

picture identification card and their vehicles will be subject to search by Security personnel. All visitors will be issued a visitor pass which must be worn at all times while in the facility. Please allow adequate time before the meeting to complete the security process.

Conference Call Capabilities: If you are not able to attend in person, a toll free number has been set up for teleconferencing. The toll free number will be available from 10 a.m. until 4 p.m. Members should call in around 10:30 a.m. The number is 1-800-320-4330. The FICEMS conference code is "885721#."

FICEMS Meeting Minutes: Minutes of the meeting will be prepared and will be available upon request 30 days after they have been approved at the next FICEMS Committee Meeting on March 2, 2006. The minutes will also be posted on the United States Fire Administration Web site at <http://www.usfa.fema.gov/fire-service/ems/ficems.shtm> within 30 days after their approval at the March 2, 2006 FICEMS Committee Meeting.

Dated: November 2, 2005.

R. David Paulison,

Acting Director, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 05-22318 Filed 11-8-05; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Gila River Indian Community—Sale and Consumption of Alcoholic Beverages

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice publishes the Gila River Indian Community Control Ordinance. The Ordinance regulates and controls the possession, sale and consumption of liquor within the Gila River Indian Reservation. The Reservation is located on trust land and this Ordinance allows for the possession and sale of alcoholic beverages within the exterior boundaries of the Gila River Indian Reservation. This Ordinance will increase the ability of the tribal government to control the community's liquor distribution and possession, and at the same time will provide an important source of revenue for the continued operation and strengthening of the tribal government and the delivery of tribal services.

DATES: *Effective Date:* This Ordinance is effective on November 9, 2005.

FOR FURTHER INFORMATION CONTACT: Sharlot Johnson, Tribal Government Services Officer, Western Regional Office, P.O. Box 10, Phoenix, Arizona 85001, Telephone (602) 379-6786; Fax (602) 379-4100; or Ralph Gonzales, Office of Tribal Services, 1951 Constitution Avenue, NW., Mail Stop 320-SIB, Washington, DC 20240; Telephone (202) 513-7629.

SUPPLEMENTARY INFORMATION: Pursuant to the Act of August 15, 1953, Public Law 83-277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transactions in Indian country. The Gila River Indian Community Council adopted its Liquor Control Ordinance by Ordinance No. GR-03-05 on April 6, 2005. The purpose of this Ordinance is to govern the sale, possession and distribution of alcohol within the Gila River Indian Reservation.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Principal Deputy Assistant Secretary—Indian Affairs. I certify that this Liquor Ordinance of the Gila River Indian Community was duly adopted by the Community Council on April 6, 2005.

Dated: November 2, 2005.

Michael D. Olsen,

Acting Principal Deputy Assistant Secretary—Indian Affairs.

The Gila River Indian Community Liquor Ordinance reads as follows:

Gila River Indian Community Law and Order Code, Title 14, Alcoholic Beverages

Chapter 1. Legalizing the Introduction, Possession, Storage, and Sale of Alcoholic Beverages in the Gila River Indian Community: Definitions

14.101 Members of the Gila River Indian Community and other persons are hereby authorized to introduce, possess, store and sell alcoholic beverages in accordance with all Community ordinances, rules, and regulations, and state and federal law to the extent they apply. Such possession, storage, and sale is permitted in these enumerated situations:

1. Possession of alcoholic beverage is permitted throughout the Gila River Indian Reservation.

2. *Locations For Introduction, Storage and Sale Of Alcoholic Beverages.* The

introduction, storage, and sale of alcoholic beverages is permitted upon application to and approval by the Gila River Indian Community Council, as further described in Chapter 14.202 of this Ordinance. Such permission shall apply to a corridor extending one-half mile on either side of centerline of Interstate 10, where it crosses the Reservation, and in the following areas: parcels within Township 2 South, Range 4 East of the Gila and Salt River Base and Meridian, a part of the Gila River Indian Reservation located in Arizona.

