

ASSEMBLY BILL NO. 44—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DEPARTMENT OF
TOURISM AND CULTURAL AFFAIRS)

PREFILED NOVEMBER 16, 2018

Referred to Committee on Government Affairs

SUMMARY—Enacts provisions relating to the administration of the Stewart Indian School land and facilities. (BDR 18-188)

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

~

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

AN ACT relating to state lands; creating the Stewart Indian School Cultural Center and Museum; providing provisions governing the Museum Director; requiring the Museum Director to engage in certain duties relating to the Museum; authorizing the Museum Director to establish a store for the sale of gifts and souvenirs; authorizing the Museum Director to establish certain accounts; granting the Executive Director of the Nevada Indian Commission the authority to appoint and supervise the Museum Director; revising provisions governing the Nevada Indian Commission’s Gift Fund; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Under existing law, the Nevada Indian Commission is the coordinating agency
- 2 regarding activities and uses of the buildings and grounds of the former Stewart
- 3 Indian School. (NRS 233A.092) **Section 2** of this bill creates the Stewart Indian
- 4 School Cultural Center and Museum, managed by the Museum Director. **Section 3**
- 5 of this bill establishes the Museum Director as a classified employee of the State.
- 6 **Section 4** of this bill requires the Museum Director to engage in various activities
- 7 for the purpose of operating and maintaining the Museum. **Section 5** of this bill
- 8 authorizes the Museum to establish stores for the sale of gifts and souvenirs.
- 9 **Section 6** of this bill authorizes the Museum Director to establish petty cash and



10 change accounts for the Museum. **Section 7** of this bill defines “Museum” for the
11 purposes of chapter 233A of NRS.

12 Existing law requires the Executive Director of the Commission to perform
13 certain duties. (NRS 233A.065) **Section 8** of this bill adds the requirement that the
14 Executive Director appoint and supervise the Museum Director. Existing law also
15 requires that certain gifts or grants of money be accounted for in the Nevada Indian
16 Commission’s Gift Fund. (NRS 233A.097) **Section 9** of this bill requires that
17 revenues generated by the Museum be accounted for in the Nevada Indian
18 Commission’s Gift Fund.

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 6, inclusive,
3 of this act.

4 **Sec. 2.** *The buildings and grounds of the former Stewart
5 Indian School that are designated by the Commission are under
6 the management of the Museum Director for the purpose of
7 establishing and maintaining the Stewart Indian School Cultural
8 Center and Museum.*

9 **Sec. 3.** *The Museum Director appointed pursuant to
10 NRS 233A.065:*

11 *1. Is in the classified service of the State.*

12 *2. Shall exercise such powers and carry out such duties
13 pursuant to section 4 of this act and as are assigned to the
14 Museum Director by the Executive Director pursuant to
15 NRS 233A.065.*

16 **Sec. 4.** *The Museum Director shall:*

17 *1. Prepare and present exhibits in the Museum.*

18 *2. In cooperation with other state agencies and departments,
19 provide for the security of the Museum.*

20 *3. Supervise the staff of the Museum.*

21 *4. Adopt guidelines and plans as determined necessary for the
22 operation of the Museum.*

23 **Sec. 5.** *The Museum Director may establish one or more
24 stores for the sale of gifts and souvenirs, including, without
25 limitation, publications, books, postcards, artwork and other
26 related materials that, in the judgment of the Museum Director,
27 are appropriately connected with the mission of the Museum
28 pursuant to this chapter.*

29 **Sec. 6.** *The Museum Director may establish:*

30 *1. A petty cash account for the Museum in an amount not to
31 exceed \$500. Reimbursement of the money in the petty cash
32 account must be made from appropriated money paid out on
33 claims as other claims against the State are paid.*



1 **2. A change account for the Museum stores for the sale of**
2 **gifts and souvenirs in an amount not to exceed \$1,500.**

3 **Sec. 7.** NRS 233A.010 is hereby amended to read as follows:
4 233A.010 As used in this chapter:

5 1. "Chair" means the Chair of the Nevada Indian Commission.

6 2. "Commission" means the Nevada Indian Commission.

7 3. "Commissioner" means a commissioner of the Nevada
8 Indian Commission.

9 **4. "Museum" means the Stewart Indian School Cultural**
10 **Center and Museum established pursuant to section 2 of this act.**

11 **Sec. 8.** NRS 233A.065 is hereby amended to read as follows:

12 233A.065 The Executive Director of the Commission shall:

13 1. Be jointly responsible to the Governor and the Commission.

14 2. Direct and supervise all the technical and administrative
15 activities of the Commission.

16 3. Attend all Commission meetings and act as Secretary,
17 keeping minutes and audio recordings or transcripts of the
18 proceedings.

19 4. Report to the Governor and the Commission all matters
20 concerning the administration of his or her office. The Executive
21 Director shall request the advice of the Commission regarding
22 matters of policy, but is responsible, unless otherwise provided by
23 law, for the conduct of the administrative functions of the
24 Commission office.

25 5. Compile, for Commission approval and submission to the
26 Governor, a biennial report regarding the work of the Commission
27 and such other matters as the Executive Director may consider
28 desirable.

29 6. Serve as contracting officer to receive funds from the
30 Federal Government or other sources for such studies as the
31 Commission deems necessary.

32 7. Attend all meetings of any special study committee
33 appointed by the Governor pursuant to this chapter and act as
34 Secretary, keeping minutes and audio recordings or transcripts of
35 the proceedings.

36 **8. *Appoint, supervise and establish the powers and duties of a***
37 ***Museum Director of the Museum.***

38 **9.** Perform any lawful act which the Executive Director
39 considers necessary or desirable to carry out the purposes and
40 provisions of this chapter.

41 **Sec. 9.** NRS 233A.097 is hereby amended to read as follows:

42 233A.097 1. Except for gifts or grants specifically accounted
43 for in another fund, all gifts or grants of money , **revenues**
44 **generated** or other property which the Commission is authorized to
45 accept must be accounted for in the Nevada Indian Commission's



1 Gift Fund, which is hereby created as a special revenue fund. The
2 Fund is a continuing fund without reversion. The Commission may
3 establish such accounts in the Fund as are necessary to account
4 properly for gifts , ~~land~~ grants *and revenues* received. All such
5 money received by the Commission must be deposited in the State
6 Treasury for credit to the Fund. The money in the Fund must be paid
7 out on claims as other claims against the State are paid. Unless
8 otherwise specifically provided by statute, claims against the Fund
9 must be approved by the Executive Director of the Commission or
10 his or her designee.

11 2. Gifts of property other than money may be sold or
12 exchanged when this is deemed by the Commission to be in the best
13 interest of the Commission. The sale price must not be less than 90
14 percent of the value determined by a qualified appraiser appointed
15 by the Commission. All money received from the sale must be
16 deposited in the State Treasury to the credit of the appropriate gift
17 account in the Nevada Indian Commission's Gift Fund. The money
18 may be spent only for the purposes of the Commission. The
19 property may not be sold or exchanged if to do so would violate the
20 terms of the gift.

21 **Sec. 10.** This act becomes effective upon passage and
22 approval.

