

**MINUTES OF THE
SENATE COMMITTEE ON NATURAL RESOURCES**

**Seventy-fourth Session
March 21, 2007**

The Senate Committee on Natural Resources was called to order by Chair Dean A. Rhoads at 3:32 p.m. on Wednesday, March 21, 2007, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Dean A. Rhoads, Chair
Senator Mike McGinness, Vice Chair
Senator Mark E. Amodei
Senator Joseph J. Heck
Senator Bob Coffin
Senator Michael A. Schneider
Senator Maggie Carlton

GUEST LEGISLATORS PRESENT:

Senator Randolph J. Townsend, Washoe County Senatorial District No. 4

STAFF MEMBERS PRESENT:

Duncan Burke, Intern to Senator Townsend
Susan Scholley, Committee Policy Analyst
Randy Stephenson, Committee Counsel
Ardyss Johns, Committee Secretary

OTHERS PRESENT:

Karen Goodman
Mitchell Schneider, Field Supervisor, Washoe County Regional Animal Services
Susan Krisko, President, Nevada Voters for Animals
Jason M. Frierson, Clark County; Office of the Public Defender, Clark County
Karen Layne, President, Las Vegas Valley Humane Society

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Janine Hansen, Nevada Live Stock Association
Gina Greisen, Director, Nevada Voters for Animals
Pat Wiggins, Carson City Animal Services
Jeffrey Engle, Chief Investigator, Nevada Humane Society
Linda Drake, Executive Director, Society for the Prevention of Cruelty to Animals
Russ Mead, General Counsel, Best Friends Animal Society
Curt Ransom, Regional Program Director, West Coast Regional Office, Humane Society of the United States
Pamela "PJ" Wangsness, CPDT
Bertha Strauss
Sandra Powell
Lorayn Walser, Volunteer, Dogtown Canine Rescue
Rachel Fletcher, Volunteer, Society for the Prevention of Cruelty to Animals, Northern Nevada
John Slaughter, Washoe County
Doug Busselman, Nevada Farm Bureau
Steve Grabski, Administrator, Division of Measurement Standards, State Department of Agriculture
Cotter Conway
Laura Puhl
Dana Pardee, Volunteer Puppy Raiser, Carson City Guide Dog Club
Dr. Craig Kadlub, Director, Government Affairs, Clark County School District

CHAIR RHOADS:

We will open the hearing on Senate Bill (S.B.) 11.

SENATE BILL 11: Revises provisions governing the treatment of animals.
(BDR 50-239)

SENATOR RANDOLPH J. TOWNSEND (Washoe County Senatorial District No. 4):

My intern, Duncan Burke, will present the bill and then, Karen Goodman, who was the original requestor of S.B. 11, will take it from there. I have a packet of stories and relevant statistics that I will give to each of you (Exhibit C, original is on file in the Research Library).

DUNCAN BURKE (Intern to Senator Townsend):

You have a proposed amendment to S.B. 11 (Exhibit D). On my copy of S.B. 11, I have written some additional changes and will go over those with you

([Exhibit E](#)). I will relate the mechanics of the bill and explain the various changes within it. To begin, it is necessary to remark on the definition of "animal" within the bill. Doug Busselman from the Nevada Farm Bureau expressed concern over the word "animal" because it could refer to any creature other than a human being according to the *Nevada Revised Statute* (NRS) 574.230. It is not the intention of this bill to cause undue work or hardship for the ranchers and farmers of Nevada. Therefore, the word "animal" has been defined as shown in the NRS 574.300 which defines "pet" or domesticated dog or cat.

Under section 1, subsection 1, paragraph (b) of the bill, the wording has been changed to read, "A person shall not deprive an animal of necessary food, drink or shelter, ... or neglect or refuse to furnish it such food, drink or shelter." In the proposed amendment prepared by the Legislative Counsel Bureau, [Exhibit D](#), the words "or shelter" were omitted. Shelter is an essential provision for the welfare of animals. It may provide an escape from extreme heat or cold, which is a primary concern of the bill.