a. *More particularly:* The True Point of Beginning at a point of the North line of said Township 2 south, Range 4 East on the centerline of Interstate 10, thence westerly on said Township line to a Point on a line which is one-half mile westerly and parallel to the Interstate 10 centerline, thence *southerly* on said one-half mile line to a point on the centerline on the Broadacres canal, thence *southwesterly* on said canal centerline to the North-South midsection line of Section 6, Township 2 South, Range 4 East, thence *south* on the midsection lines of section 6, 7 and 18 to the centerpoint of Section 18, Township 2 South, Range 4 East, thence *easterly* on the East-West midsection lines of Section 18, 17, and 16 to the centerline of said Interstate 10, thence *northwesterly* along said centerline to the North line of said Township 2 South, Range 4 East, the true Point of Beginning;

b. *Together with:* A parcel which True Point of Beginning in the Northeast corner of Section 4, of said Township 2 south, Range 4 East, thence *westerly* on the North line of Township 2 South, Range 4 East, to the Easterly right-of-way line of Interstate 10, thence *southeasterly* on said right-of-way line to the south section line of section 9, Township 2 South, Range 4 East, thence EAST on said section 9 south section line to the southeast corner of Section 9, thence northerly on the East Section lines of Section 9 and Section 4, Township 2 South, Range 4 East to the True Point of the Beginning;

c. *Also together with:* The property as described within the Memorial Airport lease, all in Township 2 South, Range 4 East of the Gila and Salt River Base and Meridian, to wit:

Section 14

SW $\frac{1}{4}$

Section 15

S $\frac{1}{2}$, NE $\frac{1}{4}$

SE $\frac{1}{4}$, NW $\frac{1}{4}$

NE $\frac{1}{4}$, SW $\frac{1}{4}$

SE $\frac{1}{4}$

*Section 22*N¹/₂, NE¹/₄, NE¹/₄*Section 23*NE¹/₄, NW¹/₄, NW¹/₄N¹/₂, N¹/₂, SW¹/₄, NW¹/₄E¹/₂, NW¹/₄N¹/₂, N¹/₂, NE¹/₄, SW¹/₄NW¹/₄, SE¹/₄N¹/₂, N¹/₂, SW¹/₄, SE¹/₄E¹/₂, SE¹/₄*Section 24*NE¹/₄, NE¹/₄W¹/₂, NE¹/₄N¹/₂, N¹/₂, SE¹/₄, SE¹/₄NW¹/₄N¹/₂, SW¹/₄SW¹/₄, SW¹/₄N¹/₂, N¹/₂, SE¹/₄, SW¹/₄N¹/₂, N¹/₂, NW¹/₄, SE¹/₄

d. *Also together with:* A parcel of land commonly referred to as the "Wild Horse Pass Development Area," situated within the SE¹/₄ of the SE¹/₄ of Section 1, the E¹/₂ of the NE¹/₄ and SE¹/₄ of Section 12, NE¹/₄ of the NE¹/₄ of Section 13, Township 2 South, Range 3 East, the S¹/₂ of the SW¹/₄ of Section 5, the S¹/₂ of the SW¹/₄ and SE¹/₄ of Section 6, all of Section 7, W¹/₂ of Section 8, N¹/₂ of the NW¹/₄ of Section 17, N¹/₂ of the NW¹/₄ and NE¹/₄ of Section 18, Township 2 South, Range 4 East of the Gila and Salt Meridian.

3. *Introduction, Storage, Sale of Alcoholic Beverages At Other Locations.* The introduction, storage, and sale of alcoholic beverages on any part of the Reservation other than in the areas described in Chapter 14.101(2) is permitted upon application to and approval by the Gila River Indian Community Council as further described in Chapter 14.202; provided that the Council shall not approve the application. The vote described in this paragraph shall occur at a regular meeting of the affected District, and shall require the Community members residing in the affected District, who are present and vote at such regular meeting, to recommend approval of the application by majority vote.

4. The Gila River Indian Community Council may adopt further resolutions as may be necessary to implement this Ordinance.

14.102 *Definitions.* In this Title, unless the context otherwise requires:

1. "Beer" means any beverage obtained by the alcoholic fermentation, infusion, or decoction of barley malt, hops, or other ingredients not drinkable, or any combination thereof.

2. "Broken package" means any container of spirituous liquor on which the United States tax seal has been broken or removed, or from which the cap, cork, or seal placed thereupon by the manufacturer has been removed.

