

SENATE BILL NO. 94—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE JOINT INTERIM STANDING  
COMMITTEE ON NATURAL RESOURCES)

PREFILED FEBRUARY 1, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to tribal liaison officers.  
(BDR 18-348)

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; revising the duties of and setting forth certain qualifications for the position of tribal liaisons who are employed by state agencies; requiring the Administrator of the Division of Human Resource Management of the Department of Administration to establish the position of tribal liaison in the classification plan and pay plan for state service; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

- 1 Under existing law, a state agency that communicates with Indian tribes on a
- 2 regular basis is required to designate a tribal liaison. (NRS 233A.260) **Section 1** of
- 3 this bill requires instead that each such state agency employ a tribal liaison and
- 4 provides that each tribal liaison is in the classified service of the State.
- 5 Existing law requires a tribal liaison to: (1) assist the head of the state agency
- 6 with ensuring the implementation of certain policies related to Indian tribes; (2)
- 7 serve as a contact person and maintain ongoing communication between the state
- 8 agency and certain Indian tribes; and (3) ensure that certain training is provided to
- 9 the staff of the state agency. (NRS 233A.260) **Section 1** revises the duties of a
- 10 tribal liaison to require that a tribal liaison: (1) ensure open and consistent
- 11 communication between each Indian tribe in this State and the state agency; (2)
- 12 serve as the main representative of the state agency in meetings and other events
- 13 with Indian tribes and tribal groups or organizations; (3) promote the use of certain
- 14 land acknowledgement statements; (4) have an understanding of the history,
- 15 customs and cultures of Indian tribes in this State; (5) establish protocols that
- 16 prioritize tribal self-determination; (6) establish, manage and ensure adherence to
- 17 tribal consultation policies; (7) advise administrators of the state agency on certain



18 legislative and policy issues; (8) raise awareness and understanding of Indian tribes  
19 within each office and location of the state agency; and (9) promote equity.

20 Existing law requires the Administrator of the Division of Human Resource  
21 Management of the Department of Administration to: (1) prepare, maintain and  
22 revise as necessary a classification plan for all positions in the classified service of  
23 the State; and (2) after consultation with appointing authorities and state fiscal  
24 officers, prepare a pay plan for all employees in the classified service. (NRS  
25 284.160, 284.175) **Section 2** of this bill requires the Administrator to, on or before  
26 October 1, 2023, establish the position of tribal liaison, as described in **section 1**, in  
27 the classification plan and pay plan for classified service. The pay plan must, with  
28 certain exception, set forth the range for the position of tribal liaison at a grade 36  
29 to grade 38. **Section 2** further sets forth certain minimum qualifications and  
30 preferences in hiring for the position of tribal liaison.

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

1 **Section 1.** NRS 233A.260 is hereby amended to read as  
2 follows:

3 233A.260 1. The Commission shall develop and implement a  
4 policy that:

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

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

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

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

15 2. In the process of developing the policy pursuant to  
16 subsection 1, the Commission shall consult with representatives of  
17 Indian tribes and of state agencies.

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

22 4. Each state agency that communicates with Indian tribes on a  
23 regular basis shall ~~designate~~ **employ** a tribal liaison who reports  
24 directly to the office of the head of the *state* agency. ~~The~~ **Each**  
25 **tribal liaison is in the classified service of the State.**

26 5. A tribal liaison shall:

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

29 (b) Serve as ~~a~~ **the direct** contact person ~~who shall maintain~~  
30 ~~ongoing communication~~ between the state agency and ~~affected~~



1 Indian tribes ~~[; and]~~ *that are located in whole or in part within the*  
2 *boundaries of this State;*

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

5 ~~Nothing in this subsection precludes a tribal liaison from~~  
6 ~~providing or facilitating additional training.~~  
7 ~~—5.] ;~~

8 (d) *Ensure open and consistent communication between each*  
9 *Indian tribe that is located in whole or in part within the*  
10 *boundaries of this State and the state agency, including, without*  
11 *limitation, meeting regularly with designated officials of Indian*  
12 *tribes and organizations that are affiliated with one or more*  
13 *Indian tribes in order to build, strengthen and sustain the*  
14 *government-to-government relationship between Indian tribes and*  
15 *the state agency;*

16 (e) *Serve as the main representative of the state agency in*  
17 *meetings and other events with Indian tribes and tribal groups or*  
18 *organizations;*

19 (f) *Promote the use of a land acknowledgement statement for*  
20 *each Indian tribe that is located in whole or in part within the*  
21 *boundaries of this State;*

