

## ASSEMBLY BILL NO. 516—COMMITTEE ON WAYS AND MEANS

MAY 18, 2023

Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to the Nevada Indian Commission. (BDR 18-1215)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to Indian affairs; creating the Department of Native American Affairs; transferring the Nevada Indian Commission from the Department of Tourism and Cultural Affairs to the Department of Native American Affairs; transferring responsibility for administering the Account for the Protection and Rehabilitation of the Stewart Indian School to the Executive Director of the Department; establishing certain duties of the Executive Director and the Department; revising certain duties of the Commission; revising the membership of certain boards on which a representative of the Commission serves; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law creates the Nevada Indian Commission in the Department of Tourism and Cultural Affairs. (NRS 231.167, 233.020) **Section 8** of this bill creates the Department of Native American Affairs, which consists of the Executive Director of the Department, the Nevada Indian Commission and the Stewart Indian School Cultural Center and Museum.

**Section 7** of this bill sets forth a legislative declaration that the creation of the Department of Native American Affairs and the provisions of the Nevada Revised Statutes relating to the Department are not intended to infringe upon the sovereignty of Indian tribes.

**Sections 1 and 11** of this bill transfer the Nevada Indian Commission from the Department of Tourism and Cultural Affairs to the Department of Native American Affairs. **Sections 2 and 3** of this bill make conforming changes to remove certain responsibilities of the Chair of the Nevada Indian Commission relating to the Department of Tourism and Cultural Affairs.



**Section 10** of this bill defines certain terms relating to the Department of Native American Affairs.

**Section 6** of this bill indicates the proper placement of **sections 7-9** in the Nevada Revised Statutes.

Existing law requires the Governor to appoint an Executive Director of the Commission who is jointly responsible to the Governor and the Commission and establishes certain responsibilities for the Executive Director. (NRS 233A.055, 233A.065) **Section 12** of this bill instead requires the Governor to appoint an Executive Director of the Department of Native American Affairs. **Section 13** of this bill: (1) assigns the responsibilities of the Executive Director of the Commission to the Executive Director of the Department; (2) removes language providing that the Executive Director is jointly responsible to the Governor and the Commission; and (3) requires the Executive Director to oversee the functions of the Department. **Section 14** of this bill authorizes the Executive Director to appoint such staff as the execution of his or her duties and the operation of the Department may require.

Existing law creates the Account for the Protection and Rehabilitation of the Stewart Indian School which is administered by the Director of the State Department of Conservation and Natural Resources. (NRS 232.159) **Sections 4, 5, 9 and 33** of this bill transfer the responsibility for administering the Account to the Executive Director.

Existing law sets forth various duties of the Nevada Indian Commission which include: (1) acting as the coordinating agency for discussions regarding activities at and the uses of the buildings and grounds of the former Stewart Indian School; and (2) scheduling and coordinating certain activities relating to "Nevada Tribes Legislative Day." (NRS 233A.090-233A.100) **Sections 15 and 16** of this bill instead assign such duties to the Department.

**Section 15** of this bill directs the Commission to: (1) provide recommendations and advice to the Executive Director concerning the administration of the Department and any other matter relating to the social and economic welfare and well-being of American Indians residing in this State; (2) provide direction to the Executive Director concerning any reports prepared by the Department and review drafts of such reports; and (3) receive reports from the Executive Director and provide direction to the Executive Director to ensure any measures taken by the Department are effective.

**Section 19** of this bill authorizes the Department of Native American Affairs to appoint advisory committees to assist and advise the Commission, negotiate and contract with other agencies, cooperate with and secure the cooperation of various entities and provide certain information or assistance to the Department of Wildlife. **Section 28** of this bill makes a conforming change to provide that the Department of Native American Affairs may provide certain information or assistance to the Department of Wildlife.

Existing law creates the Nevada Indian Commission's Gift Fund as a special revenue fund administered by the Executive Director of the Commission. (NRS 233A.097) **Section 18** of this bill revises the name of the Fund to the Department of Native American Affairs' Gift Fund and requires the Executive Director of the Department to administer the Fund. **Section 22** of this bill makes a conforming change to revise the name of the Fund.

Existing law requires the Commission to develop and implement certain policies to promote communication and collaboration between state agencies and Indian tribes. (NRS 233A.200-233A.280) **Section 20** of this bill instead requires the Department to develop and implement such policies.

Existing law requires: (1) all heads of state agencies and managers and employees of state agencies to take certain training which is provided in consultation with the Commission relating to communication and collaboration



with Indian tribes; and (2) each state agency that communicates with Indian tribes on a regular basis to submit a report to the Commission on the activities of the state agency. (NRS 233A.270) **Section 21** of this bill assigns such responsibilities to the Department.

Existing law provides for the appointment of a Museum Director of the Stewart Indian School Cultural Center and Museum. (NRS 233A.065, 233A.310) **Section 23** of this bill provides that the Museum Director is responsible to and under the direction of the Executive Director.

Existing law requires a representative or the Chair of the Nevada Indian Commission to serve on the Nevada State Board on Geographic Names, the Advisory Board on Outdoor Recreation, the Interagency Council on Veterans Affairs and the Regional Transmission Coordination Task Force. (NRS 327.120, 407A.575, 417.0191, 704.79887) **Sections 24-27 and 29** of this bill instead require the Executive Director or his or her designee to serve on such boards.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** NRS 231.167 is hereby amended to read as follows:

231.167 The Department of Tourism and Cultural Affairs is hereby created, consisting of:

1. The Division of Tourism;

2. The Division of Museums and History, created by NRS 381.004;

3. The Board of Museums and History, created by NRS 381.002;

4. The Nevada Arts Council, created by NRS 233C.025;

~~5. The Nevada Indian Commission, created by NRS 233A.020;~~

~~6.]~~ The Board of the Nevada Arts Council, created by NRS 233C.030; and

~~7.]~~ 6. The Commission on Tourism.

