveyance of the Lumbee Tribe Cultural Center.*

BILL ANALYSIS:

Section 1 would amend the statutory State recognition of the Lumbee Tribe of North Carolina (G.S. 71A-3) to provide that the Tribe "shall continue to enjoy all rights, privileges and immunities as an American Indian Tribe with a recognized tribal governing body carrying out and exercising substantial governmental duties and powers similar to the State, being recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians."

Sections 2 and 3 would make changes regarding the transfer of property to the Lumbee Tribe of North Carolina by sale as authorized in S.L. 2013-186. [See **Background**]

- **Section 2** would clarify the description of the site by making reference to the record of conveyance.
- **Section 3** would remove the restrictive covenant prohibiting sale or lease of natural resources from the property.

Section 4 would require that any funds received from the sale or lease of natural resources from the property be deposited into the Lumbee Tribe of North Carolina Trust Fund established by Section 6 of this bill, and only be expended pursuant to the conditions of that fund.

Sections 5 would add the Lumbee Tribe of North Carolina Trust Fund to the list of special funds the North Carolina Treasurer holds and is authorized to invest.

Section 6 would create the Lumbee Tribe of North Carolina Trust Fund in the Office of the State Treasurer and authorize the Treasurer to disburse amounts to the Lumbee Tribal Administration for the following purposes and under the following conditions:

- For the payment of property taxes on the property, upon receipt of a property tax bill issued by the taxing unit.
- For the reforestation of the property under the supervision of a consulting forester registered pursuant to Chapter 89B of the General Statutes, upon receipt of an invoice for (i) the services of the consulting forester or (ii) the purchase and installation of seedlings or saplings.

EFFECTIVE DATE: This act would be effective when it becomes law.

BACKGROUND:

Section 1

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The language in **Section 1** is consistent with the language that was added to G.S. 71A-5 for the Haliwa-Saponi Indian Tribe of North Carolina in S.L. 2001-111.

Sections 2 through 6

S.L. 2013-186 provided for the sale of a parcel of land identified in that legislation as "Parcel 1" and consisting of 386.69 acres containing the Indian Cultural Center, a lake, the Riverside Golf Course, and other improvements. S.L. 2013-186 directed the Department of Administration to have Parcel 1 appraised with restrictive covenants and without restrictive covenants, and to offer it for sale first to the Lumbee Tribal Administration. The parcel was sold to the Lumbee Tribal Administration with restrictive covenants by a deed recorded May 7, 2014.