

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-Second Session
February 14, 2023**

The Committee on Government Affairs was called to order by Chair Selena Torres at 9:05 a.m. on Tuesday, February 14, 2023, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Selena Torres, Chair
Assemblywoman Bea Duran, Vice Chair
Assemblyman Max Carter
Assemblyman Rich DeLong
Assemblyman Reuben D'Silva
Assemblywoman Cecelia González
Assemblyman Bert Gurr
Assemblyman Brian Hibbetts
Assemblyman Gregory Koenig
Assemblyman Richard McArthur
Assemblyman Duy Nguyen
Assemblywoman Angie Taylor
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Asher Killian, Committee Counsel
Sarah Delap, Committee Counsel



Judi Bishop, Committee Manager
Geigy Stringer, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Stacey Montooth, Executive Director, Nevada Indian Commission, Department of Tourism and Cultural Affairs
Tammi Tiger, Commissioner, Nevada Indian Commission, Department of Tourism and Cultural Affairs
Arlan D. Melendez, Chairman, Reno-Sparks Indian Colony
Timothy D. Galluzi, Chief Information Officer and Administrator, Division of Enterprise Information Technology Services, Department of Administration.

Chair Torres:

Welcome to the Assembly Committee on Government Affairs. [Roll was taken. Committee rules were explained.] We will go ahead and begin with our presentation from the Nevada Indian Commission.

Stacey Montooth, Executive Director, Nevada Indian Commission, Department of Tourism and Cultural Affairs:

Happy Valentine's Day. Moreover, happy Nevada Tribes Legislative Day. In the next few minutes, my colleague and I will provide information to this Committee about what the Nevada Indian Commission does, when it was established, and our goals. I am going to turn the mic over to my colleague to introduce herself.

Tammi Tiger, Commissioner, Nevada Indian Commission, Department of Tourism and Cultural Affairs:

I am a citizen of Choctaw Nation and a descendant of Muscogee people. I serve with the Nevada Indian Commission, and I am here visiting from Nuwu Lands in Las Vegas, Nevada.

Stacey Montooth:

Throughout Indian country, we always start any kind of formal presentation with the Land Acknowledgment. That is more important than ever today.

Tammi Tiger:

The Numa, the Newe, the Nuwuvi, Wa She Shu, and Pipa Aha Macav have lived in the Great Basin since time began. Please join me in expressing our deepest respect and gratitude to our five major Indigenous groups: the Northern Paiute, the Shoshone, the Southern Paiute, the Washoe and the Mojave—not just the original caretakers of the land we now call Nevada—but for their enduring stewardship and protection of our shared lands and waterways. Today, the Nevada Indian Commission reaffirms its commitment to improve the quality of life for our 28 tribal nations, bands, colonies, and the 62,000-plus urban Indians who choose to make Nevada their current home.

Stacey Montooth:

[Reading from page 3, [Exhibit C.](#)] The Nevada Indian Commission is in statute. It was created in 1965. The mission of our five-person agency is to improve the quality of life for those 28 tribal nations, as well as all the urban Indians that make Nevada their second home. Those are tribal citizens who are not Indigenous to this land, to what is now Nevada or the Great Basin, but have chosen to live in the state of Nevada. My agency is the conduit between our 28 tribal governments and the Office of the Governor.

We want to talk a little about our priorities. Again, our role is to be the liaison to take important matters from our tribal governments or from our urban citizens to the Governor's Office or, in our case today, to any elected officials. We have four major areas of focus: education, economic development, employment, health and human services, and of course the environment. We also want to make sure that all of our tribal nations have a direct connection to business enterprises.

Tammi Tiger:

We have created this map [page 4, [Exhibit C](#)]. It is color-coded by population, according to the 2020 census. The Native American population in our state grew 89 percent from the 2010 census. This map shows where the highest populations of our Native American residents live.

Stacey Montooth:

Education is a priority. Our five-person advisory board believes it is the silver bullet. Native Americans have a very unique—perhaps described as dark—history when it comes to education and the federal government. Our efforts include a subcommittee of our agency, the Indian Education Advisory Committee, which is currently working on a strategic plan that melds with the state's Statewide Plan for the Improvement of Pupils. We aim for equitable funding for all of our students. Most of our reservation schools are in isolated rural areas. We have students from the Yomba Nation who attend school in Eureka County, which requires them to get on a bus and travel for a couple of hours. They have to take dirt roads. They often miss class because the roads are not paved and they are impassable. We look hard at trying to establish equity for all Native learners with a very strong Johnson-O'Malley/Title VI program, especially in Clark County.

Most of note recently, the last legislative session successfully passed a waiver of fees. In a nutshell, Native Americans who are tribal citizens of our 28 federally recognized tribes can attend Nevada System of Higher Education institutions, assuming that they meet the academic standards, without a huge financial hurdle. The fee waiver is most commonly referred to as tuition. We had more than 140 students take advantage of that last semester.

You cannot go to school if you are not healthy; health and well-being is a huge priority of the Nevada Indian Commission. It is important for you all to know we have 28 tribal nations, but only 17 health centers. To say "health centers" is a bit of an exaggeration. I can tell you, growing up in Fallon, I went to the clinic—it was not a health center. There is no preventive medicine; these facilities are set up as the place to go when you get sick. We have

absolutely—zero—no Indian health services hospitals. If we have elders or young people who need to have major surgery or inpatient treatment, the closest facility for them is in Phoenix, Arizona. I cannot begin to tell you the hardships that that presents for our tribal citizens, who often are in the lowest socioeconomic status for all Nevadans. We also want to concentrate on culturally appropriate care, not just mental and behavioral health. We want to ensure that we have culturally appropriate care, especially for our elders and our veterans. They are so much more comfortable being treated by people who know our culture and understand its unique intricacies. I mentioned the troubled history regarding education. Our community's history with Indian health service is just as fragile. It is extremely helpful that our communities have people that look like them—people who know the Native experience—to provide everything from checkups to dental health, to behavioral health, and optical care.