22 (g) *Have an understanding of the history, customs and*  
23 *cultures of the Indian tribes that are located in whole or in part*  
24 *within the boundaries of this State;*

25 (h) *Establish protocols that prioritize tribal self-determination;*

26 (i) *Establish, manage and ensure adherence to tribal*  
27 *consultation policies;*

28 (j) *Advise administrators of the state agency on legislative and*  
29 *policy issues of concern to Indian tribes that are within the*  
30 *jurisdiction of the state agency;*

31 (k) *Raise awareness and understanding of Indian tribes within*  
32 *each office and location of the state agency; and*

33 (l) *Promote equity by:*

34 (1) *Developing a strategic plan and program for how the*  
35 *state agency may better serve Native Americans in this State;*

36 (2) *Identifying programs and services needed by tribal*  
37 *communities that are within the jurisdiction of the state agency*  
38 *and advocating on behalf of tribal communities for such programs*  
39 *and services;*

40 (3) *Developing and providing programs and events to*  
41 *educate staff of the state agency about Native Americans and each*  
42 *Indian tribe that is located in whole or in part within the*  
43 *boundaries of this State; and*

44 (4) *Supporting each Indian tribe that is located in whole or*  
45 *in part within the boundaries of this State.*



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

9     ~~6.~~ **7.** The Commission shall publish on its Internet website an  
10 accurate list of the names and contact information for the leaders of  
11 the Indian tribes and for the tribal liaison of each state agency that  
12 communicates with Indian tribes on a regular basis.

13     **Sec. 2.** 1. On or before October 1, 2023, the Administrator of  
14 the Division of Human Resource Management of the Department of  
15 Administration shall establish the position of tribal liaison, as  
16 described in NRS 233A.260, as amended by section 1 of this act, in  
17 the classification plan for classified service that is required pursuant  
18 to NRS 284.160 and the pay plan for classified service that is  
19 required pursuant to NRS 284.175.

20     2. Except as otherwise provided in this subsection, the pay plan  
21 must set forth the range for the position of tribal liaison at a grade  
22 36 to a grade 38. If on July 1, 2023, a state agency already employs  
23 a person as a tribal liaison, as described in NRS 233A.260, as that  
24 section existed on June 30, 2023, and the range for the position of  
25 the person who is a tribal liaison is higher, the position of tribal  
26 liaison for that state agency must continue to be classified at such  
27 higher grade.

28     3. Notwithstanding the provisions of NRS 284.170, the  
29 position of tribal liaison, as described in NRS 233A.260, as  
30 amended by section 1 of this act, must require:

31     (a) A minimum of 2 years of experience working with tribal  
32 governments or communities.

33     (b) A demonstrated ability to gain trust, build relationships and  
34 collaborate continuously with tribal governments, staff of tribal  
35 governments and organizations that partner with Indian tribes; and

36     (c) Familiarity with tribal relations, treaties, structure and issues  
37 and relevant federal and state policies.

38     4. In filling a tribal liaison position, as described in NRS  
39 233A.260, as amended by section 1 of this act, a state agency must:

40     (a) Give preference in hiring:

41         (1) First, to a person who is an enrolled member of an Indian  
42 tribe that is located in whole or in part within the boundaries of this  
43 State, or to a person who is certified as a lineal descendant of a  
44 person enrolled upon an enrollment listing of the Bureau of Indian



1 Affairs or upon the enrollment listing of an Indian tribe that is  
2 located in whole or in part within the boundaries of this State.

3 (2) Second, to a person who is an enrolled member of an  
4 Indian tribe which is not located in whole or in part within the  
5 boundaries of this State, or to a person who is certified as a lineal  
6 descendant of a person enrolled upon an enrollment listing of the  
7 Bureau of Indian Affairs or upon the enrollment listing of an Indian  
8 tribe, which is not located in whole or in part within the boundaries  
9 of this State.

10 (b) Accept not less than 6 years of previous and relevant  
11 employment with an Indian tribe as equivalent to a bachelor's  
12 degree in the relevant field.

13 5. As used in this section:

14 (a) "Indian tribe" has the meaning ascribed to it in  
15 NRS 233A.220.

16 (b) "State agency" has the meaning ascribed to it in  
17 NRS 233A.250.

18 **Sec. 3.** Insofar as they conflict with the provisions of such an  
19 agreement, the provisions of this act do not apply during the current  
20 term of any collective bargaining agreement entered into before  
21 July 1, 2023, but do apply to any extension or renewal of such an  
22 agreement and to any collective bargaining agreement entered into  
23 on or after July 1, 2023.

24 **Sec. 4.** This act becomes effective on July 1, 2023.