**Sec. 2.** NRS 231.170 is hereby amended to read as follows:

231.170 1. The Commission on Tourism is composed of:

(a) Eleven voting members as follows:

(1) The Lieutenant Governor, who is its Chair;

(2) Eight members, appointed by the Governor, who are informed on and have experience in travel and tourism, including the business of gaming; and

(3) The chief administrative officers of the county fair and recreation boards or, if there is no county fair and recreation board in the county, the chair of the board of county commissioners, of the two counties that paid the largest amount of the proceeds from the taxes imposed on the revenue from the rental of transient lodging to the Department of Taxation for deposit with the State Treasurer for credit to the Fund for the Promotion of Tourism created by NRS 231.250 for the previous fiscal year.



(b) The following ex officio, nonvoting members:

(1) The Chair of the Board of Museums and History; *and*

(2) ~~[(The Chair of the Nevada Indian Commission; and~~

~~—(3)]~~ The Chair of the Board of the Nevada Arts Council.

2. A change in any member of the Commission who serves pursuant to subparagraph (3) of paragraph (a) of subsection 1 that is required because of a change in the amount of the proceeds paid to the Department of Taxation by each county must be effective on January 1 of the calendar year immediately following the fiscal year in which the proceeds were paid to the Department of Taxation.

3. Of the members appointed by the Governor pursuant to subparagraph (2) of paragraph (a) of subsection 1:

(a) At least one member must be a resident of a county whose population is 700,000 or more.

(b) At least one member must be a resident of a county whose population is 100,000 or more but less than 700,000.

(c) At least two members must be residents of counties whose population is less than 100,000.

(d) Four members may be residents of any county in this State.

**Sec. 3.** NRS 231.210 is hereby amended to read as follows:

231.210 The Director:

1. Must be appointed by the Governor from a list of three persons submitted to the Governor by the Lieutenant Governor from recommendations made to the Lieutenant Governor by the:

(a) Voting members of the Commission on Tourism;

(b) Chair of the Board of Museums and History; *and*

(c) ~~[(Chair of the Nevada Indian Commission; and~~

~~—(d)]~~ Chair of the Board of the Nevada Arts Council.

2. Is in the unclassified service of the State.

3. Shall, except as otherwise provided in NRS 284.143, devote his or her entire time to the duties of his or her office and shall not follow any other gainful employment or occupation.

**Sec. 4.** NRS 232.070 is hereby amended to read as follows:

232.070 1. As executive head of the Department, the Director is responsible for the administration, through the divisions and other units of the Department, of all provisions of law relating to the functions of the Department, except functions assigned by law to the State Environmental Commission, the State Conservation Commission, the Commission for Cultural Centers and Historic Preservation, the Commission on Off-Highway Vehicles or the Sagebrush Ecosystem Council.

2. Except as otherwise provided in subsection 4, the Director shall:

(a) Establish departmental goals, objectives and priorities.

(b) Approve divisional goals, objectives and priorities.



(c) Approve divisional and departmental budgets, legislative proposals, contracts, agreements and applications for federal assistance.

(d) Coordinate divisional programs within the Department and coordinate departmental and divisional programs with other departments and with other levels of government.

(e) Appoint the executive head of each division within the Department.

(f) Delegate to the executive heads of the divisions such authorities and responsibilities as the Director deems necessary for the efficient conduct of the business of the Department.

(g) Establish new administrative units or programs which may be necessary for the efficient operation of the Department, and alter departmental organization and reassign responsibilities as the Director deems appropriate.

(h) From time to time adopt, amend and rescind such regulations as the Director deems necessary for the administration of the Department.

(i) Consider input from members of the public, industries and representatives of organizations, associations, groups or other entities concerned with matters of conservation and natural resources on the following:

(1) Matters relating to the establishment and maintenance of an adequate policy of forest and watershed protection;

(2) Matters relating to the park and recreational policy of the State;

(3) The use of land within this State which is under the jurisdiction of the Federal Government;

(4) The effect of state and federal agencies' programs and regulations on the users of land under the jurisdiction of the Federal Government, and on the problems of those users of land; and

(5) The preservation, protection and use of this State's natural resources.

3. Except as otherwise provided in subsection 4, the Director may enter into cooperative agreements with any federal or state agency or political subdivision of the State, any public or private institution located in or outside the State of Nevada, or any other person, in connection with studies and investigations pertaining to any activities of the Department.

4. This section does not confer upon the Director any powers or duties which are delegated by law to the State Environmental Commission, the State Conservation Commission, the Commission for Cultural Centers and Historic Preservation, the Commission on Off-Highway Vehicles or the Sagebrush Ecosystem Council, but the Director may foster cooperative agreements and coordinate



1 programs and activities involving the powers and duties of the  
2 Commissions and the Council.

3 5. Except as otherwise provided in NRS ~~[232.159 and]~~  
4 232.161, all gifts of money and other property which the Director is  
5 authorized to accept must be accounted for in the Department of  
6 Conservation and Natural Resources Gift Fund which is hereby  
7 created as a trust fund.

