

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON NATURAL RESOURCES, AGRICULTURE, AND
MINING**

**Seventy-Fifth Session
February 23, 2009**

The Committee on Natural Resources, Agriculture, and Mining was called to order by Chair Jerry D. Claborn at 1:35 p.m. on Monday, February 23, 2009, in Room 3161 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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/75th2009/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Jerry D. Claborn, Chair
Assemblyman Joseph M. Hogan, Vice Chair
Assemblyman Paul Aizley
Assemblyman David P. Bobzien
Assemblyman John C. Carpenter
Assemblyman Pete Goicoechea
Assemblyman Tom Grady
Assemblyman Don Gustavson
Assemblyman Harvey J. Munford
Assemblyman James Ohrenschall
Assemblyman Tick Segerblom

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblyman Mark A. Manendo, Clark County Assembly District No. 18

STAFF MEMBERS PRESENT:

J. Randall Stephenson, Committee Counsel
Jennifer Ruedy, Committee Policy Analyst
Judith Coolbaugh, Committee Secretary
Cheryl McClellan, Committee Assistant

OTHERS PRESENT:

Gina Greisen, representing Nevada Voters for Animals, Las Vegas, Nevada
Chris Giunchigliani, Private Citizen, Las Vegas, Nevada; County Commissioner, Board of Commissioners, Clark County, Las Vegas, Nevada
Mary Lou Foley, representing the Nevada Society for the Prevention of Cruelty to Animals, Las Vegas, Nevada
Joe Boteilho, Manager, Code Enforcement, Clark County, Las Vegas, Nevada
Linda Faso, Private Citizen, Las Vegas, Nevada
Alfonso Noyola, Assistant Director, Police Services, City of North Las Vegas, Nevada
Karen Layne, representing the Las Vegas Valley Humane Society, Las Vegas, Nevada
Cynthia Laise, Private Citizen, Las Vegas, Nevada
Keith Williams, representing the Feral Cat Colony Central Sponsor, Las Vegas, Nevada
Clarissa Engstrom, DVM, Private Citizen, Las Vegas, Nevada
April A. Heinsch, DVM, Private Citizen, Las Vegas, Nevada
Stacia Newman, representing Nevada Political Action for Animals; People against Cruelty to Animals, Las Vegas, Nevada
John Fredericks, Private Citizen, Las Vegas, Nevada
Beverlee McGrath, Nevada Legislative Specialist, Gaithersburg, Maryland, representing the Humane Society of the United States, Washington, D.C.
Mitch Schneider, Field Supervisor, Washoe County Regional Animal Services, Reno, Nevada
Janice Redondo, Private Citizen, Las Vegas, Nevada

Fred Messman, Deputy Chief Game Warden and Boating Law
Administrator, Bureau of Law Enforcement, Department of Wildlife
Kenneth E. Mayer, M.S., Director, Department of Wildlife

Chair Claborn:

[Roll called.] I am opening the hearing on Assembly Bill 15 (A.B. 15).

Assembly Bill 15: Revises provisions governing notice of sterilization requirements for dogs and cats. (BDR 50-203)

Assemblyman Mark A. Manendo, Clark County Assembly District No.18:

I have distributed a copy of a mock-up amendment to A.B. 15 (Exhibit C) submitted by Chris Giunchigliani. I am bringing this bill and proposed amendment forward on behalf of my constituent Gina Greisen who is in Las Vegas. I am an avid dog lover, and although I have had cats in my life, dogs are like my kids. When I took my dog, Carson, to his veterinarian for his check-up, I talked to my veterinarian about this piece of legislation, and he thought it was a good idea. I was never notified of any requirements for dog sterilization when I took Carson for his check-up, or at any other time. That stipulation has been included on page 3, lines 42-43 of the bill. The seller of the dog—retailer or dealer—would be required to give the customer notification of the sterilization requirements for a dog as required by local ordinance. I have talked to our former colleague, Assemblywoman Chris Giunchigliani, who is now a Clark County Commissioner, and she has helped with the bill's language by developing the proposed amendment. I would like to defer the rest of the discussion to Gina Greisen who will be testifying from Las Vegas.

