

**MINUTES OF THE  
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-ninth Session  
February 8, 2017**

The Senate Committee on Government Affairs was called to order by Chair David R. Parks at 1:07 p.m. on Wednesday, February 8, 2017, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator David R. Parks, Chair  
Senator Mark A. Manendo, Vice Chair  
Senator Julia Ratti  
Senator Joseph P. Hardy  
Senator Pete Goicoechea

**GUEST LEGISLATORS PRESENT:**

Senator Tick Segerblom, Senatorial District No. 3

**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Policy Analyst  
Heidi Chlarson, Counsel  
Suzanne Efford, Committee Secretary

**OTHERS PRESENT:**

Dana Grigg, Major, Judge Advocate, Office of the Military  
Katherine (Kat) Miller, Director, Department of Veterans Services  
William C. Baumann, Chair, Nevada Veterans Services Commission, Department  
of Veterans Services  
Sharlee Wyatt Smith, Women Veterans Advisory Committee  
Kevin Burns, Chairman, United Veterans Legislative Council  
Brett G. Palmer, President, Nevada Veteran's Coalition  
John Knott

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Cesar O. Melgarejo, MPA, Veterans Policy Analyst, Office of the Governor  
Peter Barton, Administrator, Division of Museums and History, Department of  
Tourism and Cultural Affairs  
Sondra Cosgrove, Ph.D., Chair, Native American Alliance, College of Southern  
Nevada  
Elizabeth Mercedes Krause  
Fawn Douglas  
Hector Rivera  
William Anderson  
Patrick Naranjo  
Christian Gerlach  
Kostan Lathouris  
Howard Watts  
John Ocegüera, Reno-Sparks Indian Colony  
Arlan Melendez, Chairman, Reno-Sparks Indian Colony  
Michon R. Eben, Cultural Resources Manager, Tribal Historic Preservation  
Office, Reno-Sparks Indian Colony  
Ernie Adler, Pyramid Lake Paiute Tribe  
Debra Harry, Ph.D., Business Officer, Pyramid Lake Paiute Tribe  
Will Adler, Pyramid Lake Paiute Tribe  
Amber Torres, Chairman, Walker River Paiute Tribe  
Sherry Rupert, Executive Director, Nevada Indian Commission, Department of  
Tourism and Cultural Affairs  
Esha Hoferer  
Raquel Arthur, President, American Indian Movement of Northern Nevada  
Janice Gardipe  
Kitty Colbert

CHAIR PARKS:

I will open the hearing with the adoption of the Committee on Government  
Affairs Standing Rules ([Exhibit C](#)). They are slightly revised from the  
78th Legislative Session to conform to the rules suggested by the Secretary of  
the Senate.

SENATOR MANENDO MOVED TO ADOPT THE STANDING RULES OF  
THE COMMITTEE ON GOVERNMENT AFFAIRS.

SENATOR RATTI SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

Jennifer Ruedy, Committee Policy Analyst, will present the Committee Brief ([Exhibit D](#)).

JENNIFER RUEDY (Policy Analyst):

The Committee Brief, [Exhibit D](#), is prepared each Session by the Committee policy analyst. It is an overview of what happened on the Committee in the 78th Legislative Session and, to some degree, what will come before the Committee this Session.

CHAIR PARKS:

I would like to entertain a motion to rerefer Senate Bill (S.B.) 89 to the Senate Committee on Finance because of its fiscal impact.

**SENATE BILL 89**: Creates the K-12 Public Education Stabilization Account.  
(BDR 31-65)

SENATOR MANENDO MOVED TO REREFER S.B. 89 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

I will open the hearing on S.B. 7.

**SENATE BILL 7**: Revises provisions of the Nevada Code of Military Justice.  
(BDR 36-169)

DANA GRIGG (Major, Judge Advocate, Office of the Military):

Senate Bill 7 is a straightforward housekeeping bill. We are cleaning up a few provisions left over from our 2013 codification of the bill.

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SENATOR GOICOECHEA:

The bill says, "No person may be tried or punished for any offense ... ." Does this mean you can try a civilian for the same offense?

MAJOR GRIGG:

No, it refers back to the original jurisdiction established in the 2013 law. If a Nevada National Guard member or a former Nevada National Guard member has committed fraud, waste or abuse connected to the time in service, such as a retiree receiving pay, very attenuated circumstances there, then the former member could possibly fall under that provision. It mostly applies to current Nevada National Guard members and not to civilians.

SENATOR GOICOECHEA:

Thank you for the clarification. The bill says "jurisdiction under this Code in accordance with ... ." I did not know how far reaching this could be.

SENATOR PARKS:

I will close the hearing on S.B. 7.

SENATOR HARDY MOVED TO DO PASS S.B. 7.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

Our next bill is S.B. 58.

**SENATE BILL 58**: Revises various provisions relating to veterans. (BDR 37-124)

KATHERINE (KAT) MILLER (Director, Department of Veterans Services):

I have submitted written testimony explaining the provisions of S.B. 58 ([Exhibit E](#)).

CHAIR PARKS:

I like section 3 of the bill because it names additional members to the Nevada Veterans Services Commission (NVSC). Is there a large population of veteran students enrolled in institutions of higher education?

MS. MILLER:

The Nevada System of Higher Education (NSHE) has enrolled about 2,000 veterans. We are working to get a better idea of the number of non-NSHE students. I do not have an answer for you today. We are working on that program. We have reached out to all post-secondary schools in Nevada to get a count of veterans. I hope to have that answer within the next several months.