One of the things that we truly believe in Indian country that absolutely makes us unique is our language. We have the four major groups in this area, and we work hard to ensure that there is preservation of our languages. We have worked with public high schools. You can take Great Basin Paiute language in Washoe County school districts. We look forward to that happening in all the counties in Nevada.

The other big focus, especially coming out of the pandemic and while in the pandemic, was food distributions. It is intentional that our tribal lands are in isolated, remote areas. You might remember that, in the early days of the pandemic, you could not go to a major grocery store and find cleaning supplies or personal hygiene products. Our relatives out in the Fallon Paiute Shoshone area had to drive 20 minutes to get to the closest Walmart and, often during the pandemic, would get there to find the shelves bare. The Nevada Indian Commission works not just with the State Department of Agriculture, but with our tribal nations, with private partners, and the Food Bank of Northern Nevada to ensure that all of our tribes have food.

Tammi Tiger:

Historically, Native Americans have had some of the highest poverty rates and a lot of issues with obtaining employment. There are federally funded programs throughout the state for the Workforce Investment Act, but on reservation lands it is even more difficult to have businesses that support the job growth needed among those families. It is the initiative of the National Center for American Indian Enterprise Development to work with tribes to help them build their economies. In our state, some of the recent business ventures are with cannabis or with gaming, but there is also a greater need for other types of industry. There are also small business assistance programs that are coming forward and more diversity programs and opportunities in the procurement of Indian services and purchasing.

Stacey Montooth:

The biggest takeaway regarding employment and our priorities on business enterprises and economic development is to be certain that you are aware that the biggest difference between a tribal government and any other government, whether it be the city of Reno, Washoe County, or the state of Nevada—is that our tribal governments have the charge, much like

you all, to provide essential services for our tribal citizens. However, we do not have a pool of money to grab from. Tribal governments do not tax their citizens. So, in addition to ensuring that the water is clean, the roads are paved, and there are supplemental services for education, our tribal governments also have to make money. They have to operate like a small business. Not only is that an additional huge challenge for our elected officials, but for our entrepreneurs as well.

There are more than 574 federally recognized tribes throughout the United States. We are not monolithic. Native Americans all have their own creation stories, their own foods, their own languages. Not just for Native Americans, but for all Indigenous people on this planet, our commonality is Mother Earth. We all have our environment as the core of our existence. This is a huge priority of the Nevada Indian Commission. One of the best ways that we can be effective is to work with our state agencies and our 28 tribal governments in meaningful collaboration. We need consultation; we need to have open dialogues for any project that impacts the environment. Currently, the Nevada Indian Commission and our five advisory board members are working on a written consultation plan; that is in conjunction with Assembly Bill 264 of the 80th Session.

We have these isolated, remote reservations. But prior to contact, prior to 1864, the Paiute, the Shoshone, the Washoe, the Mojave people never stayed in one place. We were always on the move. We were not homesteaders. Even though, in 2023, you can look at a legal map and see the defined areas for our 28 tribal nations, we consider the entire Great Basin our lands, our home, because that is how it was before the establishment of the United States. We have worked really well with the State, specifically the Division of Forestry of the State Department of Conservation and Natural Resources, with stewardship agreements for our public lands from a federal level. With great assistance from the University of Nevada, we are working through name changes for geographical areas. And—as we started our presentation today—the Land Acknowledgement. Our intent is to change the perspective and to get our stakeholders, our allies, to have a little different approach and remember the first peoples of these lands

Tammi Tiger:

I want to add that the most important thing for our tribes is that it is acknowledged that we are sovereign nations. We are, in fact, nations within a nation, who retain our status as citizens of our tribes. That is the underlying issue; we want to ensure that there is proper consultation and collaborations with the tribes in all areas of work on public lands, including the opportunity to visit our public lands for free. Those national parks and state parks are originally places that our tribes would go to obtain plants and medicines that we need for our ceremony and traditional practices.

Stacey Montooth:

That is our agency, in a nutshell. We are happy to entertain questions. We want to ensure that you know how grateful the entire Nevada Indian Commission Board, all of our tribal nations, and our community members are to have this opportunity to use this platform to share information about our governments and our culture.

Chair Torres:

I want to extend my gratitude for you all coming to the Assembly Committee on Government Affairs. This is the first time in recent history that the Commission tribal leaders have had the opportunity to present in this Committee. It is imperative that we recognize the role that our tribal leaders have as government leaders within their communities, and, as we see legislation in Government Affairs, we need to consider how our government, as the State of Nevada, works with tribal leaders. At this time, I will open for questions from Committee members.

Assemblywoman Taylor:

I am so glad you are here with us today, and I am glad it is Indian Day at the Legislature. You mentioned that the tribes have to operate as small businesses. I have some knowledge of that, but I know many people do not; I find it very interesting. Do you, as a commission, or any of the tribes have any interaction with the Office of the Lieutenant Governor, with their Office of Small Business Advocacy work, or with the Nevada Department of Business and Industry licensing unit? Any interaction with them?

Stacey Montooth:

I am really happy to tell you that this afternoon we are going to have the Secretary of State address our group. Also, the next presentation that you will have is from the tribal chair of the Reno-Sparks Indian Colony, the Honorable Arlan Melendez. I would ask that you pose that question directly to one of our tribal chairs.

Chair Torres:

That question helps our tribal chairs, too. If it is not answered in the next presentation, I would invite tribal leaders to come and testify in public comment at the end.

Assemblyman D'Silva:

My question is to Director Montooth. We were on a TV show at the Clark County Television about a year ago, and we had a very fruitful conversation about the education issues that some of our tribal communities face. I wanted to ask you to go a little deeper into some of those issues that we talked about, particularly with our younger K through 12 communities; some of the challenges that we are seeing statewide. I think it is very important for us to have this on the public record.

