

or have in his/her possession any alcoholic beverages. Any person violating this Section in a public place shall be guilty of a separate violation of this Ordinance for each and every drink or container of alcoholic beverages so consumed, acquired or possessed.

Section 7.6 Any person who, in a public place, shall sell or provide any liquor to any person under the age of twenty-one (21) years shall be guilty of a violation of this Ordinance for each such sale or drink provided.

Section 7.7 Any person guilty of a violation of this Ordinance shall be liable to pay the Tribe up to five hundred dollars (\$500) per violation as civil damages to defray the Tribe's cost of enforcement of this Ordinance. The amount of such damages in each case shall be determined by the Tribal Council based upon a preponderance of the evidence available to the Tribal Council after the person alleged to have violated this Ordinance has been given due notice and an opportunity to respond to such allegations.

Section 7.8 Whenever it reasonably appears to a licensed purveyor of liquor that a person seeking to purchase liquor is under the age of twenty-seven (27) years, the prospective purchaser shall be required to present any one of the following officially-issued cards of identification which shows his/her correct age and bears his/her signature and photograph:

(a) Driver's license of any state or identification card issued by any state Department of Motor Vehicles;

(b) United States Active Duty Military;

(c) Passport; or,

(d) Gaming license, work permit or other identification issued by the Tribal Council, if said license, permit or identification contains the bearer's correct age, signature and photograph.

Article VIII: Abatement

Section 8.1 Any public place where liquor is sold, manufactured, bartered, exchanged, given away, furnished, or otherwise disposed of in violation of the provisions of this Ordinance, and all property kept in and used in maintaining such place, is hereby declared to be a public nuisance.

Section 8.2 The Tribal Chairperson, upon authorization by a majority of the Tribal Council, or, if he/she fails to do so, a majority of the Tribal Council acting at a duly-called meeting at which a quorum is present, shall direct the tribal department of public safety or equivalent department of the tribal government to abate any such nuisance. If necessary, the Tribal Council shall be authorized to institute and maintain an action in a court of competent jurisdiction in the name of the Tribe to abate and perpetually enjoin any nuisance declared under this title. Upon establishment that probable cause exists to find that a nuisance exists, restraining orders, temporary injunctions and permanent injunctions may be granted in the cause as in other injunction proceedings, and upon final judgment against the defendant the court may also order the room, structure or place closed for a period of one (1) year or until the owner, lessee,

tenant or occupant thereof shall give bond of sufficient sum of not less than twenty-five thousand dollars (\$25,000) payable to the Tribe and conditioned that liquor will not be thereafter manufactured, kept, sold, bartered, exchanged, given away, furnished or otherwise disposed of therein in violation of the provision of this Ordinance or of any other applicable tribal law, and that she will pay all fines, costs and damages assessed against him/her for any violation of this Ordinance or other Tribal laws. If any conditions of the bond should be violated, the whole amount may be recovered for the use of the Tribe.

Section 8.3 In all cases where any person has been found responsible for a violation of this Ordinance relating to manufacture, importation, transportation, possession, distribution and sale of liquor, an action may be brought in a court of competent jurisdiction to abate as a public nuisance the use of any real estate or other property involved in the violation of this Ordinance, and proof of violation of this Ordinance shall be *prima facie* evidence that the room, house, building, vehicle, structure, or place against which such action is brought, is a public nuisance. Unless a tribal court has been established or designated by contract at the time any such action is to be filed, the Tribal Council shall sit as the tribal court for the purpose of ordering the abatement of such nuisance.

Article IX: Profits

Section 9.1 The gross proceeds collected by the Tribal Council from all licensing of the sale of alcoholic beverages on tribal trust lands, and from proceedings involving violations of this Ordinance, shall be distributed as follows:

(a) First, for the payment of all necessary personnel, administrative costs, and legal fees incurred in the enforcement of this Ordinance; and,

(b) Second, the remainder shall be turned over to the General Fund of the Tribe and expended by the Tribal Council for governmental services and programs on tribal trust lands.

Article X: Severability and Effective Date

Section 10.1 If any provision or application of this Ordinance is determined by judicial review to be invalid, such adjudication shall not be held to render ineffectual the remaining portions of this title, or to render such provisions inapplicable to other persons or circumstances.

Section 10.2 This Ordinance shall be effective on such date as the Secretary of the Interior certifies this Ordinance and publishes the same in the **Federal Register**.

Section 10.3 Any and all prior enactments of the Tribe that are inconsistent with the provisions of this Ordinance are hereby rescinded and repealed.

Section 10.4 All acts and transactions under this Ordinance shall be in conformity with the laws of the State of California as that term is used in 18 U.S.C. 1161, but only to the extent required by the laws of the United States.

Article XI: Amendment

This Ordinance may only be amended by majority vote of more than 50% of the Tribal Council attending a duly noticed meeting at which a quorum is present.

Article XII: Certification and Effective Date

This is to certify that the Bear River Band of Rohnerville Rancheria Tribal Council adopted the foregoing Ordinance at a duly held, noticed and convened meeting on June 30, 2004 of the Tribal Council at which a quorum of at least three (3) members were present by a vote of 4 in Favor, 0 Opposed, 0 Abstaining and 0 Absent as attested to and certified by the Tribal Chairman and Tribal Secretary, and shall be effective upon approval by the Secretary of the Interior or his designee as provided by federal law.

