

ASSEMBLY BILL NO. 264—ASSEMBLYMEN PETERS,  
FLORES; FUMO AND NEAL

MARCH 14, 2019

JOINT SPONSOR: SENATOR SCHEIBLE

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to relations between state agencies and Indian nations or tribes. (BDR 18-671)

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

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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 governmental administration; requiring a state agency to implement a policy that promotes collaboration between the state agency and Indian nations or tribes; requiring the Governor to meet with the leaders of Indian nations or tribes; requiring certain employees of state agencies to receive certain training; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 New Mexico enacted the State-Tribal Collaboration Act in 2009. The Act  
2 promotes increased cooperation and collaboration between the state of New Mexico  
3 and the Indian nations or tribes of that state. (N.M. Stat. Ann. § 11-18-1) This bill  
4 models the provisions of the State-Tribal Collaboration Act of New Mexico.  
5 **Section 6** of this bill requires each state agency in Nevada to implement a policy  
6 that promotes collaboration and positive government-to-government relations  
7 between the state agency and Indian nations or tribes. In developing such a policy,  
8 **section 6** requires a state agency to consult with a representative of an Indian nation  
9 or tribe. **Section 6** also requires each state agency to collaborate with Indian nations  
10 or tribes in the development and implementation of policies, agreements and  
11 programs that affect American Indians or Alaska Natives. **Section 6** further  
12 requires each state agency to designate a tribal liaison. Finally, **section 6** requires  
13 the Nevada Indian Commission to post on its Internet website a list of the names  
14 and contact information for the leaders of the Indian nations or tribes and the tribal  
15 liaison of each state agency. **Section 7** of this bill requires the Governor to meet  
16 with the Indian nations or tribes at least once a year. **Section 7** also requires certain



17 employees of state agencies to complete certain training. **Section 7** requires each  
18 state agency to submit a report to the Nevada Indian Commission, which then must  
19 compile the reports and submit them to the Governor and the Director of the  
20 Legislative Counsel Bureau. **Section 8** of this bill establishes that a private right of  
21 action does not exist under this bill.

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

1 **Section 1.** Chapter 233A of NRS is hereby amended by  
2 adding thereto the provisions set forth as sections 2 to 8, inclusive,  
3 of this act.

4 **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless*  
5 *the context otherwise requires, the words and terms defined in*  
6 *sections 3, 4 and 5 of this act have the meanings ascribed to them*  
7 *in those sections.*

8 **Sec. 3.** *“American Indian or Alaska Native” means any*  
9 *natural person who is a member of any federally recognized*  
10 *Indian nation or tribe.*

11 **Sec. 4.** *“Indian nation or tribe” means any federally*  
12 *recognized Indian nation or tribe located wholly or partially in this*  
13 *State.*

14 **Sec. 5.** *“State agency” means an agency, bureau, board,*  
15 *commission, department or division of the Executive Department*  
16 *of State Government.*

17 **Sec. 6. 1.** *Each state agency shall develop and implement a*  
18 *policy that:*

19 *(a) Promotes effective communication and collaboration*  
20 *between the state agency and Indian nations or tribes;*

21 *(b) Promotes positive government-to-government relations*  
22 *between this State and Indian nations or tribes;*

23 *(c) Promotes cultural competency in providing effective*  
24 *services to American Indians or Alaska Natives; and*

25 *(d) Establishes a method for notifying employees of the state*  
26 *agency of the provisions of sections 2 to 8, inclusive, of this act,*  
27 *and the policy that the state agency adopts pursuant to this section.*

28 **2.** *In the process of developing the policy pursuant to*  
29 *subsection 1, a state agency shall consult with a representative*  
30 *designated by an Indian nation or tribe.*

31 **3.** *A state agency shall make a reasonable effort to*  
32 *collaborate with Indian nations or tribes in the development and*  
33 *implementation of policies, agreements and programs of the state*  
34 *agency that directly affect American Indians or Alaska Natives.*



1       4. Each state agency shall designate a tribal liaison who  
2 reports directly to the office of the head of the agency. The tribal  
3 liaison shall:

4       (a) Assist the head of the state agency with developing and  
5 ensuring the implementation of the policy adopted pursuant to  
6 subsection 1;

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

10       (c) Ensure that training is provided to the staff of the state  
11 agency pursuant to subsection 2 of section 7 of this act.

12       ↳ Nothing in this subsection precludes a tribal liaison from  
13 providing or facilitating additional training.

14       5. The Commission shall publish on its Internet website an  
15 accurate list of the names and contact information for the leaders  
16 of the Indian nations or tribes and for the tribal liaison of each  
17 state agency.

18       **Sec. 7. 1.** At least once each year, the Governor shall meet  
19 with the leaders of Indian nations or tribes in a state-tribal summit  
20 to address matters of mutual concern.

21       2. All state agency managers and employees who have  
22 ongoing communication with Indian nations or tribes shall  
23 complete a training provided by the Division of Human Resource  
24 Management of the Department of Administration, in consultation  
25 with the Commission. Such training must be designed to support:

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

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

30       (c) Cultural competency in providing effective services to  
31 American Indians or Alaska Natives.

32       3. On or before July 1 of each year, each state agency shall  
33 submit a report to the Commission on the activities of the state  
34 agency pursuant to sections 2 to 8, inclusive, of this act. The  
35 report must include:

36       (a) The policy implemented by the state agency pursuant to  
37 section 6 of this act;

38       (b) The name and contact information of each person in the  
39 state agency who is responsible for developing and implementing  
40 programs of the state agency that directly affect American Indians  
41 or Alaska Natives;

42       (c) Any actions taken or planned by the state agency to carry  
43 out the policy implemented pursuant to section 6 of this act;

44       (d) A certification by the Division of Human Resource  
45 Management of the Department of Administration of the number



1 *of managers and employees of the state agency who have*  
2 *completed the training required pursuant to subsection 2;*

3 *(e) A description of current and planned programs and*  
4 *services provided to or directly affecting American Indians or*  
5 *Alaska Natives and the amount of funding for each program; and*

6 *(f) A description of the method the state agency established for*  
7 *notifying employees of the state agency of the provisions of*  
8 *sections 2 to 8, inclusive, of this act.*

9 *4. The Commission shall compile the reports submitted*  
10 *pursuant to subsection 3 and submit such reports to the Governor*  
11 *and to the Director of the Legislative Counsel Bureau for*  
12 *transmittal to the Legislative Commission.*

13 **Sec. 8.** *The provisions of sections 2 to 8, inclusive, of this act*  
14 *do not establish a private right of action against a state agency or*  
15 *a right of review of an action of a state agency.*

16 **Sec. 9.** Notwithstanding the provisions of section 7 of this act,  
17 the initial report submitted by each state agency pursuant to  
18 subsection 3 of section 7 of this act must be submitted on or before  
19 July 1, 2020.

20 **Sec. 10.** The provisions of subsection 1 of NRS 218D.380 do  
21 not apply to any provision of this act which adds or revises a  
22 requirement to submit a report to the Legislature.

23 **Sec. 11.** This act becomes effective on July 1, 2019.