Stacey Montooth:

Education is so complicated in Indian country. Education is such an intimate experience for any human being. Certainly, there is no one size fits all. We could talk about the issues with just basic infrastructure. You are going to hear from one of our tribal chairs about the desperate need for a new school in Owyhee. We have schools on tribal land that are so old, students wear coats in classes, or they have to make arrangements because the boiler overheats certain areas. The physical buildings are inadequate. Our students at Fort McDermott cannot drink out of the drinking fountains because the water is not at acceptable EPA standards. We have students who have massive commutes—you all probably get in

your cars in the morning and drive to our capital—we are talking about those big yellow busses on roads that are not paved, to just get our students to school.

I talked about our focus on food. Nutrition is so important. I am so thankful that the State of Nevada, our elected officials, and the Governor have continued with all of the free breakfasts and lunches in schools. That is a tremendous aid for Indian country. That is often the most nutritious meal that our students get. Those are just a few things about the infrastructure and about the physical approach, the physical mindset that our students have, as learners, when they get to school.

Like all public schools, there is a shortage of licensed teachers. The curriculum. Even though we have laws in Nevada about including the history and contemporary lifestyles of Native Americans, our teachers are so busy, they do not have time to come up with a lesson plan that is accurate. Native Americans typically do not have written histories. So, in order for an educator to have an authentic, appropriate lesson plan, he needs to talk to our elders. Making that connection is really, really difficult.

We have issues with data. We have issues in that when our students fill out applications to attend schools, it is not always clear that they are Native American. Federally, forms have changed to include other races. That often is the case with our people. But then what happens is, the data for Native Americans is so small that, typically, in state reports that are generated, we are not included as Native Americans, we are put in that "Other" category. Without data, it is really hard to advocate. We do know that when it comes to standardized testing, Native American learners, from Read by Grade 3 to the required high school standardized test, which may be changing, have the lowest outcomes. When the Department of Education issued the most recent report card, Native American learners were one of two subpopulations that regressed prior to the pandemic. Our graduation rates are almost 15 percent lower than the average student in public schools in Nevada. Again, I would ask, please pose that question to our tribal leaders, because everyone is different. You are going to be able to hear from some of our leaders that are in urban districts. Identifying all our urban learners in Clark County has been an impossible task for us.

Assemblywoman González:

You all had historic voting numbers in the last couple of elections. What can the state do to help you when it comes to administering elections in your governments?

Stacey Montooth:

Later today, Commissioner Tiger and I will have the opportunity give the answer to that exact question to the Senate and Assembly Committees on Legislative Operations and Elections. I would also like Commissioner Tiger to give you our latest strategies and accomplishments.

Tammi Tiger:

With the last election, there was a passage to allow for, not only the mail-in ballots, but to add ballot drop boxes onto tribal nations. The date that tribes needed to submit a request for

a polling site was extended. Community group members worked with all the tribal nations to try to get those forms in on time to their county clerks to request those locations. Staffing the polling site locations is difficult. Some tribes have to drive for hours just to reach a polling site. Some of the concerns that we had were being able to register to vote with the tribal ID if you live in a tribal nation and having the ability to do that online. Those are some of the challenges that are our tribes deal with, some of the barriers and obstacles that, when you are working in rural areas, our tribes face. A more proactive approach from the county clerks in communicating with the tribal leaders early on, to ensure that they have what they need to ensure equal access to the ballot for all tribes, would help.

Assemblywoman Thomas:

I feel honored that you are able to present to this Committee something that I have not seen in a little while, and that is priorities. What can we do? I look at it as being a problem and a solution, and I thank you for showing that to us. This is something that committees need to see, rather than go through a process of guessing what we need to do. You are showing us what we need to do for the community.

On page 5 [page 5, [Exhibit C](#)], when you are speaking about K through 12, could you add the equitable funding for all students, pre-K through 12, because it is essential that we get young minds in that educational mindset early on. If we wait until they are in kindergarten, we already have lost almost five years. Could you do that?

Stacey Montooth:

Yes ma'am.

Assemblywoman Duran:

My granddaughter was a beneficiary of the school funding bill. That was great, and it is about time. My question is on health care. Do you have registered doctors that are of Native descent who can help with your different plants and medicines for the treatment of illnesses? Are there Native doctors out there? You said you had to talk to elders to get the history about different things. For the purpose of treatment, has that been done and recorded somewhere?

Stacey Montooth:

My mom is in cyberspace watching this, and she would be really mad if I did not tell you that my little sister is a physician. We do have Native doctors. Most of our tribal governments have a health committee; they make a concerted effort to secure physicians that have Indigenous or Native American heritage. We talked about high school and the barriers in this state. Nevada is actually a little bit ahead of the curve when it comes to state data for high school students. In Nevada, we get about three of our students to graduate. In some of the other, heavily Native populations, the numbers are even more dismal. I would again ask you to pose that question to our tribal leaders, but having grown up in Indian health service, most of the physicians that I was treated by were folks that had gone through the military and were paying their debt back to the federal government by working on our reservations. We do

have limited health care at the Las Vegas Indian Center; Dr. Crystal Lee operates that. She is a Navajo physician.

Tammi Tiger:

Dr. Lee operates a mental and behavioral health program that treats Native citizens with a culturally appropriate behavioral health program. That is one of the programs that is operated out of the Las Vegas Indian Center in southern Nevada.

Chair Torres:

Those are all the questions. Some of the members might have follow-up questions, too. I encourage you all to reach out and to make sure that we are including tribal leaders in our conversations and our legislation moving forward. We appreciate the presentation.

Stacey Montooth:

I would be remiss if I did not acknowledge that we have at least six tribal chairs in the room. I hope that you will have time to meet them all. This is historic, not only getting to present to this Committee, but having witness to the highest elected officials of the sovereign nation in the room.

Chair Torres:

Congratulations, you have the first clap ever received in Committee. We in the Government Affairs Committee are so excited to join the space with you all today. Our next presentation will be from Reno-Sparks Indian Colony Chair, Arlan Melendez.