Section 1, subsection 2 discusses the tethering provision of the bill. The text of paragraph (a) states that except as otherwise provided, a person shall not "tether, chain, tie or otherwise restrain a dog for more than 12 hours during a 24-hour period." In my proposed amendment, [Exhibit E](#), I have changed that to 9 hours during a 24-hour period. The number of hours may be subject to a certain amount of discussion. Section 1, subsection 2, paragraph (b) states that a person shall not "place a dog in a pen or other enclosure for more than 12 hours during a 24-hour period unless the dog (1) weighs less than 20 pounds and the pen is at least 80 square feet in area; or (2) weighs 20 pounds or more and the pen is at least 200 square feet in area." Again, in my proposed amendment, I have changed that to 9 hours during a 24-hour period.

The size of the pen is contingent upon the size of the dog to ensure that it is not encumbered by lack of space. This provision is necessary because tethered and penned dogs become antisocial and are more prone to attack. Additionally, the physical and mental health of a dog is diminished when it is perpetually penned or tethered. Exemptions exist to the 9-hour penning and tethering provision. If the animal is penned or restrained by a veterinarian during the course of his practice, if the animal is used for hunting wildlife or is receiving training for hunting wildlife in this State, these provisions do not apply. If the animal participates in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined, the penning and

tethering provision does not apply. Additionally, we would like to add "shelter or boarding facility" to the exemptions list. These exemptions appear in section 1, subsection 3 and they refer to the provisions of subsection 2. There is a typographical error in subsection 3 where it says "The provisions of subsection 3 do not apply," it should say "The provisions of subsection 2 do not apply."

The purpose in the 9-hour limitation is not to dramatically increase the workload of animal-service workers or for neighbors to count down the minutes the neighbor's dog is chained to a tree. The exemptions exist in order to facilitate the individuals who find specific purpose for not abiding by this section, but this provision is necessary because the anti-socialization of dogs can pose serious risks. Dogs should, in fact, bring out our humanity and not our inhumanity.

The final provision addressed in this bill is in section 2, subsection 1, which stipulates the state emergency management plan "must include provisions ensuring that, to the greatest extent practicable, a person with a disability who uses a service animal is evacuated, transported and sheltered together with the service animal during a disaster or emergency." Currently, no similar statute exists and may abdicate its inclusion.

CHAIR RHOADS:

One of my ranch hands has two dogs, both of whom he loves. He goes into town every two months for two days and while he is gone, his dogs are tied up outside. Either my wife, one of the other ranch hands or I feed the dogs while he is away. If this bill was to pass, he would be breaking the law, would he not?

MR. BURKE:

If you make sure the dogs have adequate food and shelter and allow them some ability to escape the tether for a period of time, that would be amenable.

CHAIR RHOADS:

What if I let them out for five minutes and then chain them again?

MR. BURKE:

That is not the intent of the bill. One of the purposes of the bill is to make sure that type of incidence does not happen. It is important to recognize the purpose of this bill is not for that nitpicky understanding of, "Oh, they have had it

penned up for 9 hours so let's accuse them of a misdemeanor." Instead, it is intended simply to prevent the repeated offense of people tethering their dogs for extended periods, day after day until it becomes clear that the pet is becoming malnourished or anti-socialized because of it.

SENATOR HECK:

How will the animal-control officer know if a dog has been penned continuously for nine hours unless he is there continuously during that period?

MR. BURKE:

There are some additional stories in the packet you received, [Exhibit C](#). It includes photos of dogs that have been penned for so long you can see their ribs and pelvis. Because of the current law, the person in this case could only be charged with having no proof of rabies vaccinations. That is what the bill is meant to rectify.

SENATOR HECK:

Nobody can argue with the spirit of the bill, but even if an animal-control officer saw a dog penned today, and then went back and saw that same dog penned tomorrow, it cannot be inferred that the dog has been there continuously. There are criminal provisions in this bill, and while we all agree with the spirit, I am just trying to ensure that we will not have some unintended consequences.

SENATOR COFFIN:

The law is nitpicky. Enforcement people have to be nitpicky. That is in the law. When you have an area of law which is driven by a great deal of passion and emotion, people will force law enforcement to act in a nitpicky way. This is one of those areas. Are you allowed multiple dogs?

KAREN GOODMAN:

I am the requestor of the bill. The required sizes of the enclosures mentioned in S.B. 11 are good for up to three dogs.