Attested by:

(Leonard Bowman, Tribal Council
Chairperson)
Date

(Aileen Meyer, Tribal Council Secretary)
(Date)

[FR Doc. 05-4560 Filed 3-8-05; 8:45 am]

BILLING CODE 4310-4J-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UT-910-05-1040-PH-24-1A]

Notice of Utah Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Department of Interior.

ACTION: Notice of Utah Resource Advisory Council (RAC) Meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management's (BLM) Utah Resource Advisory Council (RAC) will meet as indicated below.

DATES: The Utah Resource Advisory Council (RAC) will meet March 23, 2005, in Salt Lake City, Utah. The RAC will meet in the Broadway Conference Room at the Peery Hotel which is located at 110 West Broadway (300 South), Salt Lake City, Utah. A half-hour public comment period is scheduled to begin at 3:45 p.m. Written comments may be sent to the Bureau of Land Management address listed below.

FOR FURTHER INFORMATION: Contact Sherry Foot, Special Programs Coordinator, Utah State Office, Bureau of Land Management, 324 South State Street, Salt Lake City, Utah 84111; phone (801) 539-4195.

SUPPLEMENTARY INFORMATION: The RAC will be discussing their role in the process of reviewing future Resource Management Plans (RMP); improving RMP communications; listening to various presentations from the Natural Resources Committee, Utah's Lands Policy Group, and an overview of Richfield Field Office's RMP.

All meetings are open to the public; however, transportation, lodging, and meals are the responsibility of the participating public.

Dated: March 2, 2005.

Sally Wisely,
State Director.

[FR Doc. 05-4639 Filed 3-8-05; 8:45 am]

BILLING CODE 4310-SS-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-101 (Second Review)]

Greige Polyester/Cotton Printcloth From China

AGENCY: International Trade Commission.

ACTION: Revised schedule for the subject review.

EFFECTIVE DATE: March 1, 2005.

FOR FURTHER INFORMATION CONTACT: Gail Burns (202) 205-2501, Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: On August 25, 2004, the Commission established a schedule for the conduct of the subject review (69 FR 53465, September 1, 2004), and revised its schedule on January 28, 2005 (70 FR 6036, February 4, 2005). The Commission is again revising its schedule; the Commission's hearing will be held at the U.S. International Trade Commission Building at 9:30 a.m. on April 5, 2005, and the deadline for filing posthearing briefs is April 12, 2005. The

Commission's schedule in this review is otherwise unchanged. No party has objected to the Commission's schedule, as revised.

For further information concerning this review, see the Commission's notices cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: March 3, 2005.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 05-4571 Filed 3-8-05; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-460]

Certain Sortation Systems, Parts Thereof, and Products Containing Same; Notice of Commission Determination To Rescind a Limited Exclusion Order

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to rescind the limited exclusion order in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Rodney Maze, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3065. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: This patent-based section 337 investigation was instituted by the Commission based on a complaint filed by Rapistan Systems Advertising Corp. and Siemens Dematic Corp., both of Grand Rapids, Michigan. 66 FR 38741 (July 25, 2001). The complaint named Vanderlande Industries Nederland BV of the Netherlands, and Vanderlande Industries of Atlanta, Georgia (collectively "Vanderlande") as respondents.

Complainants alleged that Vanderlande had violated section 337 by importing into the United States, selling for importation, and selling within the United States after importation certain sortation systems, or components thereof, covered by independent claims 1, 13, 23, 30, and 42 and dependent claims 2-4, 8, 9, 17, 18, 20, 22, 24, 27, 29, 33, 35-37, 39, 43, 45-47, and 49 of U.S. Patent No. 5,127, 510 ("the '510 patent"), owned by Rapistan Systems and exclusively licensed to Siemens Dematic. On April 5, 2002, complainants filed an unopposed motion asking for the termination of the investigation with respect to claims 2, 3, 8, 9, 18, 24, 36, 37, 29, 46, 47, and 49. On May 16, 2002, the presiding administrative law judge (ALJ) granted the motion in an ID (Order No. 32) and the Commission determined not to review the ID. The claims of the '510 patent at issue were therefore claims 1, 4, 13, 17, 20, 22, 23, 27, 29, 30, 33, 35, 42, 43, and 45. The complaint further alleged that an industry in the United States exists, as required by subsection (a)(2) of section 337.

On October 22, 2002, the ALJ issued his final initial determination (ID) on violation and his recommended determination on remedy. The ALJ found a violation of section 337 by reason of infringement of claims 1 and 4 of the '510 patent. He also found that the '510 patent is not invalid or unenforceable. With respect to remedy, the ALJ recommended issuance of a limited exclusion order barring importation of the respondents' accused Mark 2 Posisorter sortation system and its parts and components. On November 4, 2002, Vanderlande and the Commission investigative attorney (IA) petitioned for review of portions of the ALJ's final ID. Rapistan submitted a contingent petition for review asking that the Commission review certain issues if it decided to review the ID. All parties filed responses to the petitions on November 12, 2002.

On December 10, 2002, the Commission determined to review the ID and requested submissions regarding the issues under review as well as