

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

**Seventy-Fifth Session
March 2, 2009**

The Committee on Natural Resources, Agriculture, and Mining was called to order by Chair Jerry D. Claborn at 1:37 p.m. on Monday, March 2, 2009, in Room 3161 of the Legislative Building, 401 South Carson Street, Carson City, 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:

Assemblywoman Heidi S. Gansert, Washoe County Assembly District
No. 25

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Judith Coolbaugh, Committee Secretary
Cheryl McClellan, Committee Assistant

OTHERS PRESENT:

Beverlee McGrath, representing the Humane Society of the United States,
Gaithersburg, Maryland
Dennis Allen, Deputy, Patrol Division, Washoe County Sheriff's Office,
Reno, Nevada
Chuck Callaway, Sergeant, Intergovernmental Services, Las Vegas
Metropolitan Police Department, Las Vegas, Nevada
Les Lee Shell, Administrator, Departmental Administrative Services,
Department of Finance, Clark County, Las Vegas, Nevada
Peggy McKie, Agriculturist IV, Division of Plant Industry, State
Department of Agriculture

Chairman Claborn:

[Meeting brought to order. Roll called.]

I see a lot of young people out there. I understand they are from the 4-H. We would like to welcome you to the Committee today. To the 4-H and the Future Farmers of America, this is your Committee. You are not going to enjoy what you hear today, because it just about makes me sick when I see the pictures of what we are going to listen to today. We do all kinds of good things for the public, in regards to ranching, farming, and agriculture. We are glad to have you here today, but I am sorry for what you have to see and hear today. We have a bill that is kind of controversial, but it has to be heard and is something that we must act upon. Today the bill is Assembly Bill 199, and Ms. Gansert is the proponent of this bill. I would like to open a hearing on A.B. 199.

Assembly Bill 199: Revises provisions relating to fights between animals.
(BDR 50-717)

**Assemblywoman Heidi S. Gansert, Washoe County Assembly District
No. 25:**

Thank you, Mr. Chairman. I appreciate being here today. We have Beverlee McGrath from the Humane Society, and also Deputy Dennis Allen from the Washoe County Sheriff's Department.

Assembly Bill 199 closes a loophole regarding animals that are used for fighting ([Exhibit C](#)). Ms. McGrath brought this to me quite a while ago. It turns out that, in Nevada, you cannot observe a dog fight or a cock fight; that is illegal. However, you can own, possess, train, and sell animals for fighting. This bill closes a loophole and provides that, for a first offense, it would be a gross misdemeanor. The second offense would be a category E felony. The third offense would be a category D felony. Again, prior to this bill, it has been legal to own, possess, keep, train, promote, and sell animals for fighting within the State of Nevada. It is the only state in which you can do that. Thank you.

Beverlee McGrath, representing the Humane Society of the United States, Gaithersburg, Maryland:

I think a couple of things need to be brought to the attention of the Committee. Number one is that, as Ms. Gansert said, Nevada is the only state in the nation that does not prohibit possession of dogs for dog fighting ([Exhibit D](#)). The state ranks last in a survey of states that have been rated as far as laws that protect animals and address the dog fighting issues. The bill, unfortunately, does deal with unpleasant activity. I need to show you these pictures, because I think it is important you know what dog fighting is.

They start out like this, and they look very pleasant. They are not all marred and bloody. The fight goes on for approximately two hours. It can go for a longer period of time. The dogs are completely mauled. This is in the middle of a dog fight ([Exhibit E](#)). You have pictures in front of you of the end result. This is another end result that a lot of people do not want to acknowledge. The losing dog cannot receive veterinary care because dog fighting is an illegal activity. So, the losing dogs are left along roadsides to starve or die from the injuries they have sustained during the dog fight. We view this as a very unpleasant activity, and we would like to see it stopped.

The other thing that Ms. Gansert's bill addresses, and it is very important to us, is the keeping of dogs and the training of dogs. So many dog fighters say that the dogs in their dwelling and on their property are not owned by them, and they are merely keeping them for someone. This someone does not have a permanent address, so they cannot give their name to the sheriffs. This bill closes that loophole. It also closes the training.

