

virtue of the fingerprint submission, reveals any adverse information which was not shown by the applicant on the application, the applicant will be given an opportunity to explain the circumstance of such omission or challenge the authenticity of the revealed information.

#### F. Granting, Denial, Termination or Revocation of Licenses and Permits

The granting, denial, termination, or revocation of a license for an establishment or a permit to an applicant will be within the discretion of the Taos Pueblo Tribal Council. The Governor, after reviewing the application and making appropriate inquiry, will make a recommendation to the Tribal Council. The following classes of persons shall be prohibited from being granted a permit to sell or serve intoxicating beverages:

1. Any person convicted of a felony; and

2. A minor.

Revocation of a liquor license or liquor permit will occur only following an opportunity to be heard. Any holder of a tribal liquor permit who is found, after notice and hearing, to have violated this Ordinance or to have provided false information on his/her application, shall have his/her tribal liquor permit revoked and shall be ineligible to apply for a new tribal liquor permit for three months after the date of the revocation.

#### Section 5. Prohibited Sales and Practices

No holder of a tribal liquor permit and none of its employees may:

A. Sell, serve, or dispense intoxicating beverages to any person who is obviously intoxicated;

B. Award alcoholic beverages as prizes;

C. Sell alcoholic beverages at a drive-up or walk-up window;

D. Sell alcoholic beverages to a minor who has not attained the age of 21;

E. Knowingly sell alcoholic beverages to an adult purchasing such liquor on behalf of a minor or an intoxicated person; and

F. Allow a person to bring alcoholic beverages onto the premises of a Licensed Establishment for the purposes of consuming them himself/herself or providing them to other individuals.

#### Section 6. Criminal Penalties

##### A. Penalties

Any person guilty of a violation of this Ordinance shall be liable upon conviction for up to 90 days confinement and/or fine of \$500 for each violation, plus costs.

#### B. Limitations

##### 1. Indian Civil Rights Act

Notwithstanding any other provision of this Ordinance, no penalty may be imposed pursuant or related to this Ordinance in contravention of any limitation imposed by the Indian Civil Rights Act of 1968, 82 Stat. 77, 25 U.S.C. 1301 *et seq.* ("ICRA") or other applicable Federal law.

##### 2. Violations by Non-Indians

Nothing in this Ordinance shall be construed to authorize the criminal trial or punishment by the Tribal Court of any non-Indian except the extent allowed under Federal law. When any provision of this Ordinance is violated by a non-Indian, he/she shall be referred to state and/or Federal authorities for prosecution under applicable law. It is the intent of the Pueblo that any non-Indian referred to state and/or Federal authorities be prosecuted to the full extent of applicable law. In addition, any non-Indian, upon committing any violation of the Ordinance, may be subject to a civil action for trespass, and upon having been determined by the Tribal Court to have committed the violation, shall be found to have trespassed upon Taos Pueblo Lands and shall be assessed such damages as the Court deems appropriate.

#### Section 7. Rules and Regulations

The Tribal Council may adopt and enforce rules and regulations to implement this Ordinance. The rules and regulations will be in conformance with New Mexico state law, if applicable, and with this Ordinance.

#### Section 8. Citations; Enforcement

Citations for violations of any provision of this Ordinance or rules or regulations promulgated hereunder may be issued by an officer of the Taos Pueblo police department or any person authorized by the Governor.

#### Section 9. Repeal of Prior Inconsistent Enactments by Tribal Council

This Ordinance repeals all prior enactments of the Taos Pueblo Tribal Council which are inconsistent with the provisions of this Ordinance. This repeal shall be effective on the date of publication of this Ordinance in the **Federal Register**.

#### Section 10. Severability

In the event any provision of this Ordinance or its application to any particular activity is held to be invalid or illegal by a court of competent jurisdiction, the remaining provisions and the remaining applications of such

provision shall remain in full force and effect.

#### Section 11. Sovereign Immunity

The sovereign immunity of the Taos Pueblo is not waived by this Ordinance.

#### Section 12. Amendments

This Ordinance may be amended only by majority vote of the Tribal Council.

#### Section 13. Effective Date

This Ordinance shall be effective as a matter of tribal law as of the date of its adoption by the Tribal Council, and effective as a matter of federal law on such date as the Secretary of the Interior certifies and publishes the same in the **Federal Register**.

Dated: April 30, 1999.

**Kevin Gover,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 99-11594 Filed 5-7-99; 8:45 am]

BILLING CODE 4310-02-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Mission Valley Power Utility, Montana Power Rate Adjustment

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of proposed rate adjustment.

**SUMMARY:** The Bureau of Indian Affairs (BIA) proposes to adjust the electric power rates for operation and maintenance of the Mission Valley Power (MVP), the Confederated Salish and Kootenai Tribal entity operating the power facility of the Flathead Irrigation and Power Project of the Flathead Reservation under a Public Law 93-638 contract.