SENATOR COFFIN:

I do not see that written in the bill.

Ms. GOODMAN:

Legally, you are allowed to have three dogs without applying for a kennel license.

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SENATOR COFFIN:

Is that in a statute that actually should be attached to this bill?

Ms. GOODMAN:

I am not sure.

SENATOR COFFIN:

Usually, if there is something that affects a statute and is linked to another statute, it is usually included in the bill. It may or may not be appropriate here. Does a person have to have a kennel permit if he owns more than three dogs?

Ms. GOODMAN:

Yes, it is required in Washoe County.

SENATOR COFFIN:

Do people who own dogs realize they must have a kennel permit if they have more than three dogs? I have not heard of that before.

Ms. GOODMAN:

That has been the law for a couple years.

SENATOR COFFIN:

Statutes override ordinances unless otherwise stated, and there is no language in this bill regarding the number of dogs allowed in a certain area.

MITCHELL SCHNEIDER (Field Supervisor, Washoe County Regional Animal Services):

There is a kennel permit required for four or more dogs in Washoe County if you are in incorporated cities of Reno and Sparks, or in a congested area.

SENATOR CARLTON:

I had some concerns about this when I first read it, but when I started comparing notes, it is my understanding that when you remove an animal from a residence, the standards by which you have to treat the animals are actually better than the way the owner has to treat them. Am I correct?

MR. SCHNEIDER:

Are you speaking to the size of the animal in terms of sheltering, or some other aspect of care?

SENATOR CARLTON:

I am just saying it has to have food, water, shelter and all the other things you have to provide, which is more than is actually required of the owners of the dogs.

MR. SCHNEIDER:

Our standards are quite high and exceed the minimum requirements by statute.

SENATOR CARLTON:

In looking at this bill, it is difficult to quantify the 9 hours out of 24 hours. When an enforcement officer peeks over the fence and sees an animal with the chain embedded in its neck, logic will tell that officer that the animal has been on the chain for more than 9 hours in a 24-hour period. Currently, an officer cannot remove that animal for its own safety's sake, because it has food and water. Therefore, there is nothing you can legally do, even though it is very plain the animal has not been taken care of in the way it should be. Is that correct?

MR. SCHNEIDER:

If this bill is passed, it is not likely we would be seizing many people's animals. We would probably give them time to correct the problem as we do when they are in violation of kennel-permit laws. As far as enforcing this law, it is problematic in terms of knowing whether the animal was continuously chained or penned in an unlawful manner. Oftentimes, in cases like this, we end up getting witnesses who testify to that effect and take enforcement action if it becomes necessary.

SENATOR CARLTON:

But, currently, if an officer were to encounter an animal with a chain embedded in its neck that would need to be surgically removed, he is smart enough to understand that dog has been on the chain longer than 9 out of 24 hours.

MR. SCHNEIDER:

Yes, we would use that kind of evidence.

CHAIR RHOADS:

If this bill passes, how difficult would it be to enforce the law? Are you going to stand out there for nine hours watching a dog?

MR. SCHNEIDER:

No, we would rely on witnesses who could attest to that. That is a commonly used practice when we cannot have staff present during the entire period to verify the violation.

MS. GOODMAN:

I will touch on the main points as I read from my prepared testimony ([Exhibit F](#), original is on file in the Research Library). I have also attached letters from various people in support of S.B. 11.

CHAIR RHOADS:

Mr. Schneider, do you support S.B. 11?

MR. SCHNEIDER:

I am strongly in favor of the bill, but with some amendments. We would like to work with the requestor and sponsors of the bill.

SUSAN KRISKO (President, Nevada Voters for Animals):

I am in a unique position because I practice criminal law from the State's position. I am a prosecutor and have prosecuted many animal-control cases in Las Vegas. No animal-control officer is going to stand somewhere for nine hours. However, a criminal case can be prosecuted with witness statements, which is how most of the cases will get to animal control. People who see neighbors treating their animals poorly will report it to animal control. Animal control will be able to see the conditions that are apparent when they get there and look at the animal. You can tell if an animal has been continually tethered. There will be feces all around within the range of the chain, and there will be a walk pattern the length of the chain showing they are only allowed to go so far. There are a lot of ways you can tell and would be able to prove a case in court. Other states that have passed similar bills are astounded at how many fewer calls they received after the law was passed. Chained dogs bark because they are bored, causing a nuisance in the neighborhood. Once that is dealt with, you will have fewer neighbors calling with complaints.

