

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Eighth Session  
March 19, 2015**

The Committee on Government Affairs was called to order by Chairman John Ellison at 8:34 a.m. on Thursday, March 19, 2015, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website: [www.leg.state.nv.us/App/NELIS/REL/78th2015](http://www.leg.state.nv.us/App/NELIS/REL/78th2015). In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman John Ellison, Chairman  
Assemblyman John Moore, Vice Chairman  
Assemblyman Richard Carrillo  
Assemblywoman Victoria A. Dooling  
Assemblyman Edgar Flores  
Assemblywoman Amber Joiner  
Assemblyman Harvey J. Munford  
Assemblywoman Dina Neal  
Assemblywoman Shelly M. Shelton  
Assemblyman Stephen H. Silberkraus  
Assemblywoman Ellen B. Spiegel  
Assemblyman Lynn D. Stewart  
Assemblyman Glenn E. Trowbridge  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

None



**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Jered McDonald, Committee Policy Analyst  
Lori McCleary, Committee Secretary  
Aubrie Bates, Committee Secretary  
Cheryl Williams, Committee Assistant

**OTHERS PRESENT:**

Sherry L. Rupert, Executive Director, Nevada Indian Commission,  
Department of Tourism and Cultural Affairs  
Michon R. Eben, representing Reno-Sparks Indian Colony  
Terri McBride, Vice Chair, Stewart Advisory Committee

**Chairman Ellison:**

[Roll was called. Committee rules and protocol were explained.] We have one bill this morning, and we need to introduce a bill draft request (BDR). I will entertain a motion.

**BDR 21-587**—Grants powers to certain cities to perform acts or duties which are not prohibited or limited by the Constitution or statute. (Later introduced as [Assembly Bill 413](#).)

ASSEMBLYMAN SILBERKRAUS MOVED TO INTRODUCE  
BDR 21-587.

ASSEMBLYMAN TROWBRIDGE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN CARRILLO AND  
MUNFORD WERE ABSENT FOR THE VOTE.)

**Chairman Ellison:**

I will open the hearing for [Senate Bill 63](#). I invite Ms. Rupert up to the table to introduce the bill.

**Senate Bill 63**: Creates the Nevada Indian Commission's Gift Fund and designates the Commission as coordinating agency. (BDR 18-289)

**Sherry L. Rupert, Executive Director, Nevada Indian Commission, Department of Tourism and Cultural Affairs:**

I serve as the liaison for Governor Sandoval to Nevada's 27 Tribal Nations. These 27 Tribal Nations in our state are home to the Washoe, Paiute, and Western Shoshone people.

I am very pleased to be here today to introduce Senate Bill 63, legislation that, if enacted, would establish the Nevada Indian Commission Gift Fund and designate the Commission as the coordinating agency for certain discussions regarding activities and uses of the buildings and grounds at the Stewart Indian School site. [Continued to read from prepared text ([Exhibit C](#)).]

**Chairman Ellison:**

We have already heard Assembly Bill 15 in this Committee and referred it to the floor. Could you tell me the difference between this bill and Assembly Bill 15? Does this bill focus more on the grants versus the land transfer?

**Sherry Rupert:**

Assembly Bill 15 pertains to the sale of parcels at Clear Creek, which would create a separate fund. The proceeds of the sales would assist in the maintenance of the facility. This particular gift fund is money that is donated for the purpose of not only the Welcome Center and the Cultural Center but also for other areas of preservation at the school.

With the Stewart Indian School Living Legacy initiative, we are working on the first phase, which includes the Cultural Center and the Welcome Center. We would like to create a cultural heritage destination where people can have that unique experience, really focusing on the cultural heritage traveler who is interested in Indian country, having that experience with Indian country, and who will stay longer and spend more. Those are the people we are trying to attract.

**Chairman Ellison:**

I understand what you are trying to do. I love the school. I have been out there several times, and I think everyone on this Committee should go out and take a look at the Stewart Indian School. Are there any questions from the Committee?

**Assemblyman Stewart:**

Once the school is renovated and you have the Welcome Center and the Cultural Center set up, is there any plan to charge admission in order to become more self-sustaining?

**Sherry Rupert:**

We are working on a business plan at the moment. Part of the plan is for the Cultural Center to have membership opportunities, and there would be an admission charge. As we move forward and develop the programming for the facility, we will have tours available. Eventually, in creating this experience, I am hoping there will be packages available where people could spend the night and have a meal at the dining hall. Once the auditorium is rehabilitated, we would look at having movies, plays, and evening activities. Yes, there are plans to bring in revenue.