8 **Sec. 5.** NRS 232.140 is hereby amended to read as follows:

9 232.140 1. Except as otherwise provided in NRS ~~[232.159~~  
10 ~~and]~~ 232.161, money to carry out the provisions of NRS 232.010 to  
11 232.162, inclusive, and to support the Department and its various  
12 divisions and other units must be provided by direct legislative  
13 appropriation from the State General Fund.

14 2. All money so appropriated must be paid out on claims  
15 approved by the Director in the same manner as other claims against  
16 the State are paid.

17 **Sec. 6.** Chapter 233A of NRS is hereby amended by adding  
18 thereto the provisions set forth as sections 7, 8 and 9 of this act.

19 **Sec. 7.** *The Legislature hereby finds and declares that*  
20 *nothing in this chapter, including, without limitation, the creation*  
21 *of the Department of Native American Affairs, is intended to*  
22 *infringe upon the sovereignty of Indian tribes who are recognized*  
23 *by the United States as possessing powers of self-government.*

24 **Sec. 8. 1.** *The Department of Native American Affairs is*  
25 *hereby created.*

26 2. *The Department consists of:*

27 (a) *The Executive Director;*

28 (b) *The Nevada Indian Commission created pursuant to NRS*  
29 *233A.020; and*

30 (c) *The Stewart Indian School Cultural Center and Museum*  
31 *established pursuant to NRS 233A.300.*

32 **Sec. 9. 1.** *The Account for the Protection and*  
33 *Rehabilitation of the Stewart Indian School is hereby created in*  
34 *the State General Fund. The Executive Director shall administer*  
35 *the Account.*

36 2. *The interest and income earned on the money in the*  
37 *Account, after deducting any applicable charges, must be credited*  
38 *to the Account. The money in the Account does not revert to the*  
39 *State General Fund at the end of any fiscal year, and the balance*  
40 *in the Account must be carried forward to the next fiscal year.*

41 3. *In addition to any money deposited into the Account from*  
42 *the sale of real property pursuant to subsection 6, the Executive*  
43 *Director may apply for and accept any available grants and may*  
44 *accept any bequests, devises, donations or gifts from any public or*  
45 *private source for the purpose of funding the Account.*



4. The Executive Director may expend the money in the Account only for the purposes of repairing and maintaining the historic state buildings and grounds of the Stewart Indian School.

5. The Executive Director shall, before expending any money pursuant to subsection 4, consult with an advisory committee that provides a prioritized list of projects that may be funded from the Account. The advisory committee consists of:

(a) The Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources;

(b) The Administrator of the Office of Historic Preservation of the State Department of Conservation and Natural Resources;

(c) The Administrator of the State Public Works Division of the Department of Administration; and

(d) The Executive Director or his or her designee.

6. The Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources may make a direct sale of two parcels of land of approximately 100 acres located within Carson City, and generally described as follows:

(a) The northeast quarter (NE 1/4) of the southeast quarter (SE 1/4) of Section 33, Township 15 N., Range 19 E., M.D.B. & M.

(b) The southeast quarter (SE 1/4) of the southeast quarter (SE 1/4) of Section 33 and the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of Section 34, Township 15 N., Range 19 E., M.D.B. & M.

➤ Money received from the sale, less any costs related to the sale, must be deposited in the Account.

**Sec. 10.** NRS 233A.010 is hereby amended to read as follows: 233A.010 As used in this chapter:

1. ~~["Chair" means the Chair of the Nevada Indian Commission. —2.]~~ "Commission" means the Nevada Indian Commission.

~~[3.]~~ 2. "Commissioner" means a commissioner of the Nevada Indian Commission.

~~[4.]~~ 3. "Department" means the Department of Native American Affairs.

4. "Executive Director" means the Executive Director of the Department.

5. "Museum" means the Stewart Indian School Cultural Center and Museum established pursuant to NRS 233A.300.

**Sec. 11.** NRS 233A.020 is hereby amended to read as follows:

233A.020 1. The Nevada Indian Commission ~~[consisting of five members appointed by the Governor,]~~ is hereby created ~~[within the Department.]~~



2 ***2. The Commission consists of five members appointed by the Governor pursuant to NRS 233A.030.***

3 **Sec. 12.** NRS 233A.055 is hereby amended to read as follows:

4 233A.055 1. The Governor, upon recommendation of the  
5 Commission, shall appoint an Executive Director of the  
6 ~~[Commission]~~ **Department** who has had successful experience in  
7 the administration and promotion of a program comparable to that  
8 provided by this chapter.

9 2. The Executive Director ~~[of the Commission]~~ is in the  
10 unclassified service of the State.

11 3. Except as otherwise provided in NRS 284.143, the  
12 Executive Director ~~[of the Commission]~~ shall devote his or her  
13 entire time to the duties of his or her office and shall not follow any  
14 other gainful employment or occupation.

15 **Sec. 13.** NRS 233A.065 is hereby amended to read as follows:

16 233A.065 The Executive Director ~~[of the Commission]~~ shall:

17 1. ~~[Be jointly responsible to the Governor and the~~  
18 ~~Commission.]~~ **Oversee all of the functions of the Department.**

19 2. Direct and supervise all the technical and administrative  
20 activities of the Commission.

21 3. Attend all Commission meetings and act as **Executive**  
22 Secretary, keeping minutes and audio recordings or transcripts of  
23 the proceedings.