I would like to point out it is not usual to have the U.S. Department of Agriculture, the Centers for Disease Control and Prevention (CDC) and the American Veterinarian Medical Association all come together on one issue. All three have made public statements that the chaining and penning of dogs is not only inhumane, but these animals account for a substantial portion of fatal dog

bites. Those include children who are actually killed if the child walks into the area of the animal or if the animal breaks free. These organizations sum up the problems inherent in chaining and penning dogs. As president of Nevada Voters for Animals and on behalf of all of our members, I urge you to support S.B. 11.

JASON M. FRIERSON (Clark County; Office of the Public Defender, Clark County): Both the Clark County Office of the Public Defender and Clark County have some concerns even though they are not in opposition to the goals of S.B. 11. We are concerned with the time restraints and the burden of proof of deciding whether or not someone has restrained a pet for that exact period of time. While animal control is not likely to be in a position to observe for 9 or 12 hours straight, neither would a witness likely be in that position. We found the language in the original bill to be acceptable if "continuously for more than nine hours," were removed. This would allow officers to subjectively determine whether or not a pet is in an abusive situation. There are situations in which a pet might be restrained for only four hours, but restrained in such a way that deems it abusive. Those types of situations should be able to be taken into consideration. The Office of the Public Defender, as a whole, has decided not to take a position on this other than to express some concern. However, Clark County submitted a proposed amendment addressing the 9-hour language ([Exhibit G](#)). It would also change the language on page 3, line 39 of the original bill from "ensuring" to "providing." We would be willing to work with the sponsors of this bill to come up with some language that would work both to protect animals and to allow animal control and the criminal system to work effectively.

KAREN LAYNE (President, Las Vegas Valley Humane Society): The Las Vegas Valley Humane Society supports S.B. 11. Every day, particularly during the summer months but also during the winter, we continually receive calls. This is one of our biggest issues in terms of calls from people who are concerned about animals left chained outside in extremely hot or cold weather. Another issue we often hear is that the animal has strangled itself trying to get over a fence. We have received calls requesting immediate medical assistance because of this. People are horrified when they learn there are those who chain their dogs for 24 hours a day, 7 days a week and that, under current statutes and ordinances, this is not illegal. We urge you to adopt this bill.

JANINE Hansen (Nevada Live Stock Association):

The Nevada Live Stock Association wants to make sure this applies to pets and not to livestock. An amendment Doug Busselman plans to propose today will clarify that. I do have a concern regarding possible extenuating circumstances. For instance, my son adopted a German shepherd who, it turned out, liked to kill chickens. He did not eat the chickens. He just killed them. Consequently, while looking for a new home for the dog, my son had no choice but to keep him continuously chained to prevent him from killing any more chickens. Under this law, my son would have been guilty of a misdemeanor even though there were extenuating circumstances. My main concern, however, is that S.B. 11 does not apply to livestock.

CHAIR RHOADS:

Our Committee Counsel, Randy Stephenson, has assured me the proposed amendment clarifies that this bill applies to pets.

GINA GREISEN (Director, Nevada Voters for Animals):

If you have no other option than tethering your animal while you are at work, nine hours is long enough and is a fair compromise. I am in favor of S.B. 11.

PAT WIGGINS (Carson City Animal Services):

Carson City Animal Services supports this bill. Ms. Hansen was concerned about being guilty of a misdemeanor for having to chain an animal under special circumstances. We try to use common sense, and extenuating circumstances are understood. This bill addresses the person who goes away on a trip for three or four days and leaves an animal chained with no one checking to make sure it has food or water, or that its area is clean and the chain untangled.