Gina Greisen, representing Nevada Voters for Animals, Las Vegas, Nevada:

We have a lot of people waiting in Las Vegas to testify in support of this bill and the proposed amendment. I believe fiscally and morally it is the responsibility of the Legislature to pass this bill and its proposed amendment. Like Assemblyman Manendo, I consider my dogs to be part of my family. Some people consider them only as a source of income, or a piece of property that can be discarded like trash. In Clark County alone, approximately 30,000 animals are put to death at the animal shelter each year. It is just wrong, and we need to fix this problem. I urge you to support the bill and the proposed amendment.

**Chris Giunchigliani, Private Citizen, Las Vegas, Nevada; County Commissioner,
Board of Commissioners, Clark County, Las Vegas, Nevada:**

I have proposed a friendly amendment for your consideration. For the last year, we have been working on trying to determine the total number of unwanted pets in Clark County. Most of these unwanted animals originally belonged to irresponsible pet owners. With this bill, Ms. Greisen has come up with a good start on solving the problem of unwanted pets. This bill will require a proper notice of sterilization requirements, and it will establish places to post it. The mock-up amendment I have proposed goes to the heart of the problem for dealing with the unwanted pet population. There was an article in Sunday's paper called: *Tough Times on the Animals, Too*. It said animal hospitals are treating numerous strays, and they are struggling to find adoptive homes for these pets. We cannot kill our way out of this problem. The proposed amendment would state that animals should not be sold prior to 8 weeks of age. It is a period when their socialization needs are cemented, and their vaccinations are completed. Eight weeks of age seems to be the right amount of time to move the animals into a sales position.

I would also ask that section 2 have the following language included: A retailer or dealer before selling, bartering, gifting, or trading a cat, must spay or neuter any cat over 8 weeks of age, but not later than 3 months of age. Other people may suggest different monthly periods for the required sterilization, and any reasonable timeline would be acceptable. Further, the proposed amendment states: "The purchaser must be given a document that contains the name of the veterinarian that performed the spay/neuter and the date of the spay/neuter." This statement would be added to the list of current requirements in state law, and given by retailers to any individual who purchases a pet from them. In addition, the following proposed language should be included in the bill: An unsterilized dog or cat may only be sold, bartered, gifted or traded by any person, company, or corporation to a person who is the holder of a current pet Cat Fanciers permit or breeder's permit from a local government agency in Nevada. This bill and proposed amendment focuses on backyard breeders and retail stores, not professional breeders because they must meet a different standard. The same language would also be used in section 3 of the bill which deals with dogs.

In Clark County, the animal shelter kills 30,000 stray animals a year. Because of home foreclosures, a couple of hundred additional strays daily are being turned into the shelters. People cannot financially afford to feed their pets, and they are abandoning the animals by tying them up in yards, or leaving them in the empty houses. We need to look at the source of the problem. Any action we can take to begin to restrict the number of unwanted animal pregnancies is an action we need to take a look at. There should be little opposition to this

proposed bill and amendment. A retailer can build the cost of spaying or neutering into the price of the sale. At the Clark County animal shelter a dog or cat upon adoption must be spayed or neutered, so this proposed bill and amendment will bring that requirement to all pet purveyors.

Six months ago, Clark County adopted a feral cat ordinance in an effort to spay or neuter all the stray cats in the County. All of the local jurisdictions, including the 17 counties, seem to have different standards, different ordinances, different regulations, or no regulations on pet sterilization. North Las Vegas is the only locale in southern Nevada that has a mandatory spay or neuter requirement. This bill and proposed amendment would provide a simple standard for sterilization of animals for sale. Breeder or pet Cat Fancier sales are exempted.

Chair Claborn:

Are there any questions? The Committee will take your amendment under consideration. Would you be available to testify if we put this bill and proposed amendment into a work session?

Chris Giunchigliani:

I would be happy to make myself available.

Assemblyman Goicoechea:

How does your bill cover border collies that breeders raise for working cow dogs and stock dogs? Will a purchaser in the rural areas be required to spay or neuter the animal before the new owner takes the animal home? If you get a good working dog, the owner may want to carry those genes forward by breeding it.

Chris Giunchigliani:

There probably should be exemptions for working dogs, police dogs, and fire and rescue dogs. I did not add that exemption because I was unsure where that language should be placed.

Assemblyman Bobzien:

Many of my constituents spend a lot of money on good hunting dogs, and I believe they would be concerned about the sterilization requirement. We need to specify which dogs should be excluded.