CHAIR PARKS:

That would be great. In addition, we do not want to overlook women veterans.

MS. MILLER:

I do have that number. It is 26,000 and perhaps a few more.

WILLIAM C. BAUMANN (Chair, Nevada Veterans Services Commission, Department of Veterans Services):

When the NVSC presented its annual report to the Governor in November, it also presented the two additional Commission members identified in S.B. 58. The NVSC supports this because women and student veterans have useful information to provide that we senior members on the Commission would have to do much digging and research to find. That would help us in many ways and support the Governor's desire to make Nevada the most veteran-friendly State in the U.S.

SENATOR RATTI:

How would a student veteran or a woman veteran find out about the opportunity to serve?

MR. BAUMANN:

The Department of Veteran Services and the State post Commission vacancies on their Websites.

SHARLEE WYATT SMITH (Women Veterans Advisory Committee):

I support the woman veteran member on the NVSC. Many women veterans feel invisible. This is a huge problem. The women veterans community is suffering from a syndrome known as the bookend effect. On one end, there are women veterans who have done and continue to do extraordinary things. On the other end are women veterans who have suffered trauma such as homelessness or military sexual trauma. Women in the bookend categories receive praise and media attention. To the American public, if women veterans do not fall into one of these extreme categories, it is as though they do not exist.

No one reads the books in the middle because they are too fascinated with the stories of the bookends, which is why so many women veterans feel invisible. We can address this problem by joining in the conversation to find out what are women veterans' needs and then collaborating to develop and deliver solutions.

The director of the VA Center for Women Veterans says that women are one of the fastest growing subgroups of veterans. They are signing up for VA health care and benefits at a higher rate than ever before.

Their military service must be recognized in war or peacetime. As these women leave the military, the U.S. Department of Veterans Affairs and each of us must work to prepare to meet the growing needs and numbers of all women veterans. We ask that you assist in recognizing these women.

KEVIN BURNS (Chairman, United Veterans Legislative Council):

The United Veterans Legislative Council is an umbrella group designed to be a representative voice for the veteran community. We came together before the 78th Legislative Session. Our members are elected from all of the recognized veteran organizations, such as the American Legion, Veterans of Foreign Wars, Disabled American Veterans and several others that you may not know about, including some state organizations. We also have at-large members who are not affiliated with any organization.

Our purpose is to carry the voice of the veteran forward. In other words, we have meetings to determine where we stand and air our dirty laundry behind closed doors in order to come forward with one voice. We found that to be very effective in the 78th Legislative Session.

We are here today to support Director Miller and S.B. 58 and the addition to the Commission of the underrepresented student and women veterans.

BRETT G. PALMER (President, Nevada Veteran's Coalition):

The Nevada Veteran's Coalition has been in existence for 25 years. Our mission statement is to support the Northern Nevada Veterans Memorial Cemetery. We have also taken on the responsibilities of rehabilitation for veterans and veterans' housing.

Being one of the small, unrecognized veterans' organizations, we support this bill. We would like to have the opportunity to be recognized by the State, have a voice in what is going on and be able to serve on committees.

JOHN KNOTT:

I am a Nevada Army National Guard Veteran, and I support S.B. 58. I am a founder of Operation Resilience, which is a ruck march from Reno to Carson City. I would like to arrange a tie that binds Las Vegas and Reno together. We are veterans, and good people come together in times of need. This past year, we collected 3,800 pounds of food for laser-sharp focused veterans. I am seeing good things here.

CHAIR PARKS:

We will close the hearing on S.B. 58.

SENATOR MANENDO:

It was quite an honor to serve on the veterans commission. I have a proudly served certificate of recognition in my office. I appreciate your service. It is wonderful to see so many people and what you do for others.

SENATOR MANENDO MOVED TO DO PASS S.B. 58.

SENATOR RATTI SECONDED THE MOTION.

SENATOR RATTI:

I am excited about this bill. I have a close cousin who returned to Nevada after 26 years in the U.S. Air Force. As a female veteran, she immediately took advantage of the GI Bill and went back to the university.

She shared her thoughts with me about having a hard time connecting with the veteran community because she did not feel a part of it. This outreach to women and student veterans is a progressive step forward.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

I will open the hearing on the next bill, S.B. 70.

**SENATE BILL 70**: Revises provisions governing the management of certain abandoned or unclaimed property by the Department of Veterans Services. (BDR 37-166)

CESAR O. MELGAREJO, MPA (Veterans Policy Analyst, Office of the Governor):  
I have submitted a written overview of S.B. 70 ([Exhibit F](#)).

CHAIR PARKS:

Would it be necessary to have a determination that items to be disposed of or destroyed have no value?

MR. MELGAREJO:

For example, an eagle with two American flags on the sides was left behind at the USS Nevada Memorial behind the Capitol. It is something that would be ornamental on a desk and could be bought in a gift shop. That item does not hold military significance or value. Storing these items takes up space and might have a fiscal impact on Department of Veterans Services (DVS).

CHAIR PARKS:

I would not want an item transferred that might have significant value and then result in some form of protest.

PETER BARTON (Administrator, Division of Museums and History, Department of Tourism and Cultural Affairs):

We support this bill because it helps preserve the important stories of our service men and women. We are willing to consult at any time with DVS.



We have a collections committee in both the Nevada State Museum and the Nevada Historical Society. The staff members are governed by professional museum standards, and they can assess the value of any item that is brought forward for consultation.

SENATOR HARDY:

Is there something that would preclude a veterans' organization or a museum from eventually destroying an item once it has been deemed to be of value? If an individual has a valuable or historical item in his or her yard that neighbors do not like, can that item be destroyed?