Arlan D. Melendez, Chairman, Reno-Sparks Indian Colony:

The Reno-Sparks Indian colony is located in Reno and Hungry Valley, where we have members of Washoe, Paiute, and Shoshone tribes. I have been the Chairman for 32 years. I have been on tribal council 36 years. I have known a lot of state legislators over the years. I also work with the National Congress of American Indians, which is the largest Native American political entity. I chair the Taxation Subcommittee for the National Congress of American Indians. This is Bethany Sam. She is the public relations officer of the Reno-Sparks Indian Colony. I will follow her slides for the presentation.

The Indian Commission has really depicted much about who the tribes are. This is a picture of the prehistoric Lake Lahontan that covered most of the State of Nevada [page 2, [Exhibit D](#)]. Many of our tribes like Pyramid Lake, Walker Lake, Summit Lake—all of the lakes—are remnants of that. They tie the tribes together. Many of our ancestral names come from the fish and different food sources. That is a little bit about how our tribes are related. We had commerce in those days. We traded with one another.

United States Supreme Court Justice John Marshall, in the Cherokee Cases back in the 1830s, described us as sovereign nations dependent on the United States. When you look up the word "sovereign," it means independent, but we are still dependent on the United States. Our dependency was in the hands of the United States. First of all, ending up on reservations and not being able to hunt through our aboriginal territories made us dependent on the

United States. There were laws put in place by the United States having to do with the Dawes Act of 1887, which broke up many of the Indian reservations and sold off a lot of the lands, which shrunk a lot of the tribal lands and reservations in the United States. Not only that; we have been through the termination era in the 1950s when some tribes were terminated as being tribes. Then, we had to face assimilation over the years; basically, get rid of the Indian and save the man. We have been trying to overcome those things ever since the colonization of our lands in these United States.

We are on this road back to where we were before. In the 1970s, under the Johnson-Nixon Era, we had what we call the self-determination era. That is where, instead of the paternalistic Bureau of Indian Affairs' oversight over tribes, doing everything for us, they gave tribes funding and let us administer contracts through all of the different programs like law enforcement, tribal courts, health care, and just about everything that the federal government funds us for. We are in the era of self-governance now. In fact, my tribe is drafting a resolution for next week, when we are going to go to self-governance from the Bureau of Indian Affairs. That is on contract right now, where we are dependent on them for reporting on our health care. We are a self-governance tribe already, where we get the funding and we run it ourselves. We take advantage of reimbursements like Medicaid and all those different things that help us; otherwise, we would have been in a shortfall for health care. Being tribes with the highest rate of diabetes and just about every illness, we lead the country, it seems like, in the way we have changed our eating habits.

As you can see there [page 4, [Exhibit D](#)], under the Indian Reorganization Act of 1934, we became governments, and we elected tribal councils. We had constitutions that were developed on reservations, following the model of the *Constitution of the United States*. We vote for our own tribal chairman, our own presidents, and our own council members. We also have entered into agreements with the State of Nevada; some of those have been over jurisdictional issues. It did not start out really well, as far as what some of the tribes looked at as intrusion on the tribal land, whether or not it was by the U.S. Fish and Wildlife Service or whoever, in those early years. Right now, things have not really gone away. Supreme courts sometimes can make rulings that affect tribes nationwide; the Supreme Court in that Oklahoma issue, where now the state has concurrent jurisdiction on tribal lands in Arizona, can be far-reaching even to our state here. What we have to do is work together with the state and not go back to the old ways where there was intrusion by the states. I think we can work together and come to an agreement as to what we are trying to do here. We are trying to protect everybody with enough police officers to cover our cities.

Our tribe acquired 13,000 acres of federal land in Hungry Valley in 2016. We had started out with 28 acres in downtown Reno under the 1935 reorganization, and we have expanded to Hungry Valley, which is most of our development now. You can see some of our houses there in the olden days—this picture was taken in the 1950s; that house belonged to one of our chairmen, Harry Sampson, who led our tribe in the early years [page 5]. His brother, Dewey Sampson Sr., was a legislator, one of the first in the Nevada State Legislature, the only Native American to serve in the Legislature in those days. You can see here [page 6], we had dirt roads back in those days and they were not very good. We did not have any

revenue for anything back then. Then we started to take advantage of federal programs like the Department of Housing and Urban Development (HUD). You can see some of the HUD houses here on the Reno-Sparks Indian colony [page 7, [Exhibit D](#)]. With paved roads and fencing, they are a lot better. We had sewers—we used to have outhouses back in those early days in the fifties. We had swamps and irrigation ditches. You can see the Grand Sierra Resort right behind us there. We are still surrounded; we have a freeway that runs right next to us. We have worked with Nevada Department of Transportation, and recently worked out some issues on the Spaghetti Bowl in Reno. We were trying to work out a win-win situation over depicting some of the native designs into the freeway. We have depictions of dancers, wolves, and all kinds of animals that are right there at the intersection of Glendale and the freeway, right next to the Grand Sierra. There are workable solutions.

This is a health center that was funded by our tribe [page 8]. The reason we were able to do this is because we are mostly in poverty. We came to the State in the early 1990s, and we passed a tax agreement which the State codified in 1991. There is a tax agreement that allows the tribes to collect taxes only on tangible products. That is why we are always concerned about changes to the tax scheme of the state. Should the state go to a service tax or something like that, we do not really deal with service taxes. If, for example, you lower the tax rate on sales of tangible products from what it is now, 8 percent or so, and you increase the service tax, the tribe would lose a tremendous amount of money because we do not have services; we only have tangible products. I want to point out that any time the State does something, we always have to be at the table because some things are done unintentionally that affect tribes.

This health center was funded out of the tax revenue that we had. It was a \$16 million health center. We service not only our tribe of 1,300 members, but we also service the urban Indian population. There are nearly 8,000 Native Americans in our catchment area, which is Washoe County. There are Sioux, Navajo, just about every tribe. There are more Native Americans who live in the cities than on reservations. Nearly 50 percent of Native Americans live in cities like Chicago, San Francisco, Los Angeles, Reno, and Las Vegas. It might be 50 percent live on reservations and 50 percent live in the cities because of the economy and jobs and those type of things. In fact, that is what my tribe did. People came to Reno for jobs from the Pyramid Lake Washoe tribe. Our tribe was founded because of the movement for jobs. That is how we bought a farm, which is the Reno-Sparks Indian Colony right next to the Grand Sierra now. That is how we started, and then we added to that reservation later.