Chris Giunchigliani:

I believe Reno already has a Dog Fancier's permit available. The exclusions and permits should be put in place to identify specific animals that are exempted from this legislation. In Clark County, we are looking at requiring a breeder's

permit. We need to clearly state the qualifications necessary to define a person as an animal "breeder." I believe Washoe County has something like a breeder's permit in place.

Chair Claborn:

We will get back to you on this bill to hammer out the details. We are going to hear more testimony from Las Vegas.

Mary Lou Foley, representing the Nevada Society for the Prevention of Cruelty to Animals, Las Vegas, Nevada:

I have distributed a fact sheet to the members of the Committee ([Exhibit D](#)). On behalf of the Nevada Society for the Prevention of Cruelty to Animals (NSPCA), I want to speak in support of A.B. 15 and the proposed amendment. Our mission at the NSPCA is to save and protect animals in our community. We probably operate the only no-kill animal sanctuary in the area. We promote education for the humane treatment of animals, and we promote vaccinations and spay and neuter clinics. We have 30,000 animals killed in Clark County each year, so we are here to encourage people to be the best possible guardians of their pets.

Joe Boteilho, Chief, Code Enforcement, Clark County, Las Vegas, Nevada:

We support A.B. 15 and the proposed amendment. Sterilization has other benefits besides birth control. It reduces dog aggression. We have had dog-caused human fatalities in the past year. Sterilization also improves the health of the animal, and it reduces the need for costly euthanasia. Providing people with notices showing sterilization requirements will help control the number of unwanted animals.

Linda Faso, Private Citizen, Las Vegas, Nevada:

I have been rescuing and saving animals in Clark County for the last 30 years. The situation has not improved; it has worsened. The bill speaks for itself. When animals are born to die in our community because there are no homes for them, it is a crisis. It is imperative that everyone take some course of action to do something. I would like to see something stronger in the law than this, but this is a beginning. I urge you to support the bill and the proposed amendment to help us make a difference in the amount of archaic and unnecessary killing going on.

Chair Claborn:

Are there any questions?

Assemblyman Hogan:

A substantive issue has been raised concerning specialized working animals. I need to know more about these animals before I can make an informed decision on the bill. If any of you have specific information on how we can accomplish these humane objectives without impugning the right of pet owners to have unsterilized specialized working dogs, your suggestions would be appreciated.

Chair Claborn:

What was the original purpose of this bill? I would like to consider that first before we take up the proposed amendment. Is providing and posting notices showing sterilization requirements the original intent of the bill?

Assemblyman Mark A. Manendo:

Yes, that was the original intent of the bill. Ms. Giunchigliani, my County Commissioner—who has worked very hard on these issues at the local level—approached me on going a little further with the bill to resolve some of the other problems that are happening in Clark County. I am agreeable to amending the bill to ensure that work dogs, police dogs, fire and rescue dogs, seeing eye dogs, and hunting dogs are exempted from the bill's provisions. Maybe, people who have breeders' permits are already exempted. I would be amenable to working with this Committee and staff to come up with workable language for the bill.

Chair Claborn:

That is what I am looking for. We will continue the hearing and try and get the language worked out.

Assemblyman Goicoechea:

I talked to my son, who is a veterinarian, and I am concerned that veterinarians do not like to spay animals before 6-months of age. I think we should check with other veterinarians to see what their age preference is. My son is uncomfortable with performing the surgery when the animals are too young because it can threaten their lives. I do not know if that is a policy or just my son's preference.

Assemblyman Carpenter:

It seems to me there are other more suitable places to post sterilization notices than just in dog parks, in veterinarian offices, or in retailer and animal dealer businesses. In our area, there are not that many animal retailers or dealers. Animal shelters run by a city or county should have the notice posted. I think we need a wider distribution, and more places to post the sterilization notices.

Assemblyman Mark A. Manendo:

I have a dog park in my District, and I am over there all the time visiting with people and their dogs. Many people go to the park and through it. There are dog shows, obedient classes, dog training classes, and veterinarian offices where the notice could be posted. If you have some other places that are suitable to post the notices for educational purposes, I am also agreeable to that.

Chair Claborn:

Mr. Manendo, I would like to suggest that you gather some information, and we will have a subcommittee hearing on the bill and the amendment's language.