JEFFREY ENGLE (Chief Investigator, Nevada Humane Society):

I have been a humane officer for 13 years and have seen just about every type of abuse and neglect cases. I have seen dogs that have been tethered and chained for their entire lives, some 24 hours a day, 7 days a week for 365 days a year. I have seen dogs lying and standing in their own feces because they cannot get out of their own way. I have seen them knock their water containers over and go without water all day long. I have seen dogs that cannot reach their shelters because the chains are tangled. I have seen dogs that have jumped over a fence and hanged themselves as well as those so tangled in their chains that they have choked themselves to death. I have investigation photos I would like

to share with the Committee ([Exhibit H](#)). Senate Bill 11 is a bill that is long overdue and I encourage its passage.

LINDA DRAKE (Executive Director, Society for the Prevention of Cruelty to Animals):

You heard the reasons all of the animal-rescue organizations support this bill. We see firsthand, the cruelty that needs to be addressed. There is a connection between our humanity to animals and our humanity to children. Please include the Society for the Prevention of Cruelty to Animals as a supporter of S.B. 11.

RUSS MEAD (General Counsel, Best Friends Animal Society):

The Best Friends Animal Society is the nation's largest no-kill animal sanctuary. We take in abused and abandoned animals as well as aggressive animals. We have become experts on aggression. The CDC says that chained dogs are five times more likely to bite children than unchained dogs, and three times more likely to bite adults. Therefore, we look at this as a public-safety issue. Simply put, if we can get the dogs off the chains, there will be fewer bites, resulting in a safer community. This is a law-and-order, public-safety type of issue as much as it is a bill to help prevent cruelty to animals. A chained dog has two exact ways to avoid a problem. One is fight and the other is flight. A dog on a chain cannot run away and so it instantly goes into attack mode. Picture yourself walking down the street and you encounter a chained dog. Where is the dog? It is not at the back of the chain. It almost always has the chain taut and it goes into a fight mode. That is behavior that is learned and reinforced every time something scary comes by the dog. Once the dog is unchained, it does not then go back to the escape mode because it has been reinforced over and over again that the way to protect itself is to be aggressive. That is when bites occur. The Best Friends Animal Society fully supports S.B. 11.

CURT RANSOM (Regional Program Director, West Coast Regional Office, Humane Society of the United States):

I am representing the 73,000 Nevada residents on our constituent list. I was an animal-control officer for 14 years and a humane investigator for 10 years. One case that sticks in my mind was actually a U.S. Department of Agriculture (USDA) property where the animals had been inspected a month prior and were found frozen to death in their pens. The USDA issued a statement in the *Federal Register* in 1996. I will read some excerpts:

Our experience in enforcing the Animal Welfare Act has led us to conclude that continuous confinement of dogs is inhumane. Often the necks of chained dogs become raw and covered with sores, the result of improperly fitted collars and the dogs constant yanking and straining to escape confinement. The chains are often embedded in their necks.

When we talk about embedding, we are also talking about chains where the skin has actually grown over the chain and you cannot even see that there is a collar there. I had a case in which the dog's esophagus had to grow around the chain. The chain was placed there when the dog was a puppy, and he had literally grown up through the collar. There was a two-inch deep wound all the way around its neck. When we finally released the dog from 40 pounds of chain, all he wanted to do was kiss people. We are not just talking about rubbing their necks raw. These are serious injuries causing damage to the animal. I have witnessed dogs hanging over fences and dogs frozen to death. Torment against a chained dog is one of the things that cause dogs to become aggressive. Many young children realize the dog cannot get to them, and there is a lot of teasing, throwing and torment.

PAMELA "PJ" WANGSNESS, CPDT:

I am a Certified Professional Dog Trainer, recognized all over the world. I am one of the first Nevada-trained certified dog trainers in the area. I primarily deal with a lot of aggression cases and many are based on dogs that have been tethered or penned for too long. Mr. Mead talked about the dog's reinforced behavior. It becomes a reinforced behavior when the dog gets the same response each and every time. The dog is then unpredictable. I have given you copies of two letters, one from Adrienne Navarro, Certified Associate Applied Animal Behaviorist ([Exhibit I](#)) and the other from Guy D. Yeaman, who is a professional dog trainer ([Exhibit J](#)). Both letters are in support of S.B. 11. For public safety as well as for the dog's behavior and welfare, we encourage you to support this bill.

BERTHA STRAUSS:

Having heard everyone who has already addressed you today, I have nothing to add; however, I have submitted written testimony ([Exhibit K](#)).

