

March 24, 2021

Nevada Indian Commission Executive Director Report

BUDGET

Nevada Indian Commission

FY2021 = \$265,196

Current balance = \$127,605.30

FY2022 = \$284,156

Budget totals below projected based on Jan. 26 presentation to subcommittees of the Nevada Senate Committee on Finance and the Nevada Assembly Committee on Ways and Means

FY2023 = \$352,306

FY2024 = \$359,771 The funding for NIC budget is 75% General Fund and 25% Transfer from Tourism.

Stewart Indian School Cultural Center & Museum

FY2021 = 309,015

Current balance = \$158,108.03

FY2022 = \$305,359

Budget totals below projected based on Jan. 26 presentation to Legislative Budget Subcommittee

FY2023 = \$293,702

FY2024 = \$304,950 The funding for SISCC&M budget is 38% General Fund and 62% Transfer from Tourism.

COVID-19

- Some COVID cases are still being reported by our Tribal Health Centers. Based on available information, there are about 30 active cases (10 in Las Vegas) compared to 315 at what seemed be the peak in early December.
- The vast majority of Tribal Health Centers/Clinics including Nevada Urban Indians are vaccinating at very high rates. The Pyramid Lake Paiute Nation recently held a drive through vaccination event open to any Native American, while other facilities are transitioning to the last phase recommended by the CDC, anyone over 18-years.
- NIC continues to hold bi-monthly briefings with all food organizations, including the Food Bank of Northern Nevada, Nevada Department of Ag, and ITCN to discuss set up of food networks, distribution logistics, surveying food needs which led to a weekly distribution in Elko with 11+ Nations participating in March and April. The latest project involved a new partnership with vendor, Get Fresh of Las Vegas and again, with Nevada Gold Mines

- NIC continues to use a flexible tele-work schedule as needed
- SISCC&M re-opened on Tuesday, Jan. 19 and continues to implement COVID-19 prevention protocols per the Governor’s mandate

LEGISLATIVE SESSION

NIC is currently tracking 33 bills being considered by the Nevada Senate and Assembly. Because all state employees are directed by the Governor’s Office to stay neutral on legislation unless it directly requires the cooperation of your respective agency, I have testified in favor of AB 52 which would add an additional member to the Nevada State Land Use Planning Advisory Council that is appointed by the Nevada Indian Commission, and

Here are the other bills we are avidly following:

BILL #	Sponsor	Description	Status	Notes
AB 5	Assembly Committee on Natural Resources	Makes various changes to provisions relating to judicial review of orders and decisions of the State Engineer. (BDR 48-311)	To committee. (2/4) 3/1 4:00 PM - Natural Resources	AB 5 would provide clarity and specificity regarding when determinations are subject to be challenged through judicial review. Only formal orders, rulings, or decisions that are a final determination issued in writing may be challenged under judicial review. The division is working with stakeholders on an amendment. Members did express their concerns with the implications of the bill. 13 groups called in opposition to express their concerns regarding access to the judicial system and how this would further limit marginalized voices.
AB 6	Assembly Committee on Natural Resources	Revises provisions governing an application for a temporary change relating to appropriated water. (BDR 48-309)	To committee. (2/4) 3/1 4:00 PM - Natural Resources	AB 6 is a housekeeping measure intended to resolve ambiguity related to whether state engineer is required to hold a hearing on protested temporary change applications to appropriate water. Members expressed concerns about some of the language in this bill and the process that goes into holding a hearing. There were also concerns about what it means to be in the public interest.
AB 7	Assembly Committee on Judiciary	Revises provisions related to gaming. (BDR 41-279)	To committee. (2/4) 2/23 8:00 AM - Judiciary	The Board is proposing amending section 3 of the bill, which defines "game" and "gambling game." As NRS 463.0152 is currently written (barely changed since 1955), it includes racially pejorative and offensive terms, such as "big injun." In the proposed