Let me talk about that for a moment. In order to build stamina for these dogs that are being trained for fighting, they are put on treadmills or they are in a circular device. They are attached to the circular device and all day long they chase a young puppy or a young kitten, sometimes rabbits, but it is always one of those. It is not mice or guinea pigs. The dog has not been fed for two days, so it is hungry, anxious, and agitated. It circles this young puppy or kitten all

day long in the cage. At the end of the day, the puppy or kitten is thrown to the dog so the dog can devour the young animal. This is terribly inhumane. We do not see any reason for this. The dogs are pumped full of steroids and hormones, usually obtained on the black market. This training practice, in our eyes, is the most egregious act of cruelty. We are glad that Ms. Gansert's bill addresses it. I urge you to support this bill. Thank you.

Assemblyman Carpenter:

What state was it where a football player was caught involved in dog fighting?

Beverlee McGrath:

That was in Virginia. Most of his dogs had to be put down. Some that had not completely gone through the training practice were adoptable and retrained. Certainly, they were unable to go into a household with other animals, but at least they were able to be placed into a household.

Assemblyman Carpenter:

I support the bill, but what it points out is, in Virginia, all of these things were a felony. Dog fighting must continue to go on, regardless of the laws we have.

Beverlee McGrath:

I think you will find that in any area of law enforcement. At least, the law will be on the books. If possession is against the law, that is one more thing that they can be arrested for.

Assemblyman Hogan:

Just to give us a feel as to how widespread this practice is, do we have any information indicating the prevalence in Nevada of this sort of activity, either number of arrests or just general information?

Beverlee McGrath:

Certainly law enforcement can address that question better than I can. I do know that there is an ongoing investigation at this moment with the sheriffs and the Washoe County Department of Animal Control.

Chair Claborn:

Ms. McGrath, along the same line as what Assemblyman Hogan stated, I have resided here for many years in Las Vegas. We hear very little about dog fighting in the State of Nevada. I am sure there is a lot of it in Las Vegas, but for the plain layman like myself, I do not hear too much about it. I am hoping that one of the officers with you today would have some pertinent information for us. We would like to have testimony of just what is really happening here, because we do not really hear a lot about it. Maybe we do not hear about it because we

do not have a law. I do not know. I support the bill, but we need to air out this issue. The more information we receive, the better off we are going to be.

Beverlee McGrath:

I apologize, Mitch Snider, a detective from the Department of Animal Control, was unable to make it today. They had a huge upheaval today. He had planned on making it here today to address your concerns. I am hopeful that the sheriffs or the representatives from Clark County can offer you some information. Keep in mind that dog fighting is currently illegal in the State of Nevada. All the dog fights are underground. They are not highly advertised; one would only hear about it if one were already involved in the dog fighting community. I do not know how you can flush them out, other than via undercover operations, in which the Humane Society of the United States has been engaged. This was the method by which Michael Vick was caught.

Dennis Allen, Deputy, Patrol Division, Washoe County Sheriff's Office, Reno, Nevada:

We are here in full support of this bill. We currently have an open investigation into a possible dog fighting and cock fighting ring. Because it is an ongoing investigation, I cannot divulge a great deal of information about it, but I believe we have two people or houses in our jurisdiction that are currently raising and/or training dogs used in dog fighting.

Assemblyman Goicoechea:

I know we are really focused on dog fighting, but I believe that, in this state as well as many others, cock fighting is still a big enterprise. I believe that, even in southern Nevada—though it is not quite as gruesome as dog fighting—it does go on. We know it is happening. How many arrests have we had statewide for either one of those offenses in the last ten years, either dog fighting or cock fighting?

Dennis Allen:

In Washoe County in 2008, we had three different cases. In one case, the dog fighting and the cock fighting were intermixed. The investigation is still open. In another case, it did not go anywhere because, by the time we got the information and arrived at the house, everything was already cleaned up. The issue was, under the old legislation, we had to have someone undercover either video tape or witness the acts, or we had to somehow hook up surveillance. So, cock fighting is much more prevalent than dog fighting, as far as we know in our own experience. As an estimation, off the top of my head, I would say that there are at least 12 breeders in Washoe County that I know have chickens that are probably used for cock fighting. Commonly, what happens to roosters is they will have their waddle and crown cut off, then have their spurs cut off.