3. "Club" includes any of the following organizations where the sale of spirituous liquor for consumption on the premises is made to members only:

a. A post, chapter, camp, or other local unit composed solely of veterans and its duly recognized auxiliary which has been chartered by the Congress of the United States for patriotic, fraternal, or benevolent purposes and which has, as the owner, lessee, or occupant, operated an establishment for that purpose within the Reservation.

b. A chapter, aerie, parlor, lodge, or other local unit of an American national fraternal organization which has as the owner, lessee or occupant operated an establishment for fraternal purposes within the Reservation. An American national fraternal organization as used in this subdivision shall actively operate in not less than thirty-six states or have been in active continuous existence for not less than twenty years.

c. A hall or building association of a local unit mentioned in subdivisions (a) and (b) of this paragraph, all of the capital stock of which is owned by the local unit or the members, and which operates the clubroom facilities of the local unit.

d. A golf club which has more than fifty bona fide members which owns, maintains, or operates a bona fide golf links together with a clubhouse.

e. A social club which has more than fifty bona fide members who are actual residents of the county in which it is located, that owns, maintains or operates club quarters, is authorized and incorporated to operate as a non-profit club under the laws of this Community, and has been continuously incorporated and operating for a period of not less than one year. The club shall have had, during this one-year period, a bona fide membership with regular meetings conducted at least once each month and the membership shall be and shall have been actively engaged in carrying out the objectives of the club. The club's membership shall consist of bona fide dues paying members paying at least six dollars per year, payable monthly, quarterly, or annually, which have been recorded by the secretary of the club, and the members at the time of application for a club license shall be in good standing having for at least one full year paid dues. At least fifty-one percent of the members shall have signified their intention to secure a social club license by personally signing a petition, on a form prescribed by the Committee, which shall also include the correct mailing address of each signer. The petition shall not have been signed by a member at a date earlier than thirty days prior to the filing of the petition.

It is the intent of this paragraph that a license shall not be granted to a club which is, or has been primarily formed or activated to obtain a license to sell liquor, but solely to a bona fide club, where the sale of liquor is incidental to the main purposes of the club.

4. "Committee" means the Government and Management Standing Committee, a committee of the Gila River Indian Community Council.

5. "Community" means the Gila River Indian Community.

6. "Company" or "association" when used in reference to a corporation includes successors or assigns.

7. "Council" means the Gila River Indian Community Council.

8. "License" means a license or an interim retail permit issued pursuant to the provisions of this Ordinance.

9. "Off-sale retailer" means any person operating a bona fide regularly established retail liquor store selling spirituous liquors, wines and beer, and any established retail store selling commodities other than spirituous liquors and engaged in the sale of spirituous liquors only in the original package, to be taken away from the premises of the retailer and to be consumed off the premises.

10. "On-sale retailer" means any person operating an establishment where spirituous liquors are sold in the original container for consumption on or off the premises or in individual portions for consumption on the premises.

11. "Premises" or "licensed premises" means the area from which the licensee is authorized to sell, dispense, or serve spirituous liquors under the provisions of the license.

12. "Person" includes partnership, limited liability company, association, company, or corporation, as well as a natural person.

13. "Reservation" means the Gila River Indian Reservation, located in the counties of Maricopa and Pinal in the State of Arizona.

14. "Sell" includes soliciting and receiving an order for, keeping or exposing for sale, directly or indirectly delivering for value, peddling, or keeping with the intent to sell and trafficking in.

15. "Spirituous liquor" includes alcohol, brandy, whiskey, rum, tequila, mescal, gin, wine, porter, ale, beer, any malt liquor or beverage, absinthe, a compound or mixture of any of them with any vegetable or other substance, alcohol bitters, bitters containing alcohol, any liquid mixture or preparation, whether patented or otherwise, which produces intoxication, fruits preserved in ardent spirits, and

beverages containing more than one-half of one percent of alcohol by volume.

16. "Vehicle" means any means of transportation by land, water, or air, and includes everything made use of in any way for such transportation.

17. "Wine" means the product obtained by the fermentation of grapes or other agricultural products natural or added sugar or any such alcoholic beverages fortified with grape brandy and containing not more than twenty-four percent alcohol by volume.

Chapter 2. Jurisdiction, Licensing, and Exemptions

14.201 *Jurisdiction.* The Gila River Indian Community Court is vested with original jurisdiction to hear and decide all matters arising pursuant to this article.

14.202 *License Applications.* Liquor license applications shall be filed with the Government and Management Standing Committee of the Gila River Indian Community Council.

1. The Committee shall review all liquor license applications and provide the Community Council with a recommendation as to the disposition of the application. A spirituous liquor license shall be issued only after a satisfactory showing of the capability, qualifications and reliability of the applicant and, with the exception of club licenses, that the public convenience requires and that the best interests of the Community will be substantially served by the issuance.