This is our tribal council [page 9]. As Stacey Montooth of the Indian Commission said, we have all these same responsibilities as the counties and the cities do; we have a court, we have police, we have a health center, social services, education, public works planning, the tribal historic preservation officers, environmental programs, and housing; those are some of the programs that we fund. We employ about 345 people, not just tribal members, but also non-Native. About half our workers are non-Native and maybe half are our tribe or some other tribe.

This is taking advantage of the tax agreement [page 10, [Exhibit D](#)]. We have some properties in south Reno. Our strategy was to locate businesses on the reservation land where we did not operate the businesses like a Mercedes dealership, but where we do operate the smoke shops. That lower picture is in Reno. When we first started out, the only business most of the tribes had were tobacco shops. We still have those, but that is a declining business right now. It is only going to last for so long. The tribes are in the position of trying to diversify into other things. Sometimes it is about location, location—that old business saying. For tribes that are not located in a city as we are—it is very difficult if you are in rural Nevada or somewhere like that—they do not have the same advantages. That is why every tribe is different; their strategy on economic development has to be different. It is almost like the SWOT (strengths, weaknesses, opportunities, and threats) analysis—you try to look at your strengths and weaknesses and determine what your strengths are. Maybe it is not in taxation, maybe it is in something else. I am pointing out that we took advantage of our location in Reno to be able to do some of these things. We came to the Legislature and talked to them about, for example, a Walmart being located on the reservation—not everybody agreed with it—but we came to the Legislature and got unanimous consent to move ahead. We contribute to the Washoe County School District a certain amount of revenue. We pay Washoe County School District every year about one-half million dollars. We give them a check every year to help out with the shortfalls that the schools are having. It is a win-win situation. We recognize that we are part of the community where our kids go to public school. That is why we did that.

We also participate in public events with all kinds of different things that the tribe wants to do to depict our culture, to let people know who we are [page 11]. Sometimes we are tied in with the university. We have intergovernmental agreements with law enforcement and with the city, as far as communications and those type of things. We interact with the school board. I think we still need to get somebody from the tribe on the school board; it is my hope that that will happen. Regional transportation—as I told you, we worked with them on the freeway design [page 13]. In the olden days, we never had a say when they built the freeway that is within 800 yards of the Reno-Sparks Colony. Back in the 1970s when they constructed it, nobody came to us and said, What is your input into this freeway? But this time, we are at the table. We worked out some good agreements with them, and they did some things for us there.

We work with all the federal agencies [page 12]. One thing about economic development—you really have to build relationships with the cities, the counties, and the state, which is what we usually do, even though the zoning of the tribes is different. For example, Reno has its own zoning. Reno does not want to see certain things in a certain zone, so we built our health center near Washoe Medical Center because it lined up with the zoning for hospitals. We try to create a win-win situation with most of our partners. We try to work with the Bureau of Land Management (BLM) and some of the other federal agencies, too. One thing about relationship building, it is not just me, a tribal leader, who has the same status on the reservation as the Governor. The President of the Navajo Nation has the same status as the President of the United States. Relationship building is not just a relationship between me, as Chairman, and the Governor. We try to build relationships from planner to planner; our

planners will go down to the City of Reno planners, so they know each other. They do not have to go to the top, and I will not have to meet with the Governor on some small issue. The planners can work it out because they have a relationship already. We do not come in unless it is absolutely necessary, like if there is an impasse over a major issue. In our organization, we want this relationship not just between me and the Governor or the legislators, but between our people at the grassroots level: planner to planner or educator to educator. That really lets everybody know what we are doing, and we work together to try to create those win-win situations that we are striving for.

Some of you went to see the Wounded Souls exhibit that Michon Eben, our tribal historic preservation officer and cultural resource coordinator, invited you to see at the Reno-Sparks historic building [page 14, [Exhibit D](#)]. That is of the same date and same bricks as the Stewart Indian School. You probably have read about some of the mining issues. That exhibit is titled Wounded Souls because it depicts the effects of mining on tribal governments, when some of the mines were left and not cleaned up, or when the tribe was not taken into consultation—and some of the issues that we are concerned about now. It is not that we are against mining or anything like that. Some tribes depend on mining—but when you look at all the money that came out of gold and silver, and now lithium and everything else, the tribes did not benefit from one thing out of that in the history of this state. When you really think about it, they never got a dime, and that picture did not sit well with many of the tribes. Sometimes people ask, Why are you opposing something? Well, that is part of it. But I think it is more of a cultural issue because there is a spirituality on some of our sacred sites—different things that not everybody totally understands. That is the reason why you might see my tribe in the paper challenging some of those consultation issues that we feel were not adequately addressed. We do have a lot of mining friends, too. It is not to say that we are against mining, but we have to protect our sites, and we have to protect our way of life, the water, the animals, and just about everything else that is sacred to us. We do invite you to come out and see our Wounded Souls exhibit; it gives you a clear picture. We also work with the mining school up there. They loaned us some of their pictures and some of the things they used for mining. It is a really good exhibit that was put together in collaboration with the engineering and mining departments at the school. We hope you get a chance to look at that.

That is a snapshot of what we are trying to do. The housing issue for us is like everybody else's. We are overcrowded. The Department of Housing and Urban Development is not building as many houses as they used to in the past. We are trying to look innovatively at tax credits. Every state is different, as far as tax credits. I am not sure whether any tribe has ever received very many tax credits, because they go to the states, then you have to go and talk to the state about how many tax credits are available. Can our tribe get any funding to do anything as far as apartments or whatever it is we are trying to build on reservations? That is one area that we need to explore a little further. We have not done enough on that part, with the housing shortage. That is something we are working on. I want to thank you. If you have any questions, I could try to answer any having to do with the tribes or our work with the Inter-Tribal Council of Nevada, to which the 28 tribes in the state belong. We just had

a meeting yesterday. We come together quarterly to try to come up with a unified voice on issues or resolutions and legislation.