24 4. Report to the Governor and the Commission all matters  
25 concerning the ~~[administration]~~ **work** of ~~[his or her office.]~~ **the**  
26 **Department.** The Executive Director shall request the advice of the  
27 Commission regarding matters of policy, but is responsible, unless  
28 otherwise provided by law, for the conduct of the administrative  
29 functions of the ~~[Commission office.]~~ **Department.**

30 5. Compile, for ~~[Commission approval and]~~ submission to the  
31 Governor, a biennial report regarding the work of the ~~[Commission]~~  
32 **Department** and such other matters as the Executive Director may  
33 consider desirable.

34 6. Serve as contracting officer to receive funds from the  
35 Federal Government or other sources for such studies ~~[as]~~ the  
36 Commission deems necessary ~~[.]~~ **pursuant to NRS 233A.090.**

37 7. Attend all meetings of any special study committee  
38 appointed by the Governor pursuant to this chapter and act as  
39 **Executive** Secretary, keeping minutes and audio recordings or  
40 transcripts of the proceedings.

41 8. Appoint, supervise and establish the powers and duties of a  
42 Museum Director.

43 9. Perform any lawful act which the Executive Director  
44 considers necessary or desirable to carry out the purposes and  
45 provisions of this chapter.





1     **Sec. 14.** NRS 233A.070 is hereby amended to read as follows:  
2     233A.070 The Executive Director ~~{of the Commission}~~ may  
3 appoint such professional, technical, clerical and operational staff as  
4 the execution of his or her duties and the operation of the  
5 ~~{Commission}~~ *Department* may require.

6     **Sec. 15.** NRS 233A.090 is hereby amended to read as follows:  
7     233A.090 *1.* The purpose of the Commission shall be to  
8 study matters affecting the social and economic welfare and well-  
9 being of American Indians residing in Nevada, including, but not  
10 limited to, matters and problems relating to Indian affairs and to  
11 federal and state control, responsibility, policy and operations  
12 affecting such Indians.

13     *2.* The Commission shall ~~{recommend}~~ ;

14     *(a) Recommend to the Executive Director* necessary or  
15 appropriate action, policy and legislation or revision of legislation  
16 and administrative agency regulations pertaining to ~~{such Indians.~~  
17 ~~The Commission shall make}~~ *American Indians residing in*  
18 *Nevada;*

19     *(b) Provide recommendations and advice to the Executive*  
20 *Director concerning the administration of the Department and on*  
21 *any other matter affecting the social and economic welfare and*  
22 *well-being of American Indians residing in Nevada;*

23     *(c) Provide direction to the Executive Director concerning any*  
24 *reports prepared by the Department and review drafts of such*  
25 *reports;*

26     *(d) Receive reports from the Executive Director and provide*  
27 *direction to the Executive Director concerning measures taken by*  
28 *the Department to ensure that any such measures taken relating to*  
29 *the duties of the Commission are effective; and*

30     *(e) Make and report from time to time {its} the findings and*  
31 *recommendations of the Commission to the {Legislature, to the*  
32 *Governor} Department and to the public {and shall so report} at*  
33 *least biennially.*

34     **Sec. 16.** NRS 233A.092 is hereby amended to read as follows:  
35     233A.092 The ~~{Commission}~~ *Department* is hereby designated  
36 as the coordinating agency for discussions among the  
37 ~~{Commission.}~~ *Department*, state agencies and local governmental  
38 entities regarding activities at and uses of the buildings and grounds  
39 of the former Stewart Indian School.

40     **Sec. 17.** NRS 233A.095 is hereby amended to read as follows:  
41     233A.095 In observance of "Nevada Tribes Legislative Day"  
42 established pursuant to NRS 236.038, the ~~{Nevada-Indian~~  
43 ~~Commission}~~ *Department* shall:

44     1. Invite the Legislature, the Governor and other elected  
45 officials to recognize and pay tribute to the history and culture of



1 American Indians and their contributions to the prosperity and  
2 cultural diversity of Nevada and the United States.

3 2. Schedule activities and discussions between state and tribal  
4 leaders on issues of common interest.

5 **Sec. 18.** NRS 233A.097 is hereby amended to read as follows:

6 233A.097 1. Except for gifts or grants specifically accounted  
7 for in another fund, all gifts or grants of money, revenues generated  
8 or other property which the ~~{Commission}~~ *Department* is authorized  
9 to accept must be accounted for in the ~~{Nevada—Indian  
Commission's}~~ *Department of Native American Affairs'* Gift Fund,  
10 which is hereby created as a special revenue fund. The Fund is a  
11 continuing fund without reversion. The ~~{Commission}~~ *Department*  
12 may establish such accounts in the Fund as are necessary to account  
13 properly for gifts, grants and revenues received and money received  
14 pursuant to NRS 233A.300. All such money received by the  
15 ~~{Commission}~~ *Department* must be deposited in the State Treasury  
16 for credit to the Fund. The money in the Fund must be paid out on  
17 claims as other claims against the State are paid. Unless otherwise  
18 specifically provided by statute, claims against the Fund must be  
19 approved by the Executive Director ~~{of the Commission}~~ or his or  
20 her designee.  
21

22 2. Gifts of property other than money may be sold or  
23 exchanged when this is deemed by the ~~{Commission}~~ *Department*  
24 to be in the best interest of the ~~{Commission.}~~ *Department*. The sale  
25 price must not be less than 90 percent of the value determined by a  
26 qualified appraiser appointed by the ~~{Commission.}~~ *Department*.  
27 All money received from the sale must be deposited in the State  
28 Treasury to the credit of the appropriate gift account in the ~~{Nevada  
Indian Commission's}~~ *Department of Native American Affairs'*  
29 Gift Fund. The money may be spent only for the purposes of the  
30 ~~{Commission.}~~ *Department*. The property may not be sold or  
31 exchanged if to do so would violate the terms of the gift.  
32

33 **Sec. 19.** NRS 233A.100 is hereby amended to read as follows:

34 233A.100 The ~~{Commission}~~ *Department* may:

35 1. Appoint advisory committees whenever necessary or  
36 appropriate to assist and advise the ~~{Commission}~~ *Department* in  
37 the performance of its duties and responsibilities under this chapter.