**Assemblyman Stewart:**

Do you have the authority to do that now, or do we need to add language to give you that authority?

**Sherry Rupert:**

I do not know if we have that authority in statute. We are not that far along yet. As I understand it, what is in the budget at this point is to provide for the initial planning as we move forward with this initiative.

**Assemblyman Carrillo:**

Under *Nevada Revised Statutes* (NRS), is there a meeting requirement, and how often does the Commission meet?

**Sherry Rupert:**

We are governed by NRS Chapter 233A. The Nevada Indian Commission meets quarterly.

**Assemblyman Carrillo:**

In section 3, subsection 2, why would decision making regarding sales and gifts be left solely to the discretion of the Executive Director?

**Sherry Rupert:**

I have had discussions about that particular section of the bill. If someone donated a car to the Nevada Indian Commission, as the Executive Director, I would take that donation to the board for approval. I work very closely with the board at the Nevada Indian Commission.

**Assemblyman Carrillo:**

Should the language not suggest input from Commission members, as well?

**Sherry Rupert:**

We could very easily add that.

**Chairman Ellison:**

Assemblywoman Joiner, during the hearing on Assembly Bill 15, you had some questions regarding financing.

**Assemblywoman Joiner:**

I do not have any concerns with this bill. I think it would be great for them to have the authority to accept gifts and donations.

**Assemblywoman Neal:**

I have a question regarding section 3, subsection 1. The sentence on line 18 states, "The money in the Fund must be paid out on claims as other claims against the State are paid." Is this a timing issue to make sure if anyone has a claim against the gift fund, the treasurer has to pay it out at the same time?

**Sherry Rupert:**

I believe the intent of that particular language means, just as we do now under the Nevada Indian Commission, if we have a claim that comes forward, which is a bill or an invoice, then we have to go through the proper channels in the state to pay that claim. The proper documents for accounts payable go through our fiscal section at the Department of Tourism and Cultural Affairs.

**Assemblywoman Neal:**

Regarding the first sentence in section 3, subsection 2, "Gifts of property other than money may be sold or exchanged when this is deemed by the Executive Director of the Commission to be in the best interest of the Commission." What kind of property do you anticipate selling? How do you determine if it is in the best interest of the Commission?

**Sherry Rupert:**

We have not had anything like this before. The items that have come to the Nevada Indian Commission have been either monetary donations or items that relate specifically to the Stewart Indian School, such as yearbooks. Some people want to donate old photos. We have not had any donated property that we would want to sell. If someone donated an automobile to the Commission, I would take that to the Commission to discuss whether it would be in the best interest of the Nevada Indian Commission to accept the donation. I would also consult the Stewart Advisory Committee to get their recommendation to take to

the Commission. If donations of yearbooks and old photos are received, those are things we probably would not want to sell. It would be in the best interest of the Nevada Indian Commission to keep those items for the Cultural Center.

**Assemblyman Munford:**

How many different confederated tribes are there in the north?

**Sherry Rupert:**

There are 27 federally recognized Tribal Nations in the state of Nevada. There are two in southern Nevada, the Moapa Band of Paiutes and the Las Vegas Paiute Tribe. In the north, there are 25 Tribal Nations.

**Assemblyman Munford:**

Are these smaller bands of Indians from the Shoshone and the Paiutes, or do they have different names?

**Sherry Rupert:**

They are all Northern and Southern Paiutes, Western Shoshone, and Washoe people. There are different bands across the state, such as the Summit Lake Paiute Tribe, the Pyramid Lake Paiute Tribe, the Yomba Shoshone Tribe, the Ely Shoshone Tribe, and the Western Shoshone Te-Moak Tribe. They are all Paiute, Shoshone, and Washoe, but they are different bands.

**Assemblyman Munford:**

Do they have their own tribal governments?

**Sherry Rupert:**

Yes.

**Assemblyman Trowbridge:**

I fully support the bill, but I do have concerns with section 3, subsection 2. I think this section may tie your hands. You are on the front end of a steep growth curve. Although you do not have one yet, a gift shop will be there in the next couple of years. The gift shop will have all kinds of commodities you need to store. You may need the flexibility to charge less than what the qualified appraiser may determine a three-year-old T-shirt is worth. You want to have the ability to run the gift shop like a retail organization.