MR. MELGAREJO:

There is no preclusion to giving these items to a homeowner or an individual. However, these items would more likely be transferred to a veterans' organization such as a Veterans of Foreign Wars Post.

SENATOR HARDY:

If a service organization receives an item, and it may or may not have room to store it, is the organization required to keep it on site? Is the president of such an organization allowed to keep an item, such as a cannon, in his backyard? Is the item protected from being destroyed if neighbors are not happy to have a cannon in their homeowners association? Are the items protected? Is it like an endangered species cannon, and you cannot get rid of it?

MR. MELGAREJO:

Policies and procedures will be established to determine what artifacts can be transferred to veterans' organizations. Once the item is transferred to the organization, it is owned by that organization. This bill does not have any protections for the item after the transfer is made.

SENATOR HARDY:

It could be destroyed after it is transferred without having a protected status.

SENATOR MANENDO:

Can you give me an idea of what might be destroyed? I am concerned about destroying artifacts and making arbitrary decisions to destroy something that should not be destroyed.

MS. MILLER:

Since the memorial was established on Veterans Day, we have received 92 items. The majority of those have been small flags. We found a framed photo and some medals and badges. We have not had that concern. However, as the bill is written, I would first send a list of artifacts to the museum. Their experts would review that to determine if an item has true historical value. It is not something my office would do. Certain predetermined categories of items, such as flags or dog tags, do not go to the museum. Everything else would go to the museum. If it is something that Director Barton deems should not be at the museum, we would then go to the VA hospitals and then to veterans' organizations. Nothing would be destroyed or retired, in the case of flags or other types of military memorabilia, without first going through the rigor of determining that it does not have value by the museum, veteran service organizations or the VA.

SENATOR HARDY:

You have just sparked something. I grew up going home from the Crest Theatre in Reno up to my home on Buena Vista and stopping at the army surplus store to buy badges, flags and little things that I could afford with 5 cents. Does this preclude the veterans' organizations from recycling items in an army surplus store? Once a store receives an item, the store could sell it, give it away, have bids on it and someone else could buy it and resell it.

MS. MILLER:

The language in S.B. 70 says the Director may "Destroy or otherwise dispose of ... " the property. Our internal policy precludes us from giving it to someone who might sell it. It is intended for someone who would honor that item and display it appropriately. Nothing can go to a for-profit organization that would then sell the property.

SENATOR HARDY:

That is different from what I have heard. Once the property is transferred, it belongs to the organization and it can do whatever it wants with it. Would this be a change in that policy?

MS. MILLER:

No, let me clarify that. When I transfer an item to an organization, I can only transfer it to a nonprofit. Once it is transferred to that organization, the State of Nevada no longer owns that property.

SENATOR HARDY:

The nonprofit could sell it or give it to the army surplus store.

MS. MILLER:

Yes.

SENATOR GOICOECHEA:

As a member of the Commission, we struggled with this and with this language. You have to understand that only so much can be retained. There comes a time when it has to be moved. We have to understand this process. Items are taken to museums to be evaluated and might be offered to nonprofit organizations. Ultimately, some things cannot be saved. The key to this is that we do not confuse true artifacts or items of historical value with something left at a park or the veterans cemetery. At some point, they have to be recycled back to a veterans' organization or a post.

MR. BURNS:

As you heard during Director Miller's and Mr. Melgarejo's testimonies, veteran service organizations are on that list. There are things left behind that Mr. Barton may not look at from a Nevada standpoint. However, there are things there that someone might look at from a Fallon standpoint or an Ely standpoint. Whether it is the American Legion, Veterans of Foreign Wars or Disabled American Veterans, someone in those posts remembers that person. We support S.B. 70 because we would have an opportunity to determine whether an item should be preserved, disposed of or destroyed.

CHAIR PARKS:

We will close the hearing on S.B. 70.

SENATOR GOICOECHEA MOVED TO DO PASS S.B. 70.

SENATOR HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PARKS:

We are ready to open the hearing on S.B. 105.

**SENATE BILL 105**: Revises provision governing the authorization of certain days of observance. (BDR 19-115)

SENATOR TICK SEGERBLOM (Senatorial District No. 3):

I am presenting S.B. 105 with a PowerPoint presentation ([Exhibit G](#)). Senate Bill 105 requests that the Governor change Columbus Day to Indigenous Peoples Day. The bill would change the name of the holiday and it would occur on the second Monday in October.

In Nevada, we do not actually celebrate Columbus Day as a State holiday because we have Nevada Day on October 31. Nevada Day is a major holiday for our casino industry because many people come from California and around the Country for the three-day weekend.

The purpose of the bill is to acknowledge that we have a large Native American population in the United States. It is appropriate at this time in our history to focus on the true natives and realize that the rest of us are immigrants.

When separated on a national level as to who is supposed to be here and who is not supposed to be here, none of us is supposed to be here other than the people we are honoring with Indigenous Peoples Day. They were always here. I have heard Indigenous Peoples Day also called Invasion Day because that is when Columbus invaded us and the rest is history.

Not being Native American myself, I do not want to get into the necessity for it. I just wanted to bring the bill and ask the Native American community to make the presentation.

As far as the history of Nevada, we have a large number of tribes. They are important to our history and our culture. It is important to recognize their value to Nevada, both historically and going forward, and to include them and honor their contributions to the State.

CHAIR PARKS:

The last time Nevada celebrated Christopher Columbus was 25 years ago, in 1992. It does not occur often enough for Nevada to dedicate a holiday in his honor.