**DATES:** Comments must be submitted on or before June 9, 1999.

**ADDRESSES:** Written comments on rate adjustments should be sent to Assistant Secretary—Indian Affairs, Attn: Branch of Irrigation and Power, MS-4513-MIB, Code 210, 1849 "C" Street, NW, Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** Stan Speaks, Area Director, Bureau of Indian Affairs, Portland Area Office, 911 N.E. 11th Avenue, Portland, Oregon 97232-4169, telephone (503) 231-6702; or General Manager, Mission Valley Power, P. O. Box 1269, Polson, Montana 59860-1269, telephone (406) 883-5361.

**SUPPLEMENTARY INFORMATION:** The authority to issue this document is vested in the Secretary of the Interior by 5 U.S.C. 301; the Act of August 7, 1946, c. 802, Section 3 (60 Stat. 895; 25 U.S.C.

385c); the Act of May 25, 1948 (62 Stat. 269); and the Act of December 23, 1981, section 112 (95 Stat. 1404). The Secretary has delegated this authority to the Assistant Secretary—Indian Affairs pursuant to part 209 Departmental Manual, Chapter 8.1A and Memorandum dated January 25, 1994, from Chief of Staff, Department of the Interior, to Assistant Secretaries, and Heads of Bureaus and Offices.

The Montana Power Company (MPC) raised its wholesale rates effective September 5, 1997, and September 5, 1998, based on adjustments in the Consumer Price Index. At the present time MPC supplies a portion of MVP's wholesale power requirements through a contract that will expire in the year 2015. Accordingly, the BIA is proposing to adjust the rates at the recommendation of MVP to reflect the adjusted cost of service and power provided to MVP by MPC. The impact of the wholesale rate change is indicated in the previous table. The planned effective date of the proposed rate adjustment will be June 1, 1999.

**Executive Order 12988**

The Department has certified to the Office of Management and Budget (OMB) that this proposed rate adjustment meets the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988.

**Executive Order 12866**

This proposed rate adjustment is not a significant regulatory action and has been reviewed by the Office of Management and Budget under Executive Order 12866.

**Regulatory Flexibility Act**

This proposed rate making is not a rule for the purposes of the Regulatory Flexibility Act because it is "a rule of particular applicability relating to rates." 5 U.S.C. 601(2).

**Executive Order 12630**

The Department has determined that this proposed rate adjustment does not have significant "takings" implications.

**Executive Order 12612**

The Department has determined that this proposed rate adjustment does not have significant Federalism effects

because it pertains solely to Federal-tribal relations and will not interfere with the roles, rights, and responsibilities of states.

**NEPA Compliance**

The Department has determined that this proposed rate adjustment does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969.

**Paperwork Reduction Act of 1995**

This proposed rate adjustment does not contain collections of information requiring approval under the Paperwork Reduction Act of 1995.

**Unfunded Mandates Act of 1995**

This proposed rate adjustment imposes no unfunded mandates on any governmental or private entity and is in compliance with the provisions of the Unfunded Mandates Act of 1995.

**Rate Adjustment**

The following table illustrates the impact of the proposed rate adjustment:

POWER RATE ADJUSTMENT

Rate class	Present rate	Proposed rate
Residential:		
Basic Rate .....	\$5.00/mo .....	Unchanged.
Energy Rate .....	0.04725/kwh .....	\$0.04739/kwh.
Minimum Monthly Bill .....	10.00/mo—May 1—October 31 .....	Unchanged.
	20.00/mo—November 1—April 30 .....	Unchanged.
Small Commercial (without demand):		
Basic Rate .....	5.00/mo .....	Unchanged.
Energy Rate .....	0.05495/kwh .....	0.05509/kwh.
Small Commercial with Demand:		
Basic Rate:		
Single Phase .....	20.00/mo .....	Unchanged.
Three Phase .....	40.00/mo .....	Unchanged.
Demand Rate .....	4.50/kw .....	Unchanged.
Energy Rate .....	0.04050/kwh .....	0.04064/kwh.
Large Commercial with Demand:		
Basic Rate .....	125.00/mo .....	Unchanged.
Demand Rate .....	5.00/KW .....	Unchanged.
Energy Rate .....	0.03115/kwh .....	0.03129/kwh.
Irrigation:		
Horsepower Rate .....	11.05/hp .....	Unchanged.
Energy Rate .....	0.03572/kwh .....	0.03586/kwh.
Minimum Seasonal Rate .....	132.00 or 6.00/hp whichever is greater .....	Unchanged.
Area Lights Installed on Existing Pole or Structure:	Monthly Rate	Monthly Rate
7,000 lumen unit, M.V.* .....	6.85 .....	\$6.87.
20,000 lumen unit, M.V.* .....	9.80 .....	9.82.
9,000 lumen unit, H.P.S .....	6.35 .....	6.36.
22,000 lumen unit, H.P.S .....	8.58 .....	8.60.
*Continuing Service Only		
Area Lights Installed with New Pole:		
7,000 lumen unit, M.V.* .....	\$8.60 .....	\$8.62.
20,000 lumen unit, M.V.* .....	11.25 .....	11.28.
9,000 lumen unit, H.P.S .....	8.10 .....	8.12.
22,000 lumen unit, H.P.S .....	10.30 .....	10.32.
*Continuing Service Only		
Street Lighting (Metered):		
Basic Rate .....	5.00/mo .....	Unchanged.