Assemblyman Mark A. Manendo:

I would like to suggest that if anyone wants to get in touch with me, they are welcome to do so. I will look at all their proposed language.

Chris Giunchigliani:

I would like to clarify for the record that under *Nevada Revised Statutes* (NRS) 574.615, a "pet" is defined. A "pet" does not include animals used for hunting; those animals used in connection with agriculture or farming; breeding; drawing heavy loads; or, those animals used as service animals or service animals-in-training. Therefore, the subcommittee could consider defining the language to clarify that this bill refers only to pets. Also in Clark County, Dog and Cat Fancier permits already exempt these animals from the sterilization requirement. Show dogs, dogs in field and obedience trials, breeding, working and hunting dogs are exempt. We anticipated this problem, and the intent is to exempt those dogs. That information might provide some of the Committee members with a higher comfort level, and I can work with Mr. Manendo to tighten up the language.

Chair Claborn:

We will try and work out suitable language for everyone.

Alfonso Noyola, Assistant Director, Police Services, City of North Las Vegas, Nevada:

I believe we are the only municipality in the state with mandatory spay and neuter laws in place. They are working very well for us. The proposed amendment will assist local governments in communicating information about local ordinances relative to current and future pet ownership. This particular amendment will provide another avenue to encourage responsible pet ownership while assisting in decreasing the population of unwanted domesticated animals. We are in support of the proposed amendment.

Chair Claborn:

Are there any questions?

Assemblyman Hogan:

Does the language in the North Las Vegas ordinance include exclusion of working and service animals? If it does, it could help us in working out our language.

Alfonso Noyola:

The North Las Vegas ordinance does include the exemption for working, police, agriculture, and fire and rescue dogs.

Karen Layne, representing the Las Vegas Valley Humane Society, Las Vegas, Nevada:

We are here today in support of A.B. 15 and the proposed amendments. The Las Vegas Valley Humane Society is a rescue, rehabilitation, and overpopulation reduction organization. The Society is run by an all volunteer work force, and we offer low-cost spay and neuter cat clinics in the Valley. Also, we provide referrals for the spaying and neutering of dogs. All our stray cats available for adoption are spayed at 8 weeks old. Our adoptable stray dogs are neutered by 3 months old. Our animals are always adopted, so we are ensuring that our animals are not adding to the overpopulation problem. We do a lot of community out-reach programs, so I know there is a real need for the sterilization notices to be posted at dog parks and in veterinarian offices. Many of the people in Las Vegas are transplants coming from areas with different regulations. We often find out that these people do not understand some of the local issues. Whatever help we can provide newly-arrived pet owners for spaying and neutering their animals is very important. We also need to alert them that a sterilization ordinance is in place. A lot of people do not go to dog shelters, but they do go to dog parks and veterinarian offices.

As we are a provider of low-cost spaying and neutering services, we know many people who seek a low-cost sterilization procedure for their expensive store-bought animal. If we acted on this request, we would remove a valuable sterilization space reserved for one of our rescue animals. Pet stores seem to be telling customers that contacting us to do a sterilization procedure is an option for them. Part of the proposed amendment requires pet stores to do the spaying or neutering at the pet store's cost. We do over 3,000 spays and neuters every year. As a rescue organization, we see how undervalued animals are in this Valley because there are so many of them. Unfortunately, it is a matter of economics. When you have too much of something, there is little value attached to it. We urge you to pass A.B. 15, especially the notification language. We believe it will go a long way towards communicating with people

what needs to be done in their community to control the unwanted animal population. We hope you will also give favorable consideration to the amendment.

Chair Claborn:

Are there any questions?

Assemblyman Ohrenschall:

If the bill passes with the amendment, can you give us an estimate of how many fewer euthanasia procedures there might be in Clark County?

Karen Layne:

It is difficult to say because a person purchasing an animal from a retail store would be able to acquire a breeder's license, or a pet fancier's permit, to exempt the animal from sterilization. Our intent is to try and regulate the process. An owner could elect a sterilization procedure, or obtain an exempt permit. I do not know how many breeder permits there are in the Valley, or what percentage it is of all pet owners. We might be able to determine that figure. We average 50 to 60 calls per month from people who purchased pet-store animals asking us for a low-cost sterilization procedure. In 2007, we had 30,000 euthanasia procedures performed, and 10,000 of those were dogs; 20,000, cats. The bill will not impact the number of cats on the pet store side because most of the time the stores do not sell cats. A very small percentage of people obtain their cats from pet stores. The bill would impact the dog side of the euthanasia procedures, perhaps lowering it about 50 percent.

