

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 475

**47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

INTRODUCED BY  
Irvin Harrison

AN ACT

RELATING TO INDIAN AFFAIRS; ADDING THE SECRETARY OF TOURISM TO  
THE INTERTRIBAL CEREMONIAL BOARD; MAKING AN APPROPRIATION;  
DECLARING AN EMERGENCY.

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

Section 1. Section 9-15C-1 NMSA 1978 (being Laws 2005,  
Chapter 219, Section 1) is amended to read:

"9-15C-1. SHORT TITLE.--~~[This act]~~ Chapter 9, Article 15C  
NMSA 1978 may be cited as the "Intertribal Ceremonial Act".

Section 2. Section 9-15C-2 NMSA 1978 (being Laws 2005,  
Chapter 219, Section 2) is amended to read:

"9-15C-2. DEFINITIONS.--As used in the Intertribal  
Ceremonial Act:

- A. "department" means the tourism department;
- B. "director" means the director of the intertribal

underscored material = new  
[bracketed material] = delete

1 ceremonial office;

2 C. "fund" means the intertribal ceremonial fund;

3 [~~and~~]

4 D. "office" means the intertribal ceremonial  
5 office; and

6 E. "secretary" means the secretary of tourism."

7 Section 3. Section 9-15C-3 NMSA 1978 (being Laws 2005,  
8 Chapter 219, Section 3) is amended to read:

9 "9-15C-3. INTERTRIBAL CEREMONIAL OFFICE CREATED--POWERS  
10 AND DUTIES.--

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

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

17 C. The director shall:

18 (1) work with the department to establish  
19 steady funding for the intertribal ceremonial;

20 (2) supervise the activities of the office;

21 (3) work with the department to promote the  
22 intertribal ceremonial; and

23 (4) prepare an annual budget and an annual  
24 report on the activities of the office.

25 D. The office, in cooperation with the department,

.160603.1

underscored material = new  
[bracketed material] = delete

1 shall:

2 (1) administer an annual intertribal  
3 ceremonial;

4 (2) cooperate with and assist public and  
5 private entities that seek to promote recognition of ceremonies  
6 significant to Indian tribes and pueblos;

7 (3) function as the coordinating office for  
8 all services and activities pertaining to the intertribal  
9 ceremonial;

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

12 (5) accept gifts, grants, donations, bequests  
13 and devises from any source to be used to carry out its duties;  
14 and

15 (6) enter into contracts.

16 E. The ~~[governor shall appoint an]~~ "intertribal  
17 ceremonial board" ~~[and the director shall serve ex officio on~~  
18 ~~the board]~~ is created. The board shall consist of ~~[seven]~~  
19 eight members, including the director, who shall serve ex  
20 officio, the secretary or the secretary's designated  
21 representative and six members, appointed by the governor, who  
22 shall serve terms of five years each; provided that the  
23 governor's first appointments shall be made of two board  
24 members for one-year terms, two for two-year terms, one for a  
25 three-year term and one for a four-year term. All intertribal

.160603.1

underscored material = new  
[bracketed material] = delete

1 ceremonial board members shall be bona fide residents of the  
2 state, and at least a majority of the members shall be Native  
3 American. A board member shall not be removed during the term  
4 of office except for cause, following notice and an opportunity  
5 for a hearing."

6 Section 4. APPROPRIATION.--Two hundred ninety-five  
7 thousand dollars (\$295,000) is appropriated from the general  
8 fund to the intertribal ceremonial fund for expenditure in  
9 fiscal year 2006 and subsequent fiscal years to pay the salary  
10 of a director and the director's assistant, to pay per diem and  
11 mileage for intertribal ceremonial board members and to perform  
12 the duties required by the Intertribal Ceremonial Act. Any  
13 unexpended or unencumbered balance remaining at the end of a  
14 fiscal year shall not revert to the general fund.

15 Section 5. EMERGENCY.--It is necessary for the public  
16 peace, health and safety that this act take effect immediately.