SENATOR GOICOECHEA:

That is interesting information. I did not realize that even though it is on the calendar, we do not celebrate it, and it is not a State holiday. What would happen if we requested an Indigenous Peoples Day and the Governor did not declare it? The bill says, "may."

SENATOR SEGERBLOM:

If the Governor did not declare it, I am not sure what would happen. I hope that he or she will declare it, and then schools would focus on learning about our history. We could celebrate what Native Americans have done and learn about the tragedy that really happened because it is a true tragedy.

When Nevada became a state, Native Americans were not allowed to marry us. The history of discrimination and genocide is horrific. It is important to learn from history so we do not repeat it. The thought is that we could teach everyone what happened and learn to appreciate where we are going forward.

We must let Native Americans be themselves, appreciate what they have done and their contributions to society. As children grow up, they will not hear the stories of the warpath, redskins and all the terrible things that we still do in this Country.

That is for the Native American community to decide. I wanted to bring this forward. This is a national trend, but it is important.

By way of apology for my ancestry, Ruby Valley was part of the history of taking lands from the Native Americans. I think it was the Shoshones, so I apologize on behalf of my family.

SENATOR HARDY:

Was there a discussion about coexisting and having a Columbus Day and an Indigenous Peoples Day? Why is one day being replaced by another day?

SENATOR SEGERBLOM:

There was a discussion, and that could be an option for the Committee. In this bill, we propose to switch the days because of the invasion that happened. We want to revisit history and analyze what really happened when millions of Native Americans died when the Europeans came here.

SONDRA COSGROVE, PH.D. (Chair, Native American Alliance, College of Southern Nevada):

I am speaking in favor of S.B. 105 because the United States has been a melting pot of cultures dating back to our colonial era. We have a long history of different groups seeking to have people from their backgrounds formally recognized with a day of celebration.

This was the case with Italian Americans who wanted to have Columbus recognized in the 1890s. It is understandable because at the time few people knew the true story of Columbus due to a lack of access to primary sources about the man. However, the same was not as true in the 1930s when Columbus Day became an official holiday. We certainly cannot say the same is true today. We all have access to not only good scholarly treatments of Columbus but also to the man's own letters and journals. After reviewing Columbus's own words, it is now evident that he was not a hero. He was instead someone who rejected his own faith by advocating for what amounted to genocide.

History is a story that is retold repeatedly as we fill in holes and atone for past mistakes. Now that we know the truth about Christopher Columbus, let us fix the mistake of honoring him with a day of commemoration by removing his name and replacing it with a day to honor our native cultures and communities.

We adjust when we discover that someone who was once revered should not have been elevated to the status of hero. There was once a time when every respectable home in the English-American colonies hosted a picture of King George, but circumstances changed and the picture frames lost King George and gained a President George Washington.

Many Italian Americans can be celebrated. I am willing to help recognize the contributions of every diverse group in our society. However, today it is time to go down a new path that recognizes our native communities.

ELIZABETH MERCEDES KRAUSE:

I come to you as a product of Clark County Schools and as a parent and teacher of students in the Clark County School District (CCSD). I am proud that our State's actions have created a learning environment that is focused on higher level thinking, access to technology and information, a strong curriculum and learning materials, and a push to fill classrooms with highly qualified, skilled

teachers. Because of this, our students are aware of the truth behind the old, romanticized story of Christopher Columbus and America's "discovery." It is also very important to note that our students are informed of the fact that over 30 cities have used their awareness to change this day in a step to create a more positive future.

In my own classroom, in October of this school year, my fourth-grade students researched, read articles, watched videos and testimonials, debated and then, after all was said and done, voted unanimously to change the day. I hope you can see the wisdom in this choice. These students will be watching to see what is decided. We are going to livestream the vote that we hope will take place on February 14. We will all be looking to you to make the right decision for us and I ask that you please represent us.

FAWN DOUGLAS:

I am one of the indigenous. I am a member of the Las Vegas Paiute Tribe. I also have roots in the Moapa Paiute, Cheyenne, Pawnee and Creek Nations. I was one of the University of Nevada, Las Vegas, Native American Student Association members who protested against Columbus Day in 2015. We did not want to celebrate that day. We wanted make people aware that Christopher Columbus was a rapist and a murderer and should not be honored with this holiday.

It is time to heal, not only for Native Americans but also for all people. This is a perfect time to present this with all the hatred and racism going on. There has been much lack of respect from North Dakota toward their indigenous people, the Standing Rock Sioux. The world was watching and now the world is watching you, the State of Nevada. It is watching to see if Nevada cares about its indigenous people. Let us show them that we will remove Columbus Day and replace it with Indigenous Peoples Day to give respect to the people, the first peoples of this area and for all people. Let us show them that Nevada cares about its indigenous.

HECTOR RIVERA:

I am not a Native American. I am here to stand up for diversity and for what is right. When Christopher Columbus came to what is now Haiti and the Dominican Republic, he started what is known as the Columbus exchange. It began as a patriarchal form of relations with the natives, which started slavery, biological warfare and genocide. Celebrating Christopher Columbus Day is a slap

in the face to people seeking diversity across the Nation. As of today Vermont, Alaska, Oregon, Hawaii and South Dakota celebrate native people's day. I hope we can join them.

Celebrating native people's day would open important discussions with people across ethnic and economic lines and start a healing process that is needed now more than ever. We need to work together.

Young Native Americans face a higher suicide rate than average young people across the Nation. We need to open a discussion for our future, to celebrate diversity and to say no to hate. Christopher Columbus stands for hate. We should be about community and standing up for each other. Indigenous Peoples Day would be all about that.