Cynthia Laise, Private Citizen, Las Vegas, Nevada:

I am in support of A.B. 15. The assumption that good service animals have to be born is not true. Bruce Barton runs a national and international search and rescue operation out of Pennsylvania. His animals are all shelter dogs. You can find any breed, and any temperament of dog at an animal shelter. We do not need to breed any more. Overpopulation of unwanted animals is also costly to the taxpayer; not to mention, the ultimate price paid by the unwanted animal. As someone who does the rescuing and the mopping up of this horrible mess, I know it is out-of-control with no end in sight. Please do something, I am begging you.

Chair Claborn:

Are there any questions? [There were none.]

Keith Williams, representing the Feral Cat Colony Central Sponsor, Las Vegas, Nevada:

My position is a volunteer position with Clark County to help with registration and general rounding up of the feral cat population. We currently have in excess of 200,000 feral cats roaming the Valley. I strongly support A.B. 15 because the best way to control the number of animals is to control the number of births. For every cat that is spayed or neutered before it becomes a homeless breeder, there will be approximately 10 to 20 fewer unwanted cats in the County.

Chair Claborn:

Are there any questions?

Assemblyman Hogan:

Does anyone here know of other states that have imposed a sterilization requirement?

Keith Williams:

It is my understanding that Los Angeles and some other cities in California have done this.

Clarissa Engstrom, DVM, Private Citizen, Las Vegas, Nevada:

I am a relief veterinarian in Clark County, and I also sit on the Clark County Animal Advisory Committee. I work in veterinarian practices all over the Valley, and also in Pahrump and Mesquite. There is only one practice I work in that posts a notice stating it is mandatory to sterilize your pet. I want to reiterate what Cynthia Laise said. We are not mandating that an owner spay or neuter their animal, or mandating that an owner must register as a pet fancier or breeder. We are recommending sterilization as a method of curbing a lot of negative dog behaviors which will provide benefits to the animal and to society. My problem, with setting age limits, is a 3-month old cat is far different from a 3-month old small dog which, in turn, is very different from a 3-month old large dog. Cats come into reproductive status before 6 months of age. As a compromise, I think the language could indicate different age classes for cats and dogs. I try and do sterilization on an individual animal basis, but we do need to have people spay or neuter their animals.

Chair Claborn:

Are there any questions?

Assemblyman Goicoechea:

I have an email here from a veterinarian who says spaying or neutering when the animal is too young can cause the development of urinary incontinence. It is better to allow the animal to develop some muscle tone with the aging process. Can you comment on this?

April A. Heinsch, DVM, Private Citizen, Las Vegas, Nevada:

I am an associate veterinarian who has handled a lot of early spay and neutering cases, especially with the Humane Society and other organizations. Three studies have been done on the effects of early animal sterilization. All the studies reached different conclusions. One study indicated that animals spayed before 7 months were less likely to develop incontinence. The next study said there was no difference, and the last study said if the animal was spayed after 7 months they were more likely to have incontinence. The answer is science does not know.

Assemblyman Goicoechea:

It is my understanding that, like most veterinarians, you examine the animal and determine when and if it is appropriate to spay or neuter. Is that correct?

April A. Heinsch:

The biggest problem veterinarians have is that young dogs under anesthesia can develop hypoglycemia, hypothermia, and tissue handling problems. Every veterinarian should be up-dated on these potential problems, and be able to address any of these complications appropriately. All the animals should be evaluated for potential surgery risk on a case-by-case basis. The animals should be ready to be spayed or neutered somewhere between 4- to 6-months of age. Underlying and previously undetected health problems may prevent the sterilization procedure from being performed.

Clarissa Engstrom:

I would like to add that surgery on a young adolescent dog involves completely different surgery than what is required for a fat old bitch. Old fat bitches are a nightmare because there is fat around the ovaries. The procedure requires cutting through fat that has the consistency of Crisco. It is the bane of every veterinarian's existence. Sterilizing an older dog is basically abdominal organ removal surgery. It is a very tough surgery. The younger animals have quick recovery times.

Assemblyman Goicoechea:

If we mandate 3 months of age, you do not believe that would be appropriate. Is that correct?

