

(A) Contain the message: "Pregnancy and alcohol do not mix. Drinking alcoholic beverages, including wine coolers and beer, during pregnancy can cause birth defects."

(B) Be either:

(i) A large sign, no smaller than eight and one-half inches by 11 inches in size with lettering no smaller than five-eighths of an inch in height; or

(ii) A reduced sign, five by seven inches in size with lettering of the same proportion as the large sign described in paragraph (a) of this subsection.

(C) Contain a graphic depiction of the message to assist nonreaders in understanding the message. The depiction of a pregnant female shall be universal and shall not reflect a specific race or culture.

(D) Be in English unless a significant number of the patrons of the retail premises use a language other than English as a primary language. In such cases, the sign shall be worded both in English and the primary language or languages of the patrons.

(E) Be displayed on the premises of all licensed retail liquor premises as either a large sign at the point of entry, or a reduced sized sign at points of sale.

(3) The person described in subsection (1) of this section shall also post signs of any size at places where alcoholic beverages are displayed.

(g) CIVIL PENALTY:

(1) Any person who violates the provisions of this Ordinance is deemed to have consented to the jurisdiction of the Tribal Court and may be subject to a civil penalty in Tribal Court for a civil infraction. Such civil penalty shall not exceed the sum of \$1,000 for each such infraction, provided, however, that the penalty shall not exceed \$5,000 if it involves minors.

(2) The procedures governing the adjudication in Tribal Court of such civil infractions shall be those set out in the Tribal Court Ordinance.

(3) The Tribal Council hereby specifically finds that such civil penalties are reasonably necessary and are related to the expense of governmental administration necessary in maintaining law and order and public safety on Tribal Lands and in managing, protecting and developing the natural resources in the aboriginal territory. It is the legislative intent of the Tribal Council that all violations of this Chapter, whether committed by Tribal members, non-member Indians, or non-Indians, be considered civil in nature rather than criminal.

(h) LICENSE NOT A PROPERTY RIGHT:

Notwithstanding any other provision of this Liquor Ordinance, a Tribal liquor

license is a mere permit for a fixed duration of time. A Tribal liquor license shall not be deemed a property right or vested right of any kind, nor shall the granting of a Tribal liquor license give rise to a presumption of legal entitlement to a license/permit in a subsequent time period.

(i) ASSIGNMENT OR TRANSFER:

No Tribal license issued under this Liquor Ordinance shall be assigned or transferred without the prior written approval of the Tribal Council expressed by formal resolution.

(j) SEVERABILITY:

If a court of competent jurisdiction finds any provision of this Ordinance to be invalid or illegal under applicable Federal or Tribal law, such provision shall be severed from this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

(k) CONSISTENCY WITH STATE LAW:

The Karuk Tribe of California agrees to perform in the same manner as any other California business entity for the purpose of liquor licensing and regulations, including but not limited to licensing, compliance with the regulations of the ABC, maintenance of liquor liability insurance. This provision is not intended to waive KTOC's sovereign immunity status or submit KTOC to any jurisdiction inconsistent with such status.

(l) EFFECTIVE DATE:

This Ordinance shall be effective upon publication in the Federal Register after approval by the Secretary of the Interior or his designee.

(m) CERTIFICATION:

I, the Chairman, hereby certify the foregoing Ordinance which was approved at a meeting on the 14th day of February, 2007, was duly adopted by a vote of 5 AYES, 0 NOES, 0 ABSTAIN, and said Ordinance has not been rescinded or amended in any way. The Tribal Council is comprised of 9 members of which 5 voted.

/s/Arch Super

Arch Super, Chairman

/s/Florraine Super, Secretary

Florraine Super, Secretary

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[(NM-920-1310-08); (NMNM 98795)]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease NMNM 98795

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of reinstatement of terminated oil and gas lease.

SUMMARY: Under the Class II provisions of title IV, Public Law 97-451, the Bureau of Land Management (BLM) received a petition for reinstatement of oil and gas lease NMNM 98795 from the lessee, Nadel and Gussman Permain, LLC, for lands in Eddy County, New Mexico. The petition was filed on time and was accompanied by all the rentals due since the date the lease terminated under the law.

FOR FURTHER INFORMATION CONTACT: Lourdes B. Ortiz, BLM, New Mexico State Office, at (505) 438-7586.

SUPPLEMENTARY INFORMATION: No valid lease has been issued that affect the lands. The lessee agrees to new lease terms for rentals and royalties of \$10.00 per acre of fraction thereof, per year, and 16⅔ percent, respectively. The lessee paid the required \$500.00 administrative fee for the reinstatement of the lease and \$166.00 cost for publishing this Notice in the **Federal Register**. The lessee met all the requirements for reinstatement of the lease as set out in Sections 31(d) and (e) of the Mineral Leasing Act of 1920 (30 U.S.C. 188). We are proposing to reinstate lease NMNM 98795, effective the date of termination, June 1, 2007, under the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: November 19, 2007.

Lourdes B. Ortiz,
Land Law Examiner.

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