Chair Torres:

Thank you for your presentation. At this time, we will open it up for questions.

Assemblyman DeLong:

Chairman, do you have plans for expanding the housing out on the 13,000 acres that you were able to acquire in Hungry Valley?

Arlan Melendez:

Yes, we have a project. We are trying to apply through HUD for block grant money. Nowadays you have to try to find different sources of money to put together, even Small Business Administration loans for infrastructure like water tanks. Then you have to find funding for the houses themselves. The cost of the houses themselves has probably doubled from 10 years ago. You can only build 10 houses when you could have built 20, 10 or 15 years ago. The cost makes it more challenging. That is why we are looking at tax credits or something along those lines, but it is challenging for everybody.

Assemblywoman Taylor:

Mr. Chairman, I have a comment. I think you are very humble in speaking about the partnerships that the Reno-Sparks Indian Colony has in the community. With my school board background, I think one-half million dollars a year from some of the businesses that you mentioned that you give to the school district really makes the difference in education being able to advance, even some of the Indian education, which is fantastic. That is no small amount of money that you do not give begrudgingly. You show up with a smile and a big check. That makes a difference in the district for those students.

During COVID-19, the way that you made testing and shots at the health center available to the entire community, not just to those in the Colony or even those who are from an Indian background. You stepped up to help the community. Those are a couple of examples that come to my mind really easily. I want to thank you on behalf of that community for the work that you have done—that is part of the relationships and the partnerships. You have a presence in the community as a whole, and under your leadership, the Colony does. It is really fantastic to see. I wanted to make sure that was on the record, because you are very humble in how you talk about that.

That being said, I wanted to ask you—I know you have other colleagues, some in the room and some I know that you have on the tribal council—do you see other communities and their tribal leaders being able to forge those same types of partnerships in the community? Because I know it is helpful in our community, and I think it has been helpful for your council. Is that present in others across the state?

Arlan Melendez:

One of the challenges is it takes funding to travel. My tribe can send me to Washington, D.C., quite a bit on some of the issues that we are dealing with. Some rural tribes just do not have the funding to travel all the way to Reno or to go to D.C. I can only go so many times; I might have been back there seven or eight times during the year. But when you talk about relationships—even if you do not have any money—you have to just go and talk to people anyway.

Another challenge is people change all the time. I went to the City Council of Reno. They all changed. I just had a meeting with each one of the three new councilmembers last week. I went to City Hall, and we talked. I told them a little bit about Tribal 101, like I did here today. You just get to know them, and then you do the same thing with the county. I had to go over and meet some people there. My job is to constantly try to keep these relationships going, because you have to know people to be successful. You build those relationships with people, whether they are bankers, whether or not they are legislators, whether or not they are school board members, or whoever. It is really important.

Tribes can help each other, too. I always thought, Why do we not come together and talk about what we are talking about now? How can we learn? What can you do, at least, if you do not have a lot of money to be building those relationships? That is something that is really important because, unfortunately, in a city like Reno, it is different than it is in a rural community out there. I do not know if I would have the same success if I were out in the rural or some of these towns way out there, because the attitudes are different than, say, the legislators'. Do not ask me why. I am just saying what I hear from other tribal leaders; it is more difficult to try to deal with some of the city councils or the county commissioners. I am just telling you what I sometimes hear from other tribal leaders. But you have to keep trying anyway, regardless of what the attitudes may be. You just have to change that dynamic. Sometimes, you do not know why people do not want to talk; but in the long run, it really does help to talk to people. Talking to people really helped us in progressing.

Chair Torres:

I want to thank you for taking the time to come speak to our Committee, so that we can learn more about what we can do as legislators and lawmakers to ensure that we are working with the tribes, instead of just passing policy that impacts Native lands and your governments. There is a lot more work that we can do. We hope to continue this conversation throughout the legislative session and not make it just a one-day event.

Arlan Melendez:

We are working right now on the consultation policy with the Indian Commission; they are fine-tuning it now. We are going to be given some input into that. Just like the federal government, whether it is a Republican or a Democrat for president, the tribes are always saying, Who gives the orders or mandates your agencies to include the tribes or to dialogue with them for inclusion before decisions are made? Even the federal government has this, a policy that has the president himself say, I want each one of you agencies, whether it is BLM, Forest Service, or Treasury—I want you to meet with the tribes. I want you to talk to

them. I want their input before any major decisions are made that affects them. That is what we are trying to do with the state, to come up with a policy of consultation that works both ways, when we do some things that can affect the state.

Chair Torres:

Thank you so much for coming and joining us. Please let the others know that we really do appreciate your taking the time.

As a reminder to the Committee, we are hoping to end on time, at 11 a.m. We have a presentation with the Division of Enterprise Information Technology Services under the Department of Administration. When you are ready, we will only need a quick overview as I am sure the Committee members have had a chance to look at the slides ahead of time.

Timothy D. Galluzi, Chief Information Officer and Administrator, Division of Enterprise Information Technology Services, Department of Administration:

With me today are members of my leadership team: our State Chief Information Security Officer, Bob Dehnhardt; our Chief Enterprise Architect, David Axtell; and my Chief of Policy and Communications, JoVon Sotak. I am thankful for the opportunity to provide a brief overview of the Enterprise IT Services Division, or EITS.

The Purpose and Statutory Authority for EITS can be found in *Nevada Revised Statutes* Chapter 242.071: EITS "is necessary for the coordinated, orderly and economical processing of information in State Government, to ensure economical use of information systems and to prevent the unnecessary proliferation of equipment and personnel among the various state agencies."

The purposes and responsibilities of the division are:

- To perform and provide information technology services for state agencies.
- To provide technical advice but not administrative control of the information systems within the state agencies and, as authorized, of local governmental agencies.
- Creation and management of IT Policy, Standards, & Procedures (NRS 242.115).
- Security validation, testing, and monitoring of information systems (NRS 242.171).
- Support the State's IT Advisory Board (or ITAB).