2. All applications shall be referred to the District in which the applicant seeks to do business, except for applications in which the applicant will conduct business within the areas referenced in Chapter 14.101(2) of this Ordinance, which do not require District approval.

3. *License Issuance Contingent Upon Possession Of Gila River Indian Community Business License.* Any person or organized business entity that applies for a liquor license to manufacture, sell, or deal in spirituous liquors within the exterior boundaries of the Gila River Indian Reservation shall possess a Community Business License before being issued a liquor license.

4. *Liquor Issuance Contingent Upon Possession Of Arizona Liquor License.* Issuance of a Community Liquor License shall be contingent upon the applicant obtaining a liquor license of the same type from the Department of Liquor Licenses and Control of the State of Arizona.

14.203 *Scope of License.* A license issued under this Ordinance shall permit the licensee to manufacture, sell, or deal in spirituous liquors only at the place and in the manner provided

therein, and a separate license shall be issued for each specific business. Each license shall specify the:

1. Particular spirituous liquors which the licensee is authorized to manufacture, sell, or deal in.

2. Licensee's mailing and physical address and business or trade name.

3. Purpose for which the spirituous liquors shall be manufactured or sold.

14.204 *Transfer of License.* No Community license shall be transferred without the prior written consent of the Gila River Indian Community Council.

14.205 *Expiration of License.* Every license expires annually, measured from the date of issuance.

1. A licensee who fails to renew the license on or before the due date shall pay a penalty of one hundred dollars (\$100) with their application for renewal.

2. A license renewal application that is deposited, properly addressed, and postage provided in an official depository of the United States on or before the due date shall be deemed filed and received by the Committee on the date shown by the postmark or other official mark of the United States postal service.

3. If the due date falls on a Saturday, Sunday, or other Community-recognized holiday, the renewal shall be deemed timely if received by the Committee on the next business day.

4. A licensee who fails to renew the license on or before the due date shall not sell, purchase, or otherwise deal in spirituous liquor until the license is renewed.

5. A license not renewed within twenty (20) working days after the due date shall be deemed terminated.

14.206 *Exemptions.* This Ordinance shall not apply to drugstores selling spirituous liquors only upon prescription or to ethyl alcohol used for the following purposes:

1. Scientific, chemical, mechanical, industrial, and medicinal purposes.

2. Use by those authorized to procure spirituous liquor or ethyl alcohol tax-free, as provided by the acts of Congress and regulations promulgated thereunder.

3. In the manufacture of denatured alcohol produced and used as provided by the acts of Congress and regulations promulgated thereunder.

4. In the manufacture of patented, patent, proprietary, medicinal, pharmaceutical, antiseptic toilet, scientific, chemical, mechanical and industrial preparations or products, unfit and not used for beverage purposes.

5. In the manufacture of flavoring extracts and unfit for beverage purposes.

Chapter 3. Fees

14.301 *Disposition of Fees.* All license fees and fines collected under this Ordinance shall be paid to the Community Treasurer's Office and deposited in the Gila River Indian Community's general fund, unless otherwise directed by Community Council resolution.

14.302 *Fees.* All applications for liquor licenses shall include full payment of the fees described herein. Original license application fees shall be refunded to the applicant if the application is denied.

1. Application Fees For An Original Community License.

a. Distiller's, Brewer's, or Vintner's license: one hundred dollars (\$100).

b. Wholesaler's license to sell spirituous liquors: one hundred dollars (\$100).

c. On-sale retailer's license to sell all spirituous liquors in individual portions and in the original container: one hundred dollars (\$100).

d. Off-sale retailer's license to sell all spirituous liquors: one hundred dollars (\$100).

e. Club license issued in the name of a bona fide club qualified under this Ordinance to sell all liquors on-sale: one thousand dollars (\$1,000).

f. Hotel-motel license issued as such to sell and serve spirituous liquors solely for consumption on the licensed premises of the hotel or motel: one thousand dollars (\$1,000).

g. Restaurant license issued to sell and serve spirituous liquors solely for consumption on the licensed premises of the restaurant: one thousand dollars (\$1,000).