Secondly, once the museum gets going, it will probably go like you have probably never experienced before. You will have donations of artifacts that are going to become duplicates or triplicates, causing storage problems. It will be a difficult decision to determine which one of the 12 blankets you will actually display and give proper credit to. You may want to keep one or two of the

blankets in reserve, but the other nine need to be sold. I do not know how you are going to determine 90 percent of something that is priceless. I am suggesting the 90 percent figure in section 3, subsection 2 needs to be significantly reduced. It may not be an issue this year, but next year, when this starts to take off, you may want more flexibility to run a gift shop. You will make more money selling T-shirts, hats, and other souvenirs than you will from admission to the museum. That is my advice to save you work in the future.

**Sherry Rupert:**

I believe the intent of section 3, subsection 2 is for those items being donated to the facility and not so much the items we would sell in the gift shop.

**Assemblyman Trowbridge:**

If that is the intent, then that is fine. It is on the record now, so we can say that is what we meant it to mean.

**Assemblyman Stewart:**

Could you tell me how many members are on the Nevada Indian Commission and who appoints them? Also, as you mentioned the tribes in southern Nevada, you did not mention the Snow Mountain group. Are they a separate tribe from the Las Vegas Paiutes?

**Sherry Rupert:**

The tribal members at Snow Mountain are part of the Las Vegas Paiute Tribe. The Las Vegas Paiute Tribe has different areas within their government, which includes downtown just off Main Street and the area by Snow Mountain where the Las Vegas Paiute Golf Resort is located.

We have five commissioners on the Nevada Indian Commission, and all are appointed by the Governor. Three members are American Indian and two are from the general public.

**Assemblyman Stewart:**

I suggest you get with the Legal Division of the Legislative Counsel Bureau to make sure you have the authority to charge admission to the museum. If you do not have the authority, it needs to be put in this bill. Since we only meet every two years, it may cause problems if you do not get the authority this session.

**Assemblyman Silberkraus:**

I think we all agree the Stewart Indian School is a great treasure we want to see preserved and open to the public. As far as gifts of historical significance, I have a concern about those being turned over and sold. I do not know if you

would be open to it, but I would be interested in seeing a provision in this bill regarding the sale of any artifacts. Those gifts and donations are a piece of Nevada's history. Before the sale of any artifacts, I would hope they would be offered to other historical institutions around the state for preservation and display, whether it is the Nevada State Museum or other facilities across the state. I would like to see those artifacts be for the public benefit before they are put up for sale.

**Assemblyman Flores:**

One of the big issues people always bring up regarding donations is the money does not always go where the person donating it thought it would. For example, I might give you \$1,000 and want it to be used for a specific purpose, but I later learn it was used for another purpose. I would like to see safeguards in place where donations are used for specific purposes.

**Sherry Rupert:**

What we have taken in so far at the Nevada Indian Commission have been donations specifically for the Cultural Center.

**Assemblyman Flores:**

How do you determine what the best use of that money will be?

**Sherry Rupert:**

We have the Stewart Advisory Committee under the Nevada Indian Commission comprised of representatives from the tribes, Stewart Indian School alumni, interested parties from the community who have a vested interest in Stewart, and our state stakeholders, such as the Office of Historic Preservation and the Division of State Lands, both under the State Department of Conservation and Natural Resources, and the Buildings and Grounds Section of the State Public Works Division of the Department of Administration.

The Stewart Advisory Committee is our advisory body. Recommendations usually come from the advisory committee to the Commission. Our main priority in this first phase has been the Cultural Center and the Welcome Center. We are focusing our efforts specifically on those two particular buildings. We are of the belief that this is the first step, and we want to complete that.

Buildings and Grounds maintains the facilities at Stewart and currently determines what the projects will be. The Division of State Lands makes the decisions regarding who leases the different areas. As the coordinating agency, we want to be at the table to talk with them, as well. Everyone needs to be at the table to discuss this. That is one area in which we will prioritize the projects at Stewart.



**Chairman Ellison:**

Is there anyone wishing to testify in favor of S.B. 63?

**Michon R. Eben, representing Reno-Sparks Indian Colony:**

I am a lifelong resident of the state of Nevada and enrolled member of the Reno-Sparks Indian Colony, one of the 27 tribes of Nevada. I am the Tribal Historic Preservation Officer for the Reno-Sparks Indian Colony. My current office is located in a historic craftsman bungalow in the style commonly referred to as the Stewart Vernacular, and was built by the same traditional craftsmen who built the Stewart Indian School buildings. My office is located in a building that is on the National Register of Historic Places. [Continued to read from prepared text ([Exhibit D](#)).]

