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AN ACT

RELATING TO INDIAN AFFAIRS; MOVING THE INTERTRIBAL CEREMONIAL OFFICE TO THE LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; RENAMING THE INTERTRIBAL CEREMONIAL OFFICE AS THE INTERTRIBAL INDIAN CEREMONIAL ASSOCIATION; AMENDING AND RECOMPILING SECTIONS OF THE NMSA 1978.

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, as amended) is recompiled as Section 12-16-1 NMSA 1978 and is amended to read:

"12-16-1. SHORT TITLE.--Chapter 12, Article 16 NMSA 1978 may be cited as the "Intertribal Indian Ceremonial Act"."

SECTION 2. Section 9-15C-2 NMSA 1978 (being Laws 2005, Chapter 219, Section 2, as amended) is recompiled as Section 12-16-2 NMSA 1978 and is amended to read:

"12-16-2. DEFINITIONS.--As used in the Intertribal Indian Ceremonial Act:

A. "association" means the intertribal Indian ceremonial association;

B. "county" means the governing body of McKinley county;

C. "director" means the director of the

1 association; and

2 D. "fund" means the intertribal Indian ceremonial  
3 association fund."

4 SECTION 3. Section 9-15C-3 NMSA 1978 (being Laws 2005,  
5 Chapter 219, Section 3, as amended) is recompiled as Section  
6 12-16-3 NMSA 1978 and is amended to read:

7 "12-16-3. INTERTRIBAL INDIAN CEREMONIAL ASSOCIATION  
8 CREATED--POWERS AND DUTIES--INTERTRIBAL INDIAN CEREMONIAL  
9 ASSOCIATION BOARD CREATED.--

10 A. The "intertribal Indian ceremonial association"  
11 is created. The association is administratively attached to  
12 the local government division of the department of finance  
13 and administration.

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

18 C. The director shall:

19 (1) work with private, local, state and  
20 federal entities to establish steady funding for the  
21 intertribal Indian ceremonial;

22 (2) supervise the activities of the  
23 association;

24 (3) work with the county to promote the  
25 intertribal Indian ceremonial; and

1 (4) prepare an annual budget and an annual  
2 report on the activities of the association.

3 D. The association shall:

4 (1) administer an annual intertribal Indian  
5 ceremonial;

6 (2) cooperate with and assist public and  
7 private entities that seek to promote recognition of  
8 ceremonies significant to Indian nations, tribes and pueblos;

9 (3) function as the coordinating association  
10 for all services and activities pertaining to the intertribal  
11 Indian ceremonial;

12 (4) adopt rules in accordance with the State  
13 Rules Act to carry out the duties of the association;

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

17 (6) enter into contracts; and

18 (7) charge admission, parking and  
19 concessions fees, give prizes and premiums, create  
20 sponsorships and other forms of advertising, arrange  
21 entertainments and do all things the association may consider  
22 proper for the conduct of the intertribal Indian ceremonial  
23 and not otherwise prohibited by law.

24 E. The "intertribal Indian ceremonial association  
25 board" is created. The board shall consist of nine members,

1 including the director, who shall serve ex officio, and eight  
2 members, appointed by the county, who shall serve terms of  
3 five years each. All intertribal Indian ceremonial  
4 association board members shall be bona fide residents of the  
5 county or surrounding counties, and at least a majority of  
6 the members shall be Native American. A board member shall  
7 not be removed during the term of office except for cause,  
8 following notice and an opportunity for a hearing."

9 SECTION 4. Section 9-15C-4 NMSA 1978 (being Laws 2005,  
10 Chapter 219, Section 4, as amended) is recompiled as Section  
11 12-16-4 NMSA 1978 and is amended to read:

12 "12-16-4. INTERTRIBAL INDIAN CEREMONIAL ASSOCIATION  
13 FUND CREATED--ADMINISTRATION.--The "intertribal Indian  
14 ceremonial association fund" is created in the state  
15 treasury. Money appropriated to the fund or accruing to it  
16 through sales, gifts, grants, fees, penalties, bequests or  
17 any other source shall be delivered to the state treasurer  
18 and deposited in the fund. Money in the fund is subject to  
19 appropriation to the local government division of the  
20 department of finance and administration for the purpose of  
21 carrying out the intertribal Indian ceremonial. Money in the  
22 fund at the end of any fiscal year shall not revert.  
23 Interest and earnings from the fund shall be credited to the  
24 fund. Disbursements from the fund shall be made on warrant  
25 drawn by the secretary of finance and administration pursuant

1 to vouchers signed by the director or the director's  
2 authorized representative."

3 SECTION 5. TEMPORARY PROVISION--INTERTRIBAL INDIAN  
4 CEREMONIAL ASSOCIATION BOARD MEMBERS.--The terms of office of  
5 the members serving on the intertribal Indian ceremonial  
6 association board on the effective date of this act shall end  
7 on July 1, 2023, and new members shall be appointed for a  
8 term of office that shall begin on July 2, 2023 according to  
9 the provisions of Section 12-16-3 NMSA 1978.

10 SECTION 6. TEMPORARY PROVISION--TRANSFER OF FUNCTIONS,  
11 PERSONNEL, MONEY, APPROPRIATIONS, PROPERTY, CONTRACTUAL  
12 OBLIGATIONS AND STATUTORY REFERENCES.--

13 A. On the effective date of this act, all  
14 functions, personnel, money, appropriations, records,  
15 furniture, equipment, supplies and other property of the  
16 intertribal ceremonial office of the tourism department are  
17 transferred to the local government division of the  
18 department of finance and administration.

19 B. On the effective date of this act, all  
20 contractual obligations of the intertribal ceremonial office  
21 of the tourism department are binding on the local government  
22 division of the department of finance and administration.

23 C. On the effective date of this act, all  
24 references in law to the intertribal ceremonial office of the  
25 tourism department shall be deemed to be references to the

1 intertribal Indian ceremonial association of the local  
2 government division of the department of finance and  
3 administration.

4 SECTION 7. TEMPORARY PROVISION--RECOMPILATION  
5 INSTRUCTIONS.--Section 9-15C-5 NMSA 1978 (being Laws 2005,  
6 Chapter 219, Section 5) is recompiled as Section 12-16-5 NMSA  
7 1978.

8 SECTION 8. EFFECTIVE DATE.--The effective date of the  
9 provisions of this act is July 1, 2023. \_\_\_\_\_

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