SENATOR HARDY:

Did the states you referenced do away with Columbus Day, or did they add the Indigenous Peoples Day?

MR. RIVERA:

It is my understanding that they changed it completely.

SENATOR HARDY:

Is that an understanding or do you have information for the Committee?

MR. RIVERA:

I have information I can get for the Committee.

WILLIAM ANDERSON:

I was the chair and am a representative of the Moapa Band of Paiutes. There are 27 tribes across Nevada. We have been working as a community to provide more economic development and to work with public lands. We want to move forward in the right direction in this new era and continue to have strength and unity. We cannot keep looking back and wondering what else is going to happen. It is up to us and to you to make that decision. I urge you to move forward and provide social justice for all of our people and not let Native Americans be ashamed of this day.

We remember the genocide. I remember my people, the Moapa Band of Paiutes, were once over 3,000 strong. We are now reduced to 300. Our people have



dwindled away because of the many acts occurring during that time. We have to remember that Christopher Columbus did not discover this land, this State, our reservation or our people. We have been here for thousands of years. We urge you to make the right decision.

PATRICK NARANJO:

I am a member of Santa Clara Pueblo and a specialist in the field of American Indian studies. I support S.B. 105.

Indigenous Peoples Day observance acknowledges the precolonial and postcolonial history of Nevada's indigenous peoples. Alaska, Hawaii, Oregon, South Dakota and Vermont honor their rich demography with Indigenous Peoples Day.

Columbus Day became a federal holiday in 1937; however, Columbus never reached the continental United States nor did he reach the 27 tribes that reside in Nevada. I ask you to please support S.B. 105 and honor the rich demography of Nevada.

CHRISTIAN GERLACH:

I come before you as a person born and raised in Nevada. I am a product of the public education system. I want to share my experience going through the CCSD education system.

It was not until my last year in high school that I learned about Native American history in this State. I learned about the Ghost Dance, which was eye-opening. A teacher who went above and beyond to explain the true history of this Country taught me. If it were not for his efforts, I would not have learned about that.

It was not until years after my high school career that I really learned about the indigenous peoples of this State. I work for an environmental nonprofit to educate communities about environmental issues and to help win environmental fights.

It is daunting to me that to this day we do not have a curriculum that goes into the full breadth of what is the truth. It is very important to me as a person who wants to have a future and a family here to know that this State recognizes and accepts everyone's culture and history.

This bill is a small step toward the longer goal of a stronger, more cohesive community. I urge each Senator to think about your native constituents and what it means to them to have a day of recognition.

KOSTAN LATHOURIS:

I was born and raised in southern Nevada. I am an enrolled member of the Chemehuevi Indian Tribe. I grew up off my reservation and went to public schools in southern Nevada.

I would like to address Senator Hardy's comments about inclusion and coexistence. Those are values to strive for and support. I support S.B. 105 because it promotes inclusion and coexistence. Columbus is a mascot for colonialism and imperialism. It is a misconception of righteousness.

When I was in school, I had a hard time feeling comfortable being native because there was never any focus on native peoples. It was not that we were just forgotten, we were treated as if we no longer existed. I remember a school ceremony in which I was recognized as being native. My classmates laughed because the idea that there were still native people seemed crazy to them. That is due in part to Columbus Day and its celebration. We celebrate the idea that someone discovered this land and that there were no people here already. In reality he enslaved, he killed and he did not do anything good. The message I got as a native student was that those things were important and valuable rather than the native people.

Continuing to celebrate Columbus Day defies that native people exist. I want to show the perspective of a native student going to the public schools here and the effect it has on young natives. We do not feel that we are included. We are marginalized, forgotten or treated as if we no longer exist. This is important to consider because we should all feel included.

HOWARD WATTS:

I want to support and reinforce what our native brothers and sisters have said. Nevada's history is so rich with the contributions of native peoples. Establishing an Indigenous Peoples Day corrects some of the historical record and gives us an opportunity to look more closely into that rich history.

I am native in the sense that I was born and raised here. I have had to learn a lot independently. An Indigenous Peoples Day sends a message and provides greater education to our community about the contributions of native people.

The Las Vegas Paiute Tribe is situated right here in town. Wonderful petroglyphs and places of native heritage are in Senator Hardy's district. We have the Reno-Sparks Indian Colony and the Shoshone and Goshute tribes in the rural areas. Recognizing that heritage tells a fundamentally richer story about our State than Christopher Columbus. The story of migration to Nevada is much broader than the story of Christopher Columbus. Our Spanish heritage has more to do with northern Spain and the Basque people than it does with the Italian that was sent by the Spanish crown.

I hope that we can get bipartisan support to move this measure forward to recognize the contributions of our native communities.

Senator Hardy, I will be happy to provide additional information on the other communities that have adopted this holiday.

JOHN OCEGUERA (Reno-Sparks Indian Colony):

I was the first Native American Speaker of the Assembly in the State's history. Very few Native Americans have been in the Legislature in the entire time that it has been in existence. It took us until 2011 to have a Native American Speaker. I support Senator Segerblom's bill.

ARLAN MELENDEZ (Chairman, Reno-Sparks Indian Colony):

I support S.B. 105, which authorizes the Governor to proclaim the second Monday in October as Indigenous Peoples Day to celebrate the thriving culture and significant value that indigenous people add to the State of Nevada and the United States of America.

Though the legislation proposes to replace Columbus Day with Indigenous Peoples Day, the intent does not undermine the significant and valuable contribution of Italian Americans to this Country and to the State.