SANDRA POWELL:

Prior to retirement, I was a social scientist for 36 years. The research linking animal abuse with other kinds of abuse is overwhelming. The research linking childhood abuse toward animals to later asocial, criminal behavior continues to grow. To give you an idea of some of the statistics, a study in North Carolina correlated animal-abuse calls to animal control with calls to police on domestic disturbances. In New Jersey, 88 percent of the families who had physically abused their children also had records of animal abuse. Nashville, Tennessee, has one of the highest domestic homicide rates in the country and as a result, police on domestic calls began asking three questions. Was a partner being threatened by a weapon; had he threatened suicide; and had there been any abuse of family pets? A positive answer to any one of those questions forced the individuals into special treatment programs. A year later, Nashville's domestic homicide fatalities fell by 80 percent. One type of violence links to another type of violence. It is abusive, cruel behavior to keep a dog on a chain or tether or penned for life without any socialization. Unfortunately, people who do this to their animals have no desire to interact with them so the dog starts barking out of boredom and likely as not, the owner will use violence to stop the behavior. At the same time, the child is being taught that violence toward animals is acceptable. Studies of prison inmates have shown self-reporting of animal cruelty in their childhoods. This bill is not just good for animals but the human community as well.

LORAYN WALSER (Volunteer, Dogtown Canine Rescue):

I am here in support of S.B. 11. Dogs are intelligent and social animals requiring both mental stimulation and interaction with the world around them. To isolate a dog endlessly is to deny these gregarious animals the companionship they need to remain mentally and physically healthy. I moved here about a year ago from Elko County. While there, I personally saw dogs that had frozen to death on the end of a chain. I have also seen dogs that came into Elko City Animal Shelter near death during the summer because they could not get to their food and water, and nobody ever went out to check on them. Dog ownership is not a right; it is a responsibility and, unfortunately, there comes a time when we need to pass laws to protect them.

RACHEL FLETCHER (Volunteer, Society for the Prevention of Cruelty to Animals, Northern Nevada):

An article I pulled from the U.S. Department of Agriculture's Wildlife Services talks about managing urban and suburban coyote problems. It specifically

addresses the issue of chained dogs and the fact that dogs should not be left out at night because they are vulnerable to coyote attacks. Since coyotes can take prey as large as adult deer, dogs and cats are considered an important food item. Senator Rhoads mentioned the dogs of his ranch hand being chained. Those dogs cannot get away from coyotes and so even if he is a loving owner the rest of the time, if they are in a situation where a pack of coyotes comes by needing food for their young, how will those dogs be protected? It is part of our responsibility to protect our dogs. In addition to being easy targets for other animals, they are also easy targets for humans. I have pulled articles from various newspapers around the country about dogs deliberately thrown over fences and hanged. I am in support of S.B. 11.

JOHN SLAUGHTER (Washoe County):

I am in agreement with testimony provided by my colleague, Mitchell Schneider.

DOUG BUSSELMAN (Nevada Farm Bureau):

What is being handed out to you is a proposal prepared by the Nevada Farm Bureau to amend the original bill ([Exhibit L](#)). As was noted earlier in the discussion, when we first saw the original bill draft, we were concerned over the use of the word "animal." It was our understanding from conversations with Senator Townsend that the intent of the bill was only to cover dogs, which is why we then proposed the amendment outlined in green. When we came into the hearing this afternoon, I picked up a mock-up proposed amendment [Exhibit D](#) to S.B. 11. What I heard described in the testimony was different than what was in the mock-up. I am still somewhat concerned that livestock could be included in the proposal you have before you. If I heard correctly, in the descriptions of section 1, subsection 1, paragraph (b), "shelter" is included in the description. Our concern is whether or not under "animal," "shelter" would have a specific meaning and whether range cattle would somehow be in violation. "Animal" covers everything other than humans, and livestock might not have the implied shelter. We have no quarrel with this being applied to pets. We are only concerned about an unintended consequence of expanding the coverage to apply to livestock operations.

STEVE GRABSKI (Administrator, Division of Measurement Standards State Department of Agriculture):

I agree with Mr. Busselman's concerns about the definition of "animal." The Division of Wildlife Services within the State Department of Agriculture needs a

clear definition so that farm animals and wildlife would not be included in this bill. Otherwise, we do support S.B. 11.