38 2. Negotiate and contract with such other agencies, public or  
39 private, as it deems necessary or appropriate for such services,  
40 facilities, studies and reports to the ~~{Commission}~~ *Department* as  
41 will best enable it to carry out the purposes for which it is created.

42 3. Cooperate with and secure the cooperation of state, county,  
43 city and other agencies, including Indian tribes, bands, colonies and  
44 groups and intertribal organizations in connection with ~~{its}~~ *the*



study or investigation of any matter within the scope of this chapter or NRS 383.150 to 383.190, inclusive.

4. Provide any information or assistance requested by the Department of Wildlife pursuant to NRS 502.280.

**Sec. 20.** NRS 233A.260 is hereby amended to read as follows:

233A.260 1. The ~~Commission~~ *Department* shall develop and implement a policy that:

(a) Promotes effective communication and collaboration between a state agency and Indian tribes;

(b) Promotes positive government-to-government relations between this State and Indian tribes;

(c) Promotes cultural competency in providing effective services to Indian tribes; and

(d) Establishes a method for notifying employees of a state agency of the provisions of NRS 233A.200 to 233A.280, inclusive, and the policy that the ~~Commission~~ *Department* develops pursuant to this section.

2. In the process of developing the policy pursuant to subsection 1, the ~~Commission~~ *Department* shall consult with representatives of Indian tribes and of state agencies.

3. A state agency shall make a reasonable effort to collaborate with Indian tribes in the development and implementation of policies, agreements and programs of the state agency that directly affect Indian tribes.

4. Each state agency that communicates with Indian tribes on a regular basis shall designate a tribal liaison who reports directly to the office of the head of the agency. The tribal liaison shall:

(a) Assist the head of the state agency with ensuring the implementation of the policy developed pursuant to subsection 1;

(b) Serve as a contact person who shall maintain ongoing communication between the state agency and affected Indian tribes; and

(c) Ensure that training is provided to the staff of the state agency pursuant to subsection 2 of NRS 233A.270.

➤ Nothing in this subsection precludes a tribal liaison from providing or facilitating additional training.

5. If a representative of an Indian tribe, on tribal business, contacts a state agency to resolve an issue with a policy, agreement or program of the state agency that affects that Indian tribe, the tribal liaison of the state agency shall notify the head of the state agency of the issue. The head of the state agency, or his or her designee, and the tribal liaison must follow the policy developed pursuant to subsection 1 to attempt to resolve the issue in collaboration with the Indian tribe.



6. The ~~[Commission]~~ *Department* shall publish on its Internet website an accurate list of the names and contact information for the leaders of the Indian tribes and for the tribal liaison of each state agency that communicates with Indian tribes on a regular basis.

**Sec. 21.** NRS 233A.270 is hereby amended to read as follows:

233A.270 1. At least once each year, the Governor shall meet with the leaders of Indian tribes in a state-tribal summit to address matters of mutual concern.

2. All heads of a state agency and state agency managers and employees who have ongoing communication with Indian tribes shall complete a training provided by the Division of Human Resource Management of the Department of Administration, in consultation with the ~~[Commission.]~~ *Department*. Such training must be designed to support:

(a) The promotion of effective communication and collaboration between state agencies and Indian tribes;

(b) The development of positive government-to-government relations between this State and Indian tribes; and

(c) Cultural competency in providing effective services to Indian tribes.

3. On or before July 1 of each year, each state agency that communicates with Indian tribes on a regular basis shall submit a report to the ~~[Commission]~~ *Department* on the activities of the state agency pursuant to NRS 233A.200 to 233A.280, inclusive. The report must include:

(a) The name and contact information of each person in the state agency who is responsible for developing and implementing programs of the state agency that directly affect Indian tribes;

(b) Any actions taken or planned by the state agency to carry out the policy implemented pursuant to NRS 233A.260;

(c) A certification by the Division of Human Resource Management of the Department of Administration of the number of managers and employees of the state agency who have completed the training required pursuant to subsection 2;

(d) A description of current and planned programs and services provided to or directly affecting Indian tribes and the amount of funding for each program; and

(e) A description of the method the state agency established for notifying employees of the state agency of the provisions of NRS 233A.200 to 233A.280, inclusive.

4. The ~~[Commission]~~ *Department* shall periodically submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission:

(a) A compilation of the reports submitted pursuant to subsection 3; and



(b) A report on the activities and any findings and recommendations of the ~~{Commission}~~ *Department*.

**Sec. 22.** NRS 233A.300 is hereby amended to read as follows:

233A.300 1. The buildings and grounds of the former Stewart Indian School that are designated by the ~~{Commission}~~ *Department* are under the management of the Museum Director for the purpose of establishing and maintaining the Stewart Indian School Cultural Center and Museum.

2. The Museum Director shall enter into an agreement with the State Land Registrar or any other state agency that receives an assignment from the State Land Registrar of the buildings and grounds of the former Stewart Indian School. The agreement must, without limitation:

(a) Designate which buildings and grounds of the former Stewart Indian School under the management of the Museum Director pursuant to subsection 1 are appropriate for holding special events; and

(b) Authorize the Museum Director to grant special use permits to hold special events at or on the buildings and grounds of the former Stewart Indian School designated pursuant to paragraph (a).