## POWER RATE ADJUSTMENT—Continued

Rate class	Present rate	Proposed rate
Energy Rate .....	0.05495/kwh) .....	Unchanged.
Street Lighting (Unmetered):	This rate class applies to municipalities or communities where there are ten or more lighting units billed in a group. This rate schedule is subject to a negotiated contract with MVP and is unchanged as part of this rate adjustment.	Unchanged.

Dated: April 29, 1999.

**Kevin Gover,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 99-11581 Filed 5-7-99; 845 am]

BILLING CODE 4310-02-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-930-1430-01; NMNM-102308]

#### Notice of Proposed Withdrawal and Opportunity for Public Meeting; New Mexico

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The Secretary of the Interior proposes to withdraw 8,470.59 acres of Federal surface and minerals and 480 acres of Federal minerals underlying private surface to protect possible cave systems north and northeast of the existing "cave protection area" protected by the Lechuguilla Cave Protection Act (107 Stat. 1983 (1993)). An additional 8,198.72 acres of State land and mineral estate within the proposed withdrawal area, if acquired by the United States, would become subject to the withdrawal. Notice of the proposed withdrawal has been published which closed the land for up to 2 years from settlement, sale, location, or entry under the public land laws, including the mining laws, and from mineral leasing, subject to valid existing rights. This notice provides a public comment period and opportunity for public meetings.

**DATES:** Comments and requests for a public meeting must be received by August 9, 1999.

**ADDRESSES:** Comments and meeting requests should be sent to the Carlsbad Field Office Manager, BLM, Carlsbad Field Office, 620 E. Greene St., Carlsbad, New Mexico 88220.

**FOR FURTHER INFORMATION CONTACT:** Clarence Hougland, Bureau of Land Management, P.O. Box 27115, Santa Fe, New Mexico 87502-0115, 505-438-7593.

**SUPPLEMENTARY INFORMATION:** A Notice of Proposed Withdrawal was published in the **Federal Register**, 64 FR 18932, April 16, 1999 which segregated the land and minerals described therein from settlement, sale, location, or entry under the public land laws, including the mining laws, and from mineral leasing, subject to valid existing rights, for up to 2 years from the date of publication of that notice.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, objections, or meeting requests in connection with the proposed withdrawal may present their views in writing to the Carlsbad Field Office Manager.

Notice is hereby given that a public meeting will be held to discuss the proposed withdrawal and solicit comments from the public. A notice of the time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with the regulations set forth in 43 CFR Part 2300.

Dated: April 28, 1999.

**Richard A. Whitley,**

*Acting State Director.*

[FR Doc. 99-11695 Filed 5-7-99; 8:45 am]

BILLING CODE 4310-FB-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA-160-1430-01; CARI 0330]

#### Public Land Order No. 7389; Revocation of Public Land Order No. 2929; California

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order revokes a public land order in its entirety as it affects 40 acres of public land withdrawn from the Forest Service's Kennedy Meadow Administrative Site. The land is no longer needed for the purpose for which it was withdrawn. The revocation is

needed to make the land available for a land exchange in accordance with the provisions of Section 206 of the Federal Land Policy and Management Act of 1976. The land is temporarily closed to surface entry and mining due to the pending land exchange. The land has been and will remain open to mineral leasing.

**EFFECTIVE DATE:** May 10, 1999.

**FOR FURTHER INFORMATION CONTACT:** Duane Marti, BLM California State Office (CA-931), 2135 Butano Drive, Sacramento, California 95825; 916-978-4675.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1994), it is ordered as follows:

1. Public Land Order No. 2929, which withdrew public land for the Forest Service's Kennedy Meadow Administrative Site, is hereby revoked insofar as it affects the following described land:

#### Mount Diablo Meridian

T. 22 S., R. 36 E.,

Sec. 8, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>.

The area described contains 40 acres in Tulare County.

2. The above described land is hereby made available for exchange under Section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 716 (1994).

Dated: April 29, 1999.

**John Berry,**

*Assistant Secretary of the Interior.*

[FR Doc. 99-11694 Filed 5-7-99; 8:45 am]

BILLING CODE 4310-40-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-090-5700-77; WYW-139483]

#### Realty Action; Direct Sale of Public Lands; Wyoming

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of realty action; direct sale of public lands in Lincoln County.