BILL #	Sponsor	Description	Status	Notes
				amendment, the Board is proposing removal of such terms.
AB 14	Assembly Committee on Government Affairs	Revises provisions relating to emergency management. (BDR 19-335)	To committee. (2/4) 3/10 9:00 AM - Government Affairs	2/9/2021: Hearing held. No outside testimony. Some concerns about whether tribes were consulted. The bill sponsor indicated the NV Tribal Emergency Coordinating Council members supported the changes. The bill changes language related to how often the Tribal Emergency Coordinating Council would meet, but it doesn't have an adverse impact to this committee.
AB 19	Assembly Committee on Education	Revises provisions relating to educational subjects and standards. (BDR 34-325)	To committee. (2/4) 2/16 1:30 PM - Education	This measure removes "government" from the list of subjects included in social studies and adds civics, financial literacy, and multicultural education to the list. It's more of a technical change than a substantive change.
* AB 52	Assembly Committee on Natural Resources	Makes various changes related to the Land Use Planning Advisory Council. (BDR 26-342)	To committee. (2/4) 2/22 10:00 AM - Government Affairs	Originally the bill added a representative of the NV Indian Commission as a non-voting member to the state's land use planning advisory committee. An amendment is in the works to make that representative a voting member. With that status, the Governor must make the appointment. The NV Indian Commission will recommend candidates for consideration.
AB 54	Committee on Growth and Infrastructure (On Behalf of the Department of Transportation)	Creates the Advisory Committee on Traffic Safety within the Department of Transportation. (BDR 35-350)	To committee. (2/4) 2/25 1:30 PM – Growth and Infrastructure	Proposes including one member who represents Indian tribes, appointed by the Director of the Department of Transportation.
* AB 72	Assembly Committee on Natural Resources	Revises provisions relating to the Nevada State Board on Geographic Names. (BDR 26-258)	In Senate. Read first time. Referred to Committee on Natural Resources. To committee. (3/16) Do pass. 3/10 4:00 PM - Natural Resources	Adds Native American representation to the Nevada State Board on Geographic Names. The bill was passed out of committee without any amendments.

BILL #	Sponsor	Description	Status	Notes
AB 83	Assemblyman Steve Yeager	Revises the date of the legal holiday for the observance of Nevada Day. (BDR 19-70)	To committee. (2/4)	This bill would once again recognize Nevada Day on October 31, rather than the last Friday in October.
* AB 88	Assemblyman Howard Watts; Assemblywoman Natha Anderson; Assemblywoman Rochelle Nguyen; et al.	Makes various changes relating to governmental entities. (BDR 34-147)	Notice of eligibility for exemption. (2/23) 3/18 1:30 PM - Education	Prohibits the use of certain racially discriminatory identifiers; authorizing certain school governing bodies to use an identifier associated with a federally recognized Indian tribe in certain circumstances; and requiring the Nevada State Board on Geographic Names to recommend changes to the names of geographic features or places that are racially discriminatory or named after certain persons. There was no testimony in opposition to the bill.
* AB 95	Assembly Committee on Legislative Operations and Elections	Revises the membership of the Legislative Committee on Public Lands. (BDR 17-463)	From committee: Do pass. (3/17) Do pass. 3/16 4:00 PM - Legislative Operations and Elections	Adds a tribal member to the Legislative Committee on Public Lands.
AB 103	Assemblywoman Susie Martinez; Assemblywoman Venicia Considine	Revises provisions governing the preservation of certain prehistoric sites. (BDR 33-763)	3/17 4:00 PM - Natural Resources	The bill fixes an issue that was determined to allow an exemption from getting a permit to excavate a Native burial site. It was voted out of committee on 3/17/2021 without any amendments.
AB 137	Assemblyman John Ellison; Assemblyman Jim Wheeler; Assemblywoman Jill Dickman	Revises provisions relating to elections. (BDR 24-649)	Notice of eligibility for exemption. (3/9)	Government issued identification required to vote; provisional ballots may be issued if no ID or ID is challenged, but provisional ballot must be corrected by the Friday immediately following.
AB 146	Assemblywoman Sarah Peters	Revises provisions relating to water. (BDR 40-123)	Notice of eligibility for exemption. (3/12) 3/17 4:00 PM - Natural Resources	This bill requires the State Department of Conservation and Natural Resources to regulate diffuse sources of water pollution; to set standards for diffuse pollution; monitor pollutants injected into a well; establishes a bond required before a well permit is granted; authorizes the director of the DCNR to coordinate with and notify tribal authorities regarding potential diffuse pollutants.