If this sounds like an incredibly wide scope, that is because it is. We would not be able to accomplish all of this if it was not for the incredibly talented IT professionals, technicians, and support staff whom I have the pleasure of serving with, including the IT teams and leaders from our partner agencies.

To accomplish our charge, established in NRS Chapter 242, we have developed our division's vision, mission, and goals [page 2, [Exhibit E](#)]. Our vision is for EITS to be

a trusted collaborative partner, empowering the state by maximizing value, security, and availability of enterprise technology services.

Our mission has three tenets:

- To effectively support the technology needs of state agencies and the residents they serve.
- To plan, maintain, and evolve enterprise technologies and security to support the state.
- To foster trust through transparent collaboration and communication with our partners.

We also have four goals that will guide us to achieve our mission and vision:

- EITS strengthens trust with partners.
- EITS develops positive workplace culture.
- EITS both invests in and obtains the resources that enable success.
- And four, EITS advances modern technologies to support the evolving requirements of the state.

You may have noticed a theme here: the focus on collaboration, communication, and support to our Executive Branch partners is absolutely paramount for our ability to provide efficient and effective technology services, with the ultimate goal of being good stewards of taxpayer dollars.

Now that we have discussed the mission and purpose of EITS, I would like to introduce you to the units that make all of this possible [page 3, [Exhibit E](#)]. Enterprise IT Services has an authorized head count of 190, and we are currently experiencing a vacancy rate of approximately 20 percent. I am sure that you have heard, and will continue to hear, about the challenges that Executive Branch agencies are facing regarding recruitment and retention, and this is doubly so for technology positions that require highly skilled workers. Despite the vacancy rate and the other challenges wrought by the pandemic, the collaboration, communication, and support offered by those people serving EITS and the state have been 110 percent through the last biennium.

Those 190 authorized staff members are organized into five operational units:

- Office of the Chief Information Officer (also known as EITS Administration).
- Agency IT Services (proposed to become the Client Services Unit).
- Computing Services Unit (sometimes synonymous with the State Computer Facility).
- Network Services Unit (formerly one half of the Communications and Computing Unit).
- Office of Information Security.

I will provide a brief overview discussing each unit's purpose and responsibility. The Office of the CIO [page 4] provides leadership, management, and direct support for the operational units in the division. This office is not only charged with the day-to-day management of the

division, but also supports interagency collaboration and communications. The Office of the CIO is responsible for the creation and management of statewide IT strategy, IT governance committees, and maintaining statewide IT policy. This unit comprises EITS executive leadership, its direct support staff, and the Enterprise Architecture group. The Enterprise Architecture group is responsible for the management of the Technology Investment Administration and review required in NRS 242.171, subsection 2. This review includes all proposed technology investments from Executive Branch agencies with an estimated value of \$50,000 or more. This enables our division to review the technical implications in the infrastructure and to find opportunities for collaboration with agencies looking for similar solutions, to identify efficiencies, to find economies of scale, and to share knowledge. The information collected from the Technology Investment Notification and Cloud Investment Notification processes for state agencies is key to this group's charter to create a statewide technology strategy and architecture. We hope that in the near future we will be able to provide statewide technology portfolio reporting and dashboards to stakeholders and state business leaders to better inform their decision-making.

The Agency IT Services Unit (proposed to become the Client Services Unit) [page 5, [Exhibit E](#)] consists of the Application Development and Support, Client Services and Infrastructure, and Continuous Quality Improvement groups. These groups provide direct information technology support for partner agencies in the areas of application development, state website platform management and accessibility initiatives under the Americans with Disabilities Act, database administration, development and hosting, telephone operators, and desktop support. This unit also operates an enterprise service desk with 24-hour emergency support and after-hours service for public safety agencies. When our law enforcement professionals in the field need after-hours IT support, these are the folks who answer that call. This unit is home to the direct-support professionals who will travel to our partner agency's office and solve problems every day.

The Computing Services Unit [page 6] provides numerous computer processing services using a variety of systems and technologies and is responsible for managing, operating, and supporting the State Computer Facility and server environments. Staff tasks include enterprise software management, including the Business Productivity Suite, computer operations, production services, mainframe systems management, storage management, printing, web application hosting services, server maintenance and hosting, email management and maintenance, and a number of associated business continuity functions. When we discuss being able to leverage economies of scale and building platforms that create a more efficient and effective state government like Microsoft Teams, this unit is an example of just that. The state private cloud, or SilverCloud, that is hosted in the state environment is home to a multitude of agencies' servers that provide cost-effective solutions and services.

The Network Services Unit [page 7] is composed of three groups that provide data communication and network services to State of Nevada stakeholders, and in the case of the Network Transport Services group, these services are also provided to private industry. All three groups, Network Engineering, Telecommunications, and Network Transport Services

have the responsibility to provide reliable, secure, and cost-effective voice and data communications 24 hours a day, 365 days a year. Customer agencies include Department of Administration, Nevada State Police, Secretary of State, Department of Taxation, Department of Motor Vehicles, Department of Welfare Services, and numerous other agency stakeholders. We can also say that we have recently worked closely with the Governor's Office of Science, Innovation and Technology to provide expertise to increase fiber optic services to underserved rural locations throughout Nevada to increase availability to the state constituents. Additionally, this unit is responsible for maintaining up-to-date voice and data infrastructure that must meet industry standards to maintain a robust security posture to thwart malicious activity in an ever-evolving threat landscape. This unit must also meet federal security standards to meet audit criteria. All states' networks must be able to meet and/or exceed requirements of federal agencies such as the Federal Bureau of Investigation, the Internal Revenue Service, and the Departments of Health and Human Services and Homeland Security to ensure security compliance for Nevada's stakeholders.

Our Network Transport Services group specializes in microwave technology, which uses the equipment you see in these photos [page 8, [Exhibit E](#)] to transmit and receive radio signals over long distances. Microwave is critical to Nevada's emergency communications infrastructure and these images of our microwave sites demonstrate some of the extreme conditions that this infrastructure is exposed to.