3. Any money received for any special events held at or on the buildings and grounds of the former Stewart Indian School in accordance with the agreement entered into pursuant to subsection 2 must be:

(a) Paid into the State Treasury for credit to the ~~{Nevada Indian Commission's}~~ *Department of Native American Affairs'* Gift Fund created by NRS 233A.097; and

(b) Used by the ~~{Commission}~~ *Department* to carry out programs to preserve and maintain the operations and cultural integrity of the former Stewart Indian School.

**Sec. 23.** NRS 233A.310 is hereby amended to read as follows:

233A.310 The Museum Director appointed pursuant to NRS 233A.065:

1. Is in the classified service of the State ; ~~{-}~~

2. *Is responsible to and under the direction of the Executive Director; and*

3. Shall exercise such powers and carry out such duties pursuant to NRS 233A.320 and as are assigned to the Museum Director by the Executive Director pursuant to NRS 233A.065.

**Sec. 24.** NRS 321.740 is hereby amended to read as follows:

321.740 1. The Land Use Planning Advisory Council is hereby created. The Advisory Council consists of:

(a) Eighteen voting members appointed by the Governor, as follows:



(1) One member from each county in this State who represents that county; and

(2) ~~{One member who represents the Nevada Indian Commission.}~~ *The Executive Director of the Department of Native American Affairs or his or her designee.*

(b) One nonvoting member appointed by the Nevada Association of Counties, or its successor organization.

(c) One nonvoting member appointed by the Nevada League of Cities and Municipalities, or its successor organization.

2. The provisions of subsection 6 of NRS 232A.020 do not apply to members of the Advisory Council who also serve as county commissioners, and the Governor may appoint any such member of the Advisory Council to one other board, commission or similar body.

3. Each board of county commissioners ~~{and the Nevada Indian Commission}~~ shall, at least 30 days before the beginning of any term of the representative of the county ~~{or the Nevada Indian Commission,}~~ or , within 30 days after the position of that representative becomes vacant, submit to the Governor the name of its nominee or a list of the names of not more than three nominees who are elected officials or other representatives of the county ~~{or of the Nevada Indian Commission, as applicable,}~~ for the position to be filled. If a board of county commissioners ~~{or the Nevada Indian Commission}~~ submits the names of two or more nominees, the board ~~{or the Nevada Indian Commission, as applicable,}~~ shall number its nominees in order of preference. That order of preference is not binding upon the Governor. The Governor shall appoint the person so nominated or, if more than one person is nominated, one of the persons from the list of nominees.

4. If:

(a) A board of county commissioners fails to submit the name of its nominee or a list of nominees within the time required by this subsection or subsection 3, the Governor may appoint to the Advisory Council any resident of that county as the representative of the county.

(b) ~~{The Nevada Indian Commission fails to submit the name of its nominee or a list of nominees within the time required by subsection 3, the Governor may appoint any resident of the State who has experience working with tribal governments in this State and who has knowledge of natural resource issues pertaining to tribal lands in this State as the representative of the Nevada Indian Commission.}~~

~~—(c)}~~ A board of county commissioners ~~{or the Nevada Indian Commission}~~ has timely submitted the name of its nominee or a list



1 of nominees pursuant to subsection 3 and the Governor fails to  
2 appoint a person so nominated:

3 (1) If one person has been nominated, that person; or

4 (2) If two or more persons have been nominated, the person  
5 listed by the board ~~for the Nevada Indian Commission, as~~  
6 ~~applicable,]~~ first in order of preference,

7 ➤ shall be deemed to be a voting member of the Advisory Council  
8 as of the beginning of the new term or, in the case of an appointment  
9 to fill a vacancy, the first meeting of the Advisory Council that is  
10 held not less than 30 days after the submission of the nomination  
11 unless, before that date, the Governor notifies the board ~~for the~~  
12 ~~Nevada Indian Commission, as applicable,]~~ in writing that none of  
13 its nominees will be appointed to the Advisory Council. Within 30  
14 days after the date of any such notice, the board ~~for the Nevada~~  
15 ~~Indian Commission, as applicable,]~~ shall submit to the Governor the  
16 name of a new nominee or a list of new nominees.

17 5. Except as otherwise provided in this subsection, each voting  
18 member serves a term of 3 years. If a voting member appointed  
19 pursuant to subparagraph (1) of paragraph (a) of subsection 1 is an  
20 elected official of the county that he or she represents on the  
21 Advisory Council and he or she does not become a candidate for  
22 reelection or is defeated for reelection, the board of county  
23 commissioners of that county may end the person's membership on  
24 the Advisory Council before the expiration of his or her 3-year term.  
25 If the board of county commissioners ends the person's membership  
26 on the Advisory Council pursuant to this subsection:

27 (a) That person's membership on the Advisory Council ends on  
28 the date on which his or her term of office as an elected official of  
29 the county ends; and

30 (b) A vacancy exists in the membership of the Advisory Council  
31 that must be filled for the remainder of the unexpired term pursuant  
32 to subsection 3 or 4, as applicable.

33 6. Any voting member is eligible for reappointment to the  
34 Advisory Council.

35 7. The nonvoting members of the Advisory Council serve at  
36 the pleasure of the appointing authority.

37 8. At its first meeting each year, the Advisory Council shall  
38 elect a Chair and Vice Chair from among its voting members.