Columbus never really set foot on the lands of the 565 federally recognized tribes in the United States. To Native Americans, Christopher Columbus is the poster boy of the doctrine of discovery and the doctrine of manifest destiny. These were detrimental to indigenous peoples of this land, in the loss of our

land, in the loss of our religion and in the loss of our language. As you know, we made great strides in the 20th century to restore many of the things that were done wrong to native peoples.

For far too long, Native Americans have been depicted unfairly in history books, in the stereotypical Hollywood western movies we grew up with and sports mascots. The laws of this land never really worked for Native American tribes. The laws actually worked against the tribes at the federal and state levels.

Native people have endured genocide, oppression, racism, discrimination, poverty, broken treaties and promises, but still over 500 years our native tribes have persevered.

Indigenous Peoples Day will change a celebration of colonialism into a celebration of opportunity to present historical truths and to recognize the rich culture, heritage and contributions of indigenous peoples of this land. That is what makes this Country and this State great. It would be far better to celebrate the positive contributions of a people rather than the dark past of one man. This is about that.

Nevada is blessed with 27 federally recognized tribes and bands that have been here since time immemorial—all of whom contribute their culture and history that enhances tourism to our State.

The government-to-government relationship between the State and the Indian tribes is moving in a positive direction as evidenced by the Governor and the Legislature. Some of the laws have included tribes in some of the legislation. For example, the inclusion by the Governor of the Executive Director of the Nevada Indian Commission as part of his cabinet was a positive first. A native woman was the Grand Marshal for the 2015 Nevada Day Parade. We had support of voting rights on Indian reservations.

As we work together with respect and cooperation, it is also about an attitude that is beginning to change concerning Native Americans. The time for change is now. We stand at a threshold today, even though there is still uncertainty nationwide. We can look at where we are going with this Country and with this State. We can go back in a direction of a dark past or we can move forward and be an example to the rest of the Nation of what Nevada is really about by supporting this bill.

Even though things seem negative to Native Americans, such as the recent decisions on the Dakota Access Pipeline, people are protesting. Despite things happening nationwide, Nevada can say to the Country that it is still working with native people. Supporting this long overdue legislation would be very positive. It is being considered in other states, other municipalities, other city councils and other county boards. This legislation will not only heal old wounds, but it will bring greater unity and understanding for all of us.

I hope you will consider supporting this legislation. It will be a great statement to the Country about the State of Nevada and its relationship with the indigenous tribes.

I have submitted written testimony supporting S.B. 105 ([Exhibit H](#)).

MICHON R. EBEN (Cultural Resources Manager, Tribal Historic Preservation Office, Reno-Sparks Indian Colony):

This day of recognition will allow all residents to continue to embrace the rich and beautiful history of indigenous people's contributions to this State. Similar to other contributing groups, Nevada tribes have contributed to the history and development of Nevada. Senate Bill 105 will allow Native Americans to be recognized.

Our people in Nevada have been unrecognized for too long. You are going to make history, and that makes me very proud and honored. It is an honorable thing that you are doing. We heard previous testimony about Indigenous Peoples Day, reimagining Columbus Day and changing a celebration of colonialism into an opportunity to reveal historical truth. However, what is important is that this can lead to educating the public about injustices and events taking place against indigenous people. Most of all it is a time to celebrate indigenous resistance and connect indigenous identity to something more than controversies about sports teams and cultural appropriations. This is not about people of Italian-American descent. We honor those people also.

I have submitted additional statements in writing ([Exhibit I](#)).

SENATOR HARDY:

That was a wonderful list. I appreciate your preparation. Did those on the list do away with Columbus Day?

MS. EBEN:

Yes, there has been a growing movement to appropriate Columbus Day as Indigenous Peoples Day.

SENATOR HARDY:

Did they actually do away with Columbus Day?

MS. EBEN:

Yes, and adopted Indigenous Peoples Day.

ERNIE ADLER (Pyramid Lake Paiute Tribe):

I first got involved with Indian tribes in Nevada in 1976 when I went to work for Nevada Indian Legal Services. It has always bothered me that we have never had any kind of recognition of our indigenous peoples in Nevada during that entire time.

Recently, I was at the Valley of Fire and saw the petroglyphs. Our indigenous people have been here for more than 20,000 years. They were well established when Christopher Columbus landed in Hispaniola. He was about 20,000 years too late to have discovered this part of the world.

DEBRA HARRY, PH.D. (Business Officer, Pyramid Lake Paiute Tribe):

I have submitted written testimony explaining why I support S.B. 105 ([Exhibit J](#)).

WILL ADLER (Pyramid Lake Paiute Tribe):

The Pyramid Lake Paiute Tribe supports changing Columbus Day to Indigenous Peoples Day. I agree with the previous comments on the importance of Indigenous Peoples Day. We had a misperception about Columbus, and moving forward it would be nice to acknowledge that the tribes and their cultures are still here, whether it is the Governor acknowledging the historical value of Stewart Indian School or the cultural centers at Pyramid Lake and in other communities. Nevada has many tribes to acknowledge and much tribal history. This is a positive step to move forward and correct the past as much as we can.

AMBER TORRES (Chairman, Walker River Paiute Tribe):

I support S.B. 105. It is of the utmost importance to acknowledge our Native-American population in Nevada and let them know that they are

important and valued. This will allow us to continue to build our government-to-government relationships.