Clarissa Engstrom:

I believe each dog should be considered individually on a case-by-case basis. There is a big difference between a 3-month old Chihuahua and a 3-month old Mastiff. With small dogs, like tea cup breeds, I do not like to spay or neuter them if they are less than 2 pounds. Getting the animal up to that weight class may take longer than 3 months.

Assemblyman Goicoechea:

Some of the people I have talked to have concerns about the 3 months of age language in the bill, so I want to make sure that you consider 3 months of age an appropriate time.

Clarissa Engstrom:

Compromise language in the bill might state the appropriate age for sterilization of cats is 3 months; and, for dogs, 6 months.

Assemblyman Goicoechea:

I personally agree with that language.

Chair Claborn:

Are there any more questions? [There were none.]

Stacia Newman, representing Nevada Political Action for Animals; People against Cruelty to Animals, Las Vegas, Nevada:

We are in support of A.B. 15 and the proposed amendment. In order for the community to get control of the mass killing of animals, we need all parties participating in and accepting the responsibility for animal sterilization.

Chair Claborn:

Are there any questions? [There were none.]

John Fredericks, Private Citizen, Las Vegas, Nevada:

I work with the humane community by televising educational information about pet ownership responsibilities, obedience training, and proper sterilization procedures. My main concern with this bill is many reputable breeders have a clause in their contracts—in particular, for large breeds of dogs—that state the animal is not allowed to be spayed or neutered prior to 6 months of age. Occasionally, the breeders want the pet owner to wait longer because the time between 4- to 6-months of age is an explosive growth period for the animals, especially the large breeds. This growth may be negatively impacted by early sterilization. I will be changing my position on the bill from "neutral" to "for," having expressed my concerns about the bill.

However, I do not believe pet stores should be in the business of selling pets because these animals are being denied the critical bonding period with their human counterparts. They often come from disreputable puppy mills, and the animals have genetic problems. I have heard nightmare stories from veterinarians about the medical problems these animals have.

Chair Claborn:

Are there any questions? [There were none.]

Gina Greisen:

If a pet owner has any concerns about spaying or neutering their animal, they can apply for the applicable local jurisdiction's exemption permit. It is not a question of "having" to sterilize their animal. If they choose to not spay or neuter the animal, then the permit would allow them to keep an unsterilized animal.

Chair Claborn:

We are now going to hear testimony from witnesses in Carson City.

Beverlee McGrath, Nevada Legislative Specialist, Gaithersburg, Maryland, representing the Humane Society of the United States, Washington, D.C.:

I have distributed to the Committee a letter in support of A.B. 15 ([Exhibit E](#)), and a bill language proposal to address the problem of puppy mills ([Exhibit F](#)). The national Humane Society has 11 million members, and one of their major concerns is the need for sterilization of animals because of the enormous unwanted animal surplus in this country. We estimate 3 million animals are euthanized every year which costs every taxpayer some money. The International City/County Management Association reports that every person in a city or county should be assessed between \$4 and \$7 to fund animal control services in that city or county. The expense of dealing with the surplus animals is passed on to cities, counties, and to the state. We believe the solution is to require spaying or neutering of animals.

There are 35 states that require humane societies and animal control shelters to spay or neuter the animals under their care. However, no state stipulates that sterilization of animals should be a requirement for pet stores. We believe the costs involved with unwanted animals should be a factor in the Committee's willingness to support the bill and the proposed amendment. We are in support of A.B. 15, and we are in strong support of the amendment. We are not proposing that you even consider an alternative to that amendment. The bill, as written, with the amendment will solve a major problem. Unfortunately, because of the depressed economy, we are now seeing expensive dogs being

brought into the shelters for adoption, and people are just not adopting animals at this time.

The copy, distributed to you, of the Humane Society's suggested bill language is designed to address the problem of puppy mills. It places a cap on the number of "intact" dogs—which means "any dog with intact sexual organs"—that can be sold. I am not proposing that this language be amended into the bill under consideration. I am submitting it for the record as something that needs to be considered in the work session for this bill.

Mitch Schneider, Field Supervisor, Washoe County Regional Animal Services, Reno, Nevada:

I am in strong support of A.B. 15, but the language needs a little tweaking. I would like to participate in developing appropriate language for the animal age sterilization requirement. Having been a professional dog trainer and participant in dog shows, I know there are breeders who would not want sterilization done at an early age.

