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HOUSE BILL 481

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Irvin Harrison

AN ACT

RELATING TO INDIAN AFFAIRS; CREATING THE INTERTRIBAL CEREMONIAL OFFICE WITHIN THE TOURISM DEPARTMENT; ESTABLISHING THE INTERTRIBAL CEREMONIAL FUND; MAKING AN APPROPRIATION; 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

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1 D. "office" means the intertribal ceremonial
2 office.

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

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

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

11 C. The director shall:

12 (1) work with the department to establish
13 steady funding for the intertribal ceremonial;

14 (2) supervise the activities of the office;

15 (3) work with the department to promote the
16 intertribal ceremonial; and

17 (4) prepare an annual budget and an annual
18 report on the activities of the office.

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

21 (1) administer an annual intertribal
22 ceremonial;

23 (2) cooperate with and assist public and
24 private entities that seek to promote recognition of ceremonies
25 significant to Indian tribes and pueblos;

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1 (3) function as the coordinating office for
2 all services and activities pertaining to the intertribal
3 ceremonial;

4 (4) adopt rules in accordance with the State
5 Rules Act to carry out the duties of the office;

6 (5) accept gifts, grants, donations, bequests
7 and devises from any source to be used to carry out its duties;
8 and

9 (6) enter into contracts.

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

21 Section 4. ~~FUND CREATED--ADMINISTRATION.~~ --The
22 "intertribal ceremonial fund" is created in the state treasury.
23 Money in the fund is appropriated to the intertribal ceremonial
24 office. The fund shall consist of appropriations, gifts,
25 grants, donations, bequests and devises. Money in the fund at

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1 the end of any fiscal year shall not revert. Interest and
2 earnings from the fund shall be credited to the fund. The fund
3 shall be administered by the office, and disbursements from the
4 fund shall be made on warrant drawn by the secretary of finance
5 and administration pursuant to vouchers signed by the director
6 or the director's authorized representative.

7 Section 5. COMPENSATION.--Members of the intertribal
8 ceremonial board shall be reimbursed for per diem and mileage
9 as provided in the Per Diem and Mileage Act and shall receive
10 no other compensation, perquisite or allowance.

11 Section 6. APPROPRIATION.--Four hundred thousand dollars
12 (\$400,000) is appropriated from the general fund to the
13 intertribal ceremonial office for expenditure in fiscal year
14 2005 and subsequent fiscal years to perform the duties required
15 by the Intertribal Ceremonial Act. Any unexpended or
16 unencumbered balance remaining at the end of a fiscal year
17 shall not revert to the general fund.

18 Section 7. EMERGENCY.--It is necessary for the public
19 peace, health and safety that this act take effect immediately.