SHERRY RUPERT (Executive Director, Nevada Indian Commission, Department of Tourism and Cultural Affairs):

We have taken testimony at the Nevada Indian Commission regarding the desire of the American Indian community to repeal the language regarding Columbus Day and to have the second Monday in October proclaimed as Indigenous Peoples Day in Nevada.

Chairman Melendez, from the Reno-Sparks Indian Colony, mentioned that the State has made great strides, and one of those was the Governor elevating the Executive Director of the Commission to his cabinet.

The other great stride we have made is to pass legislation in the 77th Legislative Session regarding Nevada Tribes Legislative Day. That was huge for the community. If you recall, it was somewhat like today when we filled two rooms with native people who were so excited to be acknowledged in this State. We are asking for acknowledgement now as the first peoples of this State and of this Nation.

The Stewart Indian School was mentioned in the last testimony. The Stewart Indian School is not just some Indian cabins. It is not to be marginalized or demeaned but to be acknowledged and respected like our people.

The Nevada Indian Commission fully supports passage of S.B. 105.

ESHA HOFERER:

I am from the Walker River Paiute Tribe. I represent the Walker River Indian Reservation as well as the water protectors in North Dakota at Cannonball at the Standing Rock Sioux Tribe.

As indigenous people, we are on the frontlines as the caretakers of our Earth. We respectfully wish to uphold what is going on with this generation, such as moving forward with green energy, and integrating and educating, not only in Nevada public schools but also in the Country, that indigenous people are still here.

As indigenous youth, we find ourselves on the frontlines of protecting and preserving our traditional aspects of life. We are the future generations who our great-great-grandparents spoke of during the resistance and invasion of colonizers. As such, we are obligated to carry on the thread of their work to pass on our language and traditions. At the same time, we are fighting for the ability to choose our status as indigenous nations with inherent and inalienable rights to self-determination under international law.

Although we are not individually unique, the tie that binds indigenous youth across the world is our interconnectedness with the Earth. As original and free peoples of our homeland, we have the right to survive as distinct nations and peoples into the future. Only through the process of free prior and informed consent may the governing powers of our land be shared.

Unfortunately, as indigenous youth, we are not recognized as such nor guaranteed our basic fundamental rights under international law. Presently, as multibillion dollar corporations are destroying our homelands, our traditional dietary meals are being transformed into substances unrecognizable by nature. Our traditions and languages are disappearing with every loss of an elder within the indigenous community.

As these transformations take place, the Earth is shifting into a destructive state because of climate change which notably affects indigenous people at the frontlines as they continue to defend these lands. These issues affect indigenous youth emotionally, physically and spiritually in many ways, including loss of self-identity, unhealthy eating habits and loss of our relationship to our homelands. Still, there is hope that within our ability we can collectively stand up for the future of our nations and peoples.

The indigenous youth at the Standing Rock Sioux Tribe is an example of our empowerment. Youths ran from the Standing Rock Sioux Tribe all the way to Washington, D.C. That shows we care about this land and we would like to be recognized by Indigenous Peoples Day.

We are at the frontlines everyday protecting our water, our lands, our families, our friends and loved ones, the water we drink, and the animals we eat. Mining and agriculture will affect what is going in Nevada. There are people all over the world who are protecting and standing up for the rights of the people of the Standing Rock Sioux Tribe. People are divesting from major banks such as



Wells Fargo and Bank of America. There are people protesting things going on in their own states such as mining, oil drilling and fracking. We may not see things happen in our generation and maybe not in the next seven generations.

I would like to move forward on this bill for Indigenous Peoples Day because it is an important day, not only in Nevada but also around the world. I would appreciate your standing up with us as water protectors and as people of this land to move forward and educate people not only about us but also about what is going on with indigenous people around the world.

RAQUEL ARTHUR (President, American Indian Movement of Northern Nevada):  
I am an enrolled member of the Pyramid Lake Paiute Tribe. However, I do not speak for the Pyramid Lake Paiute Tribe. I speak for the American Indian Movement of Northern Nevada. I descend from Chief White Bird and Chief Joseph from the Nez Pierce Tribe, Mountain Chief from the Blackfeet Tribe and the Pyramid Lake Paiute Tribe.

My family has a long history of serving in the military. My grandfather served in the U.S. Air Force, my father served in the U.S. Army, and my brother and sister and I served in the U.S. Marine Corps. As Native American people, a large number of our relatives have served in the military and gone to war.

American history begins with Indian history. Many of our tribal tactics, such as camouflaging, are still used in the military. Our ancestors are valuable to American history. When I say that, if you look at universities and museums across the Country, many of our ancestors' bones, remains and belongings are held within these institutions.

The oldest petroglyphs in the world are in Nevada. We should be acknowledging that as well as being one of the oldest peoples in the world. We have been here for many thousands of years.

My relatives and I organized a march in protest of Columbus Day on October 10, 2016, in downtown Reno. We were met with much hatred, physical violence and threats. We voiced that Columbus Day glamorizes genocide and represents the celebration of a hateful day. Whether you personally celebrate it or your neighbors celebrate it, it is still a day that is recognized as Columbus Day. There is no honorable reason to celebrate hate.

We were attacked that day, being run over by a man who had threatened us because we were speaking out to abolish Columbus Day. We did not act out of hate because we understand that we cannot fight hate with more hate. That is impossible. In our way, we are able to understand the depths of the systemic racism in the Country that is taught from childhood and into the school system.

I am asking today to bridge those gaps. It is up to you as Senators to allow us as indigenous people to be able to heal not only for ourselves but also for the future generations of all people. We have a right as minorities and as people of color to be able to walk in downtown Reno and feel safe and to use our constitutional rights of freedom of speech without feeling threatened. I tell the people I march with that if they are not willing to put their lives down, then they should not be speaking out. The world we live in today is racist and divisive.