2. Renewal Fees.

a. Distiller's, Brewer's, or Vintner's license: three hundred dollars (\$300).

b. Wholesaler's license to sell spirituous liquors: two hundred fifty dollars (\$250).

c. On-sale retailer's license to sell all spirituous liquors in individual portions and in the original container: one hundred dollars (\$100).

d. Off-sale retailer's license to sell all spirituous liquors: fifty dollars (\$50).

e. Hotel-motel license issued as such to sell and serve spirituous liquors solely for consumption on the licensed premises of the hotel or motel: two hundred fifty dollars (\$250).

f. Restaurant license issued to sell and serve spirituous liquors solely for consumption on the licensed premises of the restaurant: two hundred fifty dollars (\$250).

3. *Transfer Fees.* Licenses may be transferred to another licensee only on approval from the Community Council

as stated in Chapter 14.204 of this Ordinance.

a. Distiller or Brewer's license: five hundred dollars (\$500).

b. Vintner's license: three hundred dollars (\$300).

c. Wholesaler's license to sell all spirituous liquors: two hundred dollars (\$200).

d. On-sale retailer's license to sell all spirituous liquors by individual portions and in the original containers: three hundred dollars (\$300).

e. Off-sale retailer's license to sell all spirituous liquors: one hundred dollars (\$100).

f. *Site Transfer Fee.* Persons or business organizations who wish to retain their license but transfer their business to another site may do so after paying a site transfer fee of twenty-five dollars (\$25).

4. *Seasonal Business.* Where the business of an on-sale retail licensee is seasonal, extending for periods of less than six (6) months in a calendar year, the licensee may designate the periods of his operation and be granted a license for a period not to exceed six (6) months. The fees for any license granted pursuant to this subsection shall be one-half of the fees listed in subsections 14.302(1), (2), or (3).

5. *Licenses Issued After July 1.* Any application, renewal, or transfer fee levied under this Ordinance after July 1 shall be reduced by one-half.

Chapter 4. Regulations

14.401 *Stills.*

1. Every person who possesses or otherwise exercises control of a still or distilling apparatus shall register it with the Committee under the rules and regulations the Committee may prescribe.

2. Every still or distilling apparatus not registered, and any mash, wort, or wash, for distillation or for the production of spirits or alcohol, and all finished products, together with all personal property in the possession or custody of, or under the control of any person which may be used in the manufacture or transportation of spirituous liquors which is found in the building, yard, or enclosure connected with the building in which the unregistered still or distilling apparatus is located, shall be forfeited in the Community.

3. The still, distilling apparatus, wort, wash or finished products shall forthwith be destroyed by an agency of the Committee, or other peace officer, and all personal property forfeited to the Committee shall be sold at public auction to the highest bidder for cash on five days' notice. Notice shall be posted

at the Gila River Indian Community Court and at the District Service Center in the District where the still and associated personal property were seized. All publication and sale expenses shall be deducted from the sale proceeds and the balance will be paid into the Gila River Indian Community general fund.

14.402 *Close Of Business.* No on-sale licensee shall lock, or permit to be locked, any entrance of his licensed establishment until all persons other than the licensee and his employees have left the premises.

14.403 *Change Of Business Or Trade Name.* No licensee shall change the name of his licensed business without first obtaining written permission from the Committee. No licensee shall use a name for his licensed business until that name has been approved in writing by the Committee. The licensee shall submit his license for change within fifteen (15) days of the written approval of the business or trade name change.

14.404 *Containers.*

1. No liquor bottle or other container authorized by the laws of the United States or any agency thereof shall be reused for the packaging of distilled spirits, nor shall the original contents, or any portion of such original contents, remaining in a liquor bottle or other such authorized container, be increased by the addition of any substance.

2. No licensee shall reuse, sell, or give away empty spirituous liquor bottles contrary to federal laws or regulations.

14.405 *Recordkeeping.* All licensees shall retain, for a period of not less than two (2) years, all invoices, records, bills, and other papers and documents relating to the purchase, sale, and delivery of alcoholic beverages. Such records and papers shall be kept in such condition as to be easily accessible to the Committee or authorized Community employee for audit or examination.

14.406 *Emergency Closing of Premises.* A licensed place of business may be required to cease its operation and stop all sales of alcoholic beverages or allow any person on the premises, with the exception of peace officers, the licensee and his employees, during the time at which it appears to the Committee or any peace officer that violence might reasonably occur.

14.407 *Persons With Legal Or Equitable Interest; Disclosure; Process.*

1. All persons having a legal or equitable interest in a spirituous liquor license shall file with the Committee a statement of such interest on a form prescribed and furnished by the Committee. Notice of termination of such interest shall be filed in writing by

the interest holder upon final determination of the interest. Interest holders shall immediately file amended statements presently on file.