The spurs are replaced with some kind of metal device, a graft or actual razor blades, or sometimes they use nothing at all, depending on how long they want the fight to go on. The last person with whom we had contact did not put any spurs on them at all, and the fight was three 15-minute rounds. It was in a room of a house, and the room was covered in blood. We found three chickens in the closet that were severely injured and had to be put down. Along with that, at the same house, we found steroids, animal accelerant (which is basically afedren), scales, hooks where they hang the chickens waiting for the next fight, razor blades, and a leather sandal or shoe they tie onto the chicken. We find all this paraphernalia quite often.

Assemblyman Goicoechea:

How about dog fights? I think we all recognize that there is a lot more cock fighting going on than dog fights, but in Washoe County, is there any dog fighting taking place?

Dennis Allen:

I do have one case right now that we are investigating. It used to be that I had to have someone come forward with either a video tape or a surveillance recording and actually see a dog fight in order to do anything. With the new legislation, I can go to your house. If you have a fighting breed pit bull or rottweiler or charpay, and it is heavily chained, and if I find a circular ring or a pit, or if I find different kinds of drugs such as steroids or the accelerant, or if I find cats or rabbits, then I have evidence for a case. We have reports that some of these people go around at night and pick up stray dogs out of neighborhoods, then throw those dogs into the pit with whatever dog they are training. If we find this in conjunction with a dog that is a fighting breed, then the new law allows us to prosecute that. Before, we had to have the actual fight occur with some kind of evidence from that.

Assemblyman Goicoechea:

So, you have not had any convictions in dog fighting?

Dennis Allen:

We have that one open case. I do have a criminal investigator who is working with me. Because of winter, the whole thing has died down and no one is really going to these events. This spring, when it picks up, he is supposed to give me a call when he gets information that events are going again. We will pick it back up and hopefully get somewhere.

Assemblyman Bobzien:

Deputy, what sort of overlap do you see, if any, with this sort of activity in regards to other criminal activity? You mentioned, in house searches, finding

other questionable substances that are related directly to the enterprise of animal fighting. Is it your take that there is also associate criminal activity that circles around animal fighting?

Dennis Allen:

In the one case I have, normally 300 to 500 people attend the event. One of my criminal investigators works for another law enforcement agency. They have told us that there is drug dealing going on at the events. I have talked to a few people in that neighborhood, and they make claims about people driving under the influence (DUI) when leaving the event. We did our own surveillance, and we saw people walking in with large amounts of alcohol. Of course, they were consuming it over the course of the event. They leave while intoxicated. We did have a traffic accident that was unreported. As a result of this event, they cleaned it up and took care of it themselves because they did not want police involvement. After hearing about it, I went out to investigate and found a bumper in a ditch as evidence that the traffic accident actually happened. In addition to these fights going on, there are associated crimes. It is basically a large party. There is going to be illegal gambling involving large sums of money, and the host of the event is going to have some kind of security. In the one event we are investigating, there are four men who work the gate, and you have to have permission to come in. We know that there is organized security. We have had people on the inside tell us that there are drugs and alcohol readily available. It is a large party-type atmosphere, in addition to the things going on with the animals.

Assemblyman Bobzien:

I want to say thank you to both the sponsor of the bill and to Ms. McGrath for bringing forward this fact. I was not aware that we are the only state in the nation that does not prohibit possessing an animal for fighting. It is always shocking and disturbing when we hear about Nevada being the only state that does not do something. Similar to Mr. Carpenter's question, would it be your opinion that our unique status contributes to the incidents of animal fighting?

Dennis Allen:

I would say yes. The reason is this: if I go to your house, and as I walk up the driveway, you have a rottweiler with a two inch leather collar, chained to a post in the ground, and who is biting and snapping. He wants to get a piece of me. I cannot even say your dog is vicious at that point, because it is contained. You go to court and say, "He is just protecting me and my property." Because of the way the law is currently written, I really cannot do much about it. But if I now go to your house, and I see that same dog, and I find these other things at your house, with the new legislation, because you cannot possess or train an

animal for fighting, now I can go to the district attorney (DA) and say, "With all this information, this person is keeping this animal for no good."