BILL #	Sponsor	Description	Status	Notes
				The bill sponsor proposed an amendment, but there are a number of entities opposed to the bill. Stakeholders will continue to work on an agreeable solution.
AB 148	Assemblywoman Sarah Peters; Assemblywoman Natha Anderson; Assemblyman Howard Watts; et al.	Revises provisions governing mining. (BDR 46-134)	3/17 4:00 PM - Natural Resources	This bill prohibits issuance of a mining or exploration permit if any member of the board of a corporation was at one point a board member of a corporation that has defaulted on a debt/obligation related to reclamation This bill had a hearing with a mix of support and opposition, but the bill sponsor has an amendment that she proposed. The Nevada Mining Association testified in opposition but said they hadn't had an opportunity to review the amendment yet.
AB 167	Assemblyman Glen Leavitt	Establishes provisions relating to education. (BDR 34-749)	Notice of eligibility for exemption. (3/9) 3/18 1:30 PM - Education	School-issued ID cards will be required to have information about mental health services.
AB 171	Assembly Committee on Natural Resources	Establishes certain protections for certain swamp cedars. (BDR 47-468)	3/15 4:00 PM - Natural Resources	Prohibits removing or cutting down swamp cedars in White Pine County. These trees, actually a species of juniper, grow on a site where there were three massacres of the Shoshone people in Spring Valley, and it is a traditional area for the Shoshone. There was a lot of support for this bill, but the Department of Conservation and Natural Resources does not want to be in the business of designating protected areas in the State.
AB 181	Assemblywoman Sarah Peters	Revises provisions relating to mental health. (BDR 40-522)	Notice of eligibility for exemption. (3/11) 3/8 1:30 PM - Health and Human Services	Requires mental health facilities to report information relating to suicide; prohibits state health plans and insurers from offering less favorable benefits for mental health and substance abuse disorders than medical or surgical benefits.
AB 213	Assemblyman Edgar Flores; Assemblywoman Bea Duran; Assemblywoman Elaine Marzola; et al.	Revises provisions governing education. (BDR 34-242)	Assembly Education	Prohibits the Board of Regents from fixing tuition against a student who is the member of a tribal nation, or who graduated from a Nevada high school; removes requirement for Guinn Scholarship that recipient is a legal alien; requirement for FAFSA form for Silver State Opportunity Grant is

BILL #	Sponsor	Description	Status	Notes
				removed; NV Promise Scholarship does not require FAFSA.
AB 261	Assemblywoman Natha Anderson; Assemblywoman Brittney Miller; Assemblywoman Venicia Considine	Revises provisions governing education to provide diversity and inclusivity in the academic standards and curriculum. (BDR 34-672)	Assembly Education	Requires school boards ensure programs teach the history of contributions of certain groups (i.e., cultures) to science, art, and the humanities; school books must accurately reflect the history of those contributions.
AB 262	Assemblywoman Natha Anderson; Assemblywoman Bea Duran; Assemblywoman Sarah Peters; et al.	Revises provisions governing education. (BDR 34-946)	Assembly Education	Prohibits the Board of Regents from assessing tuition charges (out of state tuition) for anyone who graduated or received a high school equivalency within the state, and are from a federally recognized tribe within the state, or have at least one-quarter Indian blood. This bill will likely be amended to waive fees for Native students with Nevada residency, not just be limited to tuition for out-of-state students. There may also be changes to the eligibility to make it less stringent.
AB 270	Assemblyman Philip P.K. O'Neill; Assemblyman Tom Roberts; Assemblywoman Jill Dickman; et al.	Revises provisions governing the preservation of the Nevada State Prison and the Stewart Indian School. (BDR 18-646)	Notice of eligibility for exemption. (3/17)	Fees for activities on the campus of the Stewart Indian School will be deposited in the Nevada Indian Commission gift fund; revises provisions for Silver State Industries Endowment Fund, which is administered by the DOC; beer and wine may be sold and consumed for special events at DOC locations; eliminates prohibitions on spending or transferring funds from certain DOC accounts This bill incorporates provisions for the Stewart Indian School campus that were considered in the 2019 Legislative Session.
AB 321	Assemblyman Jason Frierson; Assemblywoman Teresa Benitez-Thompson	Revises provisions relating to elections. (BDR 24-927)	Assembly Legislative Operations and Elections	This is the Speaker's elections bill. It makes permanent certain changes that were enacted in the Special Session related to mail ballots, onsite voter registration and many other provisions.