2. The Committee may periodically, by notice to the holders of interests filed under this regulation, require those interest holders to verify in writing to the Committee that the statement presently on file is correct and accurate and, if not, such interest holder shall immediately file an amended statement or termination notice. If no response is received by the Committee within thirty (30) days of the mailing of such notice, the interest shall be deemed terminated.

3. All persons having filed statements of interest in accordance with this regulation and the statute shall be given notice of all matters and/or action affecting or regarding the spirituous liquor license in which they have an interest. Notice shall be effected by mailing a copy thereof by registered or certified mail in a sealed envelope with postage prepaid and addressed to such person as his address as shown by the statement on file with the Committee. Service of such notice shall be complete when deposited in the United States mail.

4. All interest holders who are entitled to receive notice as provided hereinabove shall have the right to appear and participate in person and through counsel in any hearing held before the Committee affecting the subject spirituous liquor license as his interests may appear.

5. The statement of legal or equitable interest shall allow the person filing said statement to participate in the proceedings and shall not in any manner bind the Community concerning the matter under consideration.

14.408 *Unlawful Acts.* It is unlawful:

1. For any person, whether as principal or agent, clerk or employee, whether for himself, or for any other person, or for any body corporate, or as officer of any corporation, or as a member of any firm or co-partnership or otherwise to buy for resale, sell or deal in spirituous liquors on and within the exterior boundaries of the Gila River Indian Reservation, Arizona, without first obtaining all necessary Federal and State licenses including, but not restricted to a Federal license to trade with the Indians issued pursuant to Title 25, Code of Federal Regulations, and a valid license issued by the Gila River Indian Community.

2. For a person to sell or deal in alcohol for beverage purposes without first complying with the provisions of this Ordinance.

3. For a distiller, vintner, brewer or wholesaler to sell, dispose of or give spirituous liquor to any persons other than a licensee, except in sampling wares as may be necessary in the ordinary course of business.

4. For a distiller, vintner or brewer to require a wholesaler to offer or grant a discount to a retailer, unless the discount has also been offered and granted to the wholesaler by the distiller, vintner or brewer.

5. For a distiller, vintner or brewer to use a vehicle for trucking or transportation of spirituous liquors unless there is affixed to both sides of the vehicle a sign showing the name and address of the licensee and the type and number of his license in letters not less than three and one-half inches in height.

6. For a person to take or solicit orders for spirituous liquors unless he is a registered salesman or solicitor of a licensed wholesaler or a registered salesman or solicitor of distillery, vintner, brewery, importer or broker.

7. For any retail licensee to purchase spirituous liquor from any person other than a registered solicitor or salesman of a wholesaler licensed by the State of Arizona and the Community.

8. For a retailer to acquire an interest in property owned, occupied or used by a wholesaler in his business, or in a license with respect to the premises of the wholesaler.

9. Except as provided in paragraphs 10 and 11 of this section, for a licensee or other person to sell, furnish, dispose of or give, or cause to be sold, furnished, disposed of or given, to a person under the legal drinking age or for a person under the legal drinking age to buy, receive, have in the person's possession or consume spirituous liquor. This paragraph shall not prohibit the employment by an off-sale retailer of persons who are at least sixteen (16) years of age to check out, if supervised by a person on the premises who is at least nineteen (19) years of age, package or carry merchandise, including spirituous liquor, in unbroken packages, for the convenience of the customer of the employer, if the employer sells primarily merchandise other than spirituous liquor.

10. For a licensee to employ a person under the age of nineteen (19) years to manufacture, sell or dispose of spirituous liquors. This paragraph does not prohibit the employment by an on-sale retailer of a person under the age of nineteen (19) years who cleans up the tables on the premises for reuse, removes dirty dishes, keeps a ready supply of needed items and helps clean up the premises.

11. For an on-sale retailer to employ a person under the age of nineteen (19) years in any capacity connected with the handling of spirituous liquors. This paragraph does not prohibit the employment by an on-sale retailer of a person under the age of nineteen (19) years who cleans up the tables on the premises for reuse, removes dirty dishes, keeps a ready supply of needed items and helps clean up the premises.

12. For a licensee, when engaged in waiting on or serving customers, to consume spirituous liquor or remain on or about the premises while in an intoxicated or disorderly condition.