Assemblyman Goicoechea:

Hearing your explanation there, I guess it does kind of concern me on the other side. That means, if I have a mean junkyard dog tied up, that gives you probable cause for a search warrant to search my house?

Dennis Allen:

Of course, whenever you get a search warrant, we have to go to the DA's office and show that we have enough information to say that the dog is more than just a mean junkyard dog. I would say that, if you had a vicious dog in addition to one or two complaints from animal control, or maybe you had a citation for a loose dog, or maybe your dog inadvertently killed another dog or livestock next door, that might be enough. I would say it would take more than just having a junkyard dog to get a search warrant. I would have to have a little more information—an outside citizen saying this is what is going on—to take all that information to a DA before he would give me a search warrant.

Assemblyman Goicoechea:

That means Mr. Carpenter cannot keep his cow dog out there anymore because he will bite you.

Assemblyman Hogan:

Deputy, are you aware of any planning or informal discussions about how your department might proceed if we are successful in passing this bill? Is this something that, with a concerted effort and appropriate publicity, could be reduced to a much lower level? Would that be of enough value to have law enforcement generate the commitment to put more people on it, or make more investigations? Would there be a strategy that you could see emerging to take advantage of the new law?

Dennis Allen:

What typically happens, both here and in Las Vegas, is that the animal control or animal services divisions are the ones who come across the stuff first. That information gets forwarded to us, based on their law enforcement status. I can see that, on some of these issues, especially with cock fighting, an educational program could possibly reduce the rate of animal fighting. Cock fighting is interlaced with some heritage. People have grown up with this, and then they move to our country and think it is still fine and ok. I will not say they do not know any better, because everything seems to be underground. But, at the same time, an educational program with us in concert with animal services may bring this law to the public's attention. Not only would people now understand

that it is illegal to do the things that we are proposing here, but other people would possibly start calling us and say, "Hey, our neighbor is engaged in animal fighting," or, "I saw he has 45 chicken coops and 30 people showed up at his house last Saturday."

In the beginning, when this law first got on the books, there was probably some sort of educational program. I do not want to say there will be a public outcry, but people need to be more aware of the situation.

Chairman Claborn:

Ms. Gansert, I want to thank you very much for bringing this bill in here today. As you know, I am a real dog lover and pet lover. Something needs to be done with this. When I first read this bill, I thought we had a slam dunk here. But, as you can see, any time you think you have a slam dunk, it is just the opposite.

Assemblywoman Gansert:

I do not think the intent of this legislation is to prosecute people for possessing a junkyard dog. I do think that people are drawn to Nevada right now because this is a place where you can possess, own, and train these types of dogs. I know that the sheriffs departments and police officers are busy. I do not think they are going to go around trying to prosecute people who have somewhat aggressive dogs. But, I do think it is important that we address this, because there are obvious signs at a home where they have a circular fenced-in area, and signs of cock fighting are evident. You can identify and prosecute the appropriate people, but not become overzealous in trying to prosecute people who just have junkyard dogs. Thank you.

Chairman Claborn:

You are absolutely right. They can serve this Committee by protecting our rights and protecting our citizens.

Assemblyman Goicoechea:

Ms. Gansert, if I could. I do agree that dogfighting is a far bigger issue in this state, but I also believe we have a tremendous amount of cock fighting occurring, especially from the California side, in southern Nevada. I definitely support the bill, but it is my job to make things a bit difficult for you.

Assemblywoman Gansert:

This bill refers to animals, so it does cover cock fighting.

Chuck Callaway, Sergeant, Intergovernmental Services, Las Vegas Metropolitan Police Department, Las Vegas, Nevada:

Thank you, Mr. Chairman and members of the Committee. I just wanted to go on the record and say that we support this bill. In Clark County, we do not respond to a lot of these because they are handled by the Clark County Animal Control Agency. I believe someone was supposed to testify on that, but they were unable to today. I cannot give you specifics as to how many of these occur in our jurisdiction. I can certainly look into it and try and get you those figures for Clark County. Thank you.

Chairman Claborn:

Thank you, Mr. Callaway. Before I have the Committee ask you questions, Ms. Gansert, I wish you would have informed me sooner on this bill introduction. We could have gotten you a teleconference to Las Vegas and heard more testimony from down there. If you have any more bills, please give us time, because I would love to hear from people in the south. Mr. Callaway, you made a very good presentation.