BILL #	Sponsor	Description	Status	Notes
				The bill also revises the deadline to submit a request for the establishment of a polling place within an Indian reservation or Indian colony for an election.
ACR 3	Assemblywoman Peters	Acr: Requires The Legislative Commission To Appoint A Committee To Conduct An Interim Study Concerning Environmental Justice And Environmental Quality Review.	3/16 4:00 PM - Legislative Operations and Elections	Establishes the commission; gives powers to study environmental justice; can review county processes; identify gaps in achievement; review process for projects.
AJR 2		Ajr: Recognizes That Forest Health And Water Quality Are Inextricably Linked.	2/8 4:00 PM - Natural Resources	
AJR 4		Ajr: Urges Congress To Designate Certain Land In Spring Valley As A National Heritage Area.	3/15 4:00 PM - Natural Resources	Measure was requested by the Legislative Committee on Public Lands at the request of Assembly Member Howard Watts.
SB 49	Senate Committee on Health and Human Services	Revises provisions relating to cannabis. (BDR 56-268)	3/18 3:30 PM - Health and Human Services	This is the Cannabis Compliance Board's bill that makes three changes related to depositions, 5 percent ownership, and labeling. SB49.Sen.HHS.2.04.2021.docx (2-4)
SB 63	Senate Committee on Natural Resources	Revises provisions relating to hemp. (BDR 49-264)	3/18 3:30 PM - Natural Resources	SB63.Sen.NR.02.25.2021.docx (2-25)
SB 114	Senator Pete Goicoechea; Senator Ira Hansen; Senator James Settlemeyer	Authorizes food that contains hemp to be produced or sold at a food establishment under certain circumstances. (BDR 49-65)	3/9 3:30 PM - Natural Resources	This bill authorizes licensed food establishments to serve and/or prepare food with hemp. SB114.Sen.NR.03.09.2021.docx (3-9)
SB 168	Senator Roberta Lange; Senator Dallas Harris; Senator Chris Brooks; et al.	Revises provisions relating to cannabis. (BDR 56-135)	3/18 3:30 PM - Health and Human Services	dispensaries do not have to seek approval for packaging; authorizes curbside pickup; labeling requirements for products can be met by providing the consumer a pamphlet; signs inside a dispensary are not considered

BILL #	Sponsor	Description	Status	Notes
				advertising; requires delivery record keeping
SB 199	Senator Dallas Harris; Senator Dina Neal	Prohibits certain types of racial discrimination in employment and education. (BDR 53-216)	Senate Government Affairs	Expands the definition of "race" for the purposes of prohibiting discrimination to include ancestry, race, ethnicity, ethnic identification, and ethnic hairstyles; definition of "race" is broadly used in many anti-discrimination statutes.
SB 212	Senator Dallas Harris	Revises provisions relating to the use of force by peace officers. (BDR 14-215)	Senate Judiciary	If possible, officers are required to use de-escalation techniques when affecting arrests; departments required to issue annual reports on use of force; agencies required to participate in national use of force database; prohibits restraint chair; indiscriminate use of projectiles to quell protests, or targeting head, pelvis, or back are prohibited; warnings before using chemical agents during protests are required.
SCR 4	Senator Lange	Scr: Revises Provisions Relating To The University Of Nevada Extension Program In Las Vegas To Provide Supplemental Research On Hemp.		Interim commission to study trends in hemp industry; methods to grow industry; promote economic development in hemp agriculture and industry; available funding.