Please support S.B. 63. It can only make us all proud to be a part of Nevada's rich history.

**Chairman Ellison:**

Are there any questions from Committee members?

**Assemblyman Munford:**

Of the 25 tribes in northern Nevada, are they on separate land tracks or reservations?

**Michon Eben:**

As I mentioned, I am from the Reno-Sparks Indian Colony, which is located in Reno. The colony is unique to Nevada, but we are considered a reservation. The Reno-Sparks Indian Colony represents members and descendants of Washoe people, Paiute people, and Shoshone people. We are unique in the fact that we have three tribal groups registered as members of the Reno-Sparks Indian Colony. Regarding the other tribes Ms. Rupert mentioned, Pyramid Lake has their own tribal land base. Summit Lake, McDermitt, and Elko all have their own distinct reservations and sovereign nations. They are all governed by a tribal council elected by the people.

**Chairman Ellison:**

Is there anyone else wishing to testify in favor of the bill?

**Terri McBride, Vice Chair, Stewart Advisory Committee:**

I am here in my capacity as vice chair of the Stewart Advisory Committee to urge you to join your Senate colleagues in supporting passage of S.B. 63. I have worked on the Stewart Advisory Committee with the Nevada Indian Commission since 2007 toward the goal of establishing a cultural center at the historic Stewart Indian School campus.

The Nevada Indian Commission has worked tirelessly for several years to raise monies through fundraising events and securing historic preservation grants to rehabilitate Building No. 1 on the Stewart campus. [Continued to read from prepared text ([Exhibit E](#)).]

**Assemblywoman Shelton:**

Are you saying the money you raise for Building No. 1 goes into the State General Fund?

**Terri McBride:**

What I am saying is establishing a separate gift account would mean if budgetary needs across the state required the money, the Commission would not be required to revert those funds to the State General Fund.

**Assemblywoman Neal:**

What the Nevada Indian Commission is doing here in Nevada is interesting. Are there other Native American groups around the nation restoring Indian schools? My aunt lives in Louisiana, where there is a significant Native American population. My great grandmother was half Cheyenne and on my grandfather's side, there was Choctaw. My aunt has been researching the history, and ancient burial grounds have been found around Louisiana State University. I was wondering if there is a national movement to restore and preserve Indian history.

**Sherry Rupert:**

In regard to other schools across the nation that may be looking at this sort of project, I know of Carlisle Indian School, which was the very first Indian boarding school in Pennsylvania. The school was located in a military installation and continues to be used for the military. They currently do not have a museum or a cultural center. Visitors must go through the military guard entrance, but they are able to look around. They have signs in a few places. They also have one building off campus they are trying to restore. They have a board that is looking at restoring one particular building. There is a group in Arizona trying to raise funds for a cultural center at the Phoenix Indian School. The Nevada Indian Commission has a broader outlook in creating this cultural heritage destination with the Cultural Center being a part of the first phase.

In regard to national movements, I know the Native American Rights Fund has a coalition regarding the Indian boarding schools. I sat in on a few meetings in Washington, D.C. That is a national movement, and they are trying to include as many people as they can. Their main focus is healing from the boarding school experience and not so much the rehabilitation and preservation of the schools.

**Assemblyman Munford:**

You mentioned Carlisle Indian School. Is that where Jim Thorpe, the great athlete, went to school?

**Sherry Rupert:**

Yes, he did attend Carlisle Indian School.

**Chairman Ellison:**

Are there any further questions from Committee members? [There were none.] Is there any further testimony in favor of the bill? [There was none.] Is there any testimony in opposition to the bill? [There was none.] Is there anyone wishing to testify as neutral to the bill? [There was no one.]

We will get some clarification regarding the language in the bill. I will close the hearing on S.B. 63. Is there any public comment? [There was none.] The meeting is adjourned [at 9:25 a.m.].

RESPECTFULLY SUBMITTED:

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Lori McCleary  
Committee Secretary

APPROVED BY:

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Assemblyman John Ellison, Chairman

DATE: \_\_\_\_\_

**EXHIBITS**

**Committee Name:** Committee on Government Affairs

**Date:** March 19, 2015

**Time of Meeting:** 8:34 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 63	C	Sherry Rupert, Nevada Indian Commission	Written testimony
S.B. 63	D	Michon R. Eben, Reno-Sparks Indian Colony	Written testimony
S.B. 63	E	Terri McBride, Stewart Advisory Committee	Written testimony