Mr. Goicoechea brought up the question of cock fighting. I know we used to have quite a bit of that in Indian Springs. Is there quite a bit of that in Las Vegas? I have not been to one of those in years.

Chuck Callaway:

Mr. Chairman, as I stated, I have not responded to any of those calls. I have been in law enforcement for twenty years. I have personally not responded to those calls. I have talked to animal control agents that have told me that they are occurring, and that they are often frequented by gang members and have other criminal activities going on, such as Officer Allen has spoken of.

Assemblyman Ohrenschall:

In Clark County, is it normally Animal Control that will find out something is going on, and then the Metro Police Department gets involved? Could you go through what would happen, and how this bill would help if you could investigate early, as to possession? Maybe they are training the animals before the actual exhibition.

Chuck Callaway:

The way the system currently works is Animal Control has the authority to issue misdemeanor citations. The way the law currently stands, in instances such as animal cruelty, dogs not on a leash, or something to that effect, most often Metro is not even called out. If Animal Control responded and found something of a criminal nature that was beyond the scope of their duties, then that is

when they would request us to investigate. We would respond and either assist them with the investigation, or take over the investigation ourselves.

Assemblyman Ohrenschall:

My colleague from Reno earlier asked the Officer from Washoe County this, and I am just wondering: have there been many prosecutions in the last decade or so, along those lines for cock or dog fighting in Clark County?

Chuck Callaway:

I do not have statistics. I was not prepared to testify today, but I can certainly find out and get that information to you.

Assemblyman Aizley:

Does this say to you, then, that if there is someone reporting one of these possible fighting animals, it would go to Metro from Animal Control?

Chuck Callaway:

No. The way I believe that, in cases where someone believes animal fighting is going on, Animal Control responds. If they find evidence of that, they are charging the person with cruelty to animals or some type of misdemeanor offense. Metro is not normally hearing about that. If it was something that was bigger in nature, like a felony or something in which they would require Metro's response, then we would be called out. But, having worked the patrol for almost 20 years, I can count the times on one hand where I was called out regarding some kind of animal cruelty or animal situation. Usually it is all handled by Animal Control.

Chairman Claborn:

We used to have horse racing in Las Vegas, as well as dog racing. I would not want this to become misconstrued if you are training dogs. We get into a can of worms every time we get one of these slam-dunk bills. Are there any laws on the books for training dogs?

Chuck Callaway:

I am unaware of any laws specifically pertaining to training dogs; however, I think other factors would apply. With cock fighting, they have razor blades attached to the animals' feet. In dog fighting, there would be other factors involved that would lead us to believe that those dogs are being used for fighting rather than racing or some other legitimate sports activity.

**Les Lee Shell, Administrator, Departmental Administrative Services,
Department of Finance, Clark County, Las Vegas, Nevada:**

I wanted to speak today on this bill and state that we are in support of the expanded language. As was alluded to, we currently only have the ability to cite for a misdemeanor. So, in this case, where it would be a gross misdemeanor or a felony, we would have to involve Metro. But we are in support of this legislation. Unfortunately, one of our Animal Control officers was unable to make it. He was supposed to testify from Las Vegas today. We do not have numbers for you, but I understand those are some of the questions you had. I will do my best to go back and get any citations for cock fighting or dog fighting and get those back to the Committee for you.

Chairman Claborn:

Are there any folks out there who are against A.B. 199? Is there anybody who is neutral? Are there any comments? I will close the hearing on A.B. 199.

We have two Committee bill draft requests (BDR) back from drafting. This vote does not imply commitment to support final passage. It is only to allow introduction. The first BDR is number 45-110, which makes various changes concerning the Wildlife Heritage Trust Account. The second BDR is number 50-1005, which was sponsored at the request of the Department of Agriculture to make changes concerning confidentiality of notice about diseased animals.

I need a motion to approve the introduction of BDR 45-110.

BDR 45-110 – Requires a certain percentage of the money expended annually from the Wildlife Heritage Trust Account to be used solely for projects to control predators of mule deer in the State. (Later introduced as [Assembly Bill 241](#).)

ASSEMBLYMAN OHRENSCHALL MOVED TO INTRODUCE
BDR 45-110.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairman Claborn:

We have one more. I need a motion to introduce BDR 50-1005.