NATIVE VOTE

- All Voting Is Local* will release a factsheet at the end of March with some of very positive data about the November 2020 Native American voter turnout. This report will include data regarding the overall election turnout by Native Americans, the percentage of Native Americans early voters, the percentage of Native Americans whom used mail and the percentage of Native Americans whom were Election Day voters, Native American turnout with county breakdowns, turnout by all races, preferred voting methods by Native Americans, Native Americans voting by area (urban vs rural), breakdown of race/ethnicity by area, growth in Native Americans voting, and details regarding provisional ballots. This research was conducted by a professional organization hired by *All Voting Is Local* and includes data provided by the Nevada Secretary of State's Office.

AB264

- We have gotten feedback from 13 state departments/divisions on our draft written policy. Those comments are available in this meeting packet. As many of our Tribal Nations are still COVID focused, input from Tribal leadership has been sparse. Thus, additional outreach—in person, via electronic mail, and phone--will be done by the NIC to collect input.
- Inaugural meeting with Governor Sisolak planned for Monday, March 29 at 11 a.m. This will be a Zoom meeting at which Tribal leaders may discuss topics of his/her choice.

EDUCATION

- Since the adoption of a land acknowledgment by the Mineral County School District, several agencies/organizations (Desert Research Institute, Nevada Arts Council, Nevada Department of Health and Human Services) have inquired about best practices to implement a land acknowledgement which will help everyone understand the longstanding history that has brought us to today, to inspire individuals and organizations to take action to support and celebrate Indigenous communities by consciously empowering our Tribal Nations, communities and Urban Indians in everyday actions.

OTHER HIGHLIGHTS / ONGOING PROJECTS

- Pivoting Nevada Tribes Day at the Legislature to a successful virtual format. Three Stewart alumni along with three youth participated in opening the day's Legislative session as well as providing blessings for the three days that week.
- Investigating how the resignation of U.S. Attorney District of Nevada Nicholas A. Trutanich will impacts our Missing & Murdered Indigenous People efforts
- Preparing for meeting with University of Nevada President Brian Sandoval about returning sacred ancestral remains
- Preparing for "Explore Nevada" Advisory Committee's program for the U.S. Commission on Civil Rights
- Following up with the Nevada Department of Corrections on health matters for incarcerated
- Participation in National Day of Remembrance for COVID-19 Deaths
- Contributing images for Governor Steve Sisolak's State of the State Address

- Collaborating for *Your Life Matters: Suicide Prevention* programing for Shoshone Paiute Nation of Duck Valley
- Responding to the Pyramid Lake Paiute Tribal Nation’s objection to the Nevada Supreme Court’s petition to form a commission to study creating a special “water court”. After the NIC briefed and surveyed Tribal Chairs, ITCN passed a resolution which was read into the record on March 3 as the Nevada Supreme Court hosted public comments on this matter. During the hearing, the omission of Tribal representation was acknowledged as inadvertent and a letter of apology also was read into the record.
- Repainting the “S” is planned for March 31 with the Washoe Tribe of Nevada and California’s TANAF staff leading this project. NIC successfully solicited a paint donation from a local vendor.

STANDING MEETINGS

Governor’s Cabinet

Indian Education Data

National Delegation Staffers

Community Access to Land Occupied by Naval Air Station-Fallon

Inter-Tribal Council of Nevada (ITCN)

Executive Director of Nevada Tourism Brenda Nebesky

Governor’s Interstate Indian Commission (GIIC)

Nevada State-Federal Tribal Liaison Working Group Meeting

Western Governors' Association - State Tribal Officials

PRESENTATION ON SISCC&M or NIC to:

Area Red Cross Chapter

University Nevada Social Work Classes

Yale University American Indian History, Dr. Ned Blackhawk (Western Shoshone)

Unitarian Universalist Sunday Forum

American Association of University Women (AAUW) Capital Branch