13. For an employee of a licensee, during that employee's working hours or in connection with such employment, to give to or purchase for any other person, accept a gift of, purchase for himself or consume spirituous liquor.

14. For a licensee or other person to serve, sell or furnish spirituous liquor to an intoxicated or disorderly person, or for a licensee or employee of the licensee to allow or permit an intoxicated or disorderly person to come into or remain in or about the premises.

15. For an on-sale or off-sale retailer or an employee of such retailer to sell, dispose of, deliver or give spirituous liquor to a person between the hours of 2 a.m. and 6 a.m. on weekdays, and 2 a.m. and 10 a.m. on Sundays.

16. For a licensee or employee to knowingly permit any person on or about the licensed premises to give or furnish any spirituous liquor to any person under the age of twenty-one (21) or knowingly permit any person under the age of twenty-one (21) to have in the person's possession spirituous liquor on the licensed premises.

17. For an on-sale retailer or an employee of such retailer to allow a person to consume or possess spirituous liquors on the premises between the hours of 2:30 a.m. and 6 a.m. on weekdays, and 2:30 a.m. and 10 a.m. on Sundays.

18. For an on-sale retail licensee to employ a person for the purpose of soliciting the purchase of spirituous liquors by patrons of the establishment for themselves, on a percentage basis or otherwise, and no licensee shall serve employees or allow a patron of the establishment to give spirituous liquor to, or to purchase liquor for or drink liquor with, any employee.

19. For an on-sale retailer to sell spirituous liquors except in the original container, to permit spirituous liquor to be consumed on the premises, or to sell spirituous liquor in a container having a capacity of less than eight ounces, or for an on-sale retailer to sell spirituous

liquor for consumption off the premises in the container having a capacity of less than eight ounces.

20. For a person to consume spirituous liquor from a broken package in a public place, thoroughfare or gathering, and the license of a licensee permitting a violation of this paragraph on the premises shall be subject to revocation. This paragraph shall not apply to sale of spirituous liquors on the premises of and by an on-sale retail licensee.

21. For a person to have possession of or to transfer spirituous liquor which is manufactured in a distillery, winery, brewery, or rectifying plant contrary to the laws of the United States and any property used in transporting such spirituous liquor shall be forfeited to the Community and shall be seized and disposed of by the Gila River Indian Community Police Department.

22. For a licensee or employee to fail or refuse to make the premises or records available for inspection and examination as provided in this Ordinance or to comply with a lawful subpoena issued either by the State of Arizona or the Gila River Indian Community under state of Community law.

Chapter 5. Violations, Appeals, Effect of Suspension or Revocation of State License, Effective Date

14.501 *Violations.* Any person or licensee who is fined under this Ordinance or has their license suspended or revoked may appeal such action to the Committee. Upon receipt of said appeal, the Committee shall set a date to hear the appeal. The Committee shall hear such evidence as the appellant, Community, and other interested parties may offer, and render its decision at the conclusion of such hearing.

1. *Unlawful Acts.* Any person or licensee who violates any enumerated provision of Chapter 14.408 shall be fined Five Hundred Dollars (\$500). In the event of multiple violations, the Committee may levy one fine per violation or may levy a single five hundred dollar (\$500) fine.

2. *Licensees.* The Committee may revoke the license of any licensee who violates any provision of this ordinance.

14.502 *Appeal.* The Committee's decision may be appealed to the Gila River Indian Community Court, provided that the appeal is duly filed within twenty working (20) days of the Committee's decision.

14.503 Effect of Suspension or Revocation Of State License.

1. All licensees shall comply with the laws of the United States and the State

of Arizona governing the manufacture and sale of spirituous liquor.

2. Any suspension or revocation of an Arizona-issued liquor license shall automatically take effect against a licensee's Gila River Indian Community-issued license.

3. Notwithstanding the appeal process described in Chapters 14.501 and 14.502, no appeal shall be permitted for any Community-issued license suspended or revoked under Chapter 14.503(2).

14.504 *Effective Date*. In accordance with 18 U.S.C. 1161 (2005), this Ordinance shall be effective on the date upon which, after having been certified by the Secretary of the Interior, it is published in the **Federal Register**.

[FR Doc. 05-22357 Filed 11-8-05; 8:45 am]

BILLING CODE 4310-4J-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA 160-1220-PG]

Call for Nominations for Carrizo Plain National Monument Advisory Committee

AGENCY: Bureau of Land Management, (BLM), Interior.