The history for celebrating Columbus Day is fabricated. I ask you, my relatives, to hear our words in a good way so we will be able to move forward together as a people, not as a race, but as a people. Without truth, there cannot be healing. We must have truth for the future. Everything is about the future.

JANICE GARDIPE:

I am from the Paiute and Shoshone Nations in Nevada. I represent my family, my grandkids, my daughters and myself. I support changing Columbus Day to Indigenous Peoples Day. Why should we celebrate a holiday for someone who has committed mass genocide against our first nation's indigenous people? For over 500 years, native people who are trying to protect the land, the air and the water have survived injustices and oppression. We are resilient people. We stand together today to support S.B. 105 to authorize the Governor of Nevada to proclaim Indigenous Peoples Day as an observance and to repeal the authorization of Columbus Day. We are still here and a hope to all my relations.

KITTY COLBERT:

I was part of the demonstration on October 10, 2016. That day changed my life forever. I am the person who was run over by the man in the truck after he had threatened and shouted racial slurs at our group. My two grandchildren were there. They were traumatized by that event, watching me be run over and riding with me in an ambulance to the hospital.

I am not native. My daughter is Chippewa. My grandchildren are Chippewa and Nez Pierce. The things they learn in school about history, Columbus Day and

Native Americans are bull. They are not learning real history. My granddaughter, who was with me at the rally, is in the seventh grade. Her social studies teacher, who was discussing the event in Reno, said that those protestors deserved to be run over. This is a middle school teacher talking to children, several of them of native decent, and making it seem as if it does not matter and that they do not exist. Their history does not matter. Their rights do not matter. I take the Indigenous Peoples Day very personally and I would like to see it changed. Columbus did not discover anything—he was lost.

Columbus Day does not just affect indigenous people, it affects all of us. We are being falsely taught about history. I support this 100 percent.

SENATOR MANENDO:

It breaks my heart to hear what happened to you. When people are protesting peacefully there is no excuse for violence. What also breaks my heart is people who claim to be protesting, and then they break windows and loot and find excuses to steal from others. I commend each one of you and anyone who is protesting peacefully.

MS. ARTHUR:

The world was watching the events that took place on October 10, 2016. Many people are rightfully concerned about being a minority visiting this State. We have an opportunity as leaders to overcome this in a good way.

SENATOR SEGERBLOM:

This is an emotional issue, but it is relevant to the State because of the 27 tribes and the diversity they bring to us. I apologize for having to ask this so soon, but because Native American Day in the Legislature is next Tuesday and we only meet every two years, I request that you vote on this today in order to have a floor vote on Tuesday when all the tribes are here. It has become a big event in Carson City. From my perspective, it will be fantastic to honor them by having that vote.

CHAIR PARKS:

Page 1, line 3 of the bill states that "The Governor may annually ... ." To be consistent with the way other days are listed, it would be better to amend and do pass the bill in order to change the word "may" to "is authorized and requested to annually proclaim."

SENATOR MANENDO MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 105 WITH THE LANGUAGE "IS AUTHORIZED AND REQUESTED TO  
ANNUALLY PROCLAIM."

SENATOR RATTI SECONDED THE MOTION.

SENATOR HARDY:

I would like to have more information. I would like to have the commitment to get back to me confirmed. I will not be voting for this, but I reserve my right to change my mind.

CHAIR PARKS:

Senator Segerblom will provide answers to the questions that arose this afternoon.

SENATOR GOICOECHEA:

I am supportive of the Native American people I represent across the State. I will be supporting this bill, but I also want verification. I am very concerned, and I warn you that this is going beyond my Native American people, the people I grew up with in this State. You are moving us into something that is far bigger and, I am afraid, far more racist, and that concerns me. This is about the Native American people in this State. I believe in you. I spent most of my youth on the Duckwater Reservation as we herded sheep there. I have many good friends who are Native American, but let us not make this into something far beyond. I am afraid that is where you are headed and it concerns me.

I would like to get verification about the other states. This authorizes the Governor but he does not have to. I am concerned about some of the remarks made today.

THE MOTION CARRIED. SENATOR HARDY VOTED NO.

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CHAIR PARKS:

We have received written testimony on S.B. 105 from Autumn Harry ([Exhibit K](#)) who did not have a chance to testify today. That concludes testimony on S.B. 105. The Senate Committee on Government Affairs is adjourned at 3:31 p.m.

RESPECTFULLY SUBMITTED:

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Suzanne Efford,  
Committee Secretary

APPROVED BY:

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Senator David R. Parks, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit / # of pages</b>		<b>Witness / Entity</b>	<b>Description</b>
	A	2		Agenda
	B	9		Attendance Roster
	C	2	Senator David Parks	Committee Rules
	D	16	Jennifer Ruedy	Committee Brief
S.B. 58	E	2	Katherine (Kat) Miller/Nevada Department of Veteran Services	Written Testimony
S.B. 70	F	2	Cesar O. Melgarejo/Office of the Governor	Written Testimony
S.B. 105	G	3	Senator Tick Segerblom	PowerPoint Presentation, SB 105 Indigenous Peoples Day
S.B. 105	H	2	Arlan Melendez	Written Testimony
S.B. 105	I	1	Michon R. Eben/Reno-Sparks Indian Colony	Written Testimony
S.B. 105	J	2	Debra Harry	Written Testimony
S.B. 105	K	1	Autumn Harry	Written Testimony