BDR 50-1005 – Revises provisions governing the confidentiality of a report of trichomonosis in cattle. (Later introduced as [Assembly Bill 242](#).)

ASSEMBLYMAN CARPENTER MOVED TO INTRODUCE
BDR 50-1005.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairman Claborn:

Thank you very much, Committee. Now we are going to go on to our work session. We have three bills to hear. We have [Assembly Bill 69](#), [Assembly Bill 73](#), and [Assembly Bill 75](#). Jennifer is going to walk us through these documents.

[Assembly Bill 69](#): Revises provisions governing the licensure of persons who sell nursery stock. (BDR 49-357)

Jennifer Ruedy, Committee Policy Analyst:

The first bill in the work session document is [A.B. 69](#) ([Exhibit F](#)). This revises provisions governing the licensure of persons who sell nursery stock. In your folder, you have a two page document that was provided to the Committee after the hearing on this bill from Ed Foster of the Department of Agriculture. It is additional information ([Exhibit G](#)). There have been no amendments received for this bill. [Assembly Bill 69](#) requires anyone who engages in the commercial supplying of nursery stock to obtain a license from the director of the State Department of Agriculture. A retail florist or other person who sells cut flowers, but not nursery stock, is exempted from the licensure requirement. The measure eliminates exemptions from the licensure requirement for retail florists or other persons who sell potted ornamental plants intended for indoor decorative purposes and any person who only has occasional sales of nursery stock. Definitions for "landscape contractor" and "landscape maintenance business" are added to the statute.

There is a fiscal note in your folder for [A.B. 69](#) ([Exhibit H](#)). It looks like it came from the Department of Agriculture. It looks like approximately 100 unlicensed dealers are expected to need this additional license under this bill. The license is \$130. The Department believes that the \$130 times the 100 currently

unlicensed would offset inspection and operational costs. If you see the fiscal note, it actually balances out to zero.

Assemblyman Goicoechea:

So, we are talking about an additional 100 people out of the 1200 or so that are presently licensed. I am just wondering where those people were. Exactly who are we capturing that we were not capturing before?

Jennifer Ruedy:

We are eliminating two of the current exemptions. The measure eliminates the exemptions from the licensure requirement for retail florists or other persons who sell potted ornamental plants. As I recall from the testimony, they were trying to also get people that sold potted indoor plants because of the potential for the spread of an invasive species, which they can do now because of the deletion of those two exemptions.

Peggy McKie, Agriculturist IV, Division of Plant Industry, State Department of Agriculture:

Good afternoon, Mr. Chairman and members of the Committee. The primary businesses that we will be targeting will be florists who carry indoor plant material that can be planted outside. Currently those businesses are exempt because we had a requirement that if the plant material was for indoor decorative purposes, then that exempted that business from the license requirement. But, most of those indoor decorative plants are capable of being potted outside and used outside in the Las Vegas area. Most of the businesses that will be brought into the circle will be located in Clark County, because that is where most of the population is. The rest of them are scattered throughout the state. The balance would be in the Washoe County, Reno, and Carson City areas, with a few scattered throughout the interior of the state.

Assemblyman Hogan:

Is there a frequent incidence of people driving into the state from outside with a pick-up truck full of potted plants that we might be more clearly authorized to stop, or is that already illegal? In your knowledge, is it going on?

Peggy McKie:

Yes. I do not doubt that it is going on. It is illegal to bring nursery stock, and indoor plant material is considered to be nursery stock, into the state without inspection certificates for that stock and without documentation that shows where the material is coming from. Because we do not have boarder stations, we are unable to stop all of them. But, where we do have highway inspection stations, which we set up temporarily on occasion, and that type of material is coming through in a vehicle, we do stop them and require documentation.

Assemblyman Aizley:

Just for clarification, if I happen to buy cacti in Arizona for personal use, do those have to be inspected when I bring them into Nevada?

Peggy McKie:

For personal use, typically you would not have to have them inspected. It depends on how large your personal use is.

Chairman Claborn:

I am going to bring this back to Committee. I will entertain a motion.

