

18-20-040 Disturbing the Peace  
While Intoxicated

It is unlawful for any person to create a disturbance or nuisance in a public or private place while under the influence of alcohol if said disturbance or nuisance interrupts another in the quiet enjoyment (appropriate to time and place) of public or private property.

18-30 Vehicles and Alcohol  
18-30-010 Vehicles and Open  
Containers

It is unlawful to use, consume or possess any open bottle, can, package or container of alcoholic beverage in any part of a motor vehicle with access available to the driver or passengers while such vehicle is moving. An open container shall be any container with the seal broken that is not completely empty.

18-40 Selling Liquor, Special Permits  
18-40-010 Selling Liquor

Except as set forth in 18-40-020, Special Permits, below, it shall be unlawful to sell alcoholic beverages by the glass, bottle, can or package except on the premises of a business operated by the Yerington Paiute Tribe.

18-40-020 Special Permits

The Tribal Council may issue and sell special permits to private individuals or groups who have applied for such a permit, for the public sale and consumption of beer and wine within certain particularly defined areas for special occasions.

18-50 Punishment, Bail, Civil  
Protective Custody, Impound  
18-50-010 Punishment

(a) Any Indian who violates any provision of this Title shall be deemed guilty of a Class A offense. All periods of jail time whether mandatory or discretionary, imposed relative to an offense for intoxicating beverages, may be substituted day for day by placement in a residential treatment center.

(b) Any Non-Indian who violates any provision of this Title shall be referred to the State of Nevada and/or Federal Law Enforcement authorities for prosecution under applicable law.

18-50-020 Bail

The minimum bail for any offense under this Title is \$500.00.

18-50-030 Civil Protective Custody

(a) Assuming a person is not committing any offense under this Title (eg. public consumption, disturbing the peace) then it shall not be unlawful to merely appear in a public or private place in an intoxicated condition.

(b) However, except as provided in subsection (f), any person shall be placed under civil protective custody by a peace officer, if found in a public or

private place under the influence of alcohol in such a condition that he is unable to exercise care for his own health or safety or the health or safety of others for whom the person is responsible and where no one else is present to insure such health or safety of the person or others.

(c) A peace officer may use upon such person such force as would be lawful if he were effecting an arrest.

(d) If a licensed facility for treatment of alcohol abusers exists for convenient use of the Yerington Paiute Tribe, any such Indian person shall be taken there. If no such facility exists the person shall be placed in the jail facility used by the Yerington Paiute Tribe for the person's own health and safety. Placement shall be until the person is not under the influence of alcohol or a period not less than 12 hours, except that the person may not be kept against his will for longer than 72 hours.

(e) The placement of such Indian person in civil protective custody shall be recorded at the facility or jail to which he is delivered and communicated at the earliest practical time to his family or next of kin if they can be located.

(f) The provisions of this section shall not apply to any driver arrested for the offense of operating a vehicle under the influence of alcoholic beverage.

(g) Any Non-Indian person taken into civil protective custody shall be referred to the State of Nevada and/or Federal Law Enforcement authorities or any other agency of the State of Nevada which would have authority to receive and/or assist such a person had said person taken into civil protective custody under the laws of the State of Nevada.

Dated: October 19, 1995.

Ada E. Deer,

*Assistant Secretary—Indian Affairs.*

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**Bureau of Land Management**

[NM-070-1430-01; NMNM95192]

**Notice of Right-of-Way Application;  
New Mexico**

AGENCY: Bureau of Land Management,  
Interior.

ACTION: Notice Correction.

SUMMARY: This is a correction of a Notice for a right-of-way application from El Paso Natural Gas Company, serialized as NMNM95192. The legal description in the notice placed in the Federal Register/Vol. 60, NO. 183/

Thursday, September 21, 1995/page  
49004 should read.

New Mexico Principal Meridian

T. 24 N., R. 13 W.,

Sec. 30, Lot 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ .

Dated: October 19, 1995.

Ilyse K. Gold,

*Acting Assistant District Manager for  
Resources.*

[FR Doc. 95-27042 Filed 10-31-95; 8:45 am]

BILLING CODE 4310-FB-M

[NM-017-1430-01; NMNM 94897]

**Notice of Proposed Withdrawal and  
Public Meeting; New Mexico**

AGENCY: Bureau of Land Management,  
Interior.

ACTION: Notice.

SUMMARY: The Bureau of Indian Affairs (BIA) proposes to withdraw 13,150 acres of public land to allow for uses beneficial to the Navajo Nation and Zuni Pueblo. The proposed withdrawal would also provide protection of sites having cultural, historical, religious, geological and archaeological significance to the Navajo Nation and Zuni Pueblo. This notice closes the land for up to 2 years from surface entry and mining. The land will remain open to mineral leasing.

DATES: Comments must be received by January 30, 1996. In addition to written comments, a public meeting will be held on December 13, 1995.

ADDRESSES: Comments should be sent to the Albuquerque District Manager, BLM, 435 Montano Road NE., Albuquerque, New Mexico 87107.

**FOR FURTHER INFORMATION CONTACT:**

Debby Lucero, BLM, Rio Puerco Resource Area Office, 435 Montano Road NE., Albuquerque, New Mexico 87107, (505) 761-8787.

PUBLIC MEETING: The public is invited to attend a meeting to identify issues to be considered in connection with the proposed withdrawal. The meeting will take place on Wednesday, December 13, 1995, beginning at 7:00 p.m. in the auditorium of the J.F. Kennedy Middle School, 600 Boardman, Gallup, New Mexico.

SUPPLEMENTARY INFORMATION: On October 25, 1995, a petition was approved allowing the BIA to file an application to withdraw the following described land from settlement, sale, location, or entry under the general land laws including the mining laws but not from the mineral leasing laws or Indian laws, subject to valid existing rights:

New Mexico Principal Meridian