

AN ACT

RELATING TO INDIAN AFFAIRS; CREATING THE INTERTRIBAL CEREMONIAL OFFICE WITHIN THE TOURISM DEPARTMENT; ESTABLISHING THE INTERTRIBAL CEREMONIAL FUND; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the "Intertribal Ceremonial Act".

Section 2. DEFINITIONS.--As used in the Intertribal Ceremonial Act:

- A. "department" means the tourism department;
 - B. "director" means the director of the intertribal ceremonial office;
 - C. "fund" means the intertribal ceremonial fund;
- and
- D. "office" means the intertribal ceremonial office.

Section 3. INTERTRIBAL CEREMONIAL OFFICE CREATED-- POWERS AND DUTIES.--

A. The "intertribal ceremonial office" is created and administratively attached to the department.

B. The governor shall appoint a director, who shall serve at the pleasure of the governor. The director shall hire and terminate other necessary employees, who shall be subject to the provisions of the Personnel Act.

C. The director shall:

- (1) work with the department to establish steady funding for the intertribal ceremonial;
- (2) supervise the activities of the office;
- (3) work with the department to promote the intertribal ceremonial; and
- (4) prepare an annual budget and an annual report on the activities of the office.

D. The office, in cooperation with the department, shall:

- (1) administer an annual intertribal ceremonial;
- (2) cooperate with and assist public and private entities that seek to promote recognition of ceremonies significant to Indian tribes and pueblos;
- (3) function as the coordinating office for all services and activities pertaining to the intertribal ceremonial;
- (4) adopt rules in accordance with the State Rules Act to carry out the duties of the office;
- (5) accept gifts, grants, donations, bequests and devises from any source to be used to carry out its duties; and
- (6) enter into contracts.

E. The governor shall appoint an intertribal

ceremonial board and the director shall serve ex officio on the board. The board shall consist of seven members who serve terms of five years each; provided that the first appointments shall be made of two board members for one-year terms, two for two-year terms, one for a three-year term and one for a four-year term. All intertribal ceremonial board members shall be bona fide residents of the state, and at least a majority of the members shall be Native American. A board member shall not be removed during the term of office except for cause, following notice and an opportunity for a hearing.

Section 4. FUND CREATED--ADMINISTRATION.--The "intertribal ceremonial fund" is created in the state treasury. Money in the fund is appropriated to the intertribal ceremonial office. The fund shall consist of appropriations, gifts, grants, donations, bequests and devises. Money in the fund at the end of any fiscal year shall not revert. Interest and earnings from the fund shall be credited to the fund. The fund shall be administered by the office, and disbursements from the fund shall be made on warrant drawn by the secretary of finance and administration pursuant to vouchers signed by the director or the director's authorized representative.

Section 5. COMPENSATION.--Members of the intertribal ceremonial board shall be reimbursed for per diem and mileage as provided in the Per Diem and Mileage Act and shall receive

no other compensation, perquisite or allowance.

Section 6. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately._____

Page 4

HB 481