ACTION: Call for nominations for the Carrizo Plain National Monument Advisory Committee under Section 309 of the Federal Land Policy and Management Act (Pub. L. 94-579 and 43 CFR 1784 4-1).

SUMMARY: The purpose of this notice is to request public nominations for the Carrizo Plain National Monument Resource Advisory Committee. The advisory committee has nine member terms expiring in December of this year. The terms of the council members are three years long. Meetings are usually held quarterly, however additional meetings may be called if necessary. The committee advises the Secretary of the Interior and the Bureau of Land Management on resource management issues associated with the Carrizo Plain National Monument. BLM will consider public nominations for 30 days after the publication date of this notice.

DATES: Submit a completed nomination form and nomination letters to the address listed below by December 9, 2005.

ADDRESSES: Send nominations to: Field Manager, Bakersfield Field Office, Bureau of Land Management, 3801 Pegasus Avenue, Bakersfield, California 93308.

FOR FURTHER INFORMATION CONTACT: Ron Huntsinger, Bakersfield Field Office manager, (661) 391-6000.

SUPPLEMENTARY INFORMATION: Any individual or organization may nominate one or more persons to serve on the Carrizo Plain National Monument Advisory Committee. Individuals may nominate themselves for committee membership. Nomination forms can be obtained from the Bakersfield Field Office, Bureau of Land Management (see **ADDRESS** above). To make a nomination, you must submit a completed nomination form, letters of reference from the interests or organizations the nominee intends to represent, as well as any other information that speaks to the nominee's qualifications, to the Bakersfield Field Office. You may make nominations for the following categories of interest:

(1) A member of, or nominated by, the San Luis Obispo Board of Supervisors.

(2) A member of, or nominated by, the Kern County Board of Supervisors.

(3) A member of, or nominated by, the Carrizo Native American Advisory Council.

(4) A member of, or nominated by, the Central California Resource Advisory Council.

(5) A member representing individuals or companies authorized to graze livestock within the National Monument.

(6) Four members with recognized backgrounds reflecting:

(a) The purposes for which the monument was established and

(b) The interests of other stakeholders, including the general public, that are affected by or interested in the planning and management of the National Monument.

The specific category the nominee would like to represent should be identified in the letter of nomination and in the nomination form. The Bakersfield Field Office will collect the nomination forms and letters of reference and, in the case of categories 1-4 (above) distribute them to the officials responsible for submitting nominations. The Bureau of Land Management will then forward recommended nominations to the Secretary of the Interior, who has responsibility for making the appointments.

The purpose of the Carrizo Plain National Monument Advisory Committee is to advise the Bureau of Land Management on the management of the monument. Each member will be a person who, as a result of training and experience, has knowledge or special

expertise which qualifies him or her to provide advice from among the categories of interest listed above.

Members will serve without monetary compensation, but will be reimbursed for travel and per diem expenses at current rates for government employees.

Dated: September 27, 2005.

Janet Bedrosian,

Acting State Director, California BLM.

[FR Doc. 05-22347 Filed 11-8-05; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WO-260-09-1060-00-24 1A]

Correction to Notice of Call for Nominations for the Wild Horse and Burro Advisory Board

AGENCY: Bureau of Land Management, Interior.

ACTION: Corrections to Notice of Call for Nominations for the Wild Horse and Burro Advisory Board. This notice was previously published in the **Federal Register**: Vol. 70, No. 193/Tuesday, October 6, 2005.

SUMMARY: The **Federal Register** Notice has an incorrect date for nominations to be submitted to the National Wild Horse and Burro Advisory Board. The corrected notice extends the date to November 30, 2005. The nominations should be submitted to the National Wild Horse and Burro Program, Bureau of Land Management, Department of Interior, P.O. Box 12000, Reno, Nevada 89520-0006, Attn: Ramona DeLorme: fax (775) 861-6711.

FOR FURTHER INFORMATION CONTACT: Mr. Jeff Rawson, Group Manager, Wild Horse and Burro Group, (202) 452-0379. Individuals who use a telecommunications device for the deaf (TDD) may reach *Ms. DeLorme* at any time by calling the Federal Information Relay Service at 1 (800) 877-8339.

Dated: October 25, 2005.

Thomas H. Dyer,

Deputy Assistant Director, Renewable Resources and Planning.

[FR Doc. 05-22187 Filed 11-8-05; 8:45 am]

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