The primary mission of the Office of Information Security [page 9] is to act as a center of excellence for all information security matters within the Executive Branch through creating and managing an enterprise information security program, providing guidance on information and cyber security best practices, and assisting in the creation and maintenance of an internal information security technology infrastructure. The secondary mission of this unit is to provide enterprise-level security tools and services to the Executive Branch agencies in support of their security programs. Tools and services that are of a general benefit or are required for compliance to NRS are best purchased and managed at this level, to leverage the economies of scale in licensing and platform management and to ensure equal access for all agencies. The Chief Information Security Officer, or CISO, directs response to incidents, establishes appropriate standards and controls, manages security technologies, and directs the establishment and implementation of policies and procedures. The CISO chairs the State Information Security Committee and is on the Nevada Cyber Security Task Force and the Commission on Homeland Security's Resilience Advisory Committee.

That concludes my short overview of Enterprise IT Services; I would be happy to field any questions that you may have.

Chair Torres:

Thank you, Mr. Galluzi. I appreciate your talking so fast, because it makes me sound like I am the slowest talker in the world. Are there any questions from the Committee members at this time? [There were none.] It looks like we are saving them all for [Assembly Bill 18](#). At this time, we will open the hearing on [A.B. 18](#). This measure revises provisions relating

to the Division of Enterprise Information Technology Services of the Department of Administration.

Assembly Bill 18: Revises provisions relating to the Division of Enterprise Information Technology Services of the Department of Administration. (BDR 19-218)

Timothy D. Galluzi, Chief Information Officer and Administrator, Division of Enterprise Information Technology Services, Department of Administration:

I am here today to introduce Assembly Bill 18, which proposes minor changes to *Nevada Revised Statutes* (NRS) Chapter 242 to bring the language current. This bill's proposed language accomplishes three goals. First, it updates the definition of NRS Chapter 242 related to technology, to be aligned with present industry usage and standards. Second, it updates unit names in NRS Chapter 242 to align with the current organizational structure of our division and to resolve legacy issues resulting from the 2011 reorganization of the Department of Information Technology and the 2017 organizational changes. Third, it updates impacted definitions in NRS Chapter 233F with conforming language. Thank you for your time and the opportunity to introduce this bill. At this time, I can answer any questions that the Committee may have.

Chair Torres:

Well, that was a very quick presentation; it might have been even shorter than the bill. That is a miracle. At this time, we will open up for any questions from Committee members. [There were none.] All right, I have a couple of questions. First, can you talk a little bit more about the updated definition of the Network Transport Services? That is in section 9, which is on page 5 of the bill.

Timothy Galluzi:

It is there to bring the definition back to more of an industry standard, as the "Communications and Computing" definition or title of that unit could be a little confusing to folks. "Network Services" is a clearer definition of what this unit is supposed to accomplish.

Chair Torres:

Is there anywhere else, in either statute or regulation, where we can find a similar definition that we can compare it to?

Timothy Galluzi:

There are conforming changes that we are requesting in this bill to NRS Chapter 233F. The genesis for this needed change is, at one point those units were divisions within the Department of Enterprise IT, formerly known as DOIT. When DOIT got transitioned to be a division within the Department of Administration, those names did not change. The NRS currently establishes that the "Communications and Computing" unit are one and the same, but the way that we have been operating for at least the past decade—those have been separate units; one is responsible for network services, the telecommunications, the microwave infrastructure, and the wide area network; the other is responsible for the

computing services that can be found in the state's computer facility, also known as SilverCloud.

Chair Torres:

To clarify, this cleans up the statute so that the definitions align with what the office is currently doing. It is not adding responsibilities; it is clarifying the responsibilities that the office has already assumed.

Timothy Galluzi:

Absolutely. This is how we are operating, currently, and have been operating for the past decade, with this current major structure within the Enterprise IT Services Division.

Assemblyman Carter:

You may have just answered it, because you have already been working this way, but my question was, is the current staffing level able to take on all of the responsibilities and duties that are outlined?

Timothy Galluzi:

We build our budget based on the utilization projections from our partner agencies. Our partner agencies across the Executive Branch will come to us and say, Here is our need. Here is the server infrastructure that we need to accomplish our mission. Here is the telecommunications infrastructure that we need to accomplish our mission. Through the standard budget process, we make sure that we are right-sized for it. I have amazing professionals within my organization who go above and beyond every day. They are able to accomplish Herculean tasks. We have become really good about accomplishing our mission with the resources that are given to us in the Executive Branch budget. For what our current scope is, I think we have the appropriate head count. If that scope changes or grows in the future, we would probably ask for your support.

Chair Torres:

At this time, we welcome testimony in support of A.B. 18. [There was none.] I will go ahead and open for opposition. Is there anyone in opposition to A.B. 18? [There was no one.] Is there anybody in the neutral position for A.B. 18? [There was no one.] I am giving the floor to you for closing remarks.

Timothy Galluzi:

I want to thank you, Chair and the Committee, for granting us the opportunity to tell EITS' story today and for your support on this bill. We look forward to it moving forward.

Chair Torres:

Thank you for your efficient presentation. I look forward to your training all the other presenters this session on how to do the same. I will go ahead and close the hearing on A.B. 18 and open up the public comment portion of the meeting. [There was no one for public comment.] [Meeting reminders were given.]

Congratulations to those of you who heard your first bill hearing. This meeting is adjourned [at 10:37 a.m.].

RESPECTFULLY SUBMITTED:

Geigy Stringer
Committee Secretary

APPROVED BY:

Assemblywoman Selena Torres, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a presentation handout dated February 14, 2023, submitted by Tammi Tiger, Commissioner, Nevada Indian Commission.

[Exhibit D](#) is a presentation handout submitted on February 14, 2023, by Arlan D. Melendez, Chair, Reno-Sparks Indian Colony.

[Exhibit E](#) is a presentation handout dated February 14, 2023, submitted by Timothy D. Galluzi, Chief Information Officer and Administrator, Division of Enterprise Information Technology Services, Department of Administration.