39 9. A majority of the voting members of the Advisory Council  
40 constitutes a quorum for the transaction of business, and a majority  
41 of a quorum present at any meeting is sufficient for any official  
42 action taken by the Advisory Council.

43 10. A board of county commissioners may provide that, while  
44 engaged in the business of the Advisory Council, a voting member  
45 of the Advisory Council is entitled to receive from the county he or





she represents the per diem allowance and travel expenses provided by law for state officers and employees generally.

**Sec. 25.** NRS 327.120 is hereby amended to read as follows:

327.120 The Board consists of:

1. Twelve voting members, which include one representative of each of the following agencies or organizations:

(a) Bureau of Mines and Geology of the State of Nevada.

(b) Faculty of the University of Nevada, Reno.

(c) Faculty of the University of Nevada, Las Vegas.

(d) Division of State Library, Archives and Public Records of the Department of Administration.

(e) Department of Transportation of the State.

(f) State Department of Conservation and Natural Resources.

(g) Nevada Historical Society.

(h) ~~[Nevada-Indian-Commission;]~~ *Department of Native American Affairs.*

(i) United States Bureau of Land Management.

(j) United States Forest Service.

(k) United States National Park Service.

(l) Inter-Tribal Council of Nevada, Inc., or its successor organization.

➤ Each agency or organization shall designate a representative and one alternative representative for this purpose.

2. An Executive Secretary who is a nonvoting member of the Board. The voting members of the Board shall select the Executive Secretary.

**Sec. 26.** NRS 407A.575 is hereby amended to read as follows:

407A.575 1. There is hereby created the Advisory Board on Outdoor Recreation composed of:

(a) The following 12 voting members:

(1) The Lieutenant Governor or his or her designee;

(2) The Director or his or her designee;

(3) The Director of the Department of Tourism and Cultural Affairs or his or her designee;

(4) The Executive Director of the Office of Economic Development or his or her designee;

(5) The Director of the Department of Wildlife or his or her designee;

(6) The Administrator of the Division of State Parks of the Department;

(7) The ~~[Chair of the Nevada-Indian-Commission;]~~ *Executive Director of the Department of Native American Affairs or his or her designee;*





(8) One member appointed by the Governor from a list of nominees submitted by the Board of Directors of the Nevada Association of Counties, or its successor organization, who:

(I) Resides in a county whose population is less than 100,000; and

(II) Has professional expertise or possesses demonstrated knowledge in outdoor recreation, natural resources management and economic development in this State; and

(9) Four members appointed by the Governor from a list of nominees submitted by the Lieutenant Governor and the Director as follows:

(I) A representative of the outdoor recreation industry;

(II) A representative of conservation interests;

(III) A person with experience in and knowledge of education; and

(IV) A person with experience in and knowledge of public health.

(b) The following two nonvoting members, who must be appointed by the Administrator of the Division of Outdoor Recreation or his or her designee, subject to the approval of the Director:

(1) A representative of the United States Department of the Interior from the Bureau of Land Management, National Park Service or United States Fish and Wildlife Service; and

(2) A representative of the United States Department of Agriculture from the United States Forest Service or Rural Development.

2. The Lieutenant Governor or his or her designee shall:

(a) Serve as Chair of the Advisory Board; and

(b) Appoint a member of the Advisory Board to serve as Vice Chair of the Advisory Board.

3. The Advisory Board shall meet at such times and places as are specified by a call of the Chair but not less than once a year. A majority of the voting members of the Advisory Board constitutes a quorum. If a quorum is present, the affirmative vote of a majority of the voting members of the Advisory Board present is sufficient for any official action taken by the Advisory Board.

4. The Advisory Board shall advise the Administrator on any matter concerning outdoor recreation in this State.

**Sec. 27.** NRS 417.0191 is hereby amended to read as follows:

417.0191 1. The Interagency Council on Veterans Affairs is hereby created. The Council consists of:

(a) The Director of the Department of Business and Industry;

(b) The Director of the Department of Corrections;



(c) The Director of the Department of Employment, Training and Rehabilitation;

(d) The Director of the Department of Health and Human Services;

(e) The Director of the Department of Public Safety;

(f) The Director of the Department of Veterans Services;

(g) The Adjutant General;

(h) The Chancellor of the Nevada System of Higher Education;

(i) The Executive Director of the Office of Economic Development;

(j) The Executive Director of the ~~[Nevada-Indian-Commission;]~~  
*Department of Native American Affairs;*

(k) The Administrator of the Division of Human Resource Management of the Department of Administration; and

(l) Any other persons appointed by the Governor, including, without limitation, representatives of federal and local governmental agencies and private entities that provide services to veterans. Members appointed pursuant to this paragraph serve at the pleasure of the Governor.

2. A member of the Council may designate a person to represent him or her at any meeting of the Council. The person designated may exercise all the duties, rights and privileges of the member that he or she represents.

**Sec. 28.** NRS 502.280 is hereby amended to read as follows:

502.280 1. Any resident Native American of the State of Nevada may apply for a specialty combination fishing and hunting license. When applying for a specialty combination fishing and hunting license, the resident Native American shall exhibit a document issued in this State by the chair of a tribal council or chief of a Native American tribe, or an officer of a reservation, colony or educational institution, stating that the bearer is a resident Native American of the State of Nevada.

2. The Department shall issue a specialty combination fishing and hunting license to a resident Native American pursuant to subsection 5 of NRS 502.240 pursuant to the same methods as the Department issues a specialty combination fishing and hunting license to a person pursuant to subsection 4 of NRS 502.240.