ASSEMBLYMAN GOCOCHIA MADE A MOTION TO DO PASS
ASSEMBLY BILL 69.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairman Claborn:

This bill has been passed. Mr. Ohrenschall, would you do us a favor? Since you know all about these exotic plants, would you handle this bill on the floor? Thank you very much.

Now I will open the work session on A.B. 73.

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

Jennifer Ruedy, Committee Policy Analyst:

Assembly Bill 73 requires that an operator of a water vessel be at least 14 years old, without exception, and the person observing someone being towed behind a water vessel must be at least 12 years of age, without exception ([Exhibit I](#)). There was some confusion during the hearing, but this does not raise the ages, it is deleting the exceptions. The measure repeals the requirement that certain motorboats be equipped with an efficient bell or whistle. If you notice the special note: I believe someone provided testimony that the Department of Wildlife had said there were two references to federal navigation laws or rules for navigation adopted by the U.S. Coast Guard currently in statute. So, the language setting forth the bell and whistle requirement was unnecessary.

Chairman Claborn:

Thank you, Jennifer. To my recollection, I do not think we had any problem or questions with this. Are there any questions on A.B. 73? Hearing none, I will entertain a motion.

Assemblyman Carpenter:

Seeing that I did the boat bill 12 sessions ago, I make a motion we pass it.

ASSEMBLYMAN CARPENTER MADE A MOTION TO DO PASS
ASSEMBLY BILL 73.

ASSEMBLYMAN GRADY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairman Claborn:

This bill is passed. Mr. Carpenter, would you be more than happy to do the floor statement?

Assemblyman Carpenter:

Thank you, Mr. Chairman, I will do that.

Chairman Claborn:

Now we will move onto A.B. 75.

Assembly Bill 75: Requires the State Forester Firewarden to submit annual reports concerning fire prevention and forest health in the Nevada portion of the Lake Tahoe Basin to the Governor, the Legislature, the Nevada Congressional Delegation and the Tahoe Regional Planning Agency. (BDR 47-439)

Jennifer Ruedy, Committee Policy Analyst:

Assembly Bill 75 requires the State Forester Firewarden to submit annual reports concerning fire prevention and forest health in the Nevada portion of the Lake Tahoe Basin to the Governor, the Legislature, the Nevada Congressional Delegation and the Tahoe Regional Planning Agency ([Exhibit J](#)). There is a fiscal note on this ([Exhibit K](#)).

Chairman Claborn:

Are there any questions on A.B. 75? Hearing none, I will entertain a motion.

ASSEMBLYMAN GRADY MADE A MOTION TO DO PASS
ASSEMBLY BILL 75.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairman Claborn:

Mr. Goicoechea, would you do the floor statement on this one for us, since you know all about this and you have known Mr. Anderson for a long time?

I am glad we passed this bill out with no problems at all. He did such a great job, and this is necessary. If we cannot afford \$1,000, we do not need to be in business.

Thank you very much, Committee. Is there any public comment? Seeing none, I will adjourn the meeting.

[Meeting adjourned at 2:25 p.m.]

RESPECTFULLY SUBMITTED:

Judith Coolbaugh
Recording Secretary

Robert Gonzalez
Transcribing Secretary

APPROVED BY:

Assemblyman Jerry D. Claborn, Chair

DATE: _____

EXHIBITS

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

Date: March 2, 2009

Time of Meeting: 1:37 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster.
A.B. 199	C	Assemblywoman Heidi S. Gansert	Presentation on <u>A.B. 199</u> .
A.B. 199	D	Beverlee McGrath	Chart of the severity of laws in regards to dog fighting by state.
A.B. 199	E	Beverlee McGrath	Photograph of two dogs fighting.
A.B. 69	F	Jennifer Ruedy	Work Session document for <u>A.B. 69</u> .
A.B. 69	G	Ed Foster	Additional information relevant to <u>A.B. 69</u> .
A.B. 69	H	Jennifer Ruedy	Fiscal Note for <u>A.B. 69</u> .
A.B. 73	I	Jennifer Ruedy	Work session document for <u>A.B. 73</u> .
A.B. 73	J	Jennifer Ruedy	Work Session document for <u>A.B. 75</u> .
A.B. 75	K	Jennifer Ruedy	Fiscal Note for <u>A.B. 75</u> .