I would like to correct one statement made. Washoe County does not have a pet fancier license. We would need time to develop that, and we need to develop ways to deal with outlying areas that have strays "dumped" on them. We need language to allow the gifting of animals without having to meet the sterilization requirement which may be unaffordable. Washoe County does offer low-cost spaying and neutering clinics, but the outlying areas may not have those services available. A lot of veterinarians do not want to spay or neuter animals at an early age.

Chair Claborn:

Are there any questions?

Assemblyman Bobzien:

For clarification, the original bill Mr. Manendo submitted is acceptable to Washoe County. We have two additional amendments to consider. Have you seen the amendments? One of them covers the problem of puppy mills.

Mitch Schneider:

I did quickly look at the Humane Society's amendment to stem the proliferation of puppy mills. Washoe County would have no problem supporting that language. Animals from puppy mills are of questionable breeds and in questionable health.

Assemblyman Bobzien:

How would Washoe County be impacted by the implementation of the bill?

Mitch Schneider:

We would expand the notification of sterilization requirements postings to the web and other modern technology outlets.

Assemblyman Bobzien:

I appreciate Ms. Giunchigliani's comments about the existing definition for pets, and how it provides exclusions for working, hunting, and service dogs. I am concerned that we may get into a situation that creates unintended consequences. If this sterilization amendment is considered in the work session, we need to examine the bill's language to make sure the intent is clear.

Mitch Schneider:

Anything we can do to stop this industry's "blood bath" should be considered. It is literally raining cats and dogs. There is an economic impact from this situation. We see that legislatures are recognizing the change in the public's attitude which is less accepting of euthanasia of pets. Society does not want to continue doing business as usual. It has been an ineffective deterrent.

Chair Claborn:

Are there any questions?

Assemblyman Aizley:

At one time, I had eleven cats in my home because a box of cats was abandoned on my doorstep. How is that problem being addressed?

Mitch Schneider:

We need to continue to support proactive spay and neutering programs through the Humane Society and other organizations. Along with tax dollars, there is lots of grant money available to continue the clinics' operations. We will need to continue doing public education.

Assemblyman Aizley:

Are inexpensive sterilization procedures available throughout the state?

Mitch Schneider:

If you are fortunate enough to live in Washoe or Clark Counties the resources are available. In the rural areas, a person would have a more difficult time getting low-cost spaying or neutering. All veterinarians can do the operations, but it has become a very expensive procedure. Veterinarians charge \$200, \$300, up to \$400 for sterilization, so subsidizing the operations on some level is

very important. It is the Humane Society and the Society for the Prevention of Cruelty against Animals that are providing the low-cost programs.

Assemblyman Goicoechea:

There are a number of veterinarians in the rural areas that are willing to "step up to the plate," and they do provide low-cost spay and neuter clinics. The rural veterinarians do recognize the problem.

Mitch Schneider:

It is true. The rural veterinarians do a lot of great work.

Chair Claborn:

Does anyone else in Carson City wish to testify? [There were none.] We will return to Las Vegas for additional testimony.

Janice Redondo, Private Citizen, Las Vegas, Nevada:

I want to comment on the box of kittens. Would they be exempt or held to the spay and neuter law?

Chair Claborn:

I believe that was Mr. Aizley's question.

Assemblyman Aizley:

Someone else mentioned a box of kittens, and it reminded me what had happened in my home when I received eleven abandoned kittens on my doorstep.

Janice Redondo:

That is exactly what happens. Free kittens cannot be exempt, and should be spayed or neutered before they are gifted. They are a major part of the problem.

Chair Claborn:

We need to focus on the bill.

Janice Redondo:

I want to make sure that free kittens would be held to the bill requirements which means they would be spayed or neutered before they are given away.

Chair Claborn:

Are you talking about a private citizen giving kittens away? I do not believe they will be held to the bill.

Clarissa Engstrom:

My biggest concern with pet stores is the types of animals they are bringing into our communities.

Chair Claborn:

Pet stores do not come under this bill. Do you have something to add to the bill's discussion?

Clarissa Engstrom:

No, I am finished.

Chair Claborn:

Is there anyone else who would like to testify on this bill? [There were none.] I am closing the hearing on A.B. 15, and opening the hearing on A.B. 73.