COTTER CONWAY:

Speaking on behalf of myself as a citizen, I am in support of the bill, but with one concern. I agree with prohibiting tethering. My concern is with the application of the penning part of the statute. My animals normally have a very large yard. However, when I have landscapers on my property during the summer, I have a side run, which exceeds 200 square feet as well as a shelter and a dog door leading into the garage. It is not uncommon that the dogs could possibly be in that area for longer than nine hours because I work long hours. So there are people like me who technically could come very close to violating those terms, but who clearly take care of their animals.

LAURA PUHL:

I am a Washoe County voter and I support this bill. My personal reason for supporting it is I have some neighbors who have a large chain-link kennel in their backyard. Other than the very coldest of nights, they leave the dog in the unlocked pen. Those neighbors also have small children who cannot interact with the dog and sometimes their dog gets out. If I happen to be outside with my dog, their dog has attacked my dog. I know I should call animal control because this is a vicious dog, but if I were to call right away, my neighbors would know who called, and I do not want animosity between myself and my neighbors. To be able to anonymously call animal services and say the dogs are kept in poor conditions would be a good way to remedy that without having the finger pointed at me for having called. I also worry about my small children playing outside in the yard since they could be attacked.

DANA PARDEE (Volunteer Puppy Raiser, Carson City Guide Dog Club):

The Carson City Guide Dog Club is in support of S.B. 11. As most people know, guide dogs have always been considered the elite in the dog world, which is attained through a lot of love and socialization. With passage of this bill, more dogs will have the ability to become socialized and less of a threat to the community.

CHAIR RHOADS:

We will close the hearing on S.B. 11 and open our work session on three bills previously heard by this Committee. We will start with S.B. 60.

SENATE BILL 60: Increases the maximum amount of the proceeds collected from administrative penalties that may be retained by a local air pollution control board. (BDR 40-347)

SUSAN SCHOLLEY (Committee Policy Analyst):

There was a request to increase the amount of money that may be retained by the local air-pollution control board in Clark County from penalties collected for air-quality violations. The remainder of the money goes to the Clark County School District. An amendment was worked out between the county and the school district. That amendment is in your work session packet ([Exhibit M](#)). Both sides are in support of this amendment, which sets up a tiered system for allowing some additional monies to go to the air-quality control board.

SENATOR CARLTON:

Does the school district use ecologically friendly buses?

DR. CRAIG KADLUB (Director, Government Affairs, Clark County School District):
The district fleet operates on biodiesel.

SENATOR COFFIN MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 60.

SENATOR MCGINNESS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR AMODEI WAS ABSENT FOR THE VOTE.)

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CHAIR RHOADS:

We will go to S.B. 161.

SENATE BILL 161: Revises the requirements for the inspection of motor vehicles for the control of emissions. (BDR 40-252)

Ms. SCHOLLEY:

This bill was originally proposed to increase the exemption from emission testing for new cars in Clark and Washoe Counties from two to three years. It would also exempt hybrid cars for five years. After working with the affected parties,

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Senator Coffin brought forward the amendment shown on page 6 of your work session document, [Exhibit M](#).

SENATOR COFFIN:
I am satisfied with the amendment.

SENATOR COFFIN MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 161.

SENATOR CARLTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR AMODEI WAS ABSENT FOR THE VOTE.)

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CHAIR RHOADS:
We will now go to Senate Concurrent Resolution (S.C.R.) 3, for which no amendments were proposed.

SENATE CONCURRENT RESOLUTION 3: Expresses support for the Tahoe Science Consortium. (BDR R-251)

SENATOR MCGINNESS MOVED TO ADOPT S.C.R. 3.

SENATOR SCHNEIDER SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR AMODEI WAS ABSENT FOR THE VOTE.)

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CHAIR RHOADS:

There being no further business before the Senate Committee on Natural Resources, this meeting is adjourned at 4:48 p.m.

RESPECTFULLY SUBMITTED:

Ardyss Johns,
Committee Secretary

APPROVED BY:

Senator Dean A. Rhoads, Chair

DATE: _____