3. Before hunting for deer or big game off an Indian reservation in this State, all Native Americans must secure resident deer tags or other resident big game tags and pay the fee provided therefor in NRS 502.250.

4. If the Department is considering whether to make any recommendations for proposed legislation relating to any fishing and hunting rights of a resident Native American or any Native



American tribe in this State, the Department shall, in accordance with regulations adopted by the Commission:

(a) Provide notice of the proposed action to each of those tribes or any other person specified in those regulations; and

(b) Consult with each of those tribes and persons concerning the proposed action.

5. Upon request by the Department, the ~~[Nevada–Indian Commission]~~ *Department of Native American Affairs* may provide information or assistance to the Department in carrying out the provisions of this section.

6. The Commission shall adopt regulations to carry out the provisions of this section.

**Sec. 29.** NRS 704.79887 is hereby amended to read as follows:

704.79887 1. The Regional Transmission Coordination Task Force is hereby created.

2. The Governor shall appoint a person to act as the Chair of the Task Force who serves at the pleasure of the Governor. The Chair is a voting member of the Task Force.

3. In addition to the Chair, the Task Force consists of:

(a) The following voting members, appointed by the Governor:

(1) A representative of an electric utility that primarily serves densely populated counties, as defined in NRS 704.110;

(2) A representative of an organization that represents rural electric cooperatives and municipally owned electric utilities in this State;

(3) A representative of the Colorado River Commission of Nevada;

(4) A representative of a transmission line development company operating in this State;

(5) A representative of the large-scale solar energy industry in this State;

(6) A representative of the geothermal energy industry in this State;

(7) A representative of the data center businesses in this State;

(8) A representative of an organization that represents the mining industry in this State;

(9) A representative of an organization that represents the gaming and resort businesses in this State;

(10) A representative of a labor organization in this State;

(11) A representative of an organization in this State that advocates on behalf of environmental or public lands issues who has expertise in or knowledge of environmental or public lands issues;



(12) A representative of the ~~Nevada Indian Commission;~~  
*Department of Native American Affairs;*

(13) A representative of the Office of Energy;

(14) A representative of the Office of Economic Development;

(15) Two members of the Senate, nominated by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party;

(16) Two members of the Assembly, nominated by the Speaker of the Assembly, at least one of whom must be a member of the minority political party; and

(17) Not more than three persons who represent the general public.

(b) The following nonvoting members, appointed by the Governor:

(1) A representative of the Public Utilities Commission of Nevada; and

(2) A representative of the Bureau of Consumer Protection in the Office of the Attorney General.

4. The members of the Task Force serve at the pleasure of the Governor.

5. The members of the Task Force serve without compensation.

**Sec. 30.** 1. Any administrative regulations adopted by an officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency are binding upon the officer or agency to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or agency to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remains in effect as if taken by the officer or agency to which the responsibility for the enforcement of such actions has been transferred.

**Sec. 31.** The Legislative Counsel shall:



1 1. In preparing the reprint and supplements to the Nevada  
2 Revised Statutes, appropriately change any references to an officer,  
3 agency or other entity whose name is changed or whose  
4 responsibilities are transferred pursuant to the provisions of this act  
5 to refer to the appropriate officer, agency or other entity.

6 2. In preparing supplements to the Nevada Administrative  
7 Code, appropriately change any references to an officer, agency or  
8 other entity whose name is changed or whose responsibilities are  
9 transferred pursuant to the provisions of this act to refer to the  
10 appropriate officer, agency or other entity.

11 **Sec. 32.** The provisions of subsection 1 of NRS 218D.380 do  
12 not apply to any provision of this act which adds or revises a  
13 requirement to submit a report to the Legislature.

14 **Sec. 33.** NRS 232.159 is hereby repealed.

15 **Sec. 34.** This act becomes effective on July 1, 2024.

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### TEXT OF REPEALED SECTION

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#### **232.159 Account for the Protection and Rehabilitation of the Stewart Indian School: Creation; powers and duties of Director; limitations on use of money in Account; advisory committee; authorization of sale of certain land.**

1. The Account for the Protection and Rehabilitation of the Stewart Indian School is hereby created in the State General Fund. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. The money in the Account does not revert to the State General Fund at the end of any fiscal year, and the balance in the Account must be carried forward to the next fiscal year.

2. In addition to any money deposited into the Account from the sale of real property pursuant to subsection 5, the Director may apply for and accept any available grants and may accept any bequests, devises, donations or gifts from any public or private source for the purpose of funding the Account.

3. The Director may expend the money in the Account only for the purposes of repairing and maintaining the historic state buildings and grounds of the Stewart Indian School.

4. The Director shall, before expending any money pursuant to subsection 3, consult with an advisory committee that provides a prioritized list of projects that may be funded from the Account. The advisory committee consists of:



(a) The Administrator of the Division of State Lands of the Department;

(b) The Administrator of the Office of Historic Preservation of the Department;

(c) The Administrator of the State Public Works Division of the Department of Administration; and

(d) The Executive Director of the Nevada Indian Commission.

5. The Administrator of the Division of State Lands of the Department may make a direct sale of two parcels of land of approximately 100 acres located within Carson City, and generally described as follows:

(a) The northeast quarter (NE 1/4) of the southeast quarter (SE 1/4) of Section 33, Township 15 N., Range 19 E., M.D.B. & M.

(b) The southeast quarter (SE 1/4) of the southeast quarter (SE 1/4) of Section 33 and the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of Section 34, Township 15 N., Range 19 E., M.D.B. & M.

➤ Money received from the sale, less any costs related to the sale, must be deposited in the Account.