Assembly Bill 73: Makes various changes to provisions governing watercraft.
(BDR 43-345)

**Fred Messman, Deputy Chief Game Warden and Boating Law Administrator,
Bureau of Law Enforcement, Department of Wildlife:**

This is not a simple bill, but a simplification bill. This bill is designed to simplify the public's understanding of Nevada's boat laws for people in the state and for those coming here from another state. We are requesting a deletion of section 3 to remove the language that states a person who is 12 or 13 years of age can operate a boat towing a person on water skis or other similar device, and also remove the language that states a person who is 10 or 11 years of age can act as the observer for the operator of such a boat. An observer should be mature enough to tell the operator of a boat that there are problems with the skier. With these deletions, the bill will now simply state a person has to be at least 14 years of age to be the operator of a boat towing another person, and a person has to be at least 12 years of age to act as an observer.

In addition, we are requesting deletion of section 4 which requires certain motorboats to be equipped with an efficient bell or whistle. The existing statute refers to the inland navigation rules which already incorporates all of the language referring to a bell or whistle as set forth in the rules for the United States Coast Guard.

Chair Claborn:

Are there any questions?

Assemblyman Carpenter:

Are you having problems with kids 10 years of age being the boat observer and with 12 year olds driving the boat?

Fred Messman:

Last year, we had 113 boating accidents. They did not all involve children, but 14 of the skier accidents were caused by the skier or observer's behavior being compromised. Most water ski accidents result in personal injury. Twenty-seven citations and 127 warnings were issued for ski flag law violations, so it appears a number of people are confused about the interpretation of the existing laws. Our officers usually stop violators, explain the law to them, and issue a warning. Only the most egregious violators receive a citation. Last year, accidents, specifically relating to the provisions under this law, resulted in 14 citations and 24 warnings. We frequently receive telephone calls from people wanting to know the meaning of the law. This bill will make the law easier to understand, and what is easily understood usually means the public will more readily comply with the law.

Chair Claborn:

Are there any questions?

Assemblyman Gustavson:

Every time one of these bills comes before us with age-related issues, the same question is posed. How can we legislate the maturity level, or the behavior of any individual at any given age? I do understand the purpose and the meaning of the bill, but can you comment on my question.

Fred Messman:

The National Marine Manufacturers Association and many of the people dealing with motor boat operations, especially with personal water craft—also known as jet skis—would actually like the age to be 16. The American Academy of Pediatrics supports a minimum age of 16. This Legislature and my Department requested 14 years of age which is why the 14 years of age is being used in this bill.

Chair Claborn:

I have a couple of questions on the repealed section covering whistles and bells. Do most boats come with this equipment already in place?

Fred Messman:

This language is already incorporated in the navigation rules, so it is in the NRS twice. This section was eliminated for clarity and simplification. Most small boats do not have bells as they are not required until a vessel is 26 feet in

length or longer. The Department has never written a citation, or stopped someone for violation of this requirement. We do require any vessel operating on the state's waters to carry an appropriate sound-signaling device. Bells are required in boats 26 feet in length or longer, and whistles—including pocket whistles—are required on all boats.

Chair Claborn:

Are there any questions? Mr. Mayer, would you come forward to answer questions?

Kenneth E. Mayer, M.S., Director, Department of Wildlife:

How can I help you?

Chair Claborn:

Does the Department concur with the repeal of this section of the bill?

Kenneth E. Mayer:

Our intent with the deletion is to consolidate items for clarity. The whistle and bell language is already contained in the NRS. Removing this section will put the statutory language in one place.

Chair Claborn:

Are there any questions? I am closing the hearing on A.B. 73. This meeting is adjourned [at 3:00 p.m.].

RESPECTFULLY SUBMITTED:

Judith Coolbaugh
Committee Secretary

APPROVED BY:

Assemblyman Jerry D. Claborn, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Natural Resources, Agriculture,
and Mining

Date: February 23, 2009

Time of Meeting: 1:35 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 15	C	Assemblyman Mark A. Manendo	Mock-up Amendment from Ms. Chris Giunchigliani
A.B. 15	D	Mary Lou Foley	Fact Sheet
A.B. 15	E	Beverlee McGrath.	Letter in Support
A.B. 15	F	Beverlee